

2018-2019



**MAHARASHTRA STATE
HUMAN RIGHTS COMMISSION**



18 TH ANNUAL REPORT
FROM 1ST APRIL 2018 TO 31ST MARCH 2019

MAHARASHTRA STATE HUMAN RIGHTS COMMISSION

18TH ANNUAL REPORT

April, 2018-March, 2019

Draft annual report 2018-19

Preface

“The rights of every man are diminished when the rights of one man are threatened.”

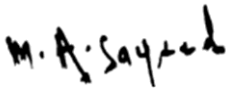
- John F. Kennedy

The Commission is pleased to present its 18th Annual Report for the period 01.04.2018 to 31.03.2019.

Human rights are commonly understood as inalienable fundamental rights and inherent in all the human beings. Regardless of nations, locations, language, religion, ethnic origin, sex, caste, creed etc. human rights are universal in nature. As per the United Nations Conferences and Conventions and as emphasized in the Universal Declaration of Human Rights, it is the duty of the State to promote and protect all Human Rights regardless of the political, economic and cultural system prevalent in the State. Accordingly, the Protection of Human Rights Act, 1993 came into existence in India.

Though the object of the Act was limited in the sense, the Human Rights Commissions could enquire into the violation of human rights only by public servants and though the Commission could make only recommendatory orders, the Maharashtra State Human Rights Commission with its limited powers and jurisdiction has been looking into

the complaints of victims of human rights violation by public servants either on complaints received or even *suo moto*. The efforts of the Commission to bring awareness in the State of Maharashtra has resulted in large number of cases registered and enquired into. With its limited grant and infrastructure, the Commission has been attending the grievances and complaints regarding the human rights violations. Maharashtra State Human Rights Commission's endeavour is to improve the status of human rights in the State and promote the culture of Human rights protection for the welfare of society at large. The efforts of Commission are reflected in detail in the present report.



(M A Sayeed)
Acting Chairperson/Member



(Tukaram Mundhe, IAS)
Secretary

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CHAPTER I - INTRODUCTION

Human rights are moral principles or norms that describe certain standards of human behaviour, and are regularly protected as legal rights in International Law. They are commonly understood as inalienable fundamental rights "to which a person is inherently entitled simply because she or he is a human being", and which are "inherent in all human beings" regardless of their nation, location, language, religion, ethnic origin or any other status. They are applicable everywhere and at every time in the sense of being universal, and they are egalitarian in the sense of being the same for everyone. They are regarded as requiring empathy and the rule of law and imposing an obligation on persons to respect the human rights of others.

Although ideas of rights and liberty have existed in some form for much of human history but the earlier conceptions do not closely resemble the modern idea of human rights. The modern sense of human rights can be traced to Renaissance Europe and the Protestant Reformation, alongside the disappearance of the feudalism and religious conservatism that dominated the middle Ages.

The Geneva Conventions came into being between 1864 and 1949 as a result of efforts by Henry Dunant, the founder of the International Committee of the Red Cross. The conventions safeguard the human rights of individuals involved in armed conflict, and build on the Hague Conventions of 1899 and 1907. This was an attempt of international community's first attempt to formalise the laws of war and war crimes in the nascent body of secular international law. The conventions were revised as a result of World War II and readopted by the international community in 1949.

Post World War II world led to increased concern for social and legal protection of human rights as fundamental freedoms. The foundation of the United Nations and the provisions of the United Nations Charter provided the basis for a comprehensive system of International Law and practice for the protection of human rights.

The principle of universality of human rights is the cornerstone of International Human Rights Law. This principle, as first emphasized in the Universal Declaration on Human Rights (UDHR) in 1948, has been reiterated in numerous international human rights conventions, declarations, and resolutions. The 1993 Vienna World Conference on Human Rights, for example, noted that it is the duty of States to promote and protect all human rights and fundamental freedoms, regardless of their political, economic and cultural systems.

Article 1 of the UDHR clearly states that, "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood". Indian Constitutional framers has also incorporated UDHR provisions in the Constitution of India as fundamental rights. The Indian Parliament passed **The Protection of Human Rights Act, 1993**. The Act provides safeguard against

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violation of human rights. This Act has provisions to establish the National and State Human Rights Commission as well Human Rights Court at the District level. **The Maharashtra Human Rights Commission** was established on the 6th March, 2001 as per the International Covenant and Protection of Human Rights Act, 1993, for the protection of Human Rights in the State of Maharashtra.

COMPOSITION OF THE COMMISSION

The Maharashtra State Human Rights Commission is an Autonomous and Statutory Body comprising of

- A Chairperson who has been a Chief Justice of a High Court; Justice of a High Court.
- One Member who is, or has been, a Judge of a High Court or District Court Judge in the State with a minimum of seven years experience as District Judge;
- One Member to be appointed from amongst persons having knowledge of, or practical experience in, matters relating to Human Rights.

FUNCTIONS OF THE COMMISSION

The main function of the Commission is to keep watch and enquire into violation of Human Rights by the Public Servant.

As provided in Section 12 of the Act the Commission shall perform all or any of the following functions namely:

(a) Inquiry, suo moto or on a petition presented to it by a victim or any person on his behalf or on a direction or order of any Court, into complaint of

- Violation of human rights or abetment thereof; or
- Negligence in the prevention of such violation by a Public Servant;

(b) Intervene in any proceeding involving any allegation of violation of Human Rights pending before a Court with the approval of such Court;

(c) Visit, notwithstanding anything contained in any other law for the time being in force, any Jail or other institution under the control of the State Government, where persons are detained or lodged for purposes of treatment, reformation or protection, for the study of the living conditions of the inmates thereof and make recommendations there on to the Government;

(d) Review the safeguards provided by or under the Constitution or any law for time being in force for the Protection of Human Rights and recommend measure for their effective implementation;

(e) Review the factors, including acts of terrorism that inhibit the enjoyment of Human Rights and recommend appropriate remedial measures;

(f) Study treaties and other International Instruments on Human Rights and make recommendations for their effective implementation;

- (g) Undertake and promote research in the field of Human Rights;
- (h) Spread Human Rights Literacy among various sections of Society and promote awareness of the safeguards available for the protection of these rights through publication in the media, seminars and other available means;
- (i) Encourage the efforts of Non-Governmental Organizations (NGOs) and Institutions working in the field of Human Rights;
- (j) Such other functions as it may consider necessary for the Protection of Human Rights.

PROCEDURE OF DEALING WITH COMPLAINTS OR SUO-MOTO ACTION

1. The complaint may be written in Marathi, Hindi or English language by any victim of Human Rights violation or any other person on his/her behalf, to be presented in person or by Post or online.
2. No fee is charged on the complainant. No court fee stamps are required. No need to engage the lawyer.
3. The complaint against any Public Servant required is to be addressed to the Chairperson of the Commission and should mention the following information:
 - The Complainant's full name
 - Postal address of the complainant
 - Telephone Number/Email Address
 - Date and Place of incident
 - Time of incident
 - Specify details of violation of Human Rights
 - Complaint against which Public Servant/ Government Department/Government Organization/ Government Authority
 - Whether the matter is pending in any Courts, National Human Rights Commission, New Delhi, Tribunals or any other Statutory forums
 - The relief prayed for.

ADVANTAGES OF APPROACHING THE COMMISSION

Institutional
Autonomy and
Independence

Easy
Approachability

No fees charged

Less
cumbersome
procedure

Speedy Justice

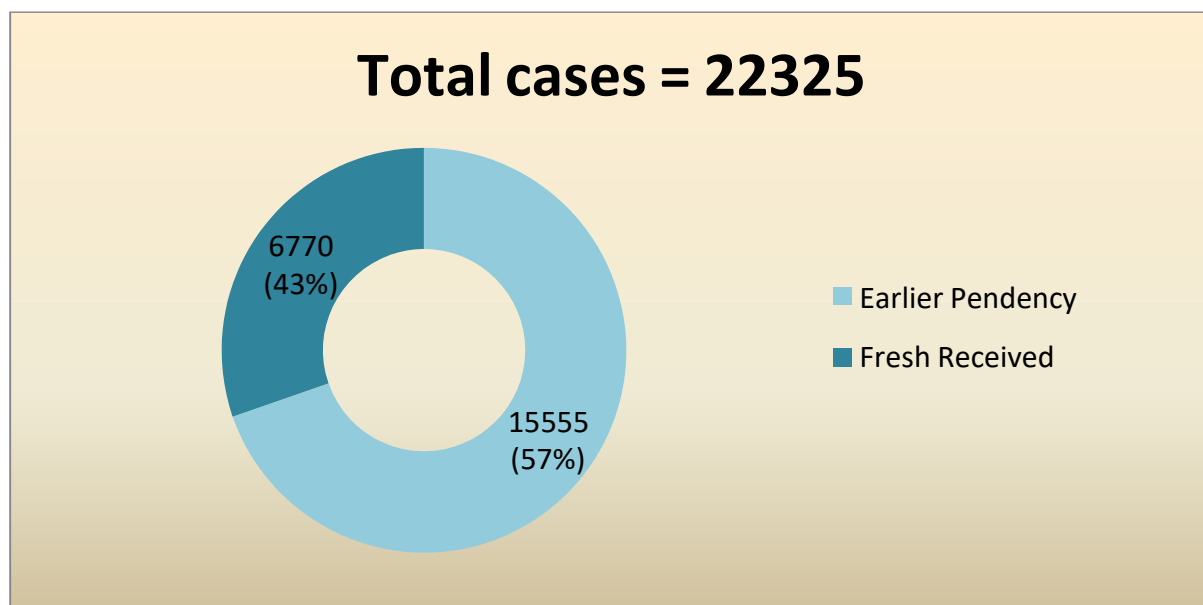
No assistance of
professional
lawyer required

CHAPTER II – COMPLAINTS HANDLED BY THE COMMISSION

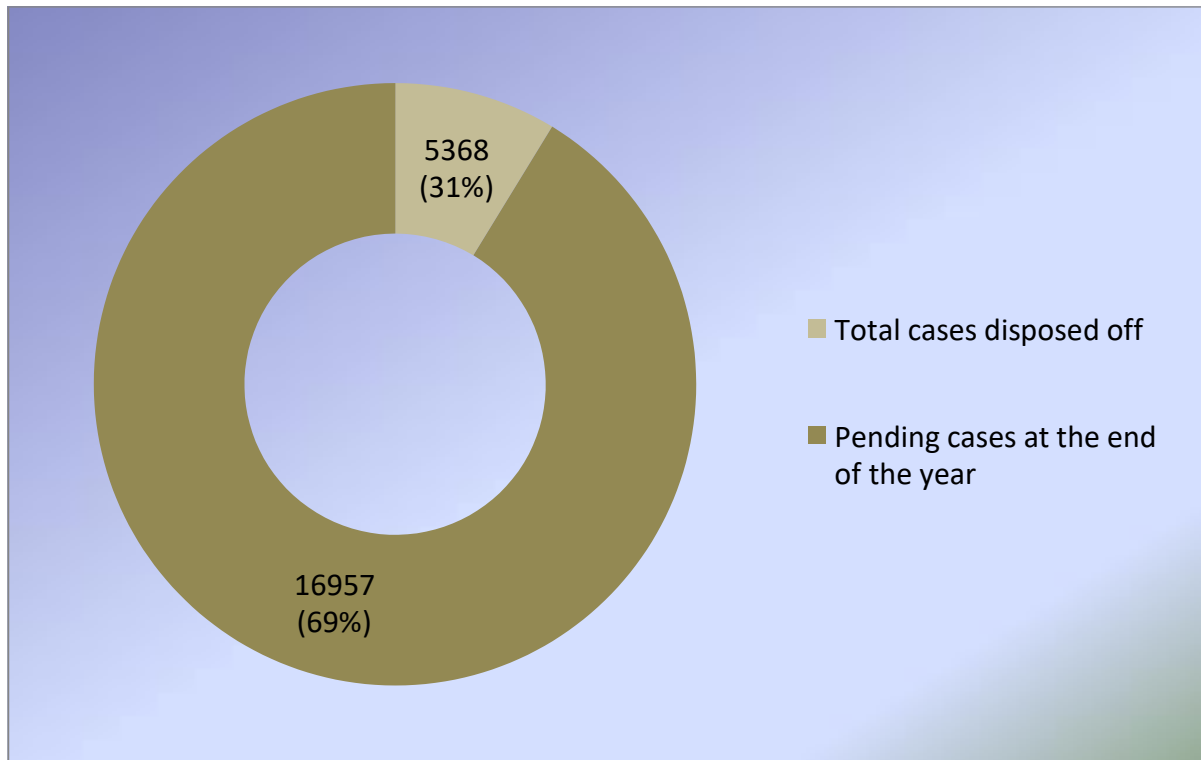
From 1st January, 2018 to 31st December, 2018, the Commission received a total number of 6770 complaints. A large number of cases received were not entertained by the Commission as they were not maintainable and/or outside the purview of the Commission, as per Regulation 12 of the Maharashtra State Human Rights Commission (Procedure) Regulation 2011. This indicates lack of adequate awareness about the powers and functions of the Commission. Steps are being taken to bring awareness amongst public by arranging lectures to promote awareness about the Commission and its functions. The following chart is showing the details about the fresh complaints received, pendency as well as the number of cases disposed of.

Statistical Chart of the Cases from 1-1-2018 to 31-12-2018

Earlier Pendency / Opening Balance	New Receipts / Complaints	Cumulative complaints during this period	Total disposal of during the year	Total Cases of Relief / Recommendation	Pending cases at the end of this period
15555	6770	22325	5368	41	16957



Total Relief Given = 41



Note :- (During above period CMS system developed through private consultant, it was having technical error after some period, therefore data for some period of the year was maintained in excel sheet, to the extent of 2674 cases split up as above is not available)

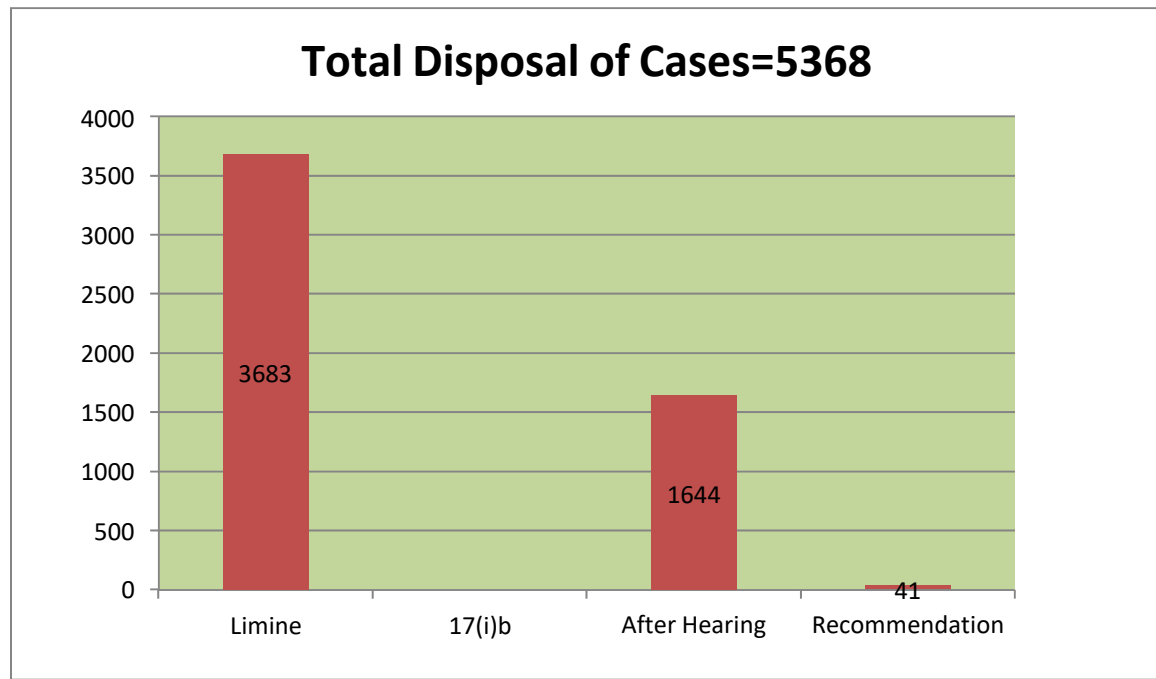
*Government Depts. include complaints against Agriculture, Forest, Health, Tribal, Environment, Food, Revenue Department etc.

*Miscellaneous include complaints against Government bodies, banks, corporations, family dispute, recovery agents, loans etc.

Total Complaints = 6770

Total Disposal of Court 1, 2 & 3 from January, 2018 to December, 2018

Period	Limine	17 (i)(b)	After Hearing	Recommendations	Total
January, 2018 to December, 2018	3683	0	1644	41	5368



**CHAPTER III – VISITS BY THE CHAIRPERSON AND THE HON'BLE MEMBERS
OR INVESTIGATION TEAM**

Details regarding Official Visits to Jails and Police Stations, the Seminar, Conferences and other important events attended by the Hon'ble members of Commission between 1st April 2018 to 31st March 2019:-

Internship & Training:

Visits by Institution:

<u>Sr. No.</u>	<u>Date of Visit</u>	<u>Name of Institution</u>	<u>Participants</u>
1.	21.06.2018	Azad Maidan Police Station	26, Law Students
2.	22.06.2018	Byculla Prison	26, Law Students
3.	25.06.2018	Juvenile Justice Board Mumbai	26, Law Students

Internship:

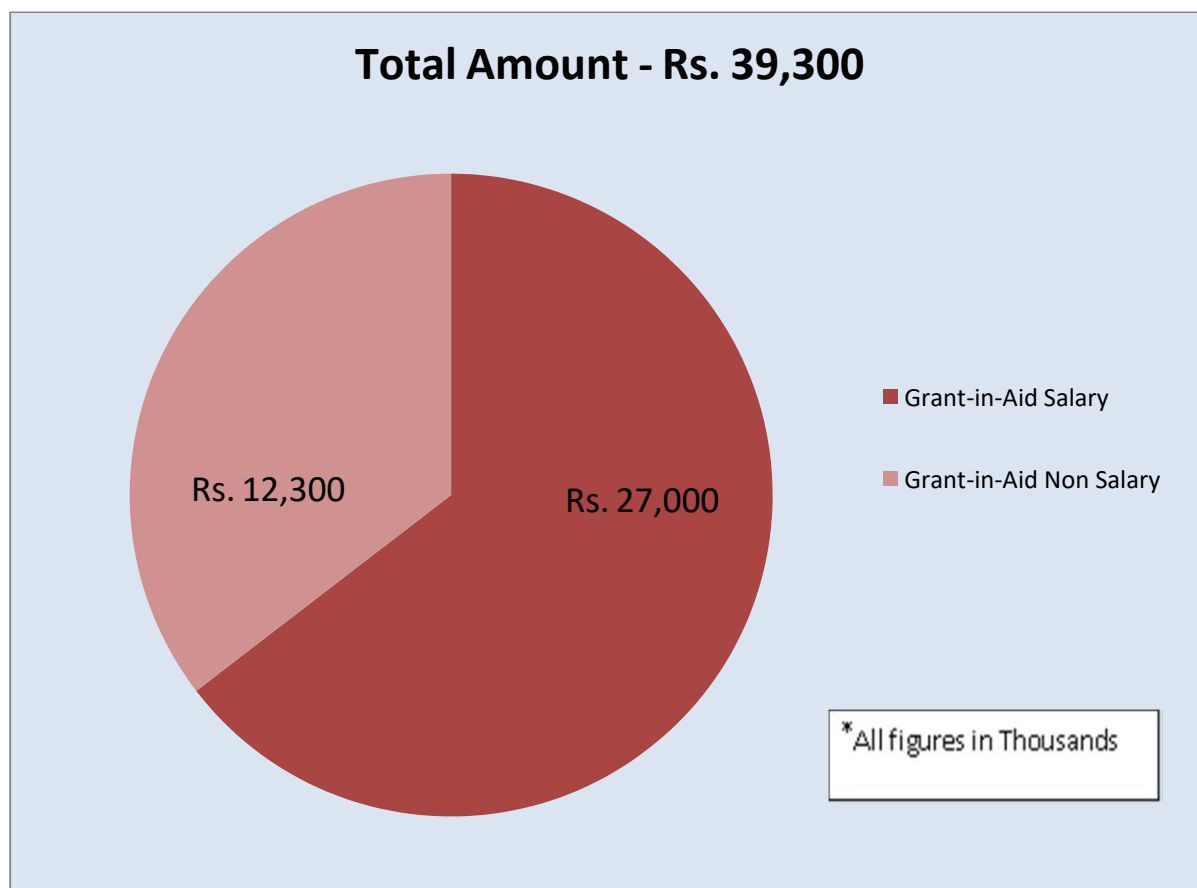
Internship programme is conducted twice in a year during winter and summer to the Law student. These students come from various Law Colleges/Universities all over the countries.

<u>Sr. No.</u>	<u>Period</u>	<u>Programme</u>	<u>No. of Participants</u>
1.	01.06.2018 to 31.06.2018	Summer Internship	26

CHAPTER IV – RESOURCES

**Funds Received from the Government for the
financial year 2018-2019**

	Rupees (in Thousands)
Grant-in-Aid Salary	27,000
Grant-in-Aid Non Salary	12,300
Total	39,300



CHAPTER V**ILLUSTRATIVE CASES**

1. Case No. 1385/2014
Name of the Complainant:- Sonal R. Chavan.
Name of the Respondent:- Dy. Commissioner of police zone-IV,
Mumbai.
Date of orders: 12 July 2018.
Quorum: M.A. Sayeed, Member.

Nature of Complaint:

This complaint filed by Smt. Sonal R Chavan, contending that her daughter got burnt in neighbour's house in birthday function. Despite the fact that nature of allegation very clearly made out a cognizable offence, even then police has not taken any action & FIR came to be registered after two months of incident. In short delay by police for FIR.

Action Taken By the Commission:

After going through the compliant, as in such cases no preliminary enquiry is permissible. Notice was issued to concerned and they appeared. After hearing, direction given to Ld DGP to issue a warning in this regard to entire police machinery in a State & also called upon disciplinary authority to initiate disciplinary action against the erring officer.

Decision of the Commission:

After hearing and considering the material on record. It was found that, Dy. Commissioner of Police zone-IV, Mumbai a public servant has violated the human rights of the complainant Smt. Sonal R. Chavan. The commission, therefore, made the following recommendations:--

The Commission awarded an compensation of Rs. 25,000/- to the complainant, directing ACS, Home Department, Mantralaya to pay the said amount within four weeks from the date of the receipt of this order.

2. Case Number: 3301/2017

Name of the Complainant: Dinesh B Nankate

Name of the respondent: Directed General of police (Prison) Pune.

Date of orders: 26th June 2018

Quorum: M .A. Sayeed, Member.

Nature of Complaint:

It is stated that negligence, ignorance and casual approach on the part of erring jail official of Wardha District Prison, despite an order of releasing complainant forthwith, instead of releasing complainant another UTP Sharad Ratan Bavne was released due to error and complainant was released on 10/06/2017 instead on 08/06/2017.

Action Taken By the Commission:

After going through the compliant and taking into consideration the material on record, the commission proceeded to pass the following decision.

Decision of the Commission:

After consideration of entire material the commission is of the view that there has been lapse on the part of jail authority. The commission, therefore, made the following recommendations:--

- 1 ACS, Home Dept. Mantralay do pay a sum of Rs. 1 lakh to the complainant as compensation for violation of his human rights within 6 weeks from the receipt of the order And in default to pay an interest of Rs. 12.05% per annum on the awarded amount till its full realization.**
- 2 Circular be issued to the Superintendents, jails to ensure a proper implementation of the orders of the Courts particularly reference to the bails orders and the rules in that regards.**
- 3 Compliance of these directions is made within 6 weeks and compliance be reported to this Commission for information and necessary action.**

3. Case Number: **MAS /SM /53/2017**

Name of the Complainant: Suo-Moto,
77 yr old hurt after BMC fails
to smoothen bad worli stretch

Name of the respondent: Municipal Commissioner BMC, Mumbai.

Date of orders: 23th April, 2018

Quorum: M .A. Sayeed, Member.

Nature of Complaint:

As per news reporting in daily news paper Times Of India, Mumbai Tuesday, October, 10, 2017, senior citizen age 77 years old met with fatal accident while taking her morning walk due to uneven pavement block on Worli sea face front promenade on 09.10.2017 as she treat and fell down, sustaining grievous injuries.

Action Taken By the Commission:

The Commission took Suo-Moto Cognizance on the basis of news. Issue notice to the Municipal Commissioner, BMC, Mumbai. Consider the reply and the record. Judicial notice of poor condition of roads, potholes where taken.

Decision of the Commission:

Taking into consideration all material of record, Commission deem it proper to make following recommendation:

- A) Principal Secretary, Urban Development Department, Mantralaya, Mumbai is directed to issue a circular containing implementation of the directions passed by the High Court of Judicature at Bombay in Writ Petition reproduced above to all the Judicature in State of Maharashtra and insist for submitting a compliance within a period of six weeks from the receipt of the copy of the order.
- B) Municipal Commissioner, BMC, Mumbai is directed to pay a compensation of Rs.10,00,000/- (Rupees Ten Lacs Only) to the victim for violation of her human rights within six weeks from the date of receipt of this order, galling which an interest @ 12.50% to be paid on the awarded amount till its actual realization.
- C) Commissioner of Police, Mumbai to circulate the guidelines made by Supreme Court in re- Lalita Kumari case, relating to registration

of FIR u/s. 154 Cr PC and powers and functions of the police in investigation the crime.

D) Compliance of these directions be made within six weeks and report be made to this Commission for further necessary action.

4. . Case Number: **MAS/1094/2013-14**

Name of the Complainant: Namdeo T. Uttane.

Name of the respondent: Superintendent of Police
Wardha.

Date of orders: 29th September, 2018 .

Quorum: M .A. Sayeed, Member.

Nature of Complaint:

It is stated that son of complainant death cause under suspicious circumstances on 10/05/2013. Accidental death crime registered. Casual attitude on the part of police in conducting the investigation even after registration of crime, the entire record went missing due to negligence of concern Police Inspector.

Action Taken By the Commission:

The commission called report of investigation wing, notice issued, reply filed, hearing completed.

Decision of the Commission:

Taking into consideration all material of record, Commission deem it proper to make following recommendation:

- 1. Addl. Chief Secretray, Home Dept, Mantralya, Mumbai do pay a compensation of Rs 5 Lakhs to complaint, Shri Namdev Uttane for violation of his human rights on account of the lapses & laxities on the part of the agencies as discussed above within 6 weeks from receipt of this order & in the event of default to pay the amount with an interest at the rate of 12 p.a. from the date of this order till the date realization.**
- 2. Addl. Chef Secretary , Home is directed to formulate necessary guidelines for completion of the investigation within a specific time fram as observes by Superme Court in the decision of Re- Dilawar, supra above (relevant paragraphs 6to8), as well as for preservation of the records of crimes registered with the police stations, in consolation with the the director of presecutation, State of Maharshstra DGP, State of Maharashtra, Principal Secretary, Law & Justice Mantralay, Mumbai, within a period of three months from the date of receipt of the order.**

5. Case Number: MAS/531/2014

Name of the Complainant: Treesa Lawerance Bar

Name of the respondent: Collector, Palghar

Superintendent of Police, Palghar

Date of orders: 15th November, 2018

Quorum: M .A. Sayeed,
Acting Chairperson / Member.

Nature of Complaint:

It complainant case that she is physically disable person& having property dispute with other individuals, subjected to false cases against her filed by police without enquiry with intention to grab her property & declare insane.

Action Taken By the Commission:

Notice issued to the concerns. In pursuance of notice reply filed by Respondents. Hearing completed

Decision of the Commission:

Taking into consideration all material of record, Commission deem it proper to make following recommendation:

- A. Director General of Police, Maharashtra State, Mumbai is directed to circulate the guidelines laid down by Supreme Court in re D.K.Basu Case as mentioned in para no.4 supra above to all the Commissionerate Division in State of Maharashtra so that no omissions or illegalities are committed inviting not only penal but disciplinary action against the police force in State of Maharashtra & also update & sensitize about the procedural incites, Rules & Regulations to be strictly followed while arresting the person under Mental Health Act.**
- B. Additional Chief Secretary, Home Department, Mantralaya, Mumbai to pay sum of Rs.2,00,000/- (Rupees Two Lakhs Only) to the complainant, within six weeks from the receipt of this order and in default to pay an interest of 12.50% p.a. on the awarded amount till its actual realization.**

6. Case Number: **MAS/380/2017**

Name of the Complainant: Appaso A Mane

Name of the respondent: Dean, JJ Hospital, Mumbai

Superintendent of Police, Sangli

Civil Surgeon, Civil Hospital, Sangli

District Education Officer, Sangli

Date of orders: 19th November, 2018

Quorum: M .A. Sayeed,
Acting Chairperson / Member.

Nature of Complaint:

It complainant case that his daughter age 13 year studding in 7th standard in G.K.Mane High School, Karanji. On 22.09.2016 she was subjected to sexually abused by her school teacher, Shri Gaikwad & one school mate Rahul Patil studding in 8th standard. Again Rahul forced her to succumb to his lust in school itself, she felt dizzy & lost her consciousness in classroom on 28.09.2016. She was taken to Primary Health Centre & thereafter in private hospital, where she disclosed the above miseries to the doctor & nurse. Thereafter complaint filed at Vita Police Station.

Action Taken By the Commission:

Notice issued to the concerns. In pursuance of notice reply filed by Respondents. Hearing completed

Decision of the Commission:

Taking into consideration all material of record, Commission deem it proper to make following recommendation:

- A. Principal Secretary, Health Department, Mantralaya, Mumbai to pay interim compensation of Rs. 1,00,000/- (Rupees One Lacs Only) to the complainant within six weeks from the receipt of this order and it default to pay an interest of 12.50% p.a. on the awarded amount till its actual realization.**
- B. In order to avoid repetition of such incidence sensitization training should be given to the medical officers attached to the**

government hospital throughout Maharashtra and vacant vacancies to be filled up forthwith with special attention to the posting of experts and specialists like gynaecologist at civil hospitals as well as PHC with proper modern medical facilities. Scheme should be devise for appointment of councillors to guide and advise expectant mothers particularly in rural areas.

- C. Medical officers right from the top to low rank should be advise to treat a patient with humanity, respect and attend emergencies on top priority.**
- D. Compliance of these directions be made within six weeks and report be made to this Commission for further necessary action.**

7. Case Number: MAS/ 1781/2016

Name of the Complainant: Irfan Khan Raheman Khan

Name of the respondent: Superintendent of Police, Jalana

Date of orders: 11th January, 2019

Quorum: M .A. Sayeed,
Acting Chairperson / Member.

Nature of Complaint:

It is a case of complainant that there were tension between two groups of two different communities on the eve of Holi on 23.03.2016. Altercations occurred between two groups near Mosque at about 08.30 p.m. Police abused them on their caste & assaulted . Criminal offence registered, when produced before Magistrate complaint of ill treatment, custodial torture by police, enquiry by Magistrate & after considering the report, Principal District Judge directed CJM, Jalana to register report & proceed against the then police officer.

Action Taken By the Commission:

Notice issued to the concerns. In pursuance of notice reply filed by Respondents. Hearing completed

Decision of the Commission:

Taking into consideration all material of record, Commission deem it proper to make following recommendation:

- A. The entire record of the present matter particularly, the record of the judicial inquiry conducted be placed before the learned DGP, Mumbai for initiating necessary disciplinary action against the erring police officer held responsible for having caused physical torture to the complainant and four others.**
- B. Ld DGP, Mumbai to circulate important decisions of the Supreme Court formulating the guidelines on the functioning of the police machinery; (list of the cases attached) for future guidance and avoidance of such instances.**
- C. Additional Chief Secretary (Home), Mantralaya, Mumbai to pay compensation of Rs. 2,00,000/- each to the complainant and four others for having violated their human rights, within six weeks from the date of receipt of this order, in default to pay the**

amount with interest of 12% p.a. from the date of order till its full realization.

- D. Compliance of these directions be made within six weeks from the receipt of the order and report be made to this Commission for further necessary action.**

8.Case Number: MAS/ 1889/2013-14

Name of the Complainant: Ashok Jadhav

Name of the respondent: Collector, Yavatmal

Project Officer,
Irrigation Department, Yavatmal

Date of orders: 5th February, 2019

Quorum: M .A. Sayeed,
Acting Chairperson / Member.

Nature of Complaint:

It is a case of complainant that delay in payment of compensation to him for the damages & loss for his orange orchard by the respondent authority causing human right violation.

Action Taken By the Commission:

Notice issued to the concerns. In pursuance of notice reply filed by Respondents. Hearing completed

Decision of the Commission:

Taking into consideration all material of record, Commission deem it proper to make following recommendation:

- A. Ld Divisional Commissioner, Revenue, Amravati Division to consider initiation of departmental inquiry against the then officers / officials of the Irrigation Department, Yavatmal for having committed lapse in attending the complainant's claim immediately and promptly and award compensation for the loss and damage to his orange plantation.**
- B. Ld Divisional Commissioner, Revenue, Amravati Division is directed to call upon the learned Collector, Yavatmal to call for the entire original record of the complainant's claim from the concerned irrigation department and after a due and proper inquiry and evaluation pass necessary order in accordance with the Rules and procedure, with respect to the compensation claim of the complainant.**
- C. Ld Divisional Commissioner, Revenue, Amravati Division to direct the concerned Irrigation Department to pay an amount of Rs.50,000/- as damages to the complainant for violation of his**

human rights within six weeks from the date of this order, in default to pay simple interest @ 12.55 p.a. on the principal amount from the date of this order till its full realization.

- D. The Ld Divisional Commissioner, Revenue, Amravati Division to comply the above noted direction within six weeks from the date of receipt of this order and report to this Commission.**

9. Case Number: MAS/ 2211/2015

Name of the Complainant: Perpetua Fernandes & Anthony Fernandes

Name of the respondent: Dy. Commissioner of Police,
Zone-VIII, Mumbai

Date of orders: 5th March, 2019

Quorum: M .A. Sayeed,
Acting Chairperson / Member.

Nature of Complaint:

It is a case of complainant that police officer refused to register FIR of serious crime & after due diligence the said FIR came to be registered almost after a lapse of 4 years. In short delay in FIR.

Action Taken By the Commission:

Notice issued to the concerns. In pursuance of notice reply filed by Respondents. Hearing completed

Decision of the Commission:

Taking into consideration all material of record, Commission deem it proper to make following recommendation:

- A. it is directed to Ld DGP that Lalita Kumari WP (Criminal) no. 68/2008 wherein hon'ble Apex Court has given guidelines, said judgment to be circulated throughout the Commissionerate Division of State of Maharashtra for necessary implementation.
- B. Ld Additional Chief Secretary (Home) do pay a compensation of Rs. 2,00,000/- to the complainants for violation of her human rights due to the serious lapse, laxity on the part of the erring police officer for having failed to register FIR immediately, promptly u/s. 154 Cr PC despite the allegations making out a cognizable case. The compensation should be paid to the complainants within six weeks from the date of receipt of this order.

10.Case Number: MAS/ 2519/2013-14 c/w 2690/13-14

Name of the Complainant: Ruchika Bhatt & Narendrakumar Bhatt

Name of the respondent: Dy. Commissioner of Police,
Zone-XII, Mumbai

Municipal Commissioner, Mumbai

Date of orders: 26th February, 2019

Quorum: M .A. Sayeed,
Acting Chairperson / Member.

Nature of Complaint:

It is a case of complainant that Municipal Commissioner issued notice of eviction, reply filed by the complainant specifically mentioning that shifted to the relative place. In view of compliance of notice dated 25.05.2013, Municipal corporation shall not allow developer to carry on any further illegal action & also informing about belongings left by them in the locked room. However BMC demolished without giving official notice to the complainant to remove the belongings from the locked room.

Action Taken By the Commission:

Notice issued to the concerns. In pursuance of notice reply filed by Respondents. Hearing completed

Decision of the Commission:

Taking into consideration all material of record, Commission deem it proper to make following recommendation:

- A. Ld Municipal Commissioner MCGM do organize sensitization programme for its officers particularly attached with buildings and construction departments to percolate down the spirit and object of the guidelines, with special emphasis on principles of natural justice to be borne in mind while discharging their duties.**
- B. Courses on motivation and inspirations of the officers and officials so as to improve, streamline the working of the Municipal corporation in different sectors should be conducted at regular intervals so as to imbibe sense of discipline, responsibility, dedication in the working team.**

- C. Ld Municipal Commissioner may consider initiation of necessary disciplinary action against the defaulting officer in accordance with the Rules and Regulations. Besides learned Municipal Commissioner should direct the concerned Ward Officer to initiate steps for handing over the custody of the belongings of the complainant's under a proper panchnama and may consider payment of monetary damages to the articles, valuables etc.**
- D. Ld Municipal Commissioner do pay a compensation of Rs. 1,00,000/- to the complainant for violation of her human rights within six weeks from the date of the receipt of this order.**

**CHAPTER VI – COMPLIANCE AND DENIAL OF RECOMMENDATIONS BY
THE GOVERNMENT**

Order Date	Recommendations	Compliance Report / letters received
26.06.2018	ACS Home to pay compensation of Rs.1,00,000/- to the complainant	Received copy of letter dated: 06.10.2018 addressed to Home Dept. alongwith payment receipt of compensatory amount of Rs.1,00,000/- to the complainant
23.12.2016	PS, Health Dept., to pay compensation of Rs.10,00,000/- to the complainant.	Received GR dated: 24.09.2018 from Medical Education and Drugs Dept., regarding sanction of compensatory amount to the complainant alongwith payment receipt.
15.06.2016	State to pay Rs.1,00,000/- to the victim	1) Received copy of letter dated: 09.04.2018 from SP, office, Satara as well as letter dated: 21.08.2018 from Home Dept. alongwith payment receipt of compensatory amount of Rs.1,00,000/- to the complainant.
14.06.2017	ACS, Home to pay to the father of deceased juvenile compensation of Rs.5,00,000/-	1) Received GR dated: 09.03.2018 from Home Dept., stating the name of the mother of deceased as beneficiary for receiving the compensatory amount of Rs.5,00,000/- (2). Received report dated: 26.03.2018 from DGP office indicating the action taken against the erring police officers / officials as directed by the Commission (3) Received receipt dated: 07.09.2018 from Home Dept., regarding payment of compensatory amount.
07.02.2017	ACS, Home to pay compensation of Rs.50,000/- to the complainant	1) Received GR dated: 12.03.2018 from Home Dept., regarding sanction of compensatory amount of Rs.50,000/- to the complainant. (2) Received letter dated: 26.03.2018 from DGP office stating that necessary directions regarding enquiry of the erring police officer has been issued to CP, Mumbai (3) Received letter dated: 29.08.2018 from Home Dept. alongwith receipt of compensatory amount paid to the complainant.

17.10.2016	1) ACS, Home and Prin. Sec. Health to pay jointly and severally compensation of Rs.12,00,000/- to complainant.	1) Received letter dated 15.07.2017 from Home Dept stating that compensatory amount of Rs.5 lacs is already paid to the complainant as per the directions of NHRC in the year 2012. (2) Received copy of letter dated: 20.10.2018 from Health Services, Nashik Circle addressed to Directorate, Health Services, Mumbai alongwith copy of receipt of payment of Rs.6 lacs to the complainant.
20.01.2017	State to pay compensation of Rs.50,000/- to the complainant	Received letter dated: 07.06.2018 from Home Dept., alongwith the payment receipt of the compensatory amount to the complainant.
03.05.2017	ACS, Home to pay compensation of Rs.50,000/- to the victim Meghnaz Shah	Received copy of letter dated: 24.08.2018 alongwith payment receipt of compensatory amount of Rs.20,000/- paid to the complainant instead of Rs.50,000/-
01.06.2017	PS Higher & Technical Edu. To pay compensation of Rs.2,50,000/- to the complainant	Received letter dated: 04.01.2018 from office of the Principal of the College stating that the compensatory amount has been paid to the complainant in protest.
26.04.2018	Director, Health Services to take appropriate steps by issuing notice to the owners for filling of the posts	1) Received letter alongwith the detail report dated: 12.10.2018 from Directorate, Health Services regarding compliance of the recommendation made to the complainant

Denial :

Order Date	Recommendations	Denial Report
01.04.2017	ACS, Home to pay compensation of Rs.50,000/- to the complainant	Received letter dated: 28.11.2018 from Home Dept., regarding denial of the payment of compensatory amount to the complainant.