

2020-2021



MAHARASHTRA STATE HUMAN RIGHTS COMMISSION



20 TH ANNUAL REPORT

FROM 1ST APRIL 2020 TO 31ST MARCH 2021

MAHARASHTRA STATE HUMAN RIGHTS COMMISSION

20TH ANNUAL REPORT

April, 2020-March, 2021

2020-21

Preface

“Freedom means the supremacy of Human rights everywhere. Our support goes to those who struggle to gain those rights and keep them. Our strength is our unity of purpose. To that high concept there can be no end save victory”

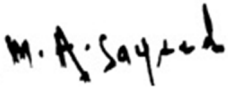
Franklin Delano Roosevelt

The Commission is pleased to present its 20th Annual Report for the period 01.04.2020 to 31.03.2021.

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)
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 Municipal and 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 conceptions of human rights. The modern sense of human rights can be traced to Renaissance Europe and the Protestant Reformation, alongside the disappearance of the feudal authoritarianism and religious conservatisms 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, the 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.

In the aftermath of the atrocities of World War II, there was increased concern for the 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 a 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 said, "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". Our Constitutional framers had also incorporated UDHR provisions in the Constitution of India as fundamental rights. The Indian Parliament passed **The Protection of Human Rights Act, 1993**. This Act provides safeguard against violation of human rights. This Act has provision to establish the National and State Human Rights Commission as well Human Rights Court on 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.

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 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

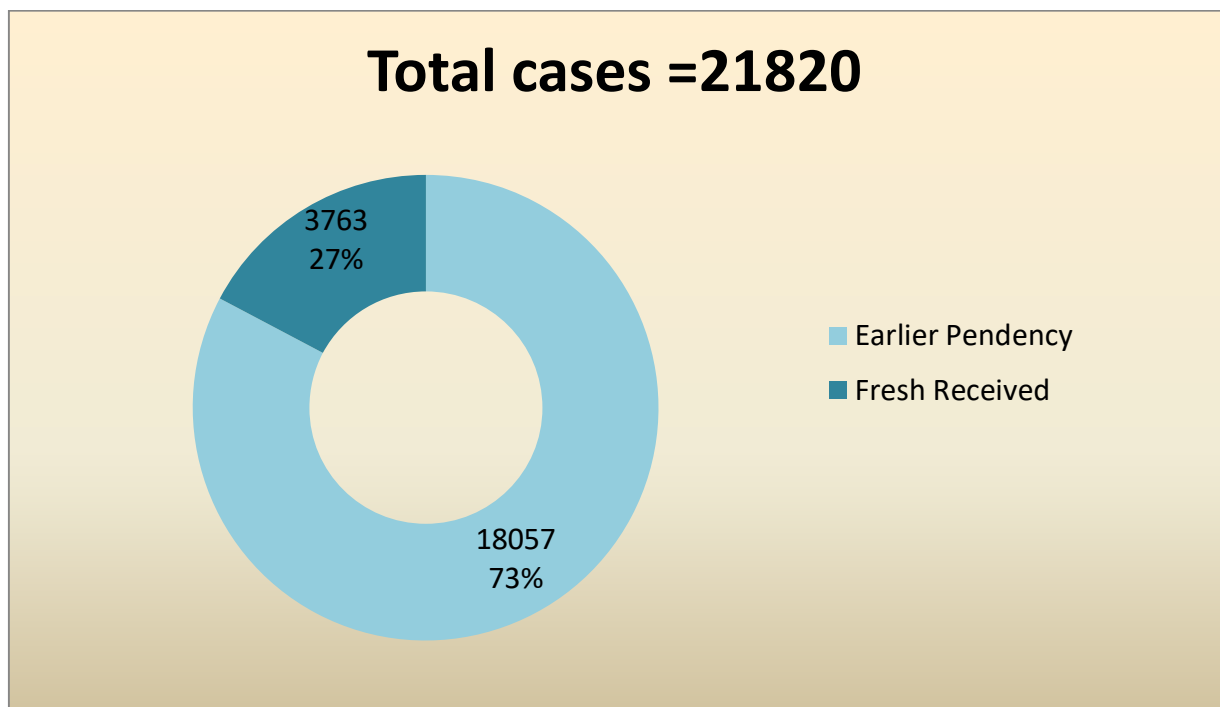
No assistance of
professional
lawyer required

CHAPTER II – COMPLAINTS HANDLED BY THE COMMISSION

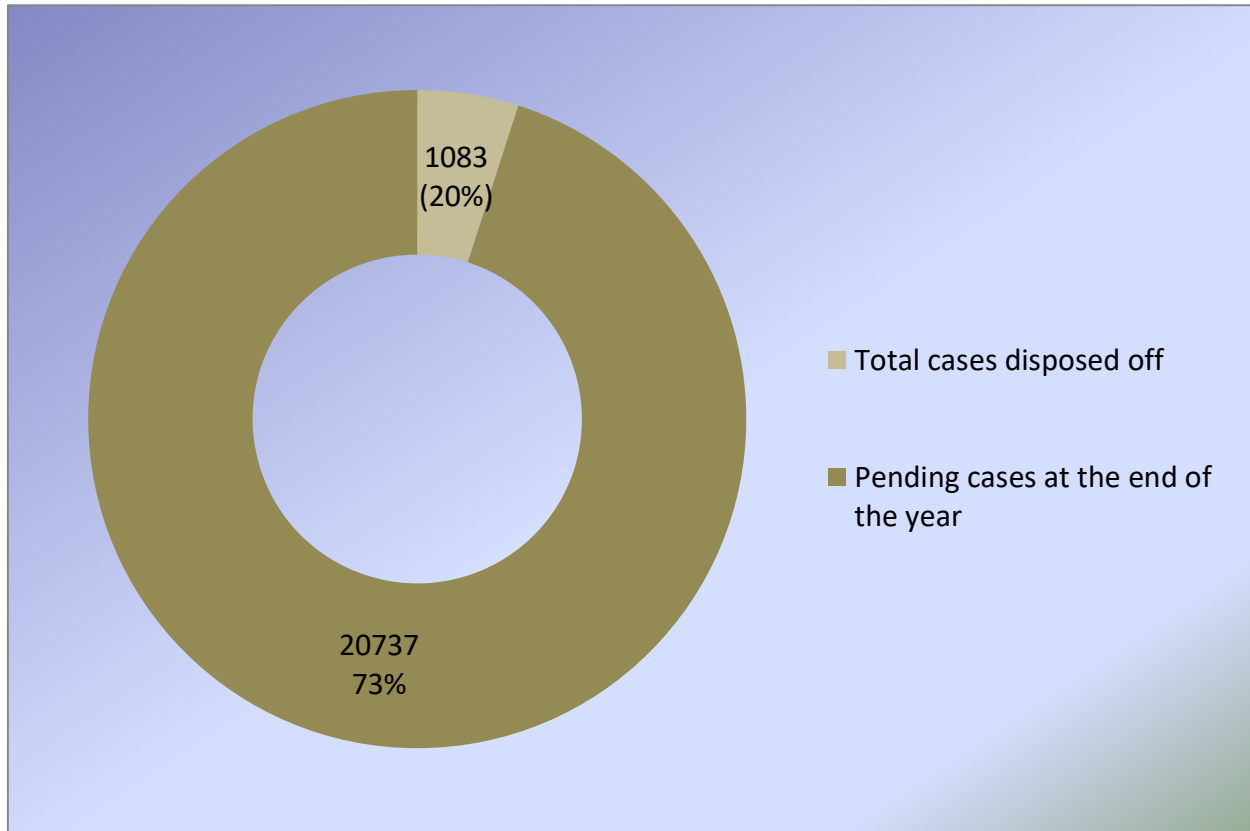
From 1st January, 2020 to 31st December, 2020, the Commission received a total number of 3763 complaints. The following chart is showing the details about the fresh complaints received, pendency as well as the number of cases disposed of.

Statistical Chart of the Cases from 1-1-2020 to 31-12-2021

Earlier Pendency	Fresh Received	Total Cases during this period	Total disposed of during this year	Total Relief given	Pending cases at the end of this period
18057	3763	21820	1083	15	20737



Total Relief Given = 15



Nature of Complaints

Against the Police Force – These complaints mostly included complaints alleging abuse of power by the police force, failure to register offence, illegal detention etc. = 1558 matters

Complaints regarding violation of human rights of prisoners = 132 matters

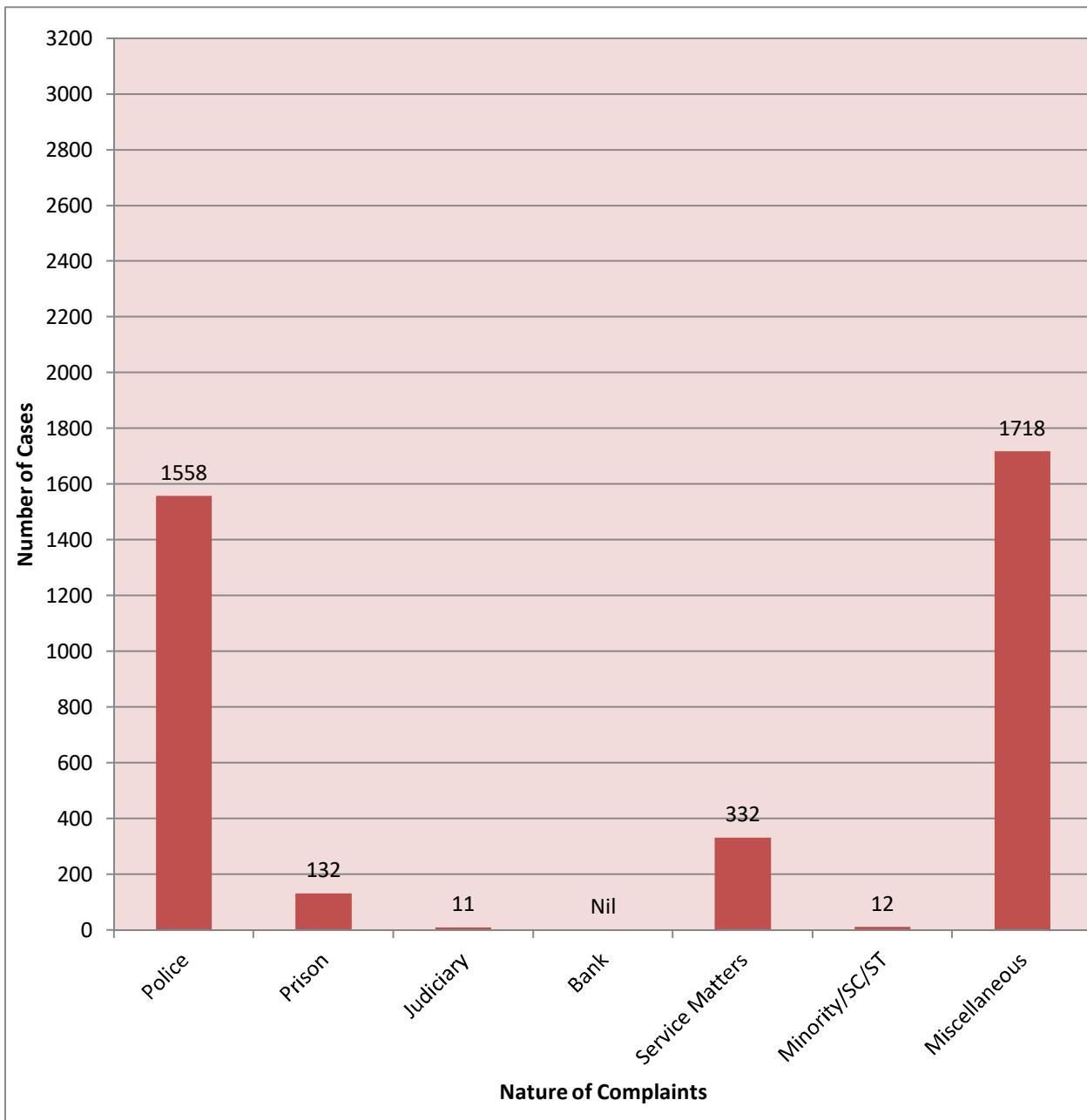
Complaints against Judiciary = 11 matters

Complaints against Bank = 0 matters

Complaints regarding Service Matters = 332 matters

Complaints regarding atrocities to SC/ST or other minorities = 12 matters

Other Miscellaneous Complaints = 1718 matters



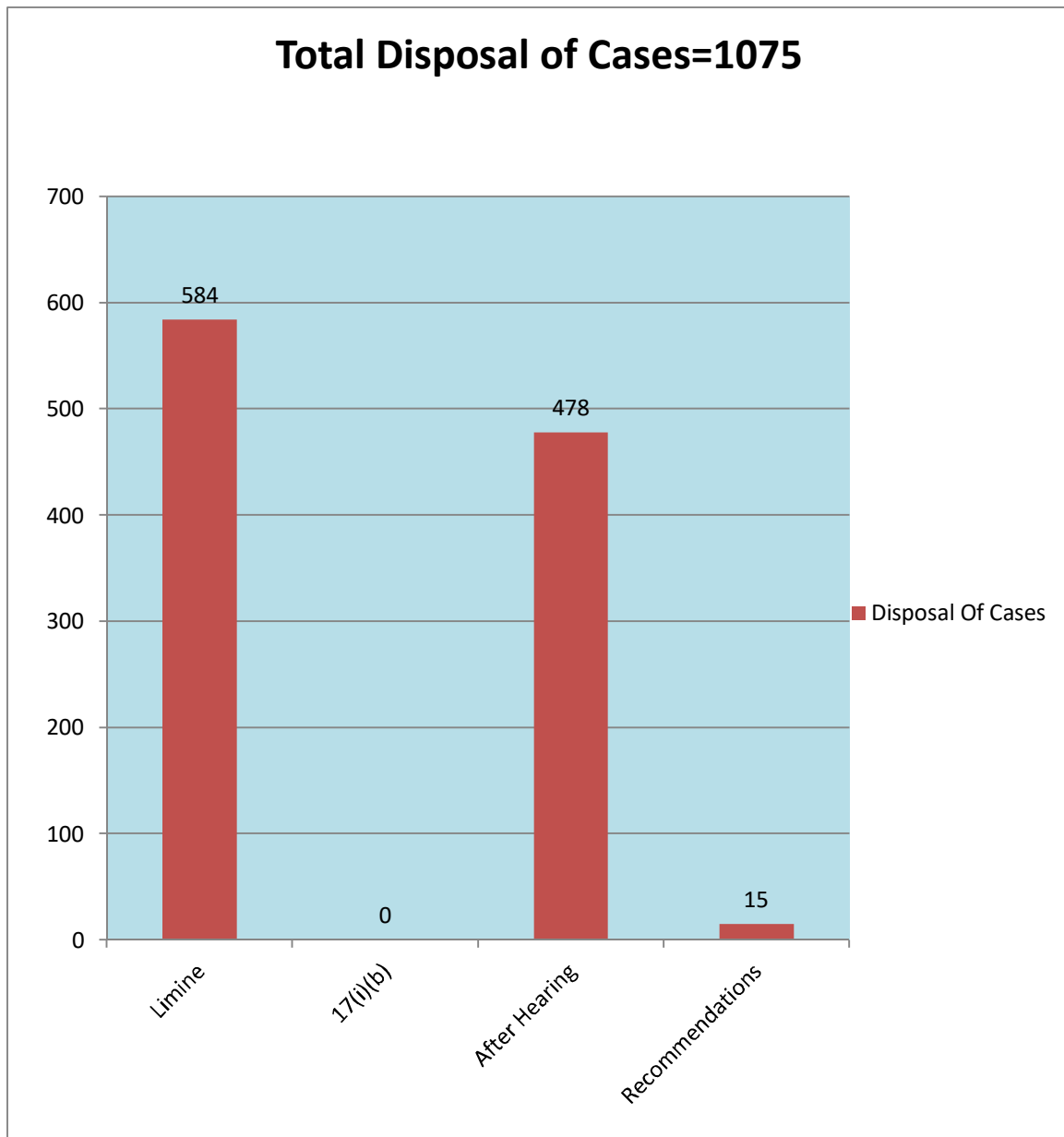
*Other Government Depts. include complaints against Agriculture, Education, Finance, Home, Housing, Labour, Forest, Health, Tribal, Environment, Electricity, and Social Welfare Departments etc.

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

Total Complaints = 3763

Total Disposal of Court No. 1, 2 and 3 from January 2020 to December 2020

Period	Limine	17 (i)(b)	After Hearing	Recommendations	Total
January 2020 to December 2020	584	0	478	15	1075



**CHAPTER III – VISITS BY THE CHAIRPERSON AND THE HON'BLE MEMBERS OF
INVESTIGATION TEAM AND HEARING THROUGH VIDEO CONFERENCING**

Details regarding official visits to jail and police station and hearing through video conferencing , the Seminar, Conferences and other important events attended by the Hon'ble members of Commission Jail Visit / Police Station Visit / Internship Programme / Webinar between 1st January 2020 to 31st March, 2021:-

Sr. No.	Date of Event	Place of Event	Purpose
1.	26.10.2020	Through Virtual Conference	Webinar on Different Aspects of Human Rights organised by Rotary Club of Nagpur Fort
2.	06.11.2020	Through Virtual Conference	National Webinar : Addressing Stakeholders Response to Human Trafficking organised by MSHRC in collaboration with International Justice Mission.
3.	10.12.2020	Through Virtual Conference	Role of Human Rights Enforcement Machinery in Protection of Human Rights in India organised by A.K.Khan New Law Academy & Phd (Law) Research Centre, Pune.
4.	10.12.2020	Through Virtual Conference	Celebration of International Human Rights Day – “Recover Better – Stand Up for Human Rights” organised by MSHRC.
5.	10.02.2021	Through Virtual Conference	Human Rights Institutions and Right based Legislation as a tool for Access to Justice and Good Governance organised by TISS.
6.	12.02.2021	Through Virtual Conference	Role of Commissions in implementation of Human Rights organised by HURT Foundation.
7.	18.02.2021	Through Virtual Conference	Short Term Internship Programme – Address and interaction with the interns organised by NHRC, New Delhi.

Details Regarding Hearing Through Video Conferencing between 1st January, 2020 to 31st March, 2021		
<u>Sr No</u>	<u>Case No</u>	<u>Video Conferencing Hearing With Prisons</u>
1	1361/13/23/2020	Yerwada Central Prison, Pune
2	722/13/17/2020 c/w 5962/2018	Nagpur Central Prison, Nagpur
3	3031/13/20/2020	Superintendent, Taloja Central Prison, Navi Mumbai

VISITS BY INVESTIGATION WING DURING JANUARY,2020 TO MARCH,2021

Details Regarding Hearing Through Video Conferencing between 1st January, 2020 to 31st March, 2021		
<u>Sr No</u>	<u>Date</u>	<u>Details of Visits</u>
1	25.11.2020	Case No.3166/13/2/2020 at Taloja Central Prison, Navi Mumbai.
2	12.02.2021	Case No.1397/13/16/2019 at Gorai Police Station, Mumbai.
3	05.01.2021	Case No.3031/13/20/2020 & Case No.2736/13/20/2019 at Taloja Central Prison, Navi Mumbai

Internship, Training and Visits to Institutions

The internship training & visits to institution could not be held due to pandemic COVID-19.

Internship, Training and Visits to Institutions

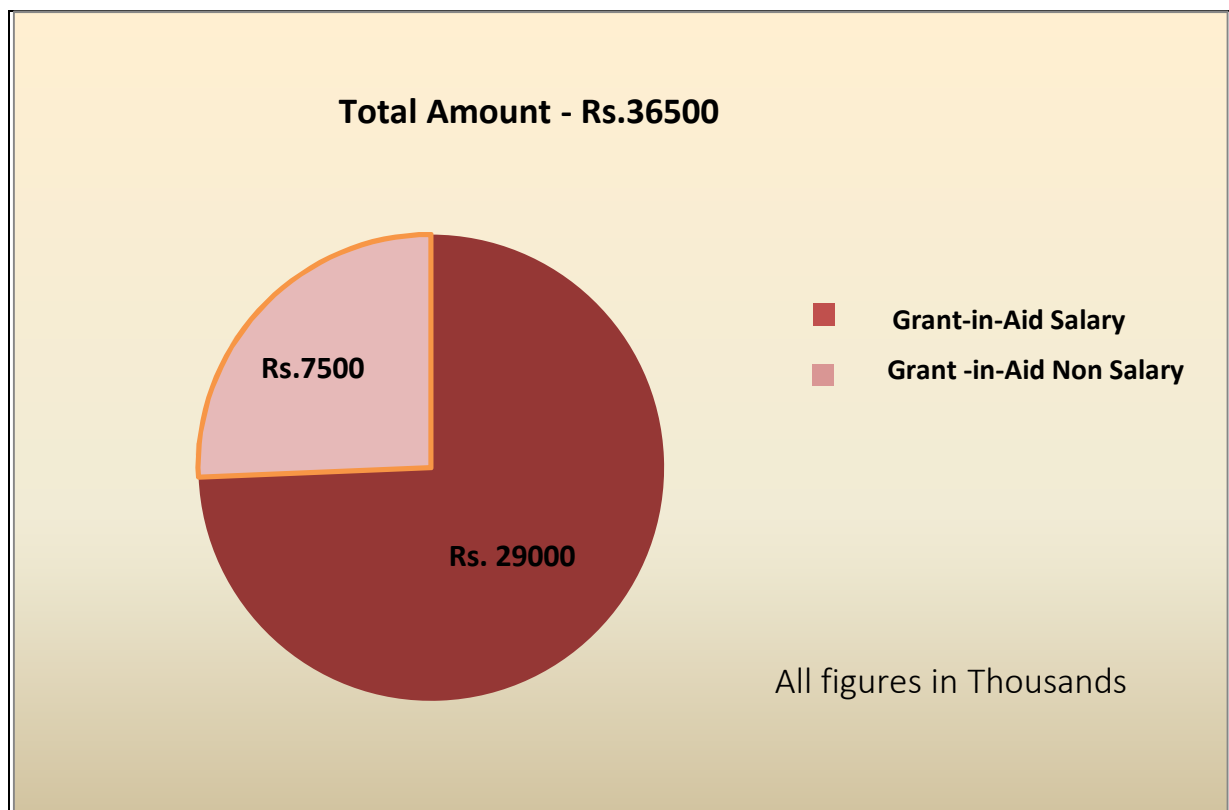
COVID WARRIORS FELICITATION BY HON'BLE GOVERNOR OF MAHARASHTRA ON 08/12/2020.

HON'BLE ACTING CHAIRPERSON / MEMBER OF THE COMMISSION SHRI M.A. SAYEED WAS FELICITATED BY HON'BLE GOVERNOR OF MAHARASHTRA ON 08/12/2020 AS COVID WARRIOR IN FUNCTION ORGANISED BY BHARTI VIKAS SANTHAN AT RAJ BHAVAN.

CHAPTER IV -RESOURCES

Funds Received from the Government for financial year 2020-21

	Rupees (in Thousands)
Grant-in-Aid Salary	29000
Grant-in-Aid Non Salary	7500
Total	36500



CHAPTER V – ILLUSTRATIVE CASES

1. Case Number: **207/13/16/2019**

Name of the Complainant: Narayan Mehera

Name of the respondent: Principal Secretary
Urban Development Dept, Mumbai

Municipal Commissioner,
MCGM, Mumbai

Chief Conservator of Forest
Sanjay Gandhi National Park, Mumbai

Chief Executive Engineer,
MHADA, Mumbai

Date of orders: 03rd September, 2020

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

Nature of Complaint:

It is stated that, complaint is about the displaced slum dwellers in the area known as Ketkipada, Dahisar, Western Suburbs of Mumbai, who are displaced by the officials of MHADA.

Action Taken By the Commission:

After going through the compliant, inquiry report called from the investigation wing of the commission.

Decision of the Commission:

After consideration of entire material the commission is of the view that the officials of MCGM have violated the human rights of the slum dwellers by displacing them. The commission, therefore, made the following recommendations:--

- A) The Chief Secretary of the state of Maharashtra is called upon to direct the offices of the Addl Chief Secretary, Urban and Housing Department, Mantralaya, Mumbai to expedite the request of the Vice President, M.H. and A.D authority on priority basis and latest within one month and accord necessary sanction as sought vide its communication dated 11.03.2020.**

- B) The Chief Secretary of the State of Maharashtra is called upon to direct the offices of the Addl Chief Secretary, Urban and Housing Dept., Mantralaya, Mumbai to enquire into the reasons and causes for delay in processing of the concerned file and initiated departmental inquiry of the erring officers if any as apparently there has been laxity on the part of the concerned Departments in handling the issue sensitively and diligently.**
- C) The Chief Secretary of the State of Maharashtra is called upon to direct the offices of Addl Chief Secretary, Urban and Housing Dept. Mantralaya, Mumbai to take immediate urgent steps for making transit accommodation to the displaced slum dwellers till the project in question is completed, which of course includes the provisions for monetary payments as per the direction of the High Court in WP No.305/1995.**
- D) The office of Chief Secretary, State of Maharashtra to report compliance of the above noted directions in accordance with the provisions of Sec 18 (e) of the Protection of Human Rights Act, 1993, And Regulations 21 to 24 of the Maharashtra State Human Rights Commission, (Procedure), Regulations, 2011.**

2. Case Number: 452/2018

Name of the Complainant: Pradip A Kale

Name of the respondent: Commissioner of Police,
Navi Mumbai-400708

Addl Director General of Police,
State CID, Mumbai

Date of orders: 26th February, 2021

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

Nature of Complaint:

It is stated that, complaint is about pathetic, lethargic & casual attitude on the part of the police authority in conduction of investigation of a crime of year 2008, in which complainant lost his father as he was brutally shot at by two unknown culprits while he was about to enter his office.

Action Taken By the Commission:

After going through the compliant, inquiry report called from the investigation wing of the commission.

Decision of the Commission:

After consideration of entire material, the commission is of the view that the irresistible conclusion about the complainant / victims human right being entrenched & invaded by over stretching the investigation & gailing to act promptly despite collection of vital incriminating links against the suspect. The commission, therefore, made the following recommendations:--

- A) Office of the Ld Director General of Police, M.S., Mumbai be pleased to circulate the copy of the judgment of Patna High Court in re : M.Singh in particular para 53 & imposed an obligation on all the stake holders to complete the investigation within a reasonable period and too within the framework of the Rules & Regulations as contained and provided in Cr PC.**
- B) Office of Addl Chief Secretary (Home), Mantralaya Mumbai do pay a compensation of Rs 1,00,000/- to the complainant within six weeks from the date of receipt of the order failing which to pay an interest @ 12% p.a. on the awarded amount till its actual realization.**
- C) The supervisory authority of the defaulting police officers may consider initiation of disciplinary action against them under the service Rules, so that a message should go down that such lethargic & casual attitude in investigation of serious crime like murder would not be ignored or excused as the entire image of the department gets tarnished.**

3. Case Number: 333/13/16/2020

Name of the Complainant: Sujeet Shukla

Name of the respondent: Chief Executive Officer,
MHADA, Mumbai

Date of orders: 19th March, 2021

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

Nature of Complaint:

It is stated that Complainant who is owner of tenement No.721C. A grievance is advanced that a team of the officers from MCGM came to the site & started demolishing the tenement & refused to even entertain the protest & request of complainant's wife not to continue with the demolition. Her house hold belongings were also thrown out, thereby making them shelter less.

Action Taken By the Commission:

After going through the compliant the commission called inquiry report from the respondent authority.

Decision of the Commission:

After consideration of entire material, the commission is of the view that the irresistible conclusion about the complainant / victims human right being entrenched & invaded by over stretching the investigation & failing to act promptly despite collection of vital incriminating links against the suspect. The commission, therefore, made the following recommendations:—

- A) The respondent authority do pay a compensation of Rs. 1,00,000/- (1 lakh only) to the complainant for having violated his human rights by depriving him of his right to shelter.**
- B) The respondent authority to consider initiation of disciplinary action against the erring officers responsible for demolishing the structure as evidently no regard was made to the Law & due process of Law & for taking such arbitrary & illegal action.**
- C) Respondent authority to undertake a programme of sensitization for its officers on the issue of law as to right to shelter & Rule & Regulation to be followed while deciding the issue of demolition of a structure.**

4. Case Number: 935/13/30/2020

Name of the Complainant: Nathuram Govind Ughade

Name of the respondent: Superintendent of Police, Thane

Date of orders: 07th September, 2020

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

Nature of Complaint:

It is stated that, complaint is about establishing Police Chowky in complainant's village, Mahadus, Taluka Murbad as the law & order situation because of the alarming anti social activities has virtually periled the life and safety of the villagers.

Action Taken By the Commission:

After going through the compliant the commission called inquiry report from the respondent.

Decision of the Commission:

After consideration of entire material the commission has given directions that concerned police authorities would be the best forum to take the call in consultation with the Home Department as number of the modalities and niceties needs to be worked out before taking a conscious decisions on such issue. Office of SP, Thane in consultation with the Home Department, Mantralaya, Mumbai to decided as to whether setting up of a Police Chouky for maintenance of law and order and public peace and tranquility in the village- mahadus is very necessary or whether increasing the patrolling of the Police would serve the purpose.

5. Case Number: **180/13/28/2019**

Name of the Complainant: **Aarti V Jakatdar**

Name of the respondent: Superintendent,
Government Renuka Mata Mahila
Vastigruha, Solapur

The Secretary,
Women & Child Development Dept.,
Mantralaya, Mumbai

Date of orders: 16th February, 2021

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

Nature of Complaint:

It is stated that, complaint is about the office & officials of the Shelter Home related to corrupt & malpractices.

Action Taken By the Commission:

After going through the compliant the commission called inquiry report from the respondent.

Decision of the Commission:

After consideration of entire material the commission has given directions that Commissioner, Women and Child Development, Pune Division to take immediate rectifying steps in resolving the issue/lapse. i.e. the inmates in the shelter home have to give the education & other facilities. The inmates have to sensitize about the provisions made by the government for them.

6. Case Number: 1328/13/16/2020

Name of the Complainant: Dr Kirit Somaiya & others

Name of the respondent: Municipal Commissioner,
MCGM, Mumbai

Secretary,
Social Justice Department,
Mantralaya, Mumbai

Secretary,
Women & Child Development Dept.
Mantralaya, Mumbai

Date of orders: 09th September, 2020

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

Nature of Complaint:

It is stated that Complainant happens to be a former Member of the Parliament & is a social worker. He was visited one of the organization was mankhurd Bal Sudhar Kendra run by Children's Aid Society. This shelter home was having 130 children at the relevant period. One of the Guard posted at the Shelter Home was the first victim of the virus as he was diagnosed with COVID somewhere in the first week of July and breathed his last just within two weeks and thereafter the next victims were the children themselves (about 30). While visiting the shelter home, complainant learned about the plight of the staff of not being paid their salary for number of months, thereby depriving them of their livelihood and also demoralizing them.

Action Taken By the Commission:

After going through the compliant the commission called inquiry report from the respondent authority.

Decision of the Commission:

After consideration of entire material the commission is of the view that the irresistible conclusion about the complainant / victims human right being entrenched & invaded by over stretching the investigation & failing to act

promptly despite collection of vital incriminating links against the suspect. The commission, therefore, made the following recommendations:—

- A) The Chief Secretary of State of Maharashtra to constitute a committee under the Chairmanship of the Hon'ble Minister for Women and Child Welfare & Social justice, with a team of experts including persons of outstanding repute and having work in social area to monitor the functioning and management of the shelter homes for such children including mentally affected and disabled children throughout the State of Maharashtra, so as to ensure due and proper implementation of the Rules and guidelines formulated by the State Government in consonance with the Rules and Guidelines of the Government of India for relating to management and control of COVID-19 situation and maintain a strict vigil over the safety of the children.**
- B) The Principal Secretary of Department of Women & Child Welfare and Social Justice in coordination with the Finance Department, Mantralaya, Mumbai to ensure release of the arrears of the salary of the employees of mankhurd Bal Sudhar Kendra and also ensure due timely release of the future salary, in accordance with the Government Guidelines and Rules and Regulations.**

7. Case Number: **831/13/16/2020**

Name of the Complainant: Mohd Arshad Khan

Name of the respondent: Dy. Commissioner of Police,
Unit -1, DCB, CID, Ahdheri (E), Mumbai

Date of orders: 19th November, 2020

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

Nature of Complaint:

It is stated that on 10.06.2020, between 2 & 3 p.m. 4/5 police personnel in plain cloth barged into complainant's garment shop & asked him to accompany them to their office Unit-6, Chembur. It is alleged that after reaching the office complainant was taken in room where senior PI & other officers including a lady officer, after preliminary interrogation, started abusing & humiliating him & assaulted him with a wooden stick on his hand, shoulder & limbs and also by belt by two police officials threatening him to arrest on a false charge of extortion. It is also alleged that he should also pay amount of Rs 10 lakhs else would be involved in extortion case.

Action Taken By the Commission:

After going through the complaint the commission called inquiry report from the respondent authority.

Decision of the Commission:

After consideration of entire material the commission is of the view that while dismissing the complaint, considering the peculiar nature & background of the case & the mischievous action on the part of the complainant following direction is issued :--

Complainant Arshad Khan to pay a compensation of Rs 25,000/- to the office of Dy. Commissioner of Police, Unit-I, DCB, CID, Andheri , Mumbai for having launched fallacious, unfounded complaint against its officers by misusing the provisions of law.

8. Case Number: **3580/2018**

Name of the Complainant: Dr Kartikeya Mishra

Name of the respondent: Principal Secretary
Social Justice &
Special Assistance Dept.
Mantralaya, Mumbai

Principal Secretary
Public Health Dept.

Date of orders: 07th January, 2021

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

Nature of Complaint:

It is stated that, complaint is about the pathetic management, degrading and humiliating treatment meted out to inmates of a de-addiction centre – Sadbhav Nasha Mukti Kendra registered under a Government Project “ Scheme of Assistance for Prevention of Alcoholism and Substance (Drugs) Abuse and for Social Defense Services”

Action Taken By the Commission:

After going through the complaint the commission called inquiry report from the respondent.

Decision of the Commission:

After consideration of entire material the commission has given the following direction :

Collector, Jalgaon is directed to look into the matter by constituting a team of experts, from stakeholders departments as well as Law Enforcing Agency and entrust them the inquiry. Depending on the outcome of the committee report, further course of action may be decided by the Collector, Jalgaon.

9. Case Number: **777/13/16/2020**

Name of the Complainant: Harkrishna Vembu

Name of the respondent: Principal Secretary
Social Justice & Spl Assistance Dept
Mantralaya, Mumbai

Date of orders: 14th January, 2021

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

Nature of Complaint:

It is stated that, complaint was admitted in de-addiction centre- Arise & Shine Foundation & alleged to have undergone a torrid experience, as the Centre was over crowded with no proper amenities, number of instance of humiliating and harassing the patients by the Attending doctors and staff were made to live in most unhygienic conditions, by exploiting their conditions.

Action Taken By the Commission:

After going through the compliant the commission called inquiry report from the respondent.

Decision of the Commission:

After consideration of entire material the commission has given following direction :

Director of Health, Mumbai should on priority basis initiate necessary criminal action as well as steps for closing down the de-addiction centre, which as per its own findings is being run illegally.

10. Case Number: **Suo-Motu Case No. 5/13/16/2020**

Name of the respondent: Commissioner of Police,
Mumbai

Date of orders: 25th February, 2021

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

Nature of Complaint:

It is stated that, Commission has taken suo-motu action on the strength of alarming news about an unfortunate alleged incident of physical & mental abuse to an activist Shri Shinde by none other than a senior responsible police officer of the rank of DCP.

Action Taken By the Commission:

After going through the compliant the commission called inquiry report from the respondent.

Decision of the Commission:

After consideration of entire material the commission has given directions that print media should be made aware of these guidelines so as to avoid publication of such unfounded incidents which only tarnishes the image of a public authority Freedom of Speech & Expression cannot be stretch to an extent of publishing news without proper verification just to get media attention. Its high time that such practices should be curbed & nipped in the bud before it becomes menace to the society at large.

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

Order Date	Recommendations	Compliance Report / Letters received
05.04.2017	ACS, Home to pay compensation of Rs.1,00,000/- to the complainant	Received GR dated: 14.10.2020 from Home Dept. regarding release of compensatory amount of Rs.1,00,000/- to the complainant
29.08.2018	ACS to pay compensation of Rs.1,00,000/- to the complainant	Received GR dated: 19.01.2021 from Home Dept. regarding sanction of compensatory amount of Rs.1,00,000/- to the complainant
02.05.2017	ACS, Home to pay compensation of Rs.5,00,000/- to the son of the deceased Kalpana	Received letter dated: 06.01.2021 a/w payment receipt of Rs.5,00,000/- compensatory amount paid to the son of the deceased
05.05.2017	ACS, Home to pay compensation of Rs.2,00,000/- to the legal heirs of deceased Pawar	Received letter dated: 04.05.2018 from Dist. Magistrate , Nashik stating that there was no negligence in performing the duty and hence there is no need to take action against the sub-jailor of Yevl. (2) Received GR dated: 02.02.2019 from Home Dept., regarding sanction of compensatory amount of Rs.25,000/- instead of Rs.2,00,000/- to the complainant (3) Received letter dated: 08.01.2021 from Home Dept. a/w payment receipt of compensatory amount paid to the legal heirs of the deceased complainant.
08.08.2017	State to pay compensation of Rs.50,000/- to the complainant	Received GR dated: 05.10.2020 from Home Dept. regarding releasing of compensatory amount of Rs.50,000/- to the complainant