



MAHARASHTRA STATE HUMAN RIGHTS COMMISSION, MUMBAI

Administrative Staff College Compound, 9, Hajarimal Somani Marg, Opp. C.S.T. Mumbai – 400001.
Tel: 22050791, Fax: 22091804/22093678/22078962. Website: <http://mshrc.maharashtra.gov.in>

15/11/09

Case No. 112/3/2006-07 / 947

Name of the complainants :

1. Bhimrao Shamrao Wankhede
2. Smt. Savita B. Wankhede
At/Post Pimpri Purna, Tal-Chandur Bazar
Dist. Amravati.

V/s

1. The Secretary
Rural Development Department
Mantralaya, Mumbai-400 032.
2. The Chief Executive Officer
Zilla Parishad, Amravati.
3. The Project Director
District Rural Development
Grihanirman Bhavan, 3rd Floor
Maltekadi Road, Amravati.

Date : April 20, 2009.

Coram : Justice Kshitij R. Vyas (*Former Chief Justice*), Chairperson.

PROCEEDINGS

The complainants are absent at the time of hearing. On last occasion also they did not remain present. The reason is obvious that because of their poverty they are unable to attend the hearing. In compliance with the order dated 27th January 2009 passed by the Commission Shri Vijay Desai, Section Officer, Rural Development Department, Mantralaya, Mumbai and Dr. Dilip S. Gadhawe, Project Director, DRDA, Amravati have remained present on behalf of the respondents.

It may be stated that Secretary, Rural Development Department, Mantralaya, Mumbai was asked to take appropriate decision on the report sent by the Project Director regarding the list of 1860 persons who are living below the poverty line in Chandur Bazar Taluka. The complainants are included in the list of 1860 person. Shri Desai has stated that the Rural Development Department had in fact sent a proposal to the Ministry of Rural Development Department, Planning Commission, Government of India, to grant the benefits to five lacs people living below the poverty line in the entire State of Maharashtra. Even though the State Government has sent many reminders during last six months, no decision is taken by the Planning Commission, Government of India.

Shri Desai has submitted that no sooner the Planning Commission approves the proposal of the State Government, the benefits to all the persons under the scheme who are living below poverty line shall be implemented, not only to the list of 1860 persons of the Chandur Bazar Taluka, but all the districts of the State of Maharashtra.

In the opinion of the Commission, the stand taken by the Rural Development Department, Mantralaya, Mumbai is not just and fair. It is true that the State Government is considering for the larger issue and is keen to provide benefits to the persons who are living below the poverty line of the entire State of Maharashtra, but the said action may cause delay and hardship to the persons who are in fact living in a very poor condition. Their names have already sent by the Project Director, District Rural Development for approval from the State Government. It is not clear as to when the Planning Commission shall grant approval to the list of five lacs persons sent by the State Government who are in fact living below the poverty line in the entire State.

Since the State Government has taken policy decision to wait till the Planning Commission approves the proposal of the State Government, it will not be proper for the Commission to insist to approve the list of 1860 persons sent by the Project Director in Chandur Bazar Taluka at this stage. However, The Commission does, feels that if 29 person including the complainants of Pimpri Purna village where the complainants stay are separated from the list of 1860 persons of Chandur Bazar Taluka and they are declared as persons living below poverty line, that would not only serve the ends of justice, but will prevent heart burning of the persons living in village Pimpri Purna.

The Commission, therefore, recommends the Secretary, Rural Development Department, Mantralaya, Mumbai to approve the proposal of the 29 persons who are living below poverty line in Pimpri Purna village, out of the list of 1860 persons submitted by the Project Director, Amravati as early as possible preferably before 30th June 2009.

The compliance report to that effect be filed before the Commission thereafter within one month.

With this recommendation, the complaint stands disposed off.



A handwritten signature in black ink, which appears to read "Kshitij R. Vyas".

(Justice Kshitij R. Vyas)
Chairperson.

Mumbai; April 20, 2009.