



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>

Suo-Motu Case No. 566/16/2005 / 10181

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10/9/08

1. The State Government
Through
The Additional Chief Secretary (Home)
Mantralaya, Mumbai-400 032.
2. The Superintendent
Children's Remand Home, Umerkhadi
Mumbai-9.

Date : September 6, 2008.

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

PROCEEDINGS

The Commission on 2.9.2005 took Suo Motu cognizance on news item published in 'Mumbai Mirror', having heading "Adults run riot in children's remand home". The then Acting Chairperson ordered a committee of two Hon'ble Members to enquire into this and the report to be placed before the Commission for further direction. It appears that the said order remained merely paper order and nothing was done in the matter.

On June 3, 2008, when the matter was listed before me I have directed the Superintendent of Police of Investigation Wing of the Commission to visit the Children's Remand Home, Dongri and examine the condition prevailing thereon keeping in mind the newspaper report dated 2.9.2005 and submit the report.

In compliance with the said directions the Superintendent of Police of Investigation Wing of the Commission along with Police Inspector Shri Gawane visited the Children's Remand Home on 9.7.2008 and enquired into the matter. The Superintendent, Remand Home agreed to the observations published in the news item.

On the basis of the enquiry report which is submitted before the Commission wherein it is stated that on 30th August 2005, 16 children (11 of 18 to 22 years age group and 5 of 16 to 18 years age group) instigated other children of the remand home and committed riot by pelting stones on the Superintendent's office and damaged furniture including plastic chairs, tube lights, pots etc for which offence vide C. R. No. 150/2005 under Sec. 147, 148, 149, 353, 332, 336, 337 and 427 IPC was registered at Dongri Police Station and case was charge sheeted against 16 children stated above.

Since the case is pending in the court vide case No. 640/J/05, it is not necessary to enter into the merits of the case in view of Regulation 8 (h) of the Maharashtra State Human Rights Commission (Procedure) Regulations, 2001 as the matter is subjudiced. However, as observed in the report submitted by the Superintendent of Police of Investigation Wing and the Superintendent of Children's Remand Home, it is necessary for the Commission to make following observations to the notice of the State Government. The riot took place in the Remand Home are because of absence of special home to keep the adult children and vacancy of 8 posts of Officers in the Remand Home.

The Commission strongly recommends the State Government through Additional Chief Secretary (Home), Mantralaya, Mumbai to over come the aforesaid problems by taking appropriate steps in the matter.

With this recommendation, the case is closed.

Mumbai; September 6, 2008.




(Justice Kshitij R. Vyas)
Chairperson.