



MAHARASHTRA STATE HUMAN RIGHTS COMMISSION, MUMBAI

Administrative Staff College Compound, 9, Hajarimal Somani Marg, Opp. C.S.T. Mumbai – 400001.
Tel: 22031082, Fax : 22031082, Website : <http://mshrc.maharashtra.gov.in>

SHRC/BDM/ 11 /2014/

Date:

Case No. 1365/11-12

Name of the complainant : Chaya S Koli,
Vardhaman Nagar, Plot No.11,
Parola, Dist.-Jalgaon.

Name of the Respondent : Addl. Chief Secretary,
General Administration Dept.,
(Desk 14 A), Mantralaya, Mumbai.

Order Date : 21.11.2014

Coram : Bhagwant D. More, Member

ORDER

Gist of the case is as follows –

Complainant Smt Chaya Sunil Koli is the wife of deceased police constable Sunil Ramdas Kolli, buckle no.3 SRPF, group no.8, Mumbai. He was recruited on 07.11.1993 and expired on 08.10.2004 due to the brief illness leaving behind 10 years old daughter. In routine course Smt Chaya Koli applied for the job on “compassionate” ground to the Commandant SRPF, Group No. 8 Mumbai. As per the norms application was subsequently sent to ACS, GAD, Government of Maharashtra, Mantralaya, Mumbai. Commandant SRPF, Group 8. Commission received complaint of Smt Chaya Koli on 26.05.2011 and accordingly MSHRC had directed the Addl. Director General of Police, SRPF, Mumbai to file the report at the time of hearing. However, on 11.07.2011 the Addl. DG, SRPF informed along with the report of Commandant, SRPF group 8 that since there were no vacancies of clerk, Smt. Chaya Koli was not given appointment on compassionate ground. This position was submitted to the Commission. Smt Chaya

Koli, complainant pursued the matter at all levels for getting the employment. It was also found out that everybody was trying to pass on the responsibility to somebody else.

Finally the controlling department i.e. GAD, Mantralaya was issued a summons. After a prolong deliberation following observations emerged during the hearings. Proposal of employment on “compassionate” ground in respect of Smt Chaya Koli was initiated by the Commandant, SRPF group, Goregaon (E), Mumbai.

1. It was also revealed that when the matter was pursued at the government level it came to the knowledge at the GAD level that SRPF group 8 office had not sent the proposal in the prescribed form about Smt Chaya Koli to the GAD on 25.02.2008 as supposed to have been claimed by SRPF group 8. This omission was pointed out by the GAD itself during the hearing.
2. GAD in Mantralaya, Mumbai has categorically informed that as the name of Smt. Chaya Koli was not included in the list subsequently names of Ratnadeep Anant Sawant, Manisha Dhankute, Laxmi Arjun were sent to GAD for inclusion in the list of candidates to be considered for compassionate ground. The discrepancy was noticed when the Commission took follow up actions at that particular time.
3. After the continuous persuasion it is learnt that GAD issued the appointment of employment as clerk in respect of Smt Chaya Koli on compassionate ground.

Recommendation –

As the case of Smt. Chaya Koli was pursued by the State Human Rights Commission after waiting for considerable period she could get the relief in terms of her appointment on compassionate ground. However it is noticed that due to the careless handling at office of the Commandant, SRPF, Group 8, her case was delayed unnecessarily for long time and therefore it is recommended that necessary action should be taken after enquiry as to why the office of the SRPF group 8, Goregaon failed to comply with all the formalities which were required to be done while including the name of Smt Chaya Koli as a candidate to be considered on compassionate ground. This delay had definitely denied the legitimate rights of Smt Chaya Sunil Koli (widow of the deceased SRPF constable). Therefore, ACS, (Home), Mantralaya, Mumbai to give directions to the concerned controlling officer to take necessary action against the erring personnel.

Bhagwant D. More)
Member, MSHRC