



MAHARASHTRA STATE HUMAN RIGHTS COMMISSION, MUMBAI

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Case No. Suo Motu 5/2009-10 / 308

dt
17/4/
2010

Name of the Respondents :

1. The Secretary
Women and Child Development Department
Mantralaya
Mumbai – 32
2. The Commissioner of Police
Thane
3. Prachi Kasbekar
Managing Trustee
Shree Sadguru Seva Mandir Trust
Vivekanand Balakashram
Thane

Date : 8th April, 2010.

Coram : Divisional-Bench consisting of

1. Justice Kshitij R. Vyas (*Former Chief Justice*),
Chairperson
2. Shri Subhash Lalla, Member, *Former(LAS)*

ORDER

(Per Hon'ble Member Shri. Subhash Lalla)

After going through the news item published in Mumbai Mirror dated 2-10-2009 and 3-10-09 under the caption "Thane Shelter Home Boys Cry Molestation" wherein serious allegation of molestation against trustees are made, food grains made for boys is full of red excreta and insects etc and accordingly Suo-moto cognizance was taken in this Commission and Notices were issued to all concerned. A Division Bench was constituted for hearing this case, consisting of Hon'ble Chairperson Justice Kshitij R. Vyas and Hon'ble Member Shri. Subhash Lalla.

The case was heard in this commission on 4th November, 2009, 5th January, 2009, 1st February, 2010 and on 11th March, 2010.

Report is received from Women and Child Development Commissioner, Pune vide his letter no. 8857 dated 2-11-09.

Reply is filed by managing trustee of Shri Sadguru Seva Mandir Trust vide her letter dated 5-1-2010

After hearing the case on 1st February, 2010; looking to the seriousness of the allegations and looking to the requirement that the evidences and witnesses will have to be examined in this case; The Sp. Inspector General of Police of this Commission was directed to get the case investigated through Vigilance wing of this Commission and submit his report accordingly.

The Sp. Inspector General of Police on 8th April, 2010 has submitted his report after due investigation and after examining all the concerned witnesses.

The important extracts(paras) of reports submitted by Sp. Inspector General of Police is reproduced below : Quote;

"With reference to the news item published in Mumbai Mirror on 2nd October, 2009 containing interviews of some boys residing in Vivekanand Ashram. Yevoor Hills, Thane. that they were molested by trustee Manish Shahane under the influence of liquor, forced to eat unhygienic food, getting beaten up for silly mistake, and forced to commit crime etc.

As per the orders, the boys who had given interviews to the reporter Bhupen Patel- Raju Navghane, Atul Pawar, Kalpesh Khare, Mayur Talekar, Arun Dudhade were contacted and enquired with individually and recorded their statements. They have stated that, they were misguided by their friend Mangesh Talekar who was telling them to state that trustees Manish Shahane and Prachi Kasbekar were ill-treating the boys in the ashram and hence wanted to defame both of them and persuaded the boys to tell false stories to the news reporter. They have no complaints against both the trustees and whatever appeared in the news was false and concocted.

The boy Mangesh Talekar who instigated the above mentioned boys was also enquired with and has stated in his statement that, he was called by one land agent Chandrakant Jadhav a resident of Yevoor at his residence and asked him to instigate his friends from ashram to tell lies about trustees in order to defame the trustees. So as to compel them to leave the ashram and promised him that one NCP's leader Manoj Pradhan would give him three lac rupees for doing so. Thereafter he took him and his friend Sumit Mane him to Pradhan's residence where Pradhan also promised him to pay three lac rupees for defaming the trustees. He also gave him mobile number of the reporter Bhupen Patel and asked to contact him to to give false interviews and accordingly he coaxed his friends and contacted the reporter who subsequently recorded their interviews. On the day the news item was published Pradhan contacted him on mobile and asked Mangesh to go to Vartaknagar Police Station with his friends

and lodge their complaint in this matter. After about seven days he contacted Jadhav and Pradhan for money promised, they refuse to pay the promise amount. He admitted that he did so out of greed for money and there is no truth in the interviews given to the press by his friends. His friends Sumit Mane who had accompanied him has corroborated his statement.

The enquiry reveals that Manoj Pradhan and Jadhav Chandrakant after realizing that their efforts to grab ashram's land by other means were not succeeding and hence decided to malign reputation of the trustees so as to compel them to leave the ashram. For this purpose they lured the innocent immature boys staying in the ashram and instigated them to give false statements to the Mumbai Mirror reporter and managed to published defamatory news. There is not an iota of truth in the news published. Unquote:

After hearing the parties concerned and further having gone through the reports given by Sp. Inspector General of Police, we accept the report submitted by Investigation Wing of this Commission and closed the case under Section 17(i)(b) of the Protection of Human Rights Act, 1993.

We do not intend to pursue this matter against the persons mentioned in the report of Sp. IGP and leave the matter to the trustees of the Shri Sadguru Seva Mandir Trust to pursue it at any forum as they may deem fit.

The Registrar to communicate this Order to the parties concerned.

**Sd/-
(Subhash Lalla)
Member**

**Sd/-
(Justice Kshitij R. Vyas)
Chairperson.**

Mumbai: 8th April, 2010.