

MAHARASHTRA STATE HUMAN RIGHTS COMMISSION

22ND ANNUAL REPORT

1ST APRIL 2022 TO
31ST MARCH 2023



About The Report :

The report provides a comprehensive overview of the human rights situation in the state, including cases of violations and recommendations for improvement.

The content of the report is based on the commission's investigations and findings, as well as input from civil society organizations and other stakeholders

MAHARASHTRA STATE HUMAN RIGHTS COMMISSION



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April 2022-March 2023

PREFACE

“Human rights are not a privilege granted by the few, they are a liberty entitled to all, and human rights, by definition, include the rights of all humans, those in the dawn of life, the dusk of life, or the shadows of life.”

Kay Granger.

The Commission is pleased to present its 22nd Annual Report for the period 01.04.2022 to 31.03.2023.

Human rights are typically regarded to be unalienable fundamental rights that are innate in all people. Human rights are inherently universal in nature, irrespective of states, regions, languages, religions, ethnic origins, sexes, castes, creeds, etc. It is the responsibility of the State to promote and safeguard all human rights, independent of the political, economic, and cultural system in place in the State, as stated in United Nations conferences and conventions and as stressed in the Universal Declaration of Human Rights. As a consequence, India passed the Protection of Human Rights Act in 1993.

The Maharashtra State Human Rights Commission has been investigating complaints of victims of human rights violations by public servants, either on complaints received or even suo moto, despite the fact that the object of the Act was limited in that the Human Rights Commissions could only inquire into violations of human rights by public servants and though the Commission could only make recommendatory orders. The Commission's efforts to raise awareness in the State of Maharashtra have led to a significant increase in the number of instances recorded and investigated.

As we reflect on the past year, it is clear that the human rights landscape remains fraught with challenges and obstacles. From ongoing conflicts and political unrest to the ongoing COVID-

19 pandemic and its impact on vulnerable communities, the need to protect and promote human rights has never been more urgent.

The Annual Report of the Human Rights Commission provides a comprehensive overview of the state of human rights across the state of Maharashtra. It is a reflection of the commission's commitment to ensuring that the voices of those who have been marginalized or oppressed are heard, and that their rights are protected.

With its limited grant and infrastructure, the Commission has been attending the grievances and complaints regarding human rights violations. Maharashtra State Human Rights Commission's endeavor 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

As we move forward, we must remember that the protection of human rights is not a luxury, but a fundamental necessity. We must continue to speak out against injustice and work towards a more just and equitable world for all. We hope that this report serves as a call to action for individuals, governments, and organizations around the world to join us in this important work.

Phatun 18-1-2024

Justice K. K. Tated (Retd.)

(Chairperson)

M.A. Sayeed
M.A. Sayeed

(Member)

Bhagwant D. More

(Member)

Superannuated on 8.4.2023 (A.N.)

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CHAPTER I

INTRODUCTION

Human rights are typically recognised as legal rights in both international and national law. They are moral principles or norms that specify certain standards of human behaviour. The common understanding of them is that they are unalienable fundamental rights that are "inherent in all human beings" irrespective of their nationality, location, language, religion, ethnic background, or any other status. They are universal in the sense that they always apply everywhere, and they are egalitarian in the sense that they apply equally to everyone.

They are recognized as requiring people to respect the human rights of others as well as necessitating empathy and the rule of law.

Although concepts of liberty and rights have existed in some form for a significant portion of human history, the older views of human rights do not nearly reflect the current beliefs. The Protestant Reformation and Renaissance in Europe are responsible for the contemporary understanding of human rights, as well as the decline of feudal authoritarianism and religious conservatism that characterised the Middle Ages.

The International Committee of the Red Cross founder *Henry Dunant's* work led to the creation of the Geneva Conventions between 1864 and 1949. The agreements expand on the Hague Conventions of 1899 and 1907, which were the first attempts by the international community to codify the laws of war and war crimes in the developing domain of secular international law. They protect the human rights of those who are involved in armed combat. Following World War II, the agreements were updated, and the world community re-adopted them in 1949.

Following the atrocities of World War II, concern for the social and legal defence of human rights as fundamental freedoms intensified. A comprehensive model of international law and practice for the protection of human rights was made possible by the United Nations' founding and the provisions of its charter.

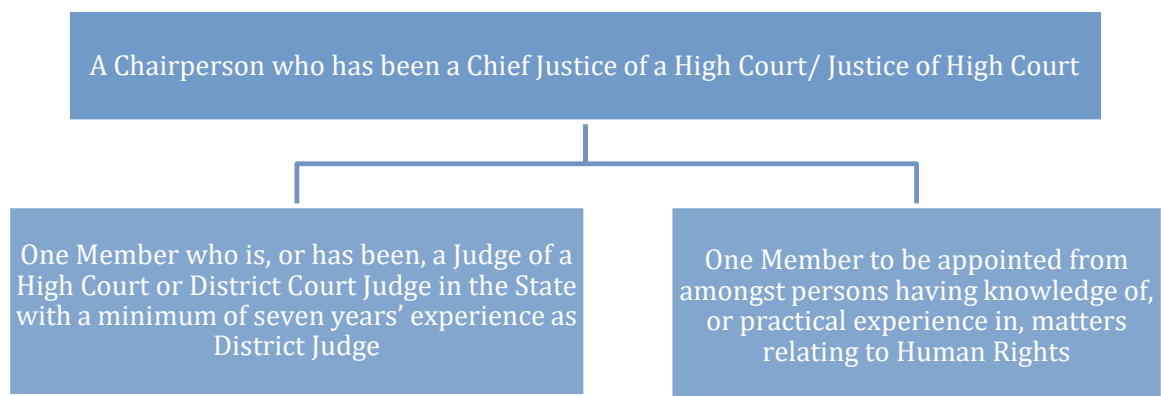
International human rights law is built on the tenet that all people have equal access to human rights. This idea was reiteratively highlighted in a number of international human rights

agreements, declarations, and resolutions after it was originally stressed in *The Universal Declaration on Human Rights (UDHR)* in 1948. For instance, *The 1993 Vienna International Conference on Human Rights* said that regardless of their political, economic, and cultural systems, States have a responsibility to advance and safeguard all human rights and basic freedoms.

As stated in *Article 1 of the UDHR*, “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”. The UDHR clauses were also included by our constitution's creators as essential rights in the Indian Constitution. The year 1993 saw the adoption of *The Protection of Human Rights Act* by the Indian Parliament. This Act offers protection from human rights violations. The National and State Human Rights Commissions, as well as the District Human Rights Court, are to be established under this Act. In accordance with The International Covenant and Protection of Human Rights Act, 1993, **The Maharashtra Human Rights Commission** was founded on March 6, 2001 to safeguard human rights.

COMPOSITION OF THE COMMISSION

The Maharashtra State Human Rights Commission is an Autonomous and Statutory Body comprising of:



● FUNCTIONS OF THE COMMISSION

The Commission's primary function is to monitor out for and investigate violations of human rights by public employees. The Commission must carry out all or some of the responsibilities listed below in accordance with *Section 12* of the Act. 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). With the consent of the court in question, intervene in any case involving a claim of a breach of human rights;

(c). Visit any jail or other institution under the state government's control where persons are detained or lodged for treatment, reformation, or protection, despite anything else stated in any other law currently in effect, to examine the living conditions of those residents and make recommendations to the government;

(d). Assess the protections offered by or under the Constitution or any already in effect statute for the Protection of Human Rights, and suggest actions for ensuring that they are effectively implemented;

(e). Analyze the factors—including acts of terrorism—that prevent people from exercising their human rights and suggest suitable corrective actions;

(f) Research human rights treaties and other international instruments and offer suggestions for their successful implementation;

(g) Promote and engage in human rights-related research;

(h) Promote human rights literacy among different facets of society and raise knowledge of the measures in place to defend these rights through media coverage, seminars, and other channels;

- (i) Support the initiatives of institutions and non-governmental organisations (NGOs) engaged in human rights activity;
- (j) Any other duties it deems essential 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 forum
 - The relief prayed for.

ADVANTAGES OF APPROACHING THE COMMISSION

Accessibility: the state human rights commission provides an accessible forum for victims of human rights violations to seek justice and redressal, without the need for expensive legal representation.

Accountability: the commission can hold government officials, law enforcement agencies, and other entities accountable for human rights violations, and can recommend disciplinary action or legal proceedings as appropriate.

Advocacy: the commission can act as an advocate for human rights, and can engage with government officials, civil society organizations, and the public to promote policies and practices that protect and uphold human rights.

Awareness: by raising public awareness of human rights issues, the commission can help to prevent future violations and promote a culture of respect for human rights.

Expertise: the commission is staffed with experienced professionals who are well-versed in human rights law, and can provide guidance and support to those seeking to file complaints.

Investigation: the commission has the power to investigate complaints of human rights violations and can call for evidence and testimony from witnesses and experts.

Resolution: the commission can provide a platform for resolving disputes and grievances related to human rights violations, often through mediation and conciliation.

Protection: the commission can provide protection to victims of human rights violations and their families, especially in cases where they may be at risk of retaliation.

CHAPTER II

COMPLAINTS HANDLED BY THE COMMISSION

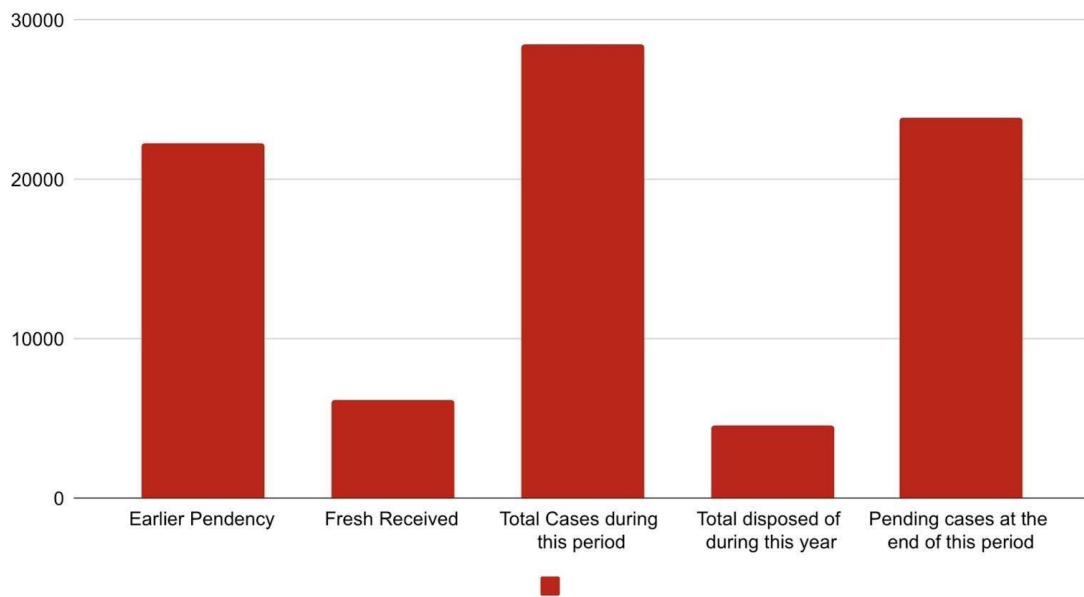
From 1st April 2022 to 31st March 2023, the Commission received a total number of **6704** complaints. The following chart is showing the details about the fresh complaints received, pendency as well as the number of cases disposed of.

Statistical Chart of the Cases from 01-04-2022 to 31-03-2023

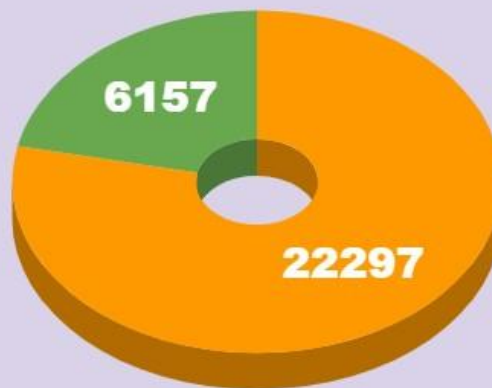
Earlier Pendency	Fresh Received	Total Cases during this period	Total disposed of during this year	Pending cases at the end of this period
22297	6157	28454	4604	23850

According to the statistical chart of cases from April 1st, 2022 to March 31st, 2023, there were a total of 28,454 cases received during this period, out of which 22,297 were pending from earlier. Additionally, 4,604 cases were disposed of during the year, leaving a total of 23,850 cases pending at the end of this period. The number of fresh cases received was 6,157, indicating a significant increase in the workload of the system. These figures highlight the need for efficient and effective measures to handle the growing number of pending cases and address the backlog in the system.

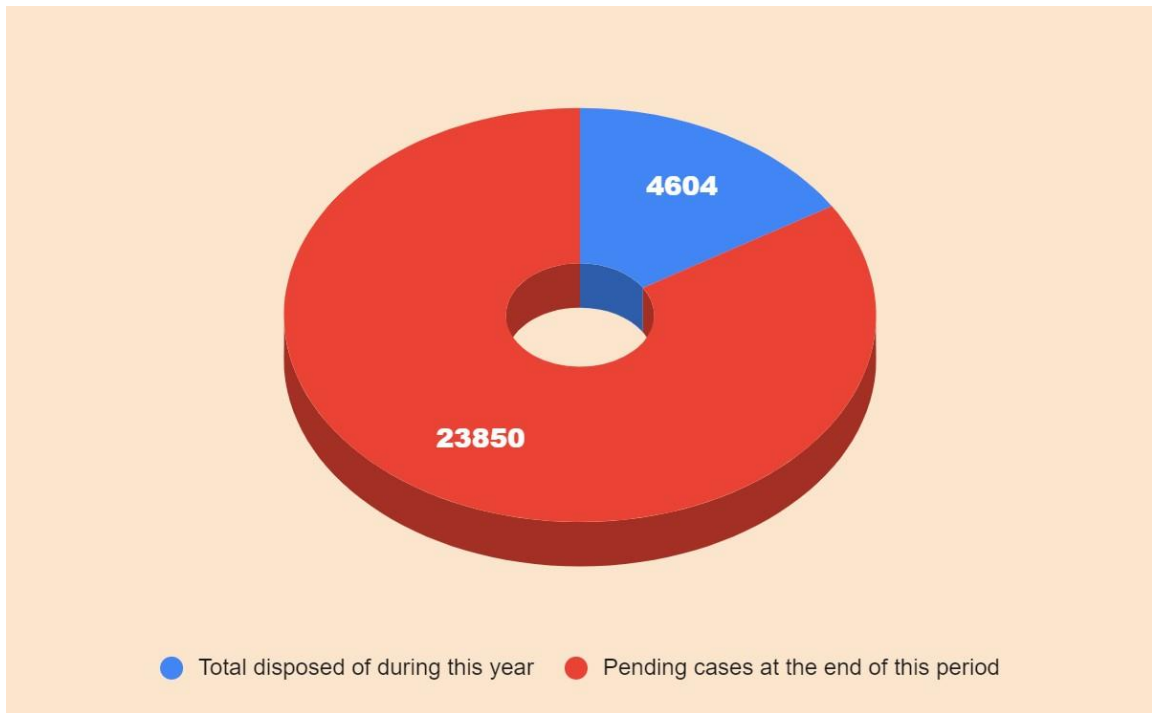
Bar graph of the Cases from 01-04-2022 to 31-03-2023



Total Cases = 28454



● Earlier Pendency
 ● Fresh Received



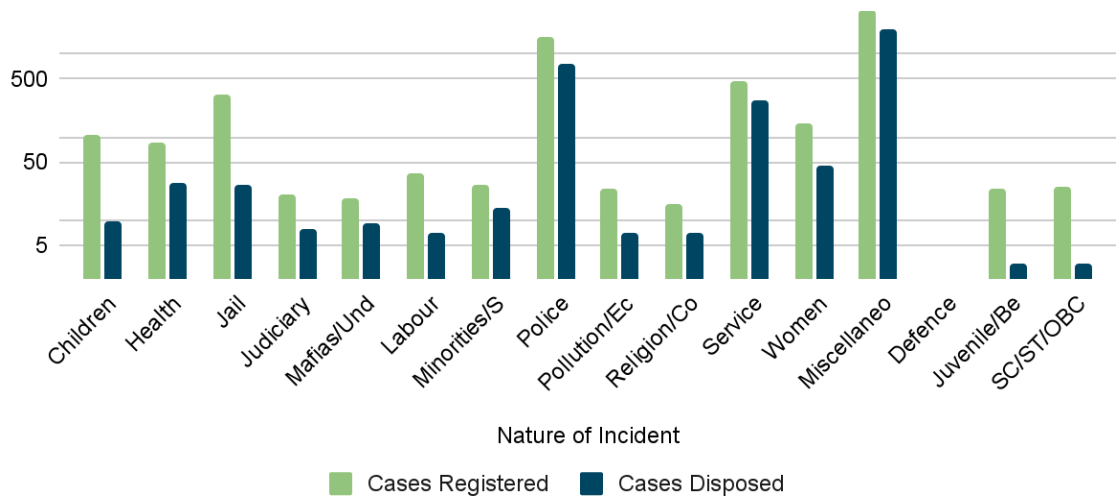
Total Relief Granted = Rs.47,91,000.00

Number of Complaints as per the Nature of Incident

Nature of Incident	Cases Registered	Cases Disposed
Children	105	10
Health	84	28
Jail	326	27
Judiciary	20	8
Mafias/Underworld	18	9

Labour	37	7
Minorities/SC/ST	26	14
Police	1561	748
Pollution/Ecology/Environment	24	7
Religion/Communal Violence	16	7
Service Matters	473	273
Women	144	45
Miscellaneous	3281	1978
Defence Forces	2	0
Juvenile/Beggars Homes	24	3
SC/ST/OBC	25	3

Cases Registered and Cases Disposed

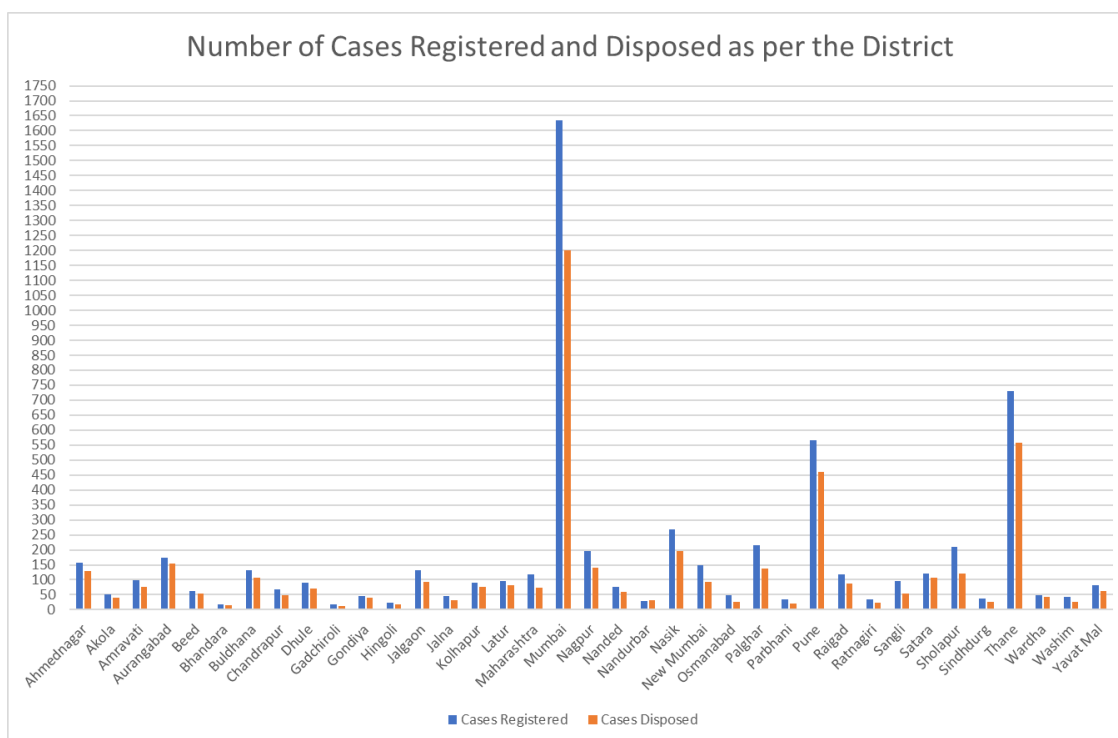


The data provided shows the number of cases registered and disposed of in various categories. Out of a total of 3281 miscellaneous cases, 1978 have been disposed of, which is the highest number among all the categories. The highest number of cases registered was in the police category, with 1561 cases, out of which 748 have been disposed of. In the children category, 105 cases were registered and 10 have been disposed of, while in the health category, 84 cases were registered and 28 have been disposed of. In the judiciary category, 20 cases were registered and 8 have been disposed of. The data shows that there is a significant backlog of cases in most categories, including jail, mafias/underworld, labour, minorities/SC/ST, pollution/ecology/environment, religion/communal violence, service matters, women, and SC/ST/OBC.

District wise cases Received and disposed

District Name	Cases Registered	Cases Disposed
Ahmednagar	158	128
Akola	51	39
Amravati	99	77
Aurangabad	173	154
Beed	62	55
Bhandara	18	14
Buldhana	131	107
Chandrapur	67	49
Dhule	91	70
Gadchiroli	18	13
Gondiya	46	39
Hingoli	23	19
Jalgaon	132	94
Jalna	46	32
Kolhapur	91	75
Latur	95	83
Maharashtra	117	74
Mumbai	1635	1201

Nagpur	197	140
Nanded	75	61
Nandurbar	30	33
Nasik	268	196
New Mumbai	150	94
Osmanabad	48	27
Palghar	215	138
Parbhani	34	21
Pune	567	460
Raigad	118	88
Ratnagiri	35	24
Sangli	97	55
Satara	121	108
Sholapur	210	122
Sindhurg	36	26
Thane	731	559
Wardha	48	42
Washim	42	25
Yavat Mal	82	62
Total	6157	4604

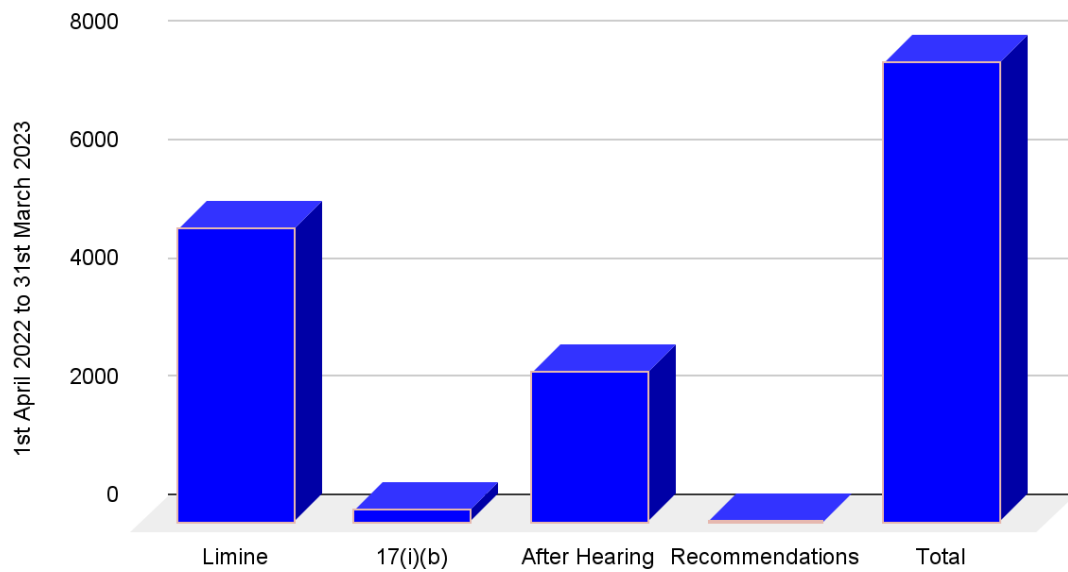


The data provided shows the number of cases registered and disposed of in various districts of Maharashtra. Mumbai has the highest number of registered cases, with 1635 cases, out of which 1201 have been disposed of. Pune follows closely, with 567 cases registered and 460 disposed of. Thane has 731 registered cases and 559 disposed of. The districts with the lowest number of cases registered are Bhandara with 18 cases, followed by Gadchiroli and Sindhudurg with 18 and 36 cases respectively. The total number of registered cases in all districts is 6157, out of which 4604 have been disposed of. This data highlights the need for a more efficient and speedy disposal of cases to reduce the backlog and ensure justice is served in a timely manner.

Total Disposal of Court No. 1, 2 and 3 from 1st April 2022 to 31st March 2023

Period	Limine	17(i)(b)	After Hearing	Recommend ations	Total
1st April 2022 to 31st March 2023	4977	216	2541	30	7770

Total Cases: 7770



The data provided shows the total disposal of Court No. 1, 2, and 3 from 1st April 2022 to 31st March 2023. Out of a total of 7770 cases, the highest number of cases disposed of falls under the category of "Limine" with 4977 cases. The category "After Hearing" has 2541 cases disposed of, while "17(i)(b)" has 216 cases disposed of. The category "Recommendations" has the lowest number of cases disposed of, with only 30 cases. This data shows that the court has been successful in disposing of a significant number of cases in the given period, with a total of 7770 cases disposed of across the three courts. However, there is still a backlog of cases pending in the courts that need to be addressed to ensure speedy and efficient delivery of justice.

CHAPTER 3

ILLUSTRATIVE CASES

On a yearly basis, several hundreds of cases are reported to the Maharashtra State Human Rights Commission and the Commission takes a proactive role in ensuring justice for the victims of Human Rights violations. This chapter highlights some prominent cases in which the commission took appropriate measures. Section 11 of the Maharashtra State Human Rights Commission (Procedure) Regulation 2011 deals with procedures for *dealing with complaints or Suo-Moto Action. General-* (a) *Complaints may be made to the State Commission ordinarily in Marathi, Hindi or English.* (b) *No fee shall be chargeable for complaints.* (c) *The complainant should disclose a complete picture of the matter. The State Commission may, if necessary, call for further information and may direct affidavits to be filed in support of the allegation whenever considered necessary.*

1) CASE NO.: 7015\2018

Name of the Complainant: **Shahu Shivaji Mokashi**

Name of the Respondent: **Member Secretary, Karnataka State Pollution Control Board**

DATE OF ORDER: 30th September 2022

CORAM: M. A. Sayeed, Member

THEME: Heavy pollution of river

NATURE OF THE CASE: The complaint was regarding heavy pollution of the river due to the discharge of waste by the sugar factory; the villagers and the residents of the village Nagnoor were deprived of their right to hygiene and clean water, depriving them of their right to use and utilise the water for various purposes has resulted into violation of their human rights. During the inspection, it was observed that the effluent treatment plant is inadequate to treat trade effluent and no upgradation was taken. Also, the overflow from the equalisation tank of ETP was joining the nearby nala and mixed with the untreated sewage discharged to join the Hiranyakeshi river. It was also observed that they had not constructed the remaining yards per CPCB guidelines.

Constitutional Right to Access clean drinking water can be drawn from the Right to Food, the Right to a Clean Environment and the Right to Health, all of which have been protected under the umbrella of the Right to Life guaranteed under Art. 21 of the Constitution. Besides this constitutional mandate, we have relevant provisions under Art. 39(b), Art. 47, Art. 51(A) Clause (g) and finally Art. 262.

RECOMMENDATIONS: It was recommended to the Karnataka Pollution Control Board to take appropriate steps to ensure due and proper compliance with the breaches and lapses on the part of the concerned sugar factory. The board was recommended to consider launching prosecution against the management of the concerned board under the relevant penal section of IPC by lodging an FIR and taking further action in accordance with the law against the management of the factory. A compensation of Rs.10,00,000/- was recovered from the management and deposited with the Panchayat Samiti of Kolhapur for proper utilisation and improvement in the village's infrastructure.

2) **CASE NO.:** 1289\13\16\2020

Name of the complainant: Rupesh Aba Rane, Borivali

Name of the Respondent: Dy Commissioner of Police, Zone XI, Mumbai

DATE OF ORDER: 1st November 2022

CORAM: M. A. Sayeed, Member

THEME: Inhuman treatment at Police station

NATURE OF THE CASE: Complainant's younger sister-in-law (younger sister of his wife), on account of marital discord with her husband, had left him and was staying at the complainant's house with her son for more than nine months before the unfortunate incident in question. Her husband approached the police station past midnight and reported about his wife not responding to his cell phone call or opening the house door. Therefore, the complainant, along with his sister-in-law, was summoned to the police station and suffered inhumane treatment, as reflected in the findings by the supervisory authority in the disciplinary enquiry.

RECOMMENDATIONS: The Additional Chief Secretary, Home Department, was recommended to pay Rs. 2,00,000/- to the complainant for the blatant violation of his human rights. It is also recommended to frame guidelines to check abuse of the Police power by primarily focusing on – Transparency of the action, accountability, developing a proper work culture, training and orientation of the Police force consistent with basic human values, re-structuring of training methodology of the Police, infusing the Police force with basic human values and making them sensitive to the Constitutional ethos.

3) CASE NO.: 1620/2018

Name of the complainant: Santosh M. Raut

Name of the Respondent: Commissioner of Police, Thane- 400601

DATE OF ORDER: 18th April 2022

CORAM: M A Sayeed, Member

THEME: Physical and mental harassment by police.

NATURE OF THE CASE: The complainant came with a grievance of physical and mental harassment and trauma by the police team of ED Unit, Thane. The concerned officer acted on an anonymous complaint against the complainant accusing him of extorting from real estate builders in Thane at the behest of a gangster and without registering an FIR against the complainant. The officer summoned him for interrogation at the Unit and seized his passport. The so-called informant could not be found at the address given in his complaint, nor the team of the ED Unit could trace his whereabouts but, even then, the complainant continued to be summoned to the ED Unit office, detained and interrogated, at length despite his pleading about innocence in the entire episode.

RECOMMENDATIONS: Complainant is paid Rs. 1,00,000/- for violation of his human rights within six weeks from receipt of this order, failing which to 12% from the date of order till realisation. ACS, Home Department, Mantralay, Mumbai, to ensure compliance with the above-noted recommendation by recovering the amount from API Mahajan and also to consider

launching disciplinary action against him for having exceeded the powers conferred on him by his post as a strong signal and message should be percolated down to the law enforcing team for the consequences in the event of performing their duties in blatant breach of law and rules. Office of DGP, Maharashtra State, to consider conduction of periodical sensitisation and awareness training programmes for the police force in Maharashtra by primarily focusing on niceties of procedural law, current and landmark judgement of the Supreme Court and High Courts relating to their powers and duties, under the law which they owe towards citizens of the State.

4) **CASE NO.:** 1155/13/16/2022/255

Name of the Complainant: Shahnaz Bano Ehsann Ali Shah

Name of the Respondent: The Dy. Commissioner of Police, Zone – VI, Mumbai

DATE OF ORDER: 10th January 2023

CORAM: Justice K.K. Tated, Chairperson

THEME: Failure to take action by Police Authority.

NATURE OF THE CASE: The complainant filed the present complaint that the Police Authority failed and neglected to take action under Section 376 of the Indian Penal Code. Her case was that these four persons sexually assaulted her time and again. Not only that, but they prepared videos of rape also. The complainant submitted that time and again, and she approached the Police Officer. Still, they failed and neglected to take any action and or registered F.I.R. When they contacted higher authority at that time; Police Authority registered F.I.R. under Section 376, 376(2) (h) (n) 376(d), 506, and 34 of Indian Penal Code.

RECOMMENDATIONS: The Additional Chief Secretary, State of Maharashtra, Home Department, Mantralaya, Mumbai and Dy. Commissioner of Police, Zone – VI, Mumbai, is advised to hold an inquiry and take appropriate steps against the police officers who failed and neglected to register the F.I.R. under Section 376 of the Indian Penal Code and also pay a compensation of Rs. 2,00,000/- to the complainant within two months from date of receipt of order. The office is directed to provide a copy of this order to the complainant and the Police Authority free of charge. Compliance with the above-noted recommendations is made in

accordance with the procedure u/s. 18 (e) of The Protection of Human Rights Act, 1993 r/w. Regulation 22 to 24 of the Maharashtra State Human Rights Commission, (Procedure), Regulations, 2011. Office of the Ld. Secretary attached with this Commission to take follow-up action. The complaint stands disposed of with this above-mentioned recommendation.

5) CASE NO.: 4360/13/12/2021

Name of the complainant: Bharati B Mahajan, Kajgaon, Tal, Dist Jalgaon.

Name of the Respondent: The Superintendent of Police, Jalgaon.

DATE OF ORDER: 22nd July 2022

CORAM: Justice K.K. Tated, Chairperson

THEME: Police authorities acting under political influence.

NATURE OF THE CASE: It is the complainant's case that the Police Authority changed its F.I.R. against the offender under the influence of political figures. The complainant claims that the Respondent's conduct, as stated in the complaint, would amount to outrage on the part of women in public. This is not the only thing that can be considered sexual harassment.

According to the office's instructions, a subpoena was issued to the police station in question, asking them to investigate and file their report. The police authority is conducting an investigation and submitting the report of 06.04.2022. The main claim of the police department is that nothing happened in the matter at hand. They submitted that the applicant had made such allegations only to obtain a counter-F.I.R. against the defendants. The police department indicated that they have already registered NC for this purpose. All these statements were recorded by API Mr Nagre from Bhadgaon Police Station, Jalgaon. Just reading these statements clearly supports the applicant's case. For example, Ms Sindhubai Keshav Mahajan stated in her statement that she saw the defendants tearing the applicant's saree and blouse themselves in public. Not only that, some of the Respondents took off the entire blouse of the Appellant and began to hold her hand on her chest

RECOMMENDATIONS: a) Either Additional Chief Secretary, Home Department and/or Superintendent of Police, Buldhana is directed to pay a compensation of Rs. 2,00,000/- (Rupees

Two Lacs Only) to the complainant within two months from the receipt of the order failing which complainant is entitled to interest @ 9% p.a. from the date of order passed by this Commission.

b) Superintendent of Police, Buldhana to continue the departmental enquiry against Police Officer Mr Gajanan Dhondge, Buckle No. 1561 and Police Officer Pradip Khandu Thakur from Lonar Police Station.

c) Superintendent of Police, Buldhana to decide who is responsible for payment of the abovementioned compensation of Rs. 2,00,000/- (Rupees Two Lacs) and recover the same from them as land revenue defined in Maharashtra Land Revenue Court.

d) Compliance of the above-indicated suggestions, be made in line with the procedure u/s. 18 (e) of the Preservation of Human Rights Act, 1993 r/w. Regulation 22 to 24 of the Maharashtra State Human Rights Commission, (Procedure), Regulations, 2011.

e) Office of the Ld. Secretary attached with this Commission to take follow-up action.

6) CASE NO.: 1492/13/8/2022

*Name of the Complainant: Abhimanyu Shriram Jadhav, R/o. Chinchali Sangle, Tal. Lonar.
Dist. Buldhana.*

Name of the Respondent: The Superintendent of Police, Buldhana.

DATE OF ORDER: 27th September 2022

CORAM: Justice K.K. Tated, Chairperson

THEME: Police inaction

NATURE OF THE CASE: The complaint is against Lonar Police Station for not taking the complaint of the complainant and not taking any action against the accused. It was mentioned that the Police authority neglected to make enquiries and register the offence in respect of the death of his son.

RECOMMENDATIONS: a) Either Additional Chief Secretary, Home Department and/or Superintendent of Police, Buldhana, is directed to pay a compensation of Rs. 2,00,000/- (Rupees Two Lacs Only) to the complainant within two months from the receipt of the order failing which complainant is entitled to interest @ 9% p.a. from the date of order passed by this Commission.

- b) Superintendent of Police, Buldhana, to continue the departmental inquiry against Police Officer Mr Gajanan Dhondge, Buckle No. 1561 and Police Officer Pradip Khandu Thakur from Lonar Police Station.
- c) Superintendent of Police, Buldhana, to decide who is responsible for payment of the said compensation of Rs. 2,00,000/- (Rupees Two Lacs) and recover the same from them as land revenue defined in Maharashtra Land Revenue Court.
- d) Compliance of the above-noted recommendations, be made in accordance with the procedure u/s. 18 (e) of the Protection of Human Rights Act, 1993 r/w. Regulation 22 to 24 of the Maharashtra State Human Rights Commission, (Procedure), Regulations, 2011.
- e) Office of the Ld. Secretary attached with this Commission to take follow-up action.

Conclusion

These are some of the cases dealt by the Maharashtra State Human Rights Commission during the year 2022-23. The recommendations made by the Commission play a pivotal role in ensuring justice for the complainants.

The use of illustrative cases in The Annual General report serves an array of functions for The Maharashtra State Human Rights Commission and the readers of the report, including demonstrating impact, providing context, showcasing success, and engaging stakeholders. By featuring specific examples of how the commission has made a difference in people's lives, the report can help stakeholders understand the value of the commission's work. Sometimes, the work of the commission can be complex or difficult to understand, and illustrative cases can be used to provide context and help stakeholders understand the real-world implications of the commission's work. By featuring examples of successful initiatives or projects, the report can help build credibility and showcase the commission's accomplishments. This can be particularly important for the commission, which relies on the trust and support of the people it serves. Illustrative cases can help engage stakeholders by making the report more interesting and compelling to read. By featuring real stories and examples, the report can help stakeholders connect with the commission's work on a more personal level, ultimately helping to promote greater awareness and support for human rights in Maharashtra.

CHAPTER IV

VISITS TAKEN BY THE COMMISSION

Section 12(c) of the Protection of Human Rights Act, 1993 which governs the Functions of the Commission, mandates that the Commission shall visit, under intimation to the State Government, any jail or any other institution under the control of the State Government, where persons are detained or lodged for purposes of treatment, reformation or protection to study the living conditions of the inmates and make recommendations thereon.

The following planned visits were undertaken by the Hon'ble Chairperson, Hon'ble Members, Secretary, Investigation Wing headed by Spl. Inspector General of Police, Registrar & other staff.

Sl.No.	Date of Visit	District	Place of Visit	Type of Visit	Visiting Team
1.	01.04.22	Pune	Faraskhana Police station	Planned/ Enquiry	Superintendent of Police, Police inspector and staff
2.	09.04.22 to 01.05.22	Nashik	Maharashtra Police Academy	Sensitization	Hon'ble Member Shri M. A. Sayeed
3	13.04.22	Pimpri Chinchwad	Chaakan Police Station	Planned/enquiry	Superintendent of Police, Police inspector and staff
4	25.04.22	Akola	S P Office, Akola	Planned/enquiry	Superintendent of Police, Police inspector and staff
5	09.05.22	Pune	Bhosari Police Station		Hon'ble Member Shri Bhagwantrao More
6	31.05. 22- 01.06.22	Beed	Collector Office and SP office, Gevrai, Beed	Planned/enquiry	Special Inspector General of Police and Police Inspector
7	31.05.22	Thane	Kashi Mira Police Station	Planned/Enquiry	Superintendent of Police, Police inspector and staff
8	22.06.22 to 23.06.22	Wardha	Office of Maharogi Seva Sangh Samiti	Planned/Enquiry	Superintendent of Police, Police inspector

9	01.07.22	Navi Mumbai	CIDCO Office, Uran Navi Mumbai.	Planned/Enquiry	Police inspector
10	08.07.22	Mumbai	Government Hospital, Kandivali	Planned/Enquiry	Police inspector and staff
11	15.07.22	Mumbai	Ornet Blossom CHS, Dadar.	Planned/Enquiry	Superintendent of Police, Police inspector and staff
12	18.7.22	Pune	Shivaji Nagar Police Station	Planned	Registrar, Superintendent of Police, 1 Constable.
13	11.08.22	Mumbai	Beggar's Home Mankhurd (Government Male Beggars Receiving Centre, Chembur)	Planned	Registrar, 20 Pro Bono Students
14	11.08.22	Mumbai	Beggar's Home Mankhurd (Government Female Beggars Receiving Centre, Chembur)	Planned	Registrar, 20 Pro Bono Students
15	30.08.22	Mumbai	Applicants Residence, Boriwali.	Planned/Enquiry	Superintendent of Police, Police inspector and staff
16	01.09.22	Mumbai	Applicants Residence, Malad.	Planned/Enquiry	Special Inspector General of Police, Superintendent of Police, Police inspector and staff.
17	13.09.22	Aurangabad	Jawaharnagar Police Station	Planned/Enquiry	Police inspector and staff.
18	14.09.22 to 15.09.22	Nasik	Applicant's Residence and Panchvati Police Station	Planned/Enquiry	Superintendent of Police, Police inspector and staff.
19	16.09.22	Sindhudurg	SP Office, Sindhudurg.	Planned/Enquiry	Special Inspector General of Police, Police inspector and staff.
20	24.09.22	Mumbai	The Home for Mentally Deficient Children, Mankhurd, Mumbai.	Planned	Registrar and two Pro Bono Students

21	26.09.22	Pune	Hinjewadi Police Station		Hon'ble Member Shri Bhagwantrao More
22	27.09.22	Mumbai	Applicants Residence, Malad	Planned/Enquiry	Special Inspector General of Police, Superintendent of Police, Police inspector and staff.
23	21.10.22	Mumbai	Nagpada	Planned/Enquiry	Police inspector and staff
24	10.11.22	Raigad	Shrivardhan Police Station	Planned/Enquiry	Police inspector
25	06.12.22	Thane	Adharwadi Jail, Kalyan	Planned/Enquiry	Police inspector and staff
26	09.01.23	Nagpur	Central Prison, Nagpur.	Planned/Enquiry	Superintendent of Police, Police inspector
27	16.01.23	Nashik	CP, Nashik office	Sensitization	Hon'ble Member Shri M. A. Sayeed
28	16.01.23	Mumbai	Colaba Police Station	Planned	Assistant Registrar, one staff member and 25 students from winter internship program 2022
29	17.01.23	Thane	Kalyan Adharwadi Jail	Planned	Registrar, 25 students from winter internship program 2022.
30	24.01.23	Mumbai	Umerkhadi Juvenile Justice Board	Planned	Registrar, 25 students from winter internship program 2022.
31	25.01.23	Mankhurd	Children's Aid Society		Assistant Registrar, 25 students from winter internship program 2022.
32	25.01.23	Mumbai	Vatsalya Oldage Home, Kanjurmarg	Planned	Registrar, 25 students from winter internship program 2022.
33	28.01.23	Mumbai	Prayas NGO	Planned	Registrar, 25 students from

					winter internship program 2022.
34	06.02.23	Thane	Regional Mental Hospital, Thane	Planned	Registrar
35	10.02.23	Solapur	District Prison, Solapur	Planned/Enquiry	Police inspector and staff
36	01.03.23 to 02.03.23	Nagpur	Ganesh Peth Police Station	Planned/Enquiry	Superintendent of Police and Staff
37	10.03.23	Mumbai	Anjuman-I- Islam's Barrister A.R. Antulay College of Law		Hon'ble Member Shri M. A. Sayeed
38	11.03.23	Mumbai	Children Welfare Centre Law College		Hon'ble Member Shri M. A. Sayeed
39	18.03.23	Thane	Regional Mental Hospital		Respected Chairman K.K.Tated, Hon'ble Member Shri M. A. Sayeed, Registrar, 12 students from attachment programme.
40	21.03.23	Mumbai	District Legal Service Authority, Mumbai		Registrar, 15 Students from attachment programme.
41	27.03.23	Online	NHRC-Online Law Interns		Hon'ble Member Shri M. A. Sayeed
42	27.03.23	Thane	Shree Nakoda Karna Badhir Vidyalyaya, Saravali Village, Gove Naka, Bhiwandi-Kalyan road, Bhiwandi		Registrar, 15 Students from attachment programme

The following surprise visits were undertaken by the Hon'ble Chairperson, Hon'ble Members, Secretary, Investigation Wing headed by Spl. Inspector General of Police, Registrar & other staff.

Sl.No.	Date of Visit	District	Place of Visit	Type of Visit	Visiting Team
1.	03.04.22	Pune	Chakan Police Station	Surprise	Hon'ble Member Shri Bhagwantrao More
2	25.04.22	Satara	Satara Taluka Police Station	Surprise	Hon'ble Member Shri Bhagwantrao More
3	26.04.22	Pune	Rajgad Police Station	Surprise	Hon'ble Member Shri Bhagwantrao More
4	04.07.22	Sangamner	Taluka Police Station	Surprise	Hon'ble Member Shri Bhagwantrao More
5	05.07.22	Ahmednagar	Akole Police Station	Surprise	Hon'ble Member Shri Bhagwantrao More
6	20.08.22	Amravati	Amravati Central Prison	Surprise	Hon'ble Member Shri M. A. Sayeed
7	27.08.22	Pune	Velhe Police Station	Surprise	Hon'ble Member Shri Bhagwantrao More
8	29.08.22	Ahmadnagar	Ghargaon Police Station	Surprise	Hon'ble Member Shri Bhagwantrao More
9	30.08.22	Raigad	Paramashantidham Vrudhashram Taloja, Raigad	Unplanned	Registrar, 22 Pro Bono Student
10	01.10.22	Thane	Thane Central Prison	Surprise	Hon'ble Member Shri M. A. Sayeed
11	04.10.22	Mumbai	J.J. Hospital, Mumbai.	Unplanned	Registrar, Superintendent of Police, 6 Students from Attachment Program.
12	07.10.22	Nagpur	Nagpur Central Prison	Surprise	Hon'ble Member Shri M. A. Sayeed
13	21.10.22	Ahmadnagar	Supa Police Station	Surprise	Hon'ble Member Shri Bhagwantrao More

14	21.10.22	Ahmadnagar	Kotwali Police Station	Surprise	Hon'ble Member Shri Bhagwantrao More
15	22.10.22	Pune	Narayangoan Police Station	Surprise	Hon'ble Member Shri Bhagwantrao More
16	08.02.23 to 11.02.23	Kolhapur	Kolhapur Central Prison	Surprise	Hon'ble Member Shri M. A. Sayeed
17	20.02.23	Mumbai	Kandivali	Surprise	Police inspector and Staff
18	21.02.23	Ahmednagar	Bhingar Camp Police Station	Surprise	Hon'ble Member Shri Bhagwantrao More

The Surprise or Unplanned & Planned visits are the means of checking the State Government's compliance for the protection of Human Rights of the citizens.

The Surprise / Unplanned visit is an effective medium to conform the accountability of the State Government for implementation of measures governed by the law for safeguarding these human rights.

The Planned visit is an efficacious way to monitor & inspect the functioning of the Government Institutions in fulfilment of the obligations mandated in the laws that govern the protection of human rights.

CHAPTER 5

AWARENESS PROGRAM

Since its creation in 1993, the Commission has been interested in the topic of human rights education. Section 12 (h) of the Protection of Human Rights Act, 1993 mandates the Commission to spread human rights literacy among various sections of society and promote awareness of the safeguards available for the protection of these rights through publications, the media, seminars and other available means, and

Section 12 (i) empowers the Commission to encourage the efforts of non-governmental organizations and institutions working in the field of human rights.

Awareness Program conducted by the Commission –

Sl No.	Type of Awareness Program	Total
1.	Internships	25
2.	Pro bono	51
3.	Collaboration / Attachment Program	30

Visits by the Students to the Commission -

Sl. No.	Date	Institute Name	No. of Participants
1.	15/09/2022	Karnataka College of Law, Mumbai	15 Undergraduate Law Students
2.	27/09/2022	Institute of Nursing Education, Mumbai	10 Postgraduate Nursing Students
3.	28/09/2022	Parvatibai Jondhale Women's Law College, Mumbai	20 Undergraduate Law Students
4.	26/09/2022 29/09/2022 30/09/2022	Siddharth College Of Law, Mumbai	60 Undergraduate Law Students
5.	10/03/2023 17/03/2023 24/03/2023 31/03/2023	Parvatibai Jondhale Women's Law College, Mumbai	80 Undergraduate Law Students

Visit by the Civil Society Organisation to the Commission -

Sl No.	Date	Organisation	No. of Participants
1.	03/03/2023	HURT(Human Rights) Foundation, Mumbai	8 Trainee of NGO

Visit by the Probation Officers

Sl No.	Date	Probation Officers	No. of Participants
1.	24/02/2023	Probationer Trainee IAS Officer from Batch 2021	10 IAS Officer

Other Visits/Charitable

Section 12(i) and 12(j) of the Protection of Human Rights Act, 1993 empowers the Commission to encourage the efforts of non-governmental organizations (NGOs) working in the field of Human Rights and provides such other functions, as it may consider necessary for the promotion of human rights.

Sl No.	Date	Theme	Place of Event	Purpose	Team
1.	15/10/2022	Diwali Sneha Milan	Hetu Charitable Trust	Distribution of Scholarship and study material, sweets to 850 disable students	Commission, Registrar, and 11 students from attachment program
2.	01/10/2022	Medical Camp	Thane Central Prison	Medical Camp for skin disease	Commission and 1 Staff Member, 30 students and 2 faculties of the attachment program
3.	31/10/2022	Rashtriya Ekta Diwas	Arthur Road Central Jail	Distribution of Books and 3 different language books. Total 81 books distributed	Commission, officers, staff and 6 Pro bono students

Workshop and Conference

SI No	Date	Place of Visit	District
1.	10/04/2022	Ek Programme Bauna & Divyang Baccho ke Naam	Mumbai
2.	30/04/2022	One Dat Workshop at Maharashtra Police Academy	Nashik
3.	11/06/2022	Scholarship and Note Book Distribution to Adopted Children	Mumbai
4.	30/06/2022 to 01/07/2022	National Conference- Human Rights in Indian Culture and Philosophy organized by National Human Rights Commission	New Delhi
5.	06/08/2022	Silver Jubilee Celebration organized by Tamil Nadu State Human Rights Commission	Tamil Nadu
6.	11/10/2022 to 12/10/2022	Foundation Day, organized by National Human Rights Commission	New Delhi
7.	12/11/2022	75 th Platinum Jubilee organized by HETU Charitable Trust	Mumbai

8.	21/12/2022 22/12/2022	&	Two-day Certification Program for Probationary Officers, Department of Social Justice and Empowerment, Government of Kerala at Tata Institute of Social Sciences, Mumbai, Maharashtra	Mumbai
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One of the key responsibilities of the Commission is to create awareness about human rights among the people. It is clear from the above-mentioned tables how the Commission has designed and implemented various programs and initiatives that can educate people about their rights and how to exercise them. These programs include educational workshops, seminars and training sessions for the various groups of people such as students, working professionals and community leaders.

In addition to raising awareness at the National level, the Commission is also responsible for promoting international Human Rights education. To organise and participate in international conferences and events to share best practices.

Another important aspect is to promote Human Rights literacy to encourage the efforts of all stakeholders which includes, civil society organizations, media outlets and government agencies. The commission supports and guides the stakeholders and recognizes their achievements in promoting human rights awareness.

CHAPTER VI

RECOMMENDATIONS TO THE GOVERNMENT

The Commission has the power to make recommendations under *Section 18 of the Protection of Human Rights Act, 1993*. This section empowers the State Human Rights Commission to inquire into complaints of human rights violations and make recommendations to the concerned authorities for appropriate action. The MSHRC can make recommendations to the concerned authorities, including the state government, to take appropriate action in cases where it finds that there has been a violation of human rights. These recommendations may include measures to prevent further violations, compensation to the victims, and action against the perpetrator.

In addition, the Commission may also recommend measures for the effective implementation of human rights safeguards and provide guidelines to the state government on human rights issues. The recommendations made by the commission are not binding, but they carry considerable weight and are generally followed by the concerned authorities.

Serial No.	Case No./Nature	Order Date	Recommendations
1.	MAS/Case No. 1620/2018 Physical and Mental Harassment by Police Team, ED Unit, Thane.	18.04.2022	API Shri Mahajan to pay compensation of Rs. 1,00,000/- to the complainant within six weeks from date of receipt of this order, failing which to 12% from date of order till realization.
2.	MAS/Case No. 878/13/23/2019 Illegal Detention, Harassment and Extortion	09.05.2022	Police officials Kiran Rohidas Landge, Raju Trimbak Kedari, Ramesh Gabaji Nale to pay compensation of Rs. 2,00,000/- each (Total amounting to Rs.6,00,000/-) to victim Ishtiyak alias Mushtaq M. Khan.
3.	DIVISION BENCH KKT/Suo Moto Case No.– 1080/13/5/2022 Suo Moto	13.06.2022	The Additional Chief Secretary (Revenue and Forest) for necessary implementation and follow-up action as under:

			By amending the policies and guidelines for the compensation as fixed vide क्र.एससीवाय-1205/प्र.क्र.189/म-7 Date : 23.01.2006 for Rs. 10,00,000/- to each family instead of Rs.1,00,000/-
4.	KKT/Case No.– 4360/13/12/2021 The Police Authority not registering F.I.R. against the culprit under the influence of Political Persons.	22.06.2022	The Addl. Chief Secretary, Home Department, Mantralaya, pay compensation of 50,000/- within two months from the receipt of the order for mental torture.
5.	MAS/Case No. – 838/2017 Police Misconduct	06.07.2022	Director General of Police, Mumbai to order registration of offence u/s. 302 IPC against the culprit Shri Dilip Kamble by deleting offences u/s. 304A, 279 IPC, under crime no. 62/16, to Sec. 302, 201 IPC. Police officer ACP Shri Aabasaheb Anandrao Patil, Anti-Corruption Division, Mumbai and retired PI Shri Nandkishore Digambar Saste to pay Compensation of Rs.2,00,000/- to complainant Smt. Sarita Mahadeo Shedge.
6.	MAS/Case No. – 5368/2018 Right to Shelter blatantly violated	01.09.2022	The respondent authority CEO, SRA to pay compensation of Rs.1,50,000/- to the complainant Basanti Waghela
7.	KKT/Case No.– 1388/2015 Illegal Detention, Mental Harassment and Torture by Police	12.09.2022	Recommendation is made to the Commissioner of Police, Thane is directed to pay compensation of Rs.1,00,000/- by way of damages for mental torture to the complainant as early as possible but in any case before 23.12.2022

8.	KKT/Case No.– 1492/13/8/2022 Police refused to register F.I.R	27.09.2022	Additional Chief Secretary, Home Department and/or Superintendent of Police, Buldhana is directed to pay a compensation of Rs. 2,00,000/- to the complainant within two months from the receipt of order failing which complainant is entitled interest @ 9% p.a. from the date of order passed by this Commission.
9.	MAS/Case No. – 7015/2018 Heavy pollution of the river due to discharge of the waste by the concerned sugar factory	30.09.2022	A compensation amount of Rs.10,00,000/- to be recovered from the management and be deposited with Panchayat Samiti of Kolhapur for a proper utilization and improvement in the infrastructure of the village.
10.	KKT/Case No.– 1155/13/16/2022/255 Police Authority failed and neglected to take action	10.01.2023	The Additional Chief Secretary, State of Maharashtra, Home Department, Mantralaya, Mumbai and Dy. Commissioner of Police, Zone – VI, Mumbai to pay a compensation of Rs. 2,00,000/- complainant is entitled interest on the entire amount @ 8% p.a. from the date of complaint till realization of the amount.

The Commission has exercised its power to recommend or award compensation in various cases as shown in the table above. The table summarizes the compensation awarded by the Maharashtra State Human Rights Commission (MSHRC) for human rights violations. The compensation awarded ranges from Rs. 25,000 to Rs. 10,00,000, with the lowest compensation being awarded in cases of minor violations, and the highest compensation being awarded in cases of severe violations resulting in loss of life or serious injury.

The recommendations also include measures to prevent further violations, compensation to the victims, and action against the perpetrators. The compensation awarded by the MSHRC is based on the severity of the violation, the extent of damage caused, and the financial status of the perpetrator. The table highlights the importance of human rights and the role of the MSHRC in ensuring that victims of human rights violations are adequately compensated. It also serves as a reminder that human rights violations should not be taken lightly, and perpetrators should be held accountable for their actions.

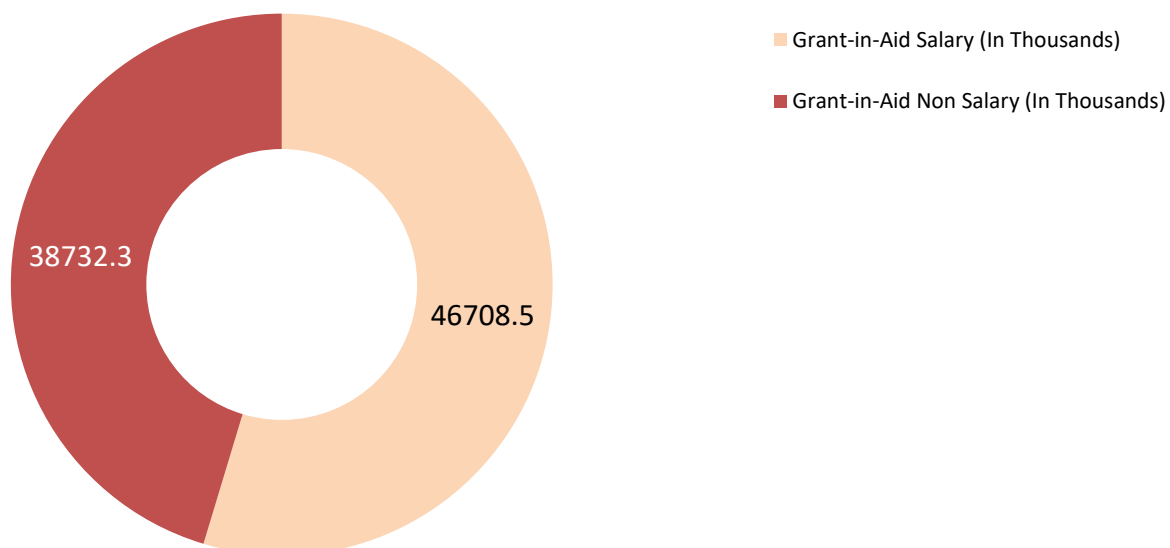
CHAPTER VII

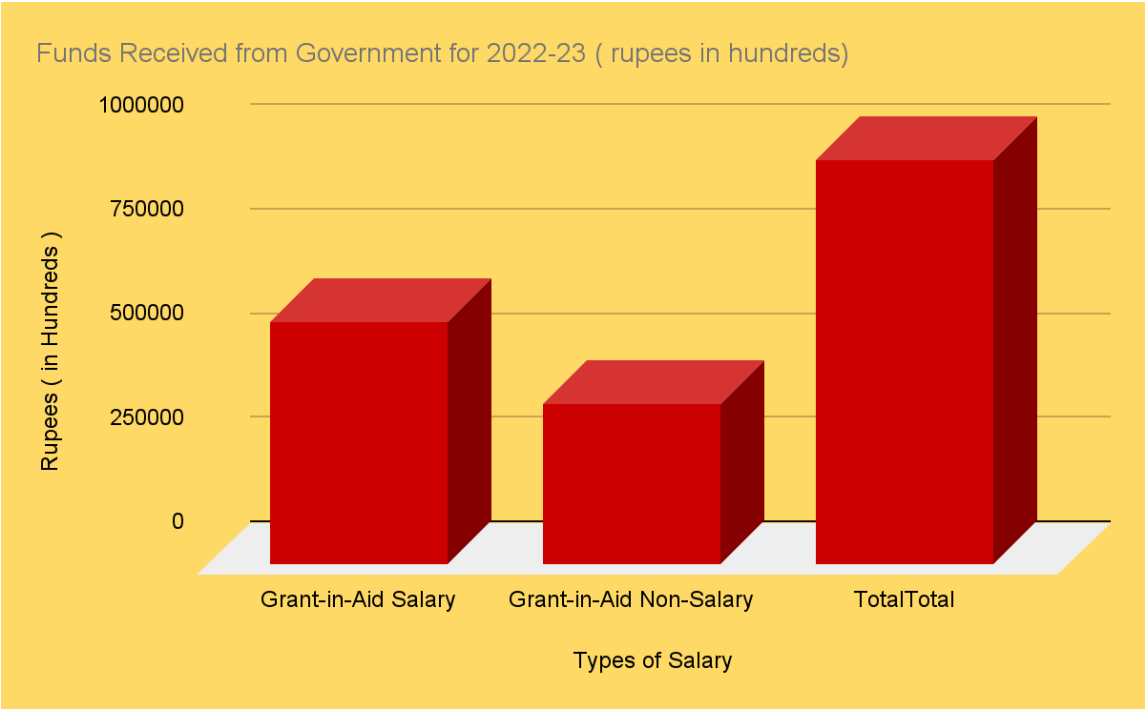
RESOURCES

Funds Received from the Government for year 2022-2023 (Rupees in Thousands)

Grant	(Rupees in Thousands)
Grant-in-Aid Salary	46708.5
Grant-in-Aid Non Salary	38732.3
Total	85440.8

Funds Received from the Government for year 2022-2023 (Rupees in Thousands)





Summary For The Annual Report 2022-2023

Maharashtra State Human Rights Commission (MSHRC) was established in 2001 as per Protection of Human Rights Act 1993. MSHRC functions as per the provision of Protection of Human Rights Act 1993 and the Maharashtra State Human Rights Commission (Procedure) Regulations 2011.

The following chart shows the details about the complaints received, pendency and the number of cases disposed off.

Statistical Chart of the Cases from 1.1.2022 to 31.12.2022

Earlier Pendency/ Opening Balance	New Receipts/ Complains	Cumulative complaints during this period	Total disposal of during the year	Total Cases of Relief/ Recommendation	Pending cases at the end of this period
24628	6998	31626	9203	62	22423

Funds Received from the Government for the financial year 2022-2023

Grant	Rupees (in Thousands)
Salary	46708.5
Non Salary	38732.3
Total Grant Received	85440.8

The detailed performance of MSHRC for the year 2022-2023 has been included in the Annual report.


Justice K. K. Tated (Retd.)
(Chairperson)


M.A. Sayeed
(Member)

Bhagwant D. More
(Member)
Superannuated on 8.4.2023 (A.N.)