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Maharashtra State Human Rights Commission (MSHRC) Mumbai

DOCKET SHEET

SVO MOTU CASE NO: 1409/13/30/2023

News item appeared in English News Paper "MID-DAY"

On 20.03.2023, in respect of "From hand- wash outlet to juice centre at
Nalasopara Station"

1. Received at 17.50 hrs
on 20/4/23
2. However, report is being called.
20/4

07 CITY

From ha centre

Man operating centre



08 CITY

'Accused's kin me to withdraw

The rape survivor's mother says they also off

Continued from page 1

TALKING to mid-day, her mother said that it is not feasible for her to travel all the way from Jogeshwari to Nalasopara, when she needs to focus on the exam. Her mother also said she fears going to Nalasopara because the accused's relatives who stay there have been pressuring her to withdraw the case.

The survivor was allegedly raped by her school teacher, Sanjay Muralidhar Ghughe, who allegedly spiked her glass

'The cops told me that I must bear the taking the cops to hospital for conducting tests. I was also told to purchase test other medical kits so that the tests could be done at government hospital' The survivor's mother

er saw a cellphone with her, she asked her about it. The cellphone the girl said, had been a gift to her from a friend in their hometown. Her mother took the cellphone and began to inspect it. "Her father and I saw a teacher had sent her vulgar messages. couldn't The dev Nalasop survivor an against section late on cused w

The hand-wash-station-turned-juice-centre outside Nalasopara station; (right) Taps were stolen from the facility shortly after it was set up by the VVCM. PICS/HANIF PATEL

seats in Maharashtra next year, and in no way would they settle for the number of seats that have been reported in a section of the media. Internal tussle notwithstanding, the MVA partners seem to be on the same page when it comes to creating the impression that they will be together in fighting the BJP. So far so good. Nobody knows what comes next, to bind or break their unity. It's a courting time, indeed.

Dharmendra Jore is political editor, mid-day. He tweets @dharmaendrajore

Send your feedback to mailbag@mid-day.com

court regarding the fate of Maharashtra's government. FILE PIC

time. But will the BJP be able to delete the perception of doubt in the Shinde group? This happened with regard to the Assembly polls. The Lok Sabha elections, stated to be held six months before the state polls, haven't come up for discussion yet, though the BJP has made it clear that it has been working on the

seats where it has been losing in Maharashtra.

MVA partners united in fight

Posturing in the MVA is continuing for the partners as well as for others outside the coalition. Three parties have come together to reach out to the people from April, but speculations over the formation



MAHARASHTRA STATE HUMAN RIGHTS COMMISSION

9, Hajarimal Somani Marg, Opp. Chhatrapati Shivaji Maharaj Terminus, Mumbai – 400 001

Tel : 22092857 Email:- court1@mshrc@mah.gov.in

KKT/Suo Moto Case No.– 1409/13/30/2023

Name of Respondent : 1 The Collector
Palghar
2 The Municipal Commissioner
Vasai Virar Municipal Corporation
Virar
Date : 20th March 2023
Coram : Justice K.K. Tated, Chairperson

PROCEEDING

Not on board. Taken on board.

1. We noticed an article appeared in English Newspaper Mid Day dated 20.03.2023 with the heading "From hand-wash outlet to juice centre at Nalasopara station; Man operating centre openly reveals he is hand-in-glove with civic officials"

2. When the reported encountered at juice centre, the owner of the shop in his interview which reflects as under:

"Reporter: Did you get a licence to run the juice centre here at hand-wash station?"

Abdul Bhai, owner of the juice centre: Who cares! Do vegetable vendors have a licence to sit on the roads to sell veggies?

Reporter: Since when you have been running this juice centre?

Abdul: I started this a month ago, I'm just settling down now.

Reporter: Do you also have to grease the palms of officers?



Abdul: The officers know me well. We have been cooperating with each other. It is a private plot of land but the municipal corporation had illegally constructed a hand-wash station during the pandemic for health reasons. But just a day later, all the taps were stolen by unknown people. And several posters were pasted on the walls. So, I started a sugarcane juice centre here after cleaning the premises. After constructing the hand-wash station, the municipal corporation installed its board but it was never operational even during the pandemic. I cooperated with them during the pandemic, so why would the VVCMC not cooperate with me today."

3. Considering these facts Commission decided to take up this issue by way of suo moto complaint under Section 12 of The Protection of Human Rights Act, 1993. Hence, following order is passed:

a) Office is directed to issue summons to the Collector, Palghar and Municipal Commissioner, Vasai Virar Municipal Corporation, Virar calling upon them to hold fact finding inquiry and submit report on or before 11.04.2023.

b) **Matter to appear on board before Division Bench of Justice K.K. Tated, Chairperson and Shri. M. A. Sayeed, Member in Court No.1 on 11th April 2023 at 11.00 a.m.**


(Justice K. K. Tated)
Chairperson



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DIVISION BENCH

Suo Motu Case No.- 1409/13/30/2023

Name of Respondent

: Collector
Palghar

Municipal Commissioner
Vasai Virar City Municipal Corp.
Vasai

Date

: 04th May, 2023

Coram

: Justice K.K. Tated, Chairperson
M.A.Sayeed, Member

ORDER

(Per: M. A. Sayeed, Hon'ble Member)

A very shocking article appeared in 'Mid-day' of 20.03.2023 about a person operating juice center from a handwash outlet, with the patronage of the civic authorities and of having made a bold statement to the reporter conceding that such juice center and number of the other unauthorized vendors are carrying out their business under the patronage of the civic authorities.

2. Suo motu cognizance u/s. 12 of the Protection of Human Rights Act, 1993 came to be initiated by passing a detail order on 20.03.2023. Reports on affidavits vide Ex. 'A' & 'B' came to be placed on record, after perusal of which following direction was passed on 24.04.2023:

"1. The present suo moto case is arising out of news article in mid day of 20.03.2023 reporting about a juice

centre operating from a hand wash outlet at Nallasopara station and the most shocking part was the statement of the owner to the reporter that he has full support of the civic authorities.

2. Today Advocate Ms. Rupali Kamlapurkar for Vasai Virar Municipal Corporation placed affidavit of Ms. Neeta Kore, Assistant Municipal Commissioner, Vasai Virar Municipal Corporation. It has affirmed in the affidavit that steps for removing the illegal juice centre has been taken on 17.03.2023 itself and that it was operating just for two days only before action against the owner came to be taken by the Corporation. Pertinent to note that no further penal action seems to have been taken against the owner. It is further submitted that this hand wash outlet was set up during COVID period and presently a proposal to convert it in for water drinking purpose is in the process by carrying out deliberations with the private owner. However, these facts are not forthcoming on record. Ld. Advocate Ms. Kamlapurkar undertaken to submit a proper comprehensive affidavit by next date."

3. Accordingly, in compliance of our direction supra above, report on affidavit vide Ex. 'C' came to be placed on record, affirming in para 3 & 4 as under:

"3. I say that, during regular inspection by staff of VVMC on 15.03.2023, it was noticed that, on the aforesaid hand wash center, one Abdul had illegally temporary shed was constructed for Juice center hence immediately VVMC has took the action against illegal act of Mr. Abdul and demolished the illegally temporary constructed shed for juice center on 17.03.2023 now there is no any the illegally temporary constructed shed for Juice center is in Existence. However, surprisingly after demolishing the illegally temporary constructed shed for Juice center, on 20.03.2023, with ill intention the false news has published in the Applicant,s Newspaper.

4. I say that, said hand wash center was utilized by public at large during Pandemic Covid-19 situation So

also, VVMC has also issued letter dated 06.03.2023 to owner of B-304, shival special, near Bharat Gas, Nalasopara (west) for permission and cooperation to convert the said handwash center to drinking water station for public at large, however till today there was no response from owner of B-304, shival special, near Bharat Gas, Nalasopara (west) in that regard. Considering the above mentioned facts, there is no any substance in the news published by Applicant mentioning therein that, hand wash center is utilising for juice center by encroachment and civic body official who have turned a blind eye to these encroachments etc. I say that, Vasai-virar City Municipal Corporation, Ward "E" to prove its contention has filed certain documents and also crave leave of this Hon,ble Commission to give permission for file certain Additinoal documents to prove its contention if required. I say that, my humble request to this Hon,ble Commission is that the documents on record may kindly be considered."

4. Thus it can be seen that with damage control steps being taken and the fact that the handwash center is proposed to be converted for public water drinking system, and the fact that immediate steps against unauthorized juice center owner came to be taken, for our further intervention in the matter is not required, hence following order:

"ORDER"

a) Present suo motu stands closed and disposed off with no order as to cost.


(M.A. Sayeed)
Member


(Justice K. K. Tated)
Chairperson