24/3/2023 2/2/2023

4/2/2023
29/2/2023
27/2/202

महाराष्ट्र राज्य मानवी हक्क आयोग

29/3
29/3/23
11/4/2023
15/6/2023
7/7/2023
closed

Maharashtra State Human Rights Commission
(M S H R C)
Mumbai

Allotted to Court No. : 1/ 2/ 3

SUO MOTU CASE NO: 55/13/16/2023

News item appeared in Marathi News Paper "LOKMAT HELLO MUMBAI"

On 1.1.2023, in respect of **"शौचयालयाच्या स्वछतेबाबत पालिकेची नुसतीच घोषणा"**

SUMMARY

Case No. 55/13/16/2023 44/CR/2023

लोकमत टाइम्स मुंबई

1-1-2023 Page 2

(1)

शौचालयाच्या स्वच्छतेबाबत पालिकेची नुसतीच घोषणा

लोकमत न्यूज नेटवर्क

मुंबई : शहरातील सार्वजनिक आणि सामुदायिक शौचालये दिवसातून पाच वेळा स्वच्छ केली जातील, अशी घोषणा मुंबई महानगरपालिकेने केली होती. त्याला तीन आठवडे होत आले तरी अद्याप शौचालयचालकांना यासंदर्भात सूचना किंवा प्रत्यक्ष कामाला सुरुवात झालेली नाही. त्यामुळे प्रत्यक्षात ही योजना सुरू करण्यासाठी पालिकेस केव्हा मुहूर्त सापडणार, अशी विचारणा जागृत मुंबईकरांकडून केली जात आहे.

महानगरपालिका आणि म्हाडा प्राधिकरणाने शौचालये बांधणी, दुरुस्तीसाठी मोठ्या प्रमाणात निधी खर्च केला आहे. परंतु, त्याची देखभाल हा दीर्घकाळाचा वादग्रस्त मुद्दा बनला आहे.

म्हाडाच्या अखत्यारीतील स्वच्छतागृहे ताब्यात घेण्याची आणि त्यांची देखभाल करण्यासाठी कंत्राटदार नेमण्याची प्रक्रिया सुरू झाली आहे. अशात पालिका आयुक्त इक्बाल सिंग चहल यांनी १० डिसेंबर रोजी शहरातील सुशोभीकरण कामांच्या उद्घाटनाप्रसंगी ही सार्वजनिक शौचालये दिवसातून पाच वेळा स्वच्छ केली जातील, असे जाहीर केले होते. त्याचे मुंबईकरांनी मोठे स्वागत केले होते. पण अद्यापही दिवसातून पाच वेळा शौचालये स्वच्छ केली जात नाहीत.

...तर खर्च दुप्पट होईल!

पाच वेळा शौचालय साफ करण्याच्या कोणत्याही लेखी सूचना किंवा नोटिसा आम्हाला मिळाल्या नाहीत. कोविडच्या काळात स्वयंसेवी संस्थांकडून आर्थिक मदत मिळाली होती. त्यामुळे आम्ही दिवसातून दोनदा स्वच्छतागृहे स्वच्छ करत होतो. तसेच, सफाई कामगारांना महिन्याला १२ हजारांपर्यंत पगार देत होतो. आता पुन्हा सफाई वेळा वाढवल्या तर आमचा खर्च दुप्पट होईल, असे पे अँण्ड यूज टॉयलेट चालविणाऱ्यांचे म्हणणे आहे.

INWARD 44/CR/2023
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RASHTRA STATE HUMAN RIGHTS COMMISSION

Hajarimal Somani Marg, Opp. Chhatrapati Shivaji Maharaj Terminus , Mumbai – 400 001
Tel : 22092857 Email - court1-mshrc@mah.gov.in

T/Suo Moto Case No.– 55/13/16/2023

Respondent :1.The Municipal Commissioner
Municipal Corporation of Greater Mumbai
Mumbai

: 2nd January 2023

n : Justice K.K. Tated, Chairperson

PROCEEDING

Not on board. Taken on board.

2. We noticed news appeared in Marathi News paper Lokmat dated 01.01.2023 on page 2 with heading "शौचालयाच्या स्वच्छतेबाबत पालिकेची नुसतीच घोषणा"

3. It is stated in the said news that Municipal Commissioner publicly declared that they will start cleaning the public toilets five times in a day. Though the said statement was made long back, the same is not implemented by them. Even toilet condition in all over Mumbai is worst.

4. Considering these facts stated in the said news Commission decided to take up this matter as suo moto under Section 12 of the Protection of Human Rights Act, 1993. Hence, following order is passed:

c) Office is directed to issue summons to the Municipal Commissioner, Municipal Corporation of Greater Mumbai calling upon him to file affidavit in reply to the contents of

the news item dated 01.01.2023. Reply to be filed on or before 02.02.2023

d) **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 2nd February 2023 at 11.00 a.m.**

(Justice K. K. Tated)
Chairperson

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

DIVISION BENCH

Suo Motu Case No.– 55/13/16/2023 /3882

Name of Respondent	:	Municipal Commissioner Municipal Corporation of Greater Mumbai, Mumbai
Date	:	07th July **2023**
Coram	:	**Justice K.K. Tated, Chairperson** **M.A.Sayeed, Member**

ORDER

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

Marathi local newspaper 'Lokmat' of 01.01.2023 criticized apathy on part of the respondent municipal corporation in maintaining the cleanliness and maintaining the hygiene of public toilets falling in its area.

2. Suo motu action u/s. 12(1) of the Act of 1993 came to be taken by the Commission and affidavits in reply came to be submitted at Ex. 'A' to Ex. 'D', through law Asst. Valvi for the Corporation.

3. On a careful perusal of these affidavits, it emerges that concrete and positive steps for maintaining the hygiene and cleanliness of public toilets in the area came to be taken by the respondent corporation as reflected from para

3 to 6 of the affidavit Ex. 'D' dated 06.07.2023, which reads thus:

> "3. I say that, BMC constructs RCC toilets through its Slum Sanitation Program under Pay & Use Toilet scheme and the life of such structures is generally considered as 30 years and Defect liability period (DLP) of construction is generally 10 years. I say that major and minor repairs are routinely carried out through appointed agency or BMC's ward agency time to time as per requirements and hence the structural audit of such toilets is carried out only on need basis and if any complaints about structural stability are received or if the toilet is found to be in a dilapidated condition at the time of inspection. The structural audit is not required to be carried out on annual basis.
> 4. I say that the year of establishment of Pay & Use toilet in 1985. Sulabh International was 1* CBO to built these Pay & Use toilet and at present there are 788 numbers of Pay & use toilets all over Mumbai in various area.
> 5. I say that as regards to MHADA toilets constructed by MHADA authority, MHADA has provided funds to BMC for bringing all MHADA toilets in good condition prior to awarding them for maintenance with local CBOs.
> 6. I say that BMC has insisted on ensuring structural stability of such toilets before taking over for operation and maintenance. Hence, BMC has carried out structural audit of MHADA toilets in eastern & western suburban toilets blocks out of 4096. The structural audit of 2987 toilets is done and 2785 is found in good condition but needing repairs. The 1109 toilets in city division are not yet handed over to BMC. I say that the structural audit is the process which is usually followed by BMC thon need basis and whenever is required."

4. Thus with such concrete action taken by the respondent corporation, we are of the opinion that no

further intervention by the Commission is warranted, hence following order:

"ORDER"

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

(M.A. Sayeed)
Member

(Justice K. K. Tated)
Chairperson