CHAPTER – 6

COMPLAINT ABOUT VIOLATION OF HUMAN RIGHTS IN GUJARAT STATE
HUMAN RIGHTS COMMISSION
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6.1 Introduction

The Human Rights Protection Act 1993 protects and provides relief to the Common man against any harrassment of an established powerful group in the administration and protects the fundamental human rights to life, liberty, equality and human dignity.

Gujarat is a progressive State. It remained as peaceful State for the point of views of law and order. The commission is empower to cover one year old cases from the date of breach of Human Rights but the transferred old cases or grievances remaining pending and indisposed off under various legal proceedings before Honarorable Supreme Court of before the Hon’ble High Court or National Human Rights Commission or pending before any competent legal authority handling such cases can also be examined by the commission. Since the days this commission came into existence the state generally remained peaceful and normal. Generally the citizens of the State are well aware of their rights and as a result, there is a better law and order situation in Gujarat comparing to the other states of the country, which plays an important role in the enjoyments of Human Rights for the people.

The State Government has made available the help of internet connetion namely gujarat state wide area network called GSWAN required information on state government police matters and other information everywhere in the State to the people connected by internet such as central government people in foreign countries, Legislative assembly, its Offices, High Courts, Government Ministers Offices, Sachivalaya, Departments, Offices of Heads of Departments, District Offices, Municipal Corporations, District Panchayats, Municipalities, Taluka Level Officers, Zonal Offices, Boards and Corporation Offices, Village Panchyats at village Level
and Liaison Offices of the Organizations etc. Therefore, it is very helpful in redressal of grievances and providing information of most of the policy decisions taken in the State. However, applications also received, the commission satisfies by scrutinizing their grievances and redresses them by keeping in view their point of view and guiding and recommendation to the concern authorities also for their amicable solution, petition are guided considering their representations by giving proper guidance by the competent officers with decision making powers over and above matters of best interest of the people are followed up in the protecting human rights as notified by the NHRC and attention of State Administration is drawn about the anomalies in it. The State commission has also launched its website having address like http://ghrc.nic.in.

6.2 **Democratic Working and Good Governance**  
( Pre-requisite for Protection of Human Rights )

The Indian Constitution makes almost a perfect frame work of Governance, both for centre and States, and all desirable directions for state policies to make system inclusive, hence a unique constitution desire to bring perfect harmony and perfect balancing provisions for power among the states, for their various regional identities and aspirations converging into a union, for governance adoption of Federal structure of presidential system of US and parliamentary system of UK definitely provide a perfect frame a State of Good Governance. State being the main centre of governance between the Union and District administration. In context of our country has adopted itself one of the Best possible flexibility in Constitution for amendments and it laid out legal base for future growth on the path of Good Governance. Legislature, Executive and Judiciary are the three pillars of Governance a healthy balance among the three shapes the broad parameters of Good Governance.

2. The Universal Declaration of Human Rights in 1948 as a common standard of achievement for all people and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves.
and among the peoples of territories under their jurisdiction. This was a major foundation to provide international commitment for good governance and just and proper treatment to international community in any foreign land. The Fundamental Rights enshrined in our constitution provide legal frame work to these rights through various provisions but, the Protection of Human Rights Act 1993 provides a core legal base to enforcement of these rights as an umbrella law to focus on the objectivity of maintaining attention towards individual human rights through court of law and forum to watch a human angle of good governance. A few ideas are placed here for working towards more perfection in modern context to ensure protection of human rights.

3. For bringing transparency in administration and reduce chances of wrong choices for selection of Legislatures, the most important provision is added by the observations in 2004 Supreme Court decision, which ruled that the candidates to Elections have to declare details of their criminal record, wealth and educational qualifications. This has laid the basis for empowerment of voters to select the right candidates which is fundamentally essential to ensure close personal scrutiny of perspective policy makers and their capacity to provide Good Governance and transparency in democratic working system. Various levels of executives and civil servants get covered through their conduct rules for proper public accountability, but to enforce it in practical system is a big challenge and management of vast official system is key for Good Governance. The transparency in public dealings of judiciary are also in debate which will provide great deal of faith of public accountability and confidence of a common man in all public services.

4. The global machinery of surveillance and monitoring through the UN human rights regime. The information technology has significantly changed the world order. The world is being globalised in an unprecedented speed. Globalization is associated with significant challenges in the human rights projects, as conventionally conceived. There is new economic dimension of globalization that stand over the other human values or phenomenon. The unfortunate consequence is to denigrate the social, cultural and political roots and ramifications of the phenomenon of globalization. The effect of globalization is that it has miserably failed to prevent wide spread deprivation of the human rights of the world’s poor. As globalization appears to be an
irreversible process, the only way to tackle this problem is to promulgate standards, streamline procedures and to develop enforcement strategies on both national and international levels.

5. Right to Information Act 2005, is another major landmark instrument added in recent times, in order to achieve and Ideal State of Good Governance. As it directly elevates rights of common people, it can be termed as Boon in the way of bringing better Transparency. Hence intelligent individuals and active NGOs can play a vital role in monitoring the performance of the State. They can ensure that, there is always greater transparency and less corruption.

6. Unlike the Politicians who have a limited tenure, the Public servants have long tenure associated with security of service. They can plan the career as well as ensure well beings of their family also. They have no reason to ignore their basic duty of “working for the people”. The only punishment likely to come to them, is in form of transfers from one place to another. This in any case, more or less, should be accepted as a part of Job Profile. Minus the fear of Transfer, the Public Servants are bound to be a more confident lot. If large number of Public Servants acquire this trait, the path of Good Governance leading to the State of Rama Rajya, would always be smooth and easy. As a common weakness, cushy postings weakens their spines, turning them into ordinary “yesman”! Though there is no need to be an obstinate “no man”, certainly the large number of other stake holders, do expect something from them. Therefore, in being a part of an objective system of administration, where public interest reigns supreme, they are expected to perform par-excellence. Thus, the motto for Public servants “service for people”, will automatically amount into Protection of Human Rights

7. The terms “governance” and “good governance” are being used increasingly in relation to the process of decision-making and the processes by which decisions are implemented or not implemented. Government is one of the key actors in governance as formal government structures in developing economies such as India are the major means by which decisions are arrived at and implemented. Good Governance may be said to have the following major characteristics:
• Participatory by way of fair play of all stakeholders
• Consensus oriented to keep in view the sensitivity of issues for each others needs
• Accountability to the people
• Transparency of procedure followed in the system to inspire confidence of all
• Responsiveness to the public changing needs
• Effective and efficient handling of the issues brought before them
• Equitable and inclusive to all sections
• It follows the rule of law which are equally shared by all

8. Corruption is the main culprit of good governance. Good Governance assures that corruption is minimized, views of the minorities are taken into account and the voices of the most vulnerable in society are heard in decision-making. It is also responsive to the present and future needs of the society. Corruption divorces the social objectivity of the issues and bring inefficiency and arbitrary discrimination. There are many petitions brought before the commission on corruption but under section 21(5), there being other statutory commission such petitions are transferred to it.

9. With the growing globalization, new Global standards of governance are emerging. Citizens are demanding better performance on the part of their governments and they are increasingly aware of the costs of poor management and corruption. The objective is to promote sound development management through basic level good governance that seeks to advance the following critical objectives:

• transparency and predictability
• accountability
• strategic focus
• efficiency and effectiveness
• participation

10. At a functional plane, it is expected that a Code of Good Governance may be developed out of the day-to-day interface that a common citizen has with various
wings of Government. Normally, the administrative division of labour at the cutting-edge leads to multiple agencies working for the same goal with high degree of overlap with each other. The purpose is to provide a single window interface to the consumer/citizen so that all the basic services are delivered/provided/facilitated from this point of convergence with all procedures, processes, formats so simplified that the need for assistance or using a middleman to access the Government functionary at that hierarchical level can be eliminated altogether. To attain this objective, the Constitutional provisions for the 73rd and 74th amendments have to be made operational along with help from the civil society.

11. Through this endeavour we envisage that all the institutions involved in governance adopt, achieve, identify and measure various parameters enlisted in the Code of Good Governance. The States being the prime movers for change at the cutting-edge levels, the ownership and accountability of a model Code of Good Governance by the States is a critical issue. Such a code could bring in its ambit the following issues of good governance:

(a) Stability of tenure of key decision-makers.
(b) Upkeep of morale of public servants so that legitimate service entitlements are provided in time.
(c) Rewards in recognition of good work and meeting out deterrent punishment for recalcitrance or malfeasance.
(d) Timely completion of Annual Confidential Reports.
(e) Objective and effective redress of public grievances.
(f) Provision of available services through an easily accessible interface, devoid of harassment or corruption.
(g) Transparency in administration through Citizen’s Charters, Right to Information, use of e-Governance wherever feasible and social audit.
(h) Bringing the citizen into the focus of development programmes.

12. Effective Performance Management and its Appraisal The current Annual Confidential Report (ACR) system for judging the performance of personnel at various levels has criteria for appraisal which are generic and based on individual
assessment. Being annual, these appraisals are only taken note of at the time of promotion or empanelment, thus affecting accountability, efficiency and transparency in the system and the prospects for a feedback to the officer concerned to improve his/her own performance. Delayed self-assessment, reporting, review and acceptance complicate the whole ACR writing schedule leading to consequential delays in promotion/empanelment on account of non-availability of the ACRS. Scrupulous adherence to a predetermined time schedule of writing and completing the ACRs is imperative. Performance Appraisal procedures will also have to dovetail preparation of work plans before the commencement of the appraisal period, mid-term counseling and correction of the work plan.

13. The vast objectives of good governance depend on the quality of manpower and its efficient management. In the matter of cadre management, it is also essential to remove arbitrariness in postings and transfers. Some study groups in various areas do recommend from time to time to improve system. However adherence to certain basic parameters would encourage a system of good governance. Ensuring a minimum tenure for every post, The experience of the Government of India under the Central Staffing Scheme shows that stability of tenure can be ensured through executive instructions. The States could consider replicating the cardinal principles of the Central Staffing Scheme by evolving their own mechanism. To begin with appointments at the district level (Collector, S.P. and DFO) should notify the prescribed tenures and the cases of premature transfer, along with reasons, should be submitted to the designated agency. The agency should evolve its own parameters so that State specific needs are incorporated and extraneous pressures in appointments and transfers are avoided. Methods to control over-assessment should be put in place. CRs should be completed within the defined time schedule. The bias in writing CRs to be eliminated by ensuring strict adherence to annual work plans and their quarterly review.

14. As a State of Good Governance need amount into a State of Less Corruption, it can also be termed as a People Friendly State. In order to achieve the Illusory state like that of Rama Rajya, the best available path is nothing but the Golden way of Good Governance, and no governance can claim to be good government without
convincing public at large on the full protection of their Human Rights. Executive or Bureaucracy directly affect the cutting edge level of society, and therefore, the level of corruption always tend to reach new heights in this area. Therefore, in order to achieve the ideal stage of Rama Rajya by way of Good Governance, the end of Ravan Regime, is necessary. Security in service conditions is definitely a vital characteristic for bureaucracy but Corruption and Inefficiency always violate its spheres. Therefore much efforts are required in controlling these evils as far as possible.

15. Proper orientation of public services through foundational Training to Employees in Bureaucracy also play catalyst role in achieving good governance status. Study of theoretical subjects, practical and field work do form major part of a Training schedule, but Health awareness, Exercise, Yoga, Pranayam and Aerobics are also now included in the training schedules. So as to make it a useful and friendly spell of time and in that way to achieve the Golden Goal of Good Governance also. The Gujarat State Government has introduced a Novel Programme in form of Chintan Shibir since 7 years and gradually it has become a Popular event for the employees, a theme of maintaining collective objectivity by empowering each one to work in the same direction rather for cross purposes.

16. Protection and promotion of fundamental rights and human rights depend on proper and efficient enforcement,, effective law enforcement is possible only when there are trained and efficient keepers of the law, wedded to human rights norms,. Professionally machinery must work without fear or favour. Police reforms are yet to ensure greater transparency, accountability and responsiveness to public criticism of police functioning, politician-civil service-police nexus must be eliminated ,,police have to be properly equipped to face modern challenges of terrorism and cyber crimes made more accountable by making thin, efficient and vigilant .

17. For good governance, it is essential "to device of long-range strategies and short-term measures to deal with the menace of corruption, By policing assumes police-public partnership, the roots of police deviating from the Rule of law" due to ambiguous legislations, vulnerability to legal sections, occupational culture and .a desire to produce quick results
18. Thus there is a need to have streamlined democratic working system at all levels for, good governance which is pre-requisite for ensuring full protection of Human Rights for every citizens.\(^{(1)}\)

### 6.3 GUIDELINES FOR MAKING PETITION REGARDING VIOLATION OF THE HUMAN RIGHTS

ISSUED BY THE GUJARAT STATE HUMAN RIGHTS COMMISSION  
(Date: 24-12-2006)

Victims of the violation of human rights or abatment thereof or negligence in the prevention of such violation by a public servant can approach to:

   OR
3. The victims of the offences arising out of violation of human rights have remedy before the Human Rights Courts in Gujarat which are mandated to conduct the trial speedily.  
4. The National Human Rights Commission is located in Faridkot House at Copernicus Marg, New Delhi-110001.  
5. The State Human Rights Commission is situated near Town Hall, Sector-17, Gandhinagar-382017 with a camp office of the Chairperson at Bungalow No.37, Ministers’ Bungalows, Sector-20, Gandhinagar-382020.  
6. Courts of Sessions of respective Districts of Gujarat have been specified to be the Human Rights Courts.  
7. The Gujarat State Human Rights Commission and the Human Rights Courts can be accessed by the petitioner or any person on his behalf by furnishing a petition in writing.

\(^{(1)}\)GSHRC Annual Report 2007-2008 pg 21 to 24
8. The petition must be written in English, Hindi or Gujarati language, giving:
   (a) the name,
   (b) parentage, or husband’s name,
   (c) complete residential address,
   (d) full details of the person, authority or office in respect of which the grievance relates,
   (e) full particulars of the cause, such as the incident, place, date, month and year, particulars of the witnesses,
   (f) supporting documentary evidence, if any.
   (g) The details of authority, office or ministry which has been approached earlier together with the information regarding action taken thereon.
   (h) In case the Commission has been approached previously, full particulars in that regard along with the result should also be given in the petition.
   (i) The petition must be signed or appended by thumb impression of the petitioner.
   (j) As far as possible, the petition should be supported by the affidavit of the petitioner.
   (k) The petition must be made within one year of the incident giving rise to the cause of action.

9. The petition making allegations found false may invite appropriate action against the petitioner.

10. The petition may be made in the format annexed to this guidelines as Annexure i.

The above guidelines are recommended by The Secretary of Commission.(2)

(2) GSHRC Annual Report 2007-2008 Pg no. 51,52
Format for Petition to be filed before the State Commission (annexure:i)
(As approved by the Gujarat State Human Rights Commission)

1. The name -----------------------------------------Age-----------------
2. Father’s Name, or husband’s name, ----------------------------------
3. Residential address and Telephone or Mobile contact No’s (Give permanent Address in case of the present address is temporary or transferable)

-------------------------------------------------------------------------------------
4. Full details of the person, authority or office in respect of which the grievance relates, ----------------------------------
5. Full particulars of the cause, such as the incident, place, date, month and year, particulars of the witnesses,

-------------------------------------------------------------------------------------
6. The supporting documentary evidence, if any. List
1.-----------------2.-------------------3-------------------4-------------------
7. The details of authority, office or ministry which has been approached earlier together and with the information regarding action taken thereon.

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8. In case the Commission has been approached previously, full particulars and the office references in that regard along with the result should also be given in the petition.

-------------------------------------------------------------------------------------
9. As far as possible, the petition should be supported by the affidavit of the petitioner.

-------------------------------------------------------------------------------------
10. This is to certify that the cause of action took place within 12 months of the date of making the petition.
11. This is solemnly affirmed that the information furnished above is true to the best of my knowledge and belief and I am aware that if my information is found false, I am liable for appropriate action.

Signature or Thumb impression of the Petitioner
Date and Place
### 6.4A The Gujarat State Human Rights Commission

**Statement showing details regarding Missing Children (From 1/1/2007 to 30/4/2007)**

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<th>No. of Children Traced out</th>
<th>Age wise classification of Missing Children</th>
<th>Total Percentage</th>
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6.4B Gujarat State Human Rights Commission, Gandhinagar
Statement of District wise Information regarding applications received

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Maximum complaints of violation of human rights are received in Ahmedabad and minimum in Dang District
After constitution of the Gujarat State Human Rights Commission the petition from the citizens are directly received by the State Commission on many matters the commission initiates inquiry suo motu also. After establishing essential infrastructure and posting of the secretary, the State Commission started its functioning from 7th December, 2006. During its first year of working about 610 petitions were received in the State Commission as on 31st March 2007. The GSRTC has taken requisite decisions on the petitions of violation of Human Rights on issues received.

The cases received and dealt with by the Honororable High Court between March, 2002 and June, 2006, before formation of the State Commission, was transferred to the GSHRC in September, 2007. All these issues were also taken on record as and when they were received and are pending at various stages.
Maximum complaints of violation of human rights are received in Ahmedabad District and minimum in Porbandar District.

Violation of Human Rights of GSHRC in 2007-2008 are as under after verification of all received applications during 2006-2007.
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(Source: State Crime Record Bureau, Gujarat State, Gandhinagar)

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[^5]: Annual Report 2007-2008 Pg 78
### 6.7 Statistical information regarding Applications received at GSHRC (2006-07 and 2007-08)

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It is observed that Maximum complain of human rights during 2007-2008 are received in Ahmedabad and minimum in Tapi.
### Offences of Atrocity on Women registered during the year 2007-08 in Gujarat

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(Source: State Crime Record Bureau, Gujarat State, Gandhinagar)
During the year 2007-08 the State Commission had received total 1420 complaints and petitions which were classified district wise and month wise upto March 31, 2008. In addition to these 191 petitions were pending for the last year. Thus total 1611 petitions were required to be dispose off on its merits before the State Commission in the year 2007-08, out of which 1060 petitions have been already disposed off and 551 applications remained pending at the end of the year. The State Commission has prepared district wise and Subject wise statistical statements of classification of total 1420 Application under the 89 Sub heads of 15 major heads received during 2007-08.

After constitution of GSHRC, the petitions from the citizens are directly received by the state commission on many matters the commission initiates inquiry suo motu also.

The Honorable Gujarat High Court constituted one ‘Human Rights’ Committee between March 2002 and June 2006 before formation of the State Commission, when the GSHRC functioning, the pending 29 cases before the committee were transferred to the GSHRC in September, 2007. All these issues are disposed of during the year by the commission on a priority basis.

The Commission remained a watchdog of Human Rights and took note of various issues even when these came to our notice through press.

The large Number of Application were against the domestic violence and crimes against women and weaker sections in the State. Generally it is said that there are under influence of films and modernization on the mind of people which lead to social exposure of women to outer world but the corresponding changes have not accepted by their immediate kith and kins and in laws. They always look for a bribe to their son who can work for them as almost a perfect house manager, caretaker, and ideal entertaining hosts to varieties of guests. Any deviation or resistance from her side runt the tide against her and many time such bribes are physically assaulted or even eliminated. It is a great task of social workers and society to accept the changed atmosphere.
The property disputes and unauthorised possession of land and going to criminal cases rather than handling them from revenue systems who maintain record of rights is another managerial drawback in the field machinery particularly pertaining to the urban properties. It breeds lot of vested interests.

The slow investigations and non detection fo the cases is the another problem in matters of suicidal deaths and accidental deaths suspected to be murders.

The issue of missing children and prevalence of child labour in some of the areas and non traceability of many children is another short coming of the system.

The other area of serious concerned is that of the custodial crimes particularly from the point of convictions since the investigation machinery has not yet fully comes to terms with the reality of legal limits and use of torture as the method of detecting the serious crime and also the plea of prisoners. There is general misconception that a criminal need not have sympathy of the society and the attitude is towards deterrence so that people take example and refrin from committing crimes but this view is not realistic. It is noted that among all crimes majority of them are one time crime happened in grave provocation or by sudden provocation a person need not be condemned to regret for whole life.
It is observed from the Graph that maximum complaint of violation of human rights is stated in Ahmedabad District and minimum is Tapi and Dang District.

After verification of complaint of violation of human rights received to GSHRC during 2007-2008, this year in 2008, whatever complaints of violation of human rights received and its details study is expressed here.

\[^{(8)}\]GSHRC Annual Report 2007-2008 Pg 79
6.10 Offences of Atrocity on Women registered during the year 2008-09 in Gujarat\(^{(9)}\)

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Total 432 291 1040 87 23 6155 813 502 212 474 10

(Source: State Crime Record Bureau, Gujarat State, Gandhinagar)\(^{(9)}\) Annual Report 2008-2009 Pg. 105
6.11 **Statements showing details about Missing Children in Gujarat during 2008-09**

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<th>Age wise classification of Missing Children</th>
<th>Percentage of Tracing</th>
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(Source: State Crime Record Bureau, Gujarat State, Gandhinagar)

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The third year of GSHRC remained very noetic on account of activities undertaken by it. Against 1420 petitions it received in 2007-2008. In 2008-2009 the commission received 2260 about 65% higher complaints and petitions including many petitions transferred from the NHRC, New Delhi. At the start of the year there were 551 petitions pending thus total complains and petitions which required to be handled by the State Commission in the year 2008-2009 where 2811 out of which 1735 petitions have been disposed off and 1076 remained pending at the end of the year. As in earlier reports the commission has prepared district wise and subject wise statistical statement of classification of total 2260 application of 2008-2009 under 86 sub heads of 15 major heads which are given in the table.
### 6.12 Statistical information regarding petitions received at GSHRC during 2006-07, 2007-08 and 2008-09 (as on 31-03-2009)(11)

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(11) Annual Report 2008-2009 Pg 108
6.13 Petitions received District wise during 2008-2009

The above Graph shows the situation of the complaints received for violations of human rights. Out of these maximum complaints received is from Ahmedabad District and minimum from Dang District.

[Graph showing district wise petition data]

In the above Graph, the positions of violation of human rights are stated, in which, maximum complaints received in Ahmedabad District and minimum complaint are received from Dang District.

Very few applications have received for Bonded Labour and Slavery and this is possible to happen in the society, from all applications received until these many years. However, it is notable that maximum applications received in commission related to complaints of antisocial terrorism.
### 6.14 Various Offences related to Women registered during the year 2009-10 in Gujarat (13)

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(Source: State Crime Record Bureau, Gujarat State, Gandhinagar)

Total Complaints received to GSHRC about Violation of Human Rights is increased during 2008-09, therefore, Complaints applications received to GSHRC of violations of human rights during 2009-10 is as per the detail given in the table.

(13) GSHRC Annual Report 2009-2010 Pg 65
### 6.15 Statements showing details about Missing Children during 2008-09 (14)

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<th>Sr. No.</th>
<th>Name of District</th>
<th>No. of Missing Children</th>
<th>No. of Children tracedout</th>
<th>Age wise classification of Missing Children</th>
<th>Percentage</th>
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(Source: State Crime Record Bureau, Gujarat State, Gandhinagar)

(14) Annual Report 2009-2010 Pg 66
### 6.16 Statistical information regarding petitions received at GSHRC as on 31-03-2010 (15)

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(15) Annual Report 2010 Pg 68

During the year under review the State Commission disposed of 2457 petitions as against the disposal of 1735 petitions in the preceding year. Clearly there has been overall disposal of 78%.
6.17 Number of cases received in the year 2009-2010(16)

From above graph it becomes clear that maximum complaints received to GSHRC about violation of human rights in 2009-10 are from Ahmedabad and minimum are from Tapi District.
We have seen before about complaint received for violation of human rights to GSHRC during 2009-10. Here we have represented in the table about the applications received from different domains to GSHRC during 2010-11.

### 6.18 Statement of Women related crimes registered in the year 2010-11 in the State

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| Total  | 428                      | 297         | 1394           | 97                    | 21                     | 6999             | 910             | 534          | 270                        | 496                  | 32          | 0                         |

(17) Annual Report 2010-2011 Pg 16
List of subject wise classification of concerned incidents about complaints and Suo moto cases

(See Resolution : 13 NHRC)

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534
It is stated from the above table that applications of violations of human rights are received from different district of gujarat during 2006 to 2010-11 to GHRC, Out of which, maximum is received from Ahmedabad and minimum from Patan District. - 18. Annual Report 2010-2011 Pg. 20
In the year 2009-10, 2992 Complaints were received by the State Commission while 2557 Cases were disposed off during the year the State Commission, thus, took effective steps to deal with the pending cases in the year under review (2010-11). 3077 complaints had been received by the State Commission. While 890 Complaints were pending with the State Commission, awaiting the reports from the authorities concern or the reports had been received and were pending for further consideration within the State Commission itself in all the State Commission disposed off 2189 complaints during the year of review.

Let it be mentioned that the more powerful challenges to the human rights come first from global poverty, illiteracy and second from internal conflicts as well as competing and conflicting interests. It is in this context the GSHRC has been addressing various aspects and issues as well as complaints and protection relating to the Human Rights and in particular of vulnerable segment of society like mentally and physically challenged persons, women, children, senior citizens as well as taking serious care of Human Rights problems of scheduled castes, Scheduled Tribes and backward sections of the society and also custodial justice.
6.19B Gujarat State Human Rights Commission  
Subject and Head wise Progressive statement of petitions received upto the year 2010-11

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<td>9</td>
<td>Pollution/Ecology &amp; Environment</td>
<td>900-01 to 900-04</td>
<td>10</td>
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<td>0</td>
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</tr>
<tr>
<td>11</td>
<td>Religious/Community/Race</td>
<td>1100-01 to 1100-06</td>
<td>7</td>
<td>6</td>
<td>16</td>
<td>12</td>
<td>7</td>
<td>48</td>
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<tr>
<td>12</td>
<td>Service matter</td>
<td>1200-01 to 1200-03</td>
<td>55</td>
<td>118</td>
<td>306</td>
<td>343</td>
<td>289</td>
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<tr>
<td>13</td>
<td>Women</td>
<td>1300-01 to 1300-12</td>
<td>50</td>
<td>117</td>
<td>155</td>
<td>205</td>
<td>200</td>
<td>727</td>
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<tr>
<td>14</td>
<td>TADA/PASA</td>
<td>1400-01 to 1400-03</td>
<td>2</td>
<td>1</td>
<td>8</td>
<td>5</td>
<td>7</td>
<td>23</td>
</tr>
<tr>
<td>15</td>
<td>Miscellaneous (land/Family etc)</td>
<td>1500-01 to 1500-04</td>
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<td>654</td>
<td>847</td>
<td>1093</td>
<td>1143</td>
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<td></td>
<td>610</td>
<td>1441</td>
<td>2260</td>
<td>2992</td>
<td>3077</td>
<td>10380</td>
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</table>

Applications received for Violation of Human Rights from different subjects during 2006 to 2010-11 to the GSHRC are shown in above table. It is understood from the table that the ratio of applications received from different domain is increasing. These increase shows the confidence in GSHRC.
Applications received > district wise > 2010-11

No. of Applications

Name of Districts

Ahmedabad City
Mehsana
Rajkot Rural
Surat City
Vadodara City
Kheda
Sabarkantha
Junagadh
Surendranagar
Valsad
Panch Mahals
Dang-Ahwa
Nevvari
Anand
Porbandar

No. of Applications

Gujarat State Human Rights Commission\(^{(19)}\)

\(^{(19)}\) Annual Report 2010-2011 Pg 28
From above Graph it is stated that maximum applications of violation of human rights are received from Ahmedabad and minimum from Porbandar District.

It is believed from the verification of the applications from GSHRC of violation of human rights during 2005 to 2011 district wise from different domain from the above chapter, and, it is stated by checking the data that maximum applications of violations of human rights received is from Ahmedabad District and minimum from Porbandar and Tapi District.
### 6.21 Case details from 2006-07 up to 31-01-2013

<table>
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<tr>
<th>District</th>
<th>2006-07</th>
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<th>2008=09</th>
<th>2009-10</th>
<th>2020-11</th>
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<td>47</td>
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<td>Tapi (Vyara)</td>
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<td>Total</td>
<td>592</td>
<td>591</td>
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<td>1402</td>
<td>1400</td>
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540
SUMMARY OF CASE DETAILS FROM 2006-07 TO 2012-13

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<th>YEAR</th>
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<th>Dispo</th>
<th>Pendi</th>
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<tr>
<td>2007-08</td>
<td>1402</td>
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<tr>
<td>2008-09</td>
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<td>2255</td>
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<tr>
<td>2009-10</td>
<td>2992</td>
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<tr>
<td>2010-11</td>
<td>3086</td>
<td>3034</td>
<td>52</td>
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<tr>
<td>2011-12</td>
<td>2989</td>
<td>2899</td>
<td>90</td>
</tr>
<tr>
<td>2012-13</td>
<td>2789</td>
<td>2263</td>
<td>526</td>
</tr>
<tr>
<td>TOTAL</td>
<td>16110</td>
<td>15413</td>
<td>697</td>
</tr>
</tbody>
</table>

Note:

From the information given here one can come to know that maximum ratio of applications are about Domestic Violence, Discrimination towards SC, ST and Children, Mafia under World Activities and Private Property Rights. One thing is notable that starting from the establishment of the Commission to 2010-11 no application is received about Bonded Labor and Slavery except one, whereas applications about anti social activities are seen increasing which danger point for social protection. If these type of happenings will continue then how will we become successful in meeting the goal or dream of welfare of society conceived by the people who constitute the constitution of India? The Question arise that really the Bonded Labour and Slavery be eradicated from the society because no applications seen received about violation of human rights pertaining to Bonded Labour and Slavery. Really speaking Bonded Labour and Slavery is there in Society but it is not noted anywhere officially but unofficially it is seen that complaint about Bonded Labour and Slavery is there in society. India is independent Country but It is really thought provoking that India is really enjoying Freedom in true sense. Because Britishers quit India but have they left habit of Slavery in India? As Government employees works in their place but then while working Slavery is also expected from them by giving another name in place of Slavery. In the name of discipline other type of slavery work
is being taken from the employee like Police Force, Military Force, SRP, BSF etc. which is nowhere noted. Besides this, in the name of discipline work like bonded labour and slavery is taken from ladies employees by their senior officers and these type of slavery and bonded labour figures are not being noted anywhere but these figures are unlimited and these employees are afraid of leaving job and they endure such kind of bonded labour and slavery. Especially Police Department, where in the name discipline senior officers take work of bonded labour and slavery from their subordinate employee, as in this department discipline is highly regarded, even senior officer take subordinate at their home and get bonded labour and slavery work done from them which is in fact not the duty of subordinate, but with fear and without satisfaction subordinate has to work. If unofficially asked by someone about such kind of Slavery then they would accept that violation of human rights with disappointment. Actually the work of police force is to maintain law and order and to protect society. But they are victim of such slavery and bonded labour and due to this they have to suffer a lot at the work place and at home place and in the society also. This has very bad effect on the society at large. It is seen that their mental situation is being deteriorated due to exploitation and violation of human rights. When these people who are responsible for providing protection to the society are not enjoying self respect then how will they provide protection to the society!! Whereas in fact when police does their duty properly then they work on this slogan “May I Help U”. However, when they themselves needs help then how in real sense they would help the society. Those who does duty to make society safe expect from the society with the slogan “Will U Help Me”. These people are part of society itself. Hence, First and foremost if these people becomes self protected and well trained and satisfied with the job then they would do their duty with utmost capacity and loyalty towards the society. If these people will start working with sincerity and heartly then there will not take more time to decrease to almost nil the ratio of antisocial happenings from the society which is seen increased now a days. If these happens then Police in real sense do their duty with the slogan of “May I Help U” or they will always be ready to serve the society for protection and will say like “We always Help U”.

According to the recently occurred event between July – August 2013, OLDY Tradition found happening in the Bungalow of Police Commissioner where many 4th
class police employee became victim of torture by the family members residing in the bungalow of Police Commissioner in the OLDY Tradition even family member take homely work from 4th class employee of police department which may torture them. Due to this tradition bad effect occur on the mind of 4th class employee of police department. These OLDY Tradition complaints are not raised to the Commission or the Society. To get rid from this If Commission or the Society come forward and do some inspection or take suo moto action then such type of OLDY Traditions can come out from the society. For this OLDY Tradition the GSHRC does good work and provides protection to this type of 4th class people in the society. If 4th Class type of working people is protected against OLDY Tradition then they will work with honesty and perfection in their respective departments and this type of Crime and Torture in the society will be reduced.

6.22 Conclusion

Objective and fair approach adopted by the Commission while dealing with the human rights issues, has led to the increase in number of petitions indicative of generation of Human Right Awareness, and reposition of more and more faith of the citizenry of the State in the State Commission.

Most of the petitions received by the State Commission pertained to Politics, Domestic Violence, Discrimination against SC, ST, Service Disputes, Women and their Rights, Children, Mafias, under world criminals, women and Private Property Rights. Category wise statistical representation is given separately in a report.

For familiarizing with the prevailing conditions of the inmates, visits were made to some of the jails. Disturbing overcrowding of inmates in the Jails, especially of under trials was noticed. Ways and means to remedy the situation were discussed with the concerned authorities.