CHAPTER 7

ROLE OF GUJARAT STATE HUMAN RIGHTS COMMISSION MATTERS OF VIOLATION OF HUMAN RIGHTS
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7.1 Introduction

Good Governance is the basic prerequisite for ensuring protection of all Human Rights. The democratic Government system has inbuilt factors to ensure that government moves in that direction. There are many deviations and deterioration in the expected behaviour of the people however, despite lot of drawbacks no other system can be better than the democratic system where majority and minority both are ensure of protection of human rights. It is utmost important that the fundamental rights of the citizens are protected and guaranteed under such act. This act protects and provides role to the common man against any harassment of an established powerful group in the administration and protects the fundamental human rights to Life, Liberty, Equality and Dignity.

All the major efforts have been directed towards the protection of the human rights. The commission deals with it petitions considering all their representations considered as correct and looks at them from their angle. Especially that of the neglected and depressed classes is from centuries including the group such as Scheduled Castes and Scheduled Tribe, Primitive Tribals, Women, Children and Minorities of the Society.

Gujarat is progressive State, it remained as a peaceful stable from the point of view of law and order. The Commission is empowered to cover one year old cases from the date of breach of Human Rights. But it can look into even older cases or grievances remaining pending and indisposed off under various legal proceedings before Honorable Supreme Court or High Court or NHRC or Pending before any competent Legal Authority handling such cases can also be examined by the Commission. After coming this commission into existence the State generally remained peaceful and normal. Generally the citizen 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 State of in country which plays an important role in the enjoyments of Human Rights for the people.

The Gujarat State Human Rights Commission is established in 2005 with the purpose of protection of people of State. For that to happen, the GSHRC will try to reimburse or give proper justice or rehabilitate the human right of people of State which is violated in direct way or indirect way by the State or any Institute of the State. And for this it is not necessary that people should give application to the GSHRC instead the Gujarat State Human Rights Commission itself by the way of suo moto by becoming complainant itself and try to protect human rights.

However, applications regarding violation of Human Rights have been receiving from the people after the establishment of Gujarat State Human Rights Commission and all applications are scrutinized and filtered and separated by real violation of Human Rights and further proceedings are taken place against such separated applications. The Study is carried out in this Chapter about the real violation of human rights application received by the GSHRC in Gujarat. The study is done from the applications received from 2005 to present time.

7.2 Gujarat State Human Rights Commission Works / Achievements undertaken in the Year of 2006-2007

Certain Exemplary Cases 2006-2007

Rajkot

Shri S. S. Ajbani, submitted his petition to the GSHRC stating that he is a Retired Overseer, when he was working in the office of the Superintending Engineer, Road and Building Department, Circle-1,
Rajkot. He took premature retirement by sending a written intimation on 19th May, 1978 for sanctioning V.R.S. with effect from 20th May, 1978. But the notice period given was only for a day to sanction his V.R.S. He did not make any request for regularizing any unauthorized absence period, if there was any; the applicant was a class III employee. In his case the Head of Department was empowered to sanction his V.R.S. But powers to regularize absence period and for condoning notice period, were with the Finance Department Therefore, no decision could be taken in this regard, the applicant requested the Department but no reply was given and the applicant did not get his due benefits of pension and other retirement benefits. The petitioner applied to the Gujarat State Human Rights Commission on 7th January 2007 for justice.

It is to be remembered here that as per the judgment of Hon’ble Supreme Court, it is a basic right given to an employee to get pension after the prescribed service period. If notice was, the pay for absent period should be deducted from his benefits and he should have been given his due benefits. But this approach was not followed in this case which is considered as depriving of his human rights of the pensioner benefits.

The State Commission found this case as a genuine case as it was a case of a retired, aged and poor employee, the Commission negotiated with Finance Department and Road & Building Department had hearing with the authorities and recommended to the Government to resolve this issue a retired employee, As a result, considering the recommendations of the State Commission, the Finance Department gave its concurrence as per rules to regularize the absence period and condoned his notice period for V.R.S. The Road & Building Department finally issued necessary orders as per the provisions of rule 48(4S) of GCSR (Pension) Rules 2002. As result. There was a great relief to this poor and old aged retired person who was surviving with great hardship without pension for last 29 years.

The State Commission has taken a positive note of this humanitarian approach adopted by the State Government and hopes that the same humanitarian approach should be adopted by the different Departments of the State Government for the speedy solution of public grievances of the public due to negligible technical reasons.
Protection of Minorities

There was a petition from Shree Matasharan jagpal Parsi, ekta Nagar, Ajwa Road, Vadodara. In this it is stated that the Applicant is follower of Hindu faith and he is living in a Muslim majority residential area. The opponents to the petitioner were pelting stones collectively towards house of the petitioner and forcing him to vacate the house and threaten to kill him. He approached the police but no action was taken. The Commission sought report from the Police Commissioner Vadodara latest position office grievance the police commissioner got the issue inquired by the Police Inspector, Pani Gate Police Station as per the details given by the petitioner and his complaint was found genuine later on intervention. It was noted that both parties were ready to compromise and the issue had been settled between both the parties through mediation of local community leaders of this moholla and the opponents agreed and assured not to give any opportunity for complaint.

Anand

Protection to women for love-marriage

The Applicant Smt. Savita Ben Kanuben pramar, Karamsad, Anand had a love marriage. Both, in-laws and paternal side all the relatives were not happy for this type of love marriage, both opposed the marriage and threatened to kill her. There was possibility of attack on both of them. On her petition the Report was called for from the Superintendent of Police Anand for protection since both the paternal side and in-laws side were unhappy. Both the parties were arrested by Vidyanagar Police Station Case No. 99/07 and 100/07 and under Cr.P.C under Section-107 and 151 during inquiry of the Applicant. Bonds for good conduct were taken from paternal members and her husband and now there is no threat and need of police protection.

Surat Rural

Providing facilities to Scheduled Tribe Children’s School

The Commission has received petition form Shri Ishwarlal L. Pavar, South Gujarat Tribal Guardian Society, Vyara –Unai Road, Surat in December, 2006. It is requested that school objective was to prepare students for Defense recruitment pre-service Training but the admissions were refused to the tribal students coming from Government run government Sainik School (khercha). At present, this school is running in 3 to 5 class rooms UN Tribal Boys Hostel at Bhiloda, district: Sabarkantha
without any facility including lunch. Health matters are also neglected. The Commission has given priority to this complaint and impressed upon the management provided protection and facilities to the tribal students. And has played effective role to resolve the issue Report was asked from Deputy Secretary, Education Department, Sachivalaya, and Gandhinagar in reference to this petition. Report from D.E.O. Sabarkantha was received. As this school has no separate building and arrangement for education and residence has been made at Bhiloda with safai workers. Students go for sports at another ground. In school, there is computer Television, Dish Antenna, Uniform is given as per rule necessary staff is arranged for teaching. There is no mental torture to the students, Employees of the school evaluate regularly, and thus, all issues are solved.

Ahmedabad Rural

About protection and Atrocities to the Scheduled Caste Citizens

Part-I

Applicant Shri kirit kumar Bhailalbhai Rathod applied to the commission on 7th December, 2006 that his younger brother Maheshbhai Rathod has been solemnized marriage through the Court. Family member of the bride threatened to severe the marriage relationship. The Commission asked Superintendent of Police, Ahmedabad (Rural) to submit report and to take legal action in this case thus, the Superintendent of police. Ahemadabad inquired into the case, and got compromised and settled issues convincing both parties. Thus, the timely intervention of the Commission prevented this party from harassment and interference in the matrimonial rights.

Part-II

Applicant Shri kirit Rathod, Secretary, Gujarat Human Rights Committee complained in March, 2007 to the Commission that his complaint was rejected by officer of Viramgam Rural Police Station and accused committed crime for second time. Report was asked from Superintendent of Police, Ahmadabad (Rural). In report
of September, 2007, it is mentioned that departmental inquiry has been instituted against faulty police employees, of Viramgam Rural Police Station, Assistant Sub Inspector Mathurbhai Dhulabhai, Assistant Sub Inspector Harshadkumar Bhanushankar and women Head Constable Jyotsnaba Ghanshyamsingh.

**Jamnagar**

To enter in the Records of Rights of the village for the Agricultural Land of A Backward Class Applicant

Applicant Shri Ranabhai Lakhabhai Baria, Nana Khadla, Talalpur, and District: Jamnagar applied to the Commission regarding malpractices in computer operating by Computer Operator against Dalits interest in Mamlatdar’s office to take his agricultural land illegally. The report was asked by the Commission from the Collector, Jamnagar as per report the Survey Number of the Applicant was wrongly deleted. It was again admitted by the Mamlatdar by Record of Rights entry No. 2351, February, 2007 and was certified form March, 2007. As this land was of New Tenure, the mutation procedure was done by the Mamlatdar office, Lalpur by making entry in the VF VI Record of Rights Entry was certified by an order of February 2007 the problem was settled on the intervention of the Commission, the Dalit Applicant’s rights were protected, as the procedure regarding this dispute was carried out by the Mamlatdar, Lalpur after the instructions of the State Commission and also directed collector to pay serious attention in such undue hardships to Dalit khatedars.

**Maheshana**

**Regaining the free plot allotted to the BPL family**

The petition was from a Dalit and poor Petitioner of Shri Prahladbhai Dahyabhai Palodar, Mehesana, there was a serious mistake of the District Panchayat, Mehsana which cancelled the plot allotted to a Below Poverty Line poor family, the District Development officer, Mehsana was called for to submit report on the issue to the State Commission. It was found that the allotted plot was cancelled by the
Panchayat Office due to oversight. The proposal was submitted to the Joint Secretary and the issue was taken into for revision and the cancelation order was reversed. Thereafter, by order of April, 2007, the free plot of Shri Parmar was restored to him and he was given the possession of this plot.

**Surat**

**About- atrocities to Backward Classes**

Applicant Shri Hemantbhai Jatariabhai Gamit residing at ChatharbundaTa, Songadh District: Surat (now Vyara) applied to the State Commission that he was violently attacked in Songadh by Bootleggers on 30th November 06 Hemandbhai was serving as Supervisor in Stone query Songadh. He informed Police Sub Inspector about attack instead of helping him. The police sub inspector beat him and his wife at his home he took treatment at Government Hospital. The State, Commission asked for report from Deputy Superintendent of Police. Surat (Rural) The Deputy Superintendent of Police stated that five anti-socials were arrested and were charge-sheeted. An offence was registered against Songadh Police Sub Inspector also. Thus, the State Commission made every effort to help this victim.

**Ahmadabad city**

**Re-admission of Girl Student from School**

A petition filed by Applicant Shri Naresh kumar kumrbhai chug naranpura Ahmedabad that his daughter was studying in vijaynagar secondary school. Though she was innocent but was removed from the school on very frivolous grounds and threatened for further harassment if she tries to defy their action. She and her family were felt depressed over the attitude of the school. They approached the Commission. The Commission called for the report from the D.E.O, Ahemdedabad on this petition and the statements of Principal and guardians were taken for ascertaining. The facts of the incident. The school authorities realized their mistake and took her back. The girt got readmitted and is studying in the same school and the dispute got resolved and now there is on complaint for such harassment.
RAJKOT RURAL

Actions against Malpractices

The petitioner Shri Sanjay D. Wala informed from Jetpur to the State Human Rights Commission about malpractices in LPG Gas Agencies in connivance of Mamlatdar Office and Commission was requested to help in taking punitive actions against those persons involved in the malpractice and causing harassment to consumers. The Commission called for the report from the Collector, Rajkot to give facts of the case and to take necessary action. The Collector has initiated punitive actions against the criminals and imposed penalty of Rs. 40,150/- for malpractices in various cases he detected malpractice. The miscreants were also arrested.

Sabarkantha

Prevention of pollution and public harassment

Shri Shankarji Umaji Vanzara near Ambar Talkies, Himatnagar file petition to the Commission that in his neighbourhood 4 illegal flour mills were spreading pollution in a residential area. The Collector and Chief Officer were asked to submit their reports for the same following the orders of the Commission, the Sub Divisional Magistrate ordered to closer of these 4 illegal flour mills and action was taken against offenders and the issue was resolved.

Bhavnagar

To prevent unnecessary involvement in murder case

Petitioner Shri Shardulbhai Chavda, residing at Lusdi, Talka, Mahuva, and District Bhavnagar filed a petition to the Commission in January, 2007 about suspicious murder case involving innocent shepherd in his area. The Commission called for the police report. Serious loopholes were seen in the inquiry by the Commission. The Commission recommended for CID (Crime) to investigate in the case, which was accepted by Home Department. The report from CID (Crime) is awaited to take the impartial view of the judgment by the Commission for giving proper justice to the innocent shepherds.

Vadodara Rural

Arrest on a wrong complaints
Applicant Shri Karshanbhai Ambalal Mali, residing at Ashok Colony, Vadodara complained the State Commission against Kaushikbhai Gopalmahal Limbachia about petitioner's arrest though he innocent. The State Commission called from the Vadodara (Rural) Deputy Superintendent of Police to submit his inquiry for this case. It was found that the complaint was wrongly investigated against Karshanbhai. The State Commission informed the Padra Police Station to take punitive actions against Kaushikbhai for lodging wrong complaints. The State Commission recommended the Home Department for taking departmental actions against the responsible Deputy Superintendent of Police for misused his powers; however he soon retired at present. Applicant Shri Karshanbhai was fully satisfied for the actions taken by the State Commission.

Ahmedabad city

Protection against malintention for usurping property

Applicant Shri Shashikumar Shyamnaranayn Yadav bought a residential property, but subsequently found that the old tenants were not vacating therefore he complained that the tenants Munnabhai Khubalal Katheria threaten him and the property illegally and there was no response from Police also. The State Commission asked Ahmedabad City Police Commissioner to submit his report in this case. As the Police made an inquiry the complaint was solved amicably on intervention of the police and Shri Shashikumar was handed over the possession of his property.

Bhavnagar

To register murder case

Police report was asked by the State Commission from the Deputy Superintendent of Police, Bhavnagar regarding complaint application of Applicant Shri Chandubhai Jegabhai Devipuja Meghvadia, Gadhada about murders of two poor persons for not giving vote. Police arrested 14 persons. Chandubhai was given police protection and punitive actions were taken against culprits.

Amreli, Gujarat State – General

Payment of dues to the employee of Transport Corporation

Hearing the petition of Shri Sulemanbhai Umarbhai Tank, Kukavav Road, Amreli before Additional Director General. After getting statement Vice Chairman
and Administrative Director, Gujarat State Road Transport Corporation, Ahmedabad was recommended to pay dues of the Applicant. The State Commission recommended paying dues of all such retired employees in time. (Case of Shri B.N. General Secretary).

**Jamnagar**

**Reinstatement in service after suspension**

The State Commission received petition from Shri Mukesh D. Meghnathi, Jamnagar in December, 2006 about his suspension from service by Registrar, Ayurved University, and Jamnagar. Registrar was asked to submit his report to the State Commission with the facts of the case. As per the decision of University Syndicate meeting, suspension of Meghnathi was cancelled by giving him warning and he was taken back in service. The complaint was withdrawn by the petitioner. Thus, due to the intervention of the State Commission, the petitioner got proper justice.

**Surat rural**

**Claim for reimbursement to the Shramyogis**

The State Commission received petition from Rashtriya Mazdoor Sena, Premnagar, Surat about the death of Vanthilal Golha Evala Pasi, Operator, Agrawal Coal Corporation while he was working on duty. The Shramyogi was not given any safety equipments and with a result died while working. Report was called from the concerned authorities. The Director, Industrial Safety and Health, Gujarat sent report that a Court case had been filed against the Factory Owner. Thereafter they have started giving safety equipments to Shramyogis for their protection. The heirs of deceased have to apply in labour court for reimbursement. The State Commission guided them and helped to the family of deceased and has played important role in streamline the procedures for the compensation for loss of life.

**Mehsana**

**To protect residences of poor from being demolished illegally**

The State Commission asked to D.D.O., Mehsana, to submit his report regarding complaint of Gandabhai Somabhai Vaghri, Vijapur, and Mehsana regarding
destroying residences illegally in the name of encroachment. The concerned Officer visited the site and personal feedbacks were taken. All such illegal procedures were stopped and they were given proper justice due to the involvement of the State Commission.

**Jamnagar**

**Registration of name in the Electoral Rolls**

The State Commission received petition from Shri Hasanbhai Taiyabhai Juneja, Lalpur, Jamnagar for the above cited subject. He alleged that The Mamlatdar has violated the code of conduct. The Chief Electoral Officer, General Administrative Department, Sachivalaya, Gandhinagar was requested rectify the actions of the Mamlatdar through the Collector Jamnagar. The State Election Commission got rectified the irregularity in the electoral Roll and reported that the Mamlatdar, Lalpur was warned on the irregularity and violation of Code of Conduct.

**Sabarkantha**

**Protection of agriculture land from erosion due to selection of wrong site for Check Dams**

The State Commission received petition from Shri Babubhai Becharbhai Patel Khedlbrahma regarding construction of a Check Dam on wrong site and malpractices noticed in its execution. This wrong site caused erosion of downstream agricultural land of the farmers. The Executive Engineer, Irrigation, Himmatnagar Project 3 agreed, as a part of flood damage control and provided protection wall to the agriculture land and masonry stone wall has been constructed. Thus, the problem of aggrieved farmers was successfully addressed by the intervention of the State Commission.
Amreli

Settled Dispute on a plot purchased in public auction

The State Commission received petition from Raydhanbhai Narubhai Vaghela, Varia, and District: Amreli for allotment of one plot from reserved plots. The D.D.O., Amreli was asked to submit his report. The entire issue was under dispute. After proper consideration of such applicants, decision required to be taken. The State Commission recommended taking into consideration the request of all the similar demands D.D.O. took the issue in hand and resolved.

Ahmedabad rural

Payment of relief fund

The State Commission received petition of Mansigbhai Mohanbhai Vaghri and five other regarding inadequate payment of relief fund. The State Commission asked to submit his report for above issue from the authorities organizing the relief work. The machinery became alert and ensured that dues of these workers were paid. The Revenue Department informed the Commission that all such petitioners were paid a sum of Rs. 50,000/- and the issue has been settled.

Surat city

Getting due assistance to a widow

The State Commission received a petition from Smt. Kokilaben Amarsing Pathvi, residing at Chokhi Aml, Ta. Nizar, District: Surat regarding non-payment of pension given in old age to widows. The District Social Defense Officer was asked by the State Commission to submit report in this case and this timely intervention of the commission resulted into sanction and payment of assistance which was due to her. (1)

(1)Annual Report 2006-2007 Pg 24 to 31
Application received in Gujarat state human rights commission during 2006-2007 in different domain\(^{(2)}\)

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\(^{(2)}\) Annual Report 2006-2007 Pg 52 to 57
Application received in Gujarat state human rights commission during 2006-2007 in different domains

- Name: 232
- Children: 5
- Heath: 10
- Jail: 3
- Judiciary: 22
- Mafias/underworld: 10
- Labour: 36
- Discrimination against minority/sc/st: 163
- Police/armed forces: 10
- Pollution/ecology and environment: 1
- Refugees/migrants: 7
- Religion/community/race: 55
- Service matter: 50
- Woman: 2
- Tada: 0
- Miscellaneous: 5
7.4 Exemplary cases observed by GSHRC in 2007-08

Bhavnagar

Grievance of a widow regarding Nonpayment of the sanctioned amount

Smt Janakiben Vinodbhai Baraiya of Mahuwa, Dist. Bhavnagar made a complaint that she was not getting the Widow Pension, which was sanctioned to her eight months back. She had already opened an account in Post Office but was not in receipt of the due sanctioned amount. Reports were called for from Prant Officer, Mahuwa and also from the Director, Social Defense regarding this grievance.

Field officer of Social Defense visited applicant at her residence and ensured that the amount was credited to the WFA savings account of the applicant. She expressed satisfaction over the issue as she was not in regular receipt of the due amount.

Thus, GSHRC became a catalyst in delivering justice to a widow belonging to Scheduled Caste as in normal way she was not able to get proper redressal to her grievance.

Amreli

Protection against Pollution hazards

Shri Darshan Arvindbhai Desai, from Savarkundla made a petition before GSHRC regarding unauthorized erection of a diesel-run furnace by a sweet maker which polluted the surrounding environment and also affecting health of the people. As this furnace was adjacent to an Electric Pole, the petitioner also feared that it could cause a mishap in future.

GSHRC sent this complaint to Commissioner, Health and to Collector, Amreli for inquiry and to take action under Cr.P.C.-133 if it found substantiated. It was compiled positively, the grievance was settled and a statement to this effect was also obtained from the applicant.

Thus, Commission's intervention helped in solving a complaint related to General Public interest.
Harassment from relatives to a couple preferring love marriage

Smt. Jyotiben Sanjaykumar Mochi of Lunawada sent a petition before Gujarat State Human Rights Commission that as she married on her own choice, her cousins and other family members were harassing the couple and she had to make a police complaint against them. Later on, when admitted in a nursing home for delivery, her cousins came to greet on birth of twins. They were on loggerhead with the husband in nursing home itself. They attacked him with lethal weapons. Sanjaykumar was wounded seriously and was taken to Vadodara SSG Hospital. An F.I.R. was registered and Jaiprakash, Harish and Naresh were arrested. As proper charges were not framed against them, Gujarat State Human Rights Commission asked SP/Godhra to look into this and hence section: 326 of I.P.C. were added in the charge sheet later on. The prime accused, which was on bail, was extended from the city and preventive steps taken against remaining two also.

Thus, at the instance of Gujarat State Human Rights Commission, adequate police actions were affected in this case to protect from harassment to a couple preferring love marriage.

Gandhinagar

Smt. Yashodaben Dharmendrabhai Solanki, Ahmedabad made a petition before Gujarat State Human Rights Commissions that her husband was working as an Electrician with a Private Contractor and while fixing an Air Conditioner in a Government premise, he fell down from the second floor and succumbed to death on account of head injury. She was not paid the due claims Applicant's request for compensation was brought to the notice of the National Insurance Co. The claim was settled and she was given an amount of Rs. 1, 00,000 under the provision of Janata Personal Accident Policy.

Thus, the Insurance Company duly cooperated to the GSHRC reference and acted upon positively on early finalization of the accident claim.
Exhortation of poor and helpless in the pretext of Demolition on account of Development Projects

Shri Raisaheb Saroj made a complaint before GSHRC that though the homes were not in development line nor any encroachment was there, they were demolished by Vadodara Municipal Corporation. The petitioner alleged that officers of VMC in connivance with some local miscreants have taken such decision violating the Human Rights of common people. The petitioner also narrated the whole episode, describing the modus operandi of miscreants.

GSHRC sought reports from Vadodara Municipal Corporation and from the Police Commissioner, Vadodara City. It was reported that one Ring Road was proposed in the Development Plan and Land acquisition was initiated in accordance with the Central line of the proposed road hence encroachments, including some residences, were removed and the affected persons were given options for residences under JNNURM Project. Police Commissioner reported that preventive measures were taken under Cr.PC 107 against some 5 accused miscreants on this complaint and the affected persons were advised to seek their compensation from the Municipal Corporation as per law.

Disbursement of Loan to Physically handicapped person under Bankable Scheme

Shri Sureshbhai Prajapati, a blind person of village Kunpur Ta: Mandal applied for an STD PCO loan through District Industries Centre and after due verifications his case was sent to Bank of Baroda, Vithalapur Branch.

For a long time the applicant was given vague replies for the loan. As his case was returned by the Bank of Baroda, he contacted District Industries Centre and after much persuasion by the applicant, his case was sent to the State bank of India, Mandal Branch Again he was tossed here and there and his case was sent to SBI Viramgam branch. As the applicant sent petition before the State Commission, reports were called for from the Commissioner, Cottage Industries as well as from the bank authorities.
After the proper follow up, the District Industries Centre, Ahmedabad, persuaded the SBI, which sanctioned the loan and the Cheque was issued. Thus, the State Commission played a role of Catalyst in resulting in help to a poor handicapped villager for starting his own means of livelihood.

Ahmedabad city ADC / 33/08

**Delay of 12 years in finalization of a Revised Pension Case.**

Smt. Damayantiben S. Parmar of Sarangpur, Ahmedabad filed a petition before the state Commission that since her retirement, the case for revised pension is still pending and she is deprived of due pensioner benefits for a long period over 12 years. Director, ESIC, was asked by GSHRC to look into this grievance and to send a report subsequently, it was reported that Local Fund Audit remarks have been settled now and Director, Provident Fund and Pension has sanctioned the revised pension. Thus the intervention from GSHRC resulted in relief to a Pensioner after 12 years.

Ahmedabad city ADC / 60 /08

**Complaint of a widow regarding property grabbing**

Smt. Sumanben Samaji Rana, Rakhial, Ahmedabad a widow made a petition before GSHRC that some local miscreants have grabbed her home and she is being forced to take shelter to neighbours' home and her requests were not heard by the local police.

GSHRC asked Commissioner of Police, Ahmedabad to look into this matter and to verify the proofs regarding ownership of the home etc. Meanwhile, the neighbours also represented before the state Commission that some miscreants have threatened them also and one army man also brought this matter through proper channel that his old parents are living under nostril environment due to misdeeds of three miscreants, Khirou Goswami, Dhirender Singh and Amit Singh Subsequently it was reported by the Police that the applicants are tenants of a chawl which was purchased by Radheshyam @ Khirou Goswami. After death of her husband Smt. Sumanben had went to Maharashtra and in her absence, her home opened up and belongings were shifted by Goswami. Therefore, on the basis of the complaint by the applicant, offences under IPC-454, 380, 114 were registered and missing
household…etc. were recovered from them. One accused was also found involved in other Criminal Case and one accused was found as son in law of the applicant.

Thus police action against the accused, taken after GSHRC intervention resulted into relief to poor sufferers.

Ahmedabad city ADC/7 / 08

Hardships in allotment of residence under the EWS Scheme by Ahmedabad Urban Development Authority (AUD)A

Smt. Shantaben Girdharbhai Solanki, a widow and former sanitary worker of Ahmedabad Municipal Corporation from Odhav Ahmedabad, made a petition before the State Commission that she has been allotted one house under the EWS Scheme at Krishnadham Vibhag, but authorities are not giving the possession. As proper guidance was not given to her regarding submission of documents and payments procedure etc. she was deprived of the benefits and some agents were approaching her to sell the rights of her allotted residence. She also feared that Posts coming on her name were misplaced by miscreants. Her complaint was sent to AUDA and to Post Master General Gujarat Circle to do needful.

AUD reported that she has yet not submitted the required documents, affidavit etc and the required amount for the allotted residence is also not paid by her. As soon as she got proper guidance, papers were completed and an amount of Rs. 40,000 was sanctioned to her immediately under Dr. Ambedkar Yojna by the District Social Welfare Officer and as this amount was credited to AUDA she was handed over the Authority letter also.

Thus, the State Commission became instrumental in providing justice to a poor widow of scheduled class.
Complaint regarding Domestic violence and Police action thereon

Smt. Pujaben Manojbhai Shah of Sabarmati, Ahmedabad complained before the State Commission that her husband harassed her and left her as he fell in love with another woman who used to come to their home for tuition to their children. She also feared that her husband has already married that woman and thus breaching her conjugal rights. She is living now in a separate house along with her two children. She filed a court case, it was ordered by the court to hold inquiry under section 494 and 202, but Police by them have not taken action, as she alleged, in connivance with the opponent.

This complaint was sent to the Commissioner of Police Ahmedabad City for inquiry and report. It was reported by the Police that the Report is already sent to Court. It was also seen that as per the statement of the accused, Police have concluded in the report that contradictory details regarding issue of illegal marriage were reported. As the applicant herself had field this case, the State Commission recommended Police to take action under the relevant Marriage Act and Domestic Violence Act and to ensure that no further torture and harassment take place with the applicant. Further it was reported by Police that the section 31 of the Domestic Violence act is added against the accused and precautionary measures were taken under Cr.PC 107 and applicant was replied accordingly.

Thus, at the instance of the state commission, proper actions were initiated against the accused and the victim lady was given relief against the inaction by the Police.

Complaint against monetary exploitation in illegal money lending with exorbitant high rates of interest

Shri Abdul Rehman Abdul Jalil Pathan of Gomtipur, Ahmedabad complained before the State Commission that he had taken a Loan against Gold Ornaments @ 18% from M/s. Vikas Jewelers, however he was charged @ 36% and thus under a malicious motive of forfeiting the Gold Ornaments, he was being exploited monetarily as well as mentally by the said Jewelers.
The state Commission asked the Registrar of Co-operative Societies to look into this matter and to report. Subsequently it was reported that relevant records of the Jewelers were verified and it was noticed that the rates applied were not according to prescribed norms, hence excess Rs. 6900 along with Gold Ornaments were returned by the accused Jewelers and the issue was settled amicably. Thus, at the intervention of the State Commission, one victimized person was saved from further injustice.

Patan

Police inaction in one case of atrocity on a woman

Smt. Dariaben Galabaji Thakor of Patan made a complaint to GSHRC that the opponents are bootleggers and have assaulted and threatened her to vacate the area. Local Police also connived with these opponents and their constant harassment resulted in mental depression and suicide attempt by the applicant.

In reply to GSHRC instruction for Inquiry of this complaint, SP /Patan reported that opponents were arrested and booked under IPC 323, 504, 506(2), 114 and were produced in court. Police also raided that premises, seized liquor and made prohibition case also. Precautionary measures were taken by Police and applicant's husband was advised to represent the case regarding illegal encroachments by the opponents to competent authority.

Thus, applicant's grievances were duly attended by the Police only after intervention of the state Commission.

Banaskantha

Protection against harassment by the villagers for not allowing irrigation facility

Smt. Shantaben Devarambhai Joshi of Samau Moto Vas Ta, Deesa made a complaint before GSHRC that some villagers deprive her from right to irrigate her agricultural land. They have reopened a sub minor canal which was closed for 15 years and have cheated the villagers by collecting money and are harassing the villagers etc. The applicant was physically harassed and was threatened also.

In reply to GSHRC instructions for an inquiry to this complaint, SP/Banaskantha reported that the dispute was among the farmers over a sub minor canal for irrigation purpose and the applicant made the application at the instance of
her advocate without making any police complaint. However precautionary measures were taken by the police under Cr.P.C. 107 and 151. So as to assure, the applicant was called for a hearing at the office of the Commission. On hearing her plea, SP/Banaskantha was again asked by the Commission to make the case under relevant IPC sections regarding the loss occurred to applicant's crop of Rayada in the field. This was carried out subsequently by the police and a case was registered under IPC 427, 504, 114 against the accused.

Thus, the intervention of the State Commission provided due protection to a poor widow against harassment in irrigating the agricultural land.

Sabarkantha SBK /127 /06

**Regarding damage to land and wrong selection of a check dam site**

Shri Babubhai Becharbhai Patel of Galodia, Ta, and Khedbrahma sent a petition before the State Commission that a check-dam constructed nearby to his agricultural land has caused immense damage to his land. The irrigation Department replied that selection of the site was technically suitable and heavy rain in 2006 monsoon resulting into heavy floods. Effected severe damage to agricultural lands of the whole area. As this was a routine reply, the applicant also alleged that the right from the beginning, officers have not attended to his protest for objections on the selection of site and as such have made malpractices in connivance with other beneficiary Shri Motibhai Punjabhai Patel was interested in selection of the site of this check-dam.

Report was called for from the Executive Engineer, Irrigation Project Division. Himmatnagar, who made it clear that technically suitable site was selected, but due to heavy rain and subsequent floods, this damage was caused and considering this quantum of flood waters, stone pitching wall was constructed near applicant's land as part of flood protection measure for future showing satisfaction to this, the applicant's misunderstanding regarding malpractices and faulty constructions were removed.

Thus, the State Commission's intervention resulted into an amicable situation.

Sabarkantha SBK / 50 / 07

**Inordinate delay in Pensionary benefits**
Shri Dhulaji Gangaji Hadula retired as Malaria inspector in June 2007, person case has been tossed. He alleged that Block Health Office Staff demanded alleged bribe from him and his claims regarding Pensionary benefits remained unattended, hence he made a petition before GSHRC Reports were called from Block Health Officer and from DDO-Sabarkantha, and hearing was held at GSHRC Office. It was revealed that the Pension case was delayed on account of partial nonpayment of HBA. Thus, applicant himself was found responsible. Allegations against the staff were not substantiated. As required, he produced an undertaking and agreed to make payment of remaining dues, his case was processed further and Pension orders were issued later on.

Kachchh

**Nonpayment of Labour charges to poor labourers**

Shri Hurji Lunji Katara of Banswara, Rajasthan made a petition before GSHRC that a gang consisting of 30 labourers was engaged by a Contractor Shamjibhai Patel of Madhapar, Bhuj for labour works for two and half months on a construction site. He claimed that the amount of Rs. 63,000 was outstanding and was not paid to them by the contractor. He also complained that his complaint was also not attended by police and labour officer. Report was called from Labour and Employment Department by GSHRC it was revealed that the dispute remained unsettled between the contractor and the labourers.

A hearing was held at GSHRC Office and after persuasions from labour department officers, the contractor paid the amount of Rs. 25,000 which was paid to applicant. Thus the issue was settled amicably.

Junagadh

**Allegations regarding inaction by Police in not arresting an accused in a rape case**

Smt. Devuben Ranabhai Parmar, of Vekaria, Ta.Visavadar, a Scheduled Caste woman made a petition before the State Commission that one Hada Mohan Aahir raped her and threatened to death. Her complaint was not attended by Police, proper charges of atrocity were not framed against the accused and he was not arrested etc. On calling for a report from GSHRC, SP Junagadh reported that section of atrocity
was added on the same day. However, the details of incident revealed that the allegation of threat for death was not substantiated. The accused remained absconding, but was apprehended subsequently by Police and was arrested after a period of over three months. A case under IPC 376, 452, 323 and under atrocity act was registered against the accused.

Gandhinagar                                      GND/3/08

Denial of incentive in Government Scheme for Family Planning Operation

Smt. Shobhnen Manharlal Bhadreja of Dabhada, Dist. Gandhinagar, sent her petition to State Commission that she had undergone a Family Planning operation in a Primary health Centre in 1990 and had applied to avail of the Government Scheme for having only one child through she had applied along with necessary documents, She was not given ……….long period over 17 years.

GSHRC called for a report from the Commissioner Health Services and it was compiled by District Health Officer that after due verification of records and Government instructions in this regards, Mrs. Shobhnen's case considered sympathetically and immediately an incentive of Rs. 3000/= in form of 6 years NSC was given to her. Thus, the intervention from GSHRC resulted in justice to a village woman, who was deprived of that for a long period.
Harassment by in-law resulting in suicide of a woman and subsequent actions

Shri Sabalsinh Rathod residing at USA made a petition before GSHRC that his daughter Ramilaba was constantly harassed by her in-laws since long period of over 25 years of Dowry demands and at last she was compelled to commit suicide by self immolation. Applicant's family remained worried all these years on pathetic condition of Ramilaba as in-law were demanding more and more Dowry all these years.

As GSHRC called for a report from SP/Panchmahals, it was reported that the husband of the deceased, along with his mother, brother's wife and maternal uncle were booked under IPC 498(A)306 & 114. They were also found co-accused under section 4 and 5 of the Prevention of Dowry Act and under section 3 and 4 of Domestic Violence against Women Act. GSHRC recommended for adding section 31 of the Domestic Violence Act. Charge sheets were framed against them accordingly and the case is now pending in Sessions court.

Compensation from Relief Fund to the family of a victim of Natural Calamity

Shri Maheshkumar Shyambabu Sharma, Age 40 years, Maninagar, Ahmedabad was coming home on bicycle and was frapped under the collapse of a huge tree during the heavy rain storm. He was admitted to LG Hospital and during the treatment became paralyzed on account of serious lower waist injuries. He lost leg movement completely and his condition deteriorated day by day and he succumbed to death after a year of the incident. His family was put under dire circumstances as he was the only earning member of the family. Application for relief from Nirmalaben, widow of the deceased, remained undecided for a long period. Her petition to GSHRC was sent to Collector / Ahmedabad for report and after a long correspondence between the District Authorities and Revenue Department, it was finally resolved to sanction compensation. Intervention of GSHRC resulted positively in extending help to a needy person.

Restoration of village property rights to a retired person.
Shri Mohansinh Dolatsinh Dharia, a retired Employee of State Government found that his near relatives have grabbed his ancestral property at village Prakand, Ta: Jhagadia, Dist: Bharauch, in connivance with the Talati. As his complaint was not heard by local authorities, he preferred a petition before GSHRC. Reports were called for from the authorities and it was reported that the open land for Gharthal was on applicant's name but the relatives have managed to change the name on village records on the ground of physical possession. On the basis of the applicants' petition, the village Panchayat resolved the issue and rights were restored to the owner. As the Talati cum Mantri retired long back, no action was feasible against him.

Surendranagar

Protection against Police inaction in filing of a false complaint against the applicant

Shri Jitendrasinh Limbad of Wadhwan city, District Surendranagar made a petition before GSHRC that he had given Rs. 2.5 lakh as loan to Shri Bhagwadsinh Parmar, During the course of repayment, the Cheque bearing the signature of Shri Parmar bounced back, hence Shri Limbad had filed a criminal case No.330/07 against Shri Parmar which was pending. Meanwhile, Shri Parmar and his son, a dismissed Police Constable, started harassment and succeeded in filing an FIR No.157/07 dated 11/10/07 under IPC 406, 420 against Shri Limbad. This was based under the pretext that the amount is already repaid in cash but Shri Limbad refuses in returning this bland Cheque bearing signature of Shri Parmar etc. As police has not taken cognizance of the pending criminal case and even his application dated 8/10/2006. It was feared by the applicant that Police have shown inaction in connivance with Shri Parmar and hence he was forced to approach Hon. High Court for getting anticipatory bail also. Therefore he requested GSHRC to intervene and to do needful. On calling for a report by GSHRC in this issue, SP/S'nagar reported that the complaint dated 17/2/2008 Cr. Regi. No.19/08 against Shri Parmar under IPC 465, 420, 34 from Shri Limbad is taken on record and Shri Limbad has also shown satisfaction over this police action etc.

Thus, the intervention from GSHRC resulted positively in moving Police authorities towards the right direction and also in removing doubts and grievances of the applicant.
Regarding misuse of properties belonging to a charitable organization and Role of Government machinery in safeguarding "Public Interest"

Shri Maganbhai Kalabhai Dodia of Bagdana, Dist. Bhavnagar represented to GSHRC that agri. Land Survey No.119 known as "Diveliya" is being illegally utilized by the occupants. Owner of this Land is Bagdeshvar Mahadev as it was donated to that entity. Administrator or Caretakers of this temple cannot claim as 'Owner'. The villagers and office bearers of local bodies therefore have raised a voice of strong protest against N.A. or transfer of this land to any other party. As prima-facie some substance was found in this application, hence GSHRC called for a report from Collector, Bhavnagar.

Collector has reported that the land belongs to a charitable organization therefore entries regarding varsai of administrators and subsequent redistributions etc are not legal and could be reviewed under the rules of Records of Rights and under rule 108(6) of Gujarat Land Revenue Rules 1972. It was also made clear by the Collector that different order of DDO, granting NA permissions to 42692 Sq. M.Of this land are also illegal and are bound to be quashed. As, there are five residential properties in occupation of administrators and 50 shops on this survey No.119, the allegations are quite substantiated. Therefore, actions have been initiated in consultation with DDO, Charity Commissioner, SSRD (Appeal) etc.

In view of this, it can be said that intervention of GSHRC on representation from a legal complaint has resulted in initiation of legal procedure regarding misuse of properties of Charitable Organisation and role of Government machinery in safeguarding rules. It is hoped that this could have a long term impact in curbing the menace.

Ahmedabad (Rural)                        ADR / 2 / 08

Non-payment of assistance for constructions under Dr. Ambedkar Housing Scheme

Shri Pumanbhai Manilal Varma and 8 others of Modasar, Ta: Sanand made a petition before GSHRC that they had completed construction and has submitted all documents for assistance under Dr. Ambedkar Housing Scheme in the Year 2000, but
they were denied the benefit. At the behest of GSHRC, Director SC Welfare clarified that these applications were treated as cancelled as they have not submitted required certificates and nor they have submitted claims.

GSHRC called the applicants and Director/SC Welfare for hearing. The applicants produced proofs regarding concerned documents and required certificates which were submitted to the Social Welfare Officer. On the basis of these facts, GSHRC recommended to look into the matter against and to release the amount of assistance to all these 9 applicants as they are not at any fault. Reply is awaited.

Surendranagar SNR / 17 / 07

Recommendation regarding Inquiry to CID (Crime) in a suspicious suicide case

Shri Lalitbhai Jivabhai Joshi of Surendranagar made a petition before GSHRC that his son Subhash, Age 26, has been murdered and Police is reluctant to investigate the case. As Subhash was in love with on Shobhna Amritbhai Chauhan of Ahmedabad, he left Surendranagar with 8 tollas of Gold and Rupees 40 thousands in cash and went to Shirdi (Maharashtra) with Shobhna, where he was found dead in a Guest House and it was reported that he had committed suicide. As the applicant has raised doubts over some controversial and mystic circumstances of the incident and suspicious behavior of Shobha and her relatives a report was called from SP/ Surendranagar, who reported that as the incident took place outside Gujarat, it can only be investigated by an officer knowing Marathi language GSHRC has recommended to look into this and to entrust Inquiry to CID (Crime). Reply from Home Department awaited.

Amreli AML 113/07

GSHRC recommendation for proper investigation in a case of atrocity to SC employee

Shri Shamjibhai Ramjibhai Wagh, an employee of Rajula Nagarpalika, made a petition before GSHRC that Shri Ambarishbhai Der, Member and Ex-president of Rajula Nagarpalika was subletted a road work of Nagarpalika. He misbehaved with the applicant in office and threatened him on the issue of payment to the bill. Applicant also alleged that Police have deliberately skipped section 3(1)(10) of
Atrocity Act in the FIR SP/ Amreli confirmed that the accused has been charge sheeted under IPC 504(2) only. As the applicants belong to Scheduled Caste and the incident took place in Public, it appeared that applicant's grievance regarding apartheid Police action against the accused is substantiated. Therefore, GSHRC recommended to bring back papers from Court and to entrust inquiry under Cr. PC 173(8) to an officer of Dy. S.P. rank and to frame the revised charge sheet. Action taken is awaited from SP/Amreli.

Ahmedabad

Delay in payment of retirement dues.

GSHRC received several petitions from individuals and from labour unions regarding inordinate delay in payments of retirement dues, leave salary and settlement arrears of GSRTC employees. Reports were called from Managing Director, GSRTC and hearings were arranged by GSHRC so as to ascertain facts and settlement of the grievances.

GSRTC submitted that delays have been caused due to deteriorated financial position of the Corporation. However, efforts are being made for part payments of these dues with reference to availability of funds. Taking into consideration, the reply from GSRTC, the State Commission recommended to give priority for such payments of retired employees and to complete the process in a phased manner so as to ensure justice to retired employees. GSRTC reply is awaited.
Nonpayment of retirement dues to Employee of GIDC

Shri R.R. Pande, retired driver of GIDC, Surat made a representation that his retirement benefits. Higher scale, Pay fixation, Increments etc. were withheld for want of an updated service book and his request for allotment of residential quarter on hire purchase under Corporation's scheme was also turned down, causing him a grave injustice.

GSHRC called for report from MD GIDC and as it was delayed, hearings were held to ascertain facts and it was found that the grievances were true to some extent. The State Commission recommended that GIDC may act upon in providing a copy of the updated service book and shall check the service records of applicant so to ensure that all his dues are paid to him. Applicant's request for residential quarter on hire purchase was not finalized during his service tenure and later on it was turned down on the basis of his status as retired employee. Therefore, the State Commission also recommended to reconsider this issue sympathetically and to allow the applicant to hold existing residential quarter till decision is taken by GIDC in this regards. Action taken by GIDC is awaited.\(^{(3)}\)

\(^{(3)}\) Annual Report 2007-2008 Ch 7
### Application received in Gujarat state human rights commission during 2007-2008 in different domain

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Application received in Gujarat state human rights commission during 2007-2008 in different domains

- Children: 8
- Health: 2
- Jail: 11
- Judiciary: 7
- Mafias/unde world: 58
- Labour: 12
- Discrimination against minority/sc/st: 37
- Police/armed forces: 394
- Pollution, ecology and environment: 16
- Refugees/migrants: 0
- Religion/community/race: 6
- Service matter: 118
- Woman: 117
- Miscellaneous: 654

Applications
7.6    Exemplary Cases observed by the State Commission 2008-2009

Kheda

KPA – 2/09

Misbehaviour by Police and disciplinary action thereof

Shri Nagaji Manibhai Vanzara, Matar made a petition that as he went to Matar Police station for filing of a complaint regarding loss of cattle on accident with an ST Bus, one ASI Dahyabhai and PSI Rao demanded bribe from him for failing to that he along with other fifteen people were beaten up severely by Police in public. GSHRC called for a report from Supdt. Of Police, Kheda, and it was reported that a fine of Rs. 1000/- was inflicted upon the PSI and ASI was transferred from Matar Police Station to Kheda Police H.Q. This action pacified anger and the applicant was satisfied of the action taken against delinquent Police Officials.

Anand

AND 18/08

Police action at the intervention of GSHRC

Shri Ramzanali Kasamali Shaikh of Moraj, Ta: Tarapur alleged that though one criminal case was registered against Jalpesh alias Sunilbhai Bhikhabhai Patel at Tarapur Police Station, he was not arrested by the Police and he was preparing to flee abroad on calling for a report, Supdt. Of Police, Anand reported that the accused was arrested then and a reference was also made to Judicial F. C. Magistrate, Khambhat for surrender of the Indian National Passport from accused. Thus, it was seen that proper police action were initiated against the accused, only on intervention from GSHRC.

Ahmedabad

ADC – 29/09

Domestic violence case and Police action thereon

Shri Jayantilal Ganpatram Datania of Shahpur, Ahmedabad made a petition before GSHRC regarding harassment and atrocities to her daughter Sunita by her in-laws. Police had taken precautionary measures under Cr.P.C. 107 against the opponents, but as the in-laws were not maintaining the daughter-in-law and grandson, GSHRC recommended action under Domestic Violence Act against the in-laws. Acting upon this, three persons were arrested and were sent to court custody and a
case was registered under IPC 498(A), 323, 114 against them. Thus, at the instance of GSHRC, Police had taken action against the accused in-laws of a victimized woman.

Porbandar 4

PBR–3450/08

Misconduct by Policemen on duty

Adhikar – Manav Gaurav Sansthan, an NGO, represented for action against some Police Personnel who were deployed in Puj Mahotsav of Momai Mataji at Balej Village in Porbandar Dist. It was alleged that these Policemen were in drunken state, and they also misbehaved with people. This complaint was sent to Supdt. Of Police, Porbandar for inquiry and report to GSHRC. SP reported that one ASI was caught red handed in drunken state, he was arrested, put under suspension and departmental action was initiated against him.

Navsari 5

NVS – 6/09

Inordinate delay in Payment of a bill by Gujarat Maritime Board authorities

Smt. Jagrutiben J. Shah of Bilimora complained that as per requirement of Local authorities of Maritime Board, she had supplied 2500 food-packets for Police and Home guard personnel deployed on the occasion of inauguration ceremony of Dholai Port on 21-8-2007 and out of bill for Rs. 50,000, she was paid Rs. 20,000 and in spite of her frequent requests to Gujarat Maritime Board authorities, remaining amount of Rs. 30,000 was yet not paid to her since one and a half year. GSHRC called for a report and it was reported by Gujarat Maritime Board that the bill for Rs. 30,000 is now cleared and concerned authorities have been instructed to make payment at the earliest. Thus, GSHRC intervention resulted in solving the grievance of the petitioner.

Ahmedabad 6

ADC – 107/08

Amicable solution of a financial dispute with promoters of a housing scheme

Shri Navinbhai Babubhai Chauhan of Baherampura, Ahmedabad complained that he booked one flat valuing Rs. 3,42,000 and deposited Rs. 96,000 with Karnavati Builders and after a period of two and half years, the construction is stopped halfway and builder has refused to return the amount and has even threatened the applicant etc. As GSHRC called for report from Commissioner of Police Ahmedabad and then called all concerned for a hearing also, it was reported that the amount along with
interest totaling Rs. 1,92,000 is returned by the builder to the petitioner who has now tendered a request for withdrawal of his complaint etc. Thus, GSHRC intervention resulted in solving the grievance of the petitioner.

**Sabarkanatha**

SBK – 34/09

**Misbehaviour by anti-socials with a lady school teacher**

Patel Jahidaben Valibhai, a Primary School Teacher at Himatnagar complained regarding harassment and physical assault on her by one Janubhai Gyasudin Saiyed at school premises. GSHRC called for report from Supdt. Of Police, Sabarkantha and it is reported that two police cases, under IPC 323, 504, 506(2), 427, 354, 452, 509 and BP Act 135 have been registered against the accused, who was an anti-social element and criminal also. Therefore as per the orders of the District Magistrate he was arrested under PASA and sent to Jail.

Thus, the police authorities have taken prompt action in nabbing the culprit.

**Bhavnagar**

BNR – 32/08

**Inordinate delay in sanction of family pension**

GSHRC received a complaint from Smt Kanchanben Keshavlal Makwana of Bhavnagar regarding deal in sanction of Family Pension. Her husband was a Pensioner and died on 4-10-2006 and as petitioner name was there in the PPO, She was entitled of family Pension, which was not sanctioned to Her report was called for from the Commissioner Technical Education and it was reported that necessary approvals have been obtained from Director, Pension and Provident Fund and orders have been dispatched to the Concerned Office now. Thus, GSHRC intervention resulted into a help to the needy widow in getting her family Pension.

**Junagadh**

JND – 38/08

**Inordinate delay in release of Provident fund amount**

GSHRC received a complaint from Shri Bhikhubhai Kalubhai Zalori of Junagadh that he worked in a Private Company – Anil Synthetics Mills at Ahmedabad till 1981. He is now physically handicapped and living under dire conditions. His claim for provident fund is yet not settled by the authorities, etc. This complaint was sent to Employees’ Provident Fund Organization, Ahmedabad for necessary action
and it was intimated by them that an amount of Rs. 77,446/- as provident fund, is now sent to Bank of India Junagadh for credit in the Bank account of the petitioner. Thus, the Employees’ Provident Fund Organization has shown prompt action regarding redressal of the complaint.

**Surat**

**SCT – 37/09**

**Safeguarding interests of a small entrepreneur against harassment**

Shri Maleshbhai Sataiyabhai Kongari of Surat complained that he runs a small power loom unit in a rented shed, the owners and others are making harassment to the extent that he is forced to close the unit, etc. This complaint was sent to Commissioner of Police, Surat for necessary action. Subsequently the applicant reported to GSHRC that Police have taken action to safeguard his unit which is restarted and now he has no grievance at all etc. Thus, GSHRC intervention clicked the Police authorities in protecting interests of a small entrepreneur.

**Banaskantha**

**BKT – 44/07**

**Police inquiry in negligence of the employees of Electricity Company causing a death**

Shri Popatji Shankarji Koli of Indarva, Ta: Bhabhar made a petition before GSHRC that his son Joraji died due to electric shock while he was repairing electric lines in a farm. Before undertaking this repair work, it was ensured that that supply of power at Khoda feeder is put off. However, on account of lethargy on part of Electricity Company employees the electric current was restarted suddenly causing on the spot death of Shri Joraji and serious injuries to Shri Meruji. GSHRC asked SP, Banaskantha to inquire into this incident and it was reported that crime under IPC – 304 is registered against the concerned employee of Electricity Board. The petitioner expressed satisfaction over the outcome of the Police inquiry as his plea for that was not heard by the authorities earlier.

**Vadodara**

**BCT – 14/08**

**Safeguarding protection to relatives of a rape victim**

Shri Rameshbhai Philipbhai Dabhi of Vadodara made a petition to GSHRC that Intekhab Pathan and Barekkhan Pathan had kidnapped his minor daughter and
raped her. A police case was filed and both were arrested. However, as relatives of these two culprits were harassing and threatening the petitioner, it was requested for protection and action against the culprits. Report form CP, Vadodara City was called for by GSHRC and it was reported that case under IPC 506(2), 294(b), 114 was registered against seven relatives and four of them were arrested and sent to Hon. Court Police have taken proper precautionary measures, etc. Thus, at the instance of GSHRC police have taken action safeguarding protection and helping in giving justice to the victim.

**Amreli**

AMR/15/08

**Domestic violence issue resulting in suicide and subsequent Police investigation**

Shri Ramani Madhubhai Chhaganbhai of Amreli made a petition before the Commision that his sister Prabhaben was harassed for dowry and was murdered by her in-laws. Surat Police connived with the opponents and refrained from taking proper action etc. Commissioner of Police Surat was asked to inquire and report and it was reported that as Prabha committed suicide by consuming poison, Crime was registered under IPC 306, 114, against the in-laws and concerned Police Sub Inspector Shri S K Rai was found responsible for the delay in not filing charge sheet within 60 days and departmental actions were initiated against him etc.

**Ahmedabad**

ADR/54/08

**Inordinate delay in handing over possession of a free plot for housing**

Shri Narshihbhai Bhavubhai Santhalia of village Alau, Tal Ranpur made a complaint that a free plot for housing was allotted to him in 1992 but possession was not yet given to him by the Taluka Development Officer. Report was called for from District Development Officer Ahmedabad and it was reported that the grievance is now settled and possession is handed over to the petitioner. Thus, State Commission’s intervention helped in solving the long time pending grievance of the petitioner.

**Junagadh**

JND – 8/07

**Police investigation of a murder case revealing facts of the false complaint**

Smt. Laxmiben Jethabhai Rathod of Kob, Tal, and Una made a complaint that her daughter-in-law was murdered, she gave names of the accused and alleged that 5
Tolla gold ornaments of her daughter-in-law were also missing etc. Not satisfied with the police action, she requested for through investigation. Report was called for from the Superintendent of Police Junagadh and it was revealed in police investigations based on narco-analysis tests that the applicant has made a false complaint and as evidences were found against her two sons, they were arrested and charge sheeted in Court. Thus, good police investigation unearthed facts of the case.

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ADC/3/08
Police action against encroachments at the ST stand

Copy of the letter from Depot Manger, ST Control point, Kalupur was given to the State Commission, requesting Ahmedabad Traffic Police to curb the menace of hawkers and private vehicles and taxies at the ST stand opposite to Kalupur Railway Station, Commissioner of Police Ahmedabad was asked by GSHRC to do needful in the matter and it was reported that 16 cases under Motor Vehicle Act were registered against the drivers of private vehicles parked near that ST Point and 14 Non Cognizable complaints were also lodged under sections 102, 117 of the Bombay Police Act against the hawkers found interrupting the passengers thus the police action solving an acute problem of causing many hardship and benefited the passengers.

Valsad 17

BSR/1/08
Loss of eyesight at factory accident and compensation thereof

Shri Rajendra Pal of District Chitrakoot (UP), made a petition before the State Commission that he was serving in a private Company at Sarigam and met with an accident at factory and lost eyesight of one eye. He requested for compensation. Reports were called for from Labour Commissioner and Superintendent of Police Valsad which revealed that the owner had paid charges of Rs. 60,000 for medical treatment of the petitioner and full wages were paid to the victim up to the time of treatment. As a result of the case filed in Labour Court, compensation of Rs. 1,25,798 was paid to the petitioner as per rules. Thus, the state commission intervention helped in solving victim’s grievance as early as possible.
Sabarkantha
SBK/64/07

Police inaction towards harassment by in-laws to the widow

Smt. Indiraben, widow of Govindbhai Manibhai Patel of Saibapur, Ta. Himatnagar complained that her husband died of Cancer and then after she was harassed by her in-laws to such extent that she was forced to take shelter at Ahmedabad. She also alleged about police inaction upon the complaints filed by her. GSHRC asked Superintendent of Police Sabarkantha to take an FIR, who reported that she was given advice to file a civil suit for her share in property issues. However, as the case under IPC 498(a) was not registered by police, attention of SP Sabarkantha was invited three times to this fact and subsequently it was reported by him that police case under IPC 498(a), 504, 506(2), 114 is registered, accused, have been arrested and precautionary measures taken etc. The police could have taken these actions earlier also. Thus, State Commission’s intervention resulted in action against the accused and relief to the petitioner.

Gandhinagar
GND/62/08

Misconduct of a Policeman and departmental action against him

Petitioner Jayrambhai Bhagwanbhai Rabari, resident of Pethapur, Dist. Gandhinagar submitted his petition that his daughter was kidnapped by a police constable Vijaysinh Ishwarsinh Chavda of Manasa Police Station who was married. As the State petitioner’s daughter has gone outside with the police constable at her own will and then there was nothing to do in the case etc. The State Commission observed that one Government servant, already married, was found involved in a case of moral atitude and was being shielded by higher ups. Hence, GSHRC recommended for transfer of that constable from district and to initiate strict disciplinary action against him, which was accepted by the SP, Gandhinagar.

Surat
SCT/2/09

Dispute between owner and tenant resulting in disconnecting water supply
Shri Dipakbhai Jayntilal Kapadia of Surat made a petition that though he had paid all dues of Municipal Corporation, water supply to his residence was disconnected by the owner. This petition was sent to Surat Municipal Corporation for necessary action and to do needful in the matter. Subsequently, the petitioner informed GSHRC that the water supply connection has been reconnected by the owner, issue was resolved amicably and now there is no grievance. Thus, State Commission’s indirect impact also effected redressal of the complaint.

Vadodara 21

BCT/4/08

Inordinate delay in sanction of family pension

Smt. Pepkunwar widow of Devisinh Pannesinh resident of Dedha- Dist. Jodhpur (Rajasthan) made a petition that her husband retired from State Reserve Police Force and was receiving Pension. He died in 1978 and petitioner’s request for family pension was not heard by anyone since 30 years. Report was called for from the Director Pension and provident Fund and then issue was taken up with Commandant SRPF Group – I for compliance. Both offices attended the issue properly ultimately it was reported that pension payment order has been issued in favour of the petition allowing her to draw pension from Treasure Office, Jodhpur (Rajasthan).

Thus, the State Commission helped a victim lady in restoring her right for getting the family pension.

Ahmedabad 22

ADC/119/08

Police inaction and not taking the FIR

Smt. Dharmishtaben Ramanlal Thakar of Ahmedabad made a petition alleging against police inaction, connivance with the owner of the house and for not taking her FIR. She was tenant for more than 10 years, and also had made part-payments for purchase of the house. But as she was away from the city, the owners broke locks of the house, took away the belongings of Dharmishtaben and sold the house of another person. When she returned, she was astonished of the situation. The State Commission called for report from Commissioner of Police Ahmedabad city, hearings were held at the State Commission and ultimately the police complaint was filed.
against the owner and necessary steps were also taken by police for recovery of the household belongings of the petitioner. Then after, the case remained pending over the litigations made by the owner and new purchaser etc. Thus, the State Commision intervention helped a lady to raise voice against the cold attitude of police.

Ahmedabad 23

ADC/376/08

Unjustified detention under PASA

Smt. Pravinaben Nagjibhai Rabari of Ahmedabad made a petition before the State Commission that her husband Shri Nagjibhai Rabari was victimized by Ahmedabad Police and was sent to jail under PASA. Prima-facie it appeared that Nagjibhai Rabari took part in a protest rally against the activities of a religious Ashram. As the uncontrolled mob ransacked belongings in that Ashram, a case was registered against him along with others. Police took serious cognizance of this incident and adding two old police cases filed against him, he was declared as hardcore criminal and was put under PASA. The State Commission observed that the two old cases mentioned by police, were of petty quarrels only and were not so serious. Shri Nagjibhai was seen as a businessman, a member of Local Peace Committee and his status was never that of being a hard-core criminal. Many social bodies and associations also urged for his release. The State Commission also took a view that the police action is required to be reconsidered and recommended accordingly and subsequently, the PASA Advisory Board released Nagjibhai Rabari. Thus, The State Commission intervention helped a victim in getting justice.

Ahmedabad 24

ADC/175/08

Delay by Police in taking the FIR

Shri Gopalji Vallaji Vanzara of Nava Vadaj, Ahmedabad made a petition before the State Commission that one Baldevji Shankarji Thakor, a land broker produced fake documents and fake holders of land at Thaltej and finalized the sale deed with the petitioner to the tune of rupees nine lakhs. As the petitioner realized that the broker has cheated him, he requested police to take action against the culprits. His frequent requests for lodging an FIR were not heard by the police. As the petitioner
was not getting any nod from the concerned police officer, he requested the State Commission for a long period, a hearing was held at Gujarat State Human Rights Commission and it was intimated by the police that now they had solicited opinions from Addl. Commissioner of Police and an FIR was filed against Shri Baldevji Shankarji Thakor. Thus, the State Commission helped a victim for raising his voice against injustice and cold attitude by police.

Vadodara  25

BCT/21/08

Inordinate delay in payment of salary arrears to the pensioner

Shri J. P. Divan was on deputation to Gas Authority of India as Mamlatdar and he retired from service on 30-6-2005. His request for difference of pay emoluments for the period from 1-4-2004 and 30-6-2005 was not entertained by the office of Collector, Vadodara and was given irrelevant replies. As he made a petition to do needful, report was called for from collector, Vadodara by the State Commission and subsequently it was reported that the Cheque for the due amount was issued and the matter was resolved. Thus, the State Commission intervention helped a petitioner in getting his dues which were pending since long.

Sabarkantha  26

SBK/25/08

Delay in Police action, by not taking proper precautionary measures in Domestic violence issues

Patel Ritaben of Ranchhodpura, Tal, Vijapur, Dist. Mehsana made a petition before Sub Divisional Magistrate, Himatnagar that she had registered marriage with Ashokkumar Patel of Rampura Ta. Prantij, Dist. Sabarkantha on her own will, which annoyed her parents and she along with her husband are under threat. She also approached police station at Prantij. Police tried to convince both parties but failed to take preventive measures and in taking solvency bails under Cr. P. C. 151, 107, 110, 116(3) against the aggrieved relatives. This resulted into kidnapping of Ritaben by her relatives. Therefore, the State Commission brought this issue to the notice of Director General of Police and recommended to issue necessary instructions to all concerned. With reference to this recommendation Director General of Police had instructed all Commissioners of Police and Superintendents of Police to take speedy action in such
cases and also instructed the field officers to ensure that bails under Cr.P.C. 151, 107 were obtained from the opponents to avoid delay in taking precautionary measures.

**Surendranagar**

27

**SNR/91/08**

**Case of custodial torture by police**

Reports were published in Indian Express dated 13-10-2008 that two policemen have stripped and brutally assaulted a tribal man in public at Nani Kathechi village in Limbdi Taluka. It appeared that the policemen had committed a crime of custodial torture, reports were called for from Superintendent of Police, Surendranagar and subsequently it was reported by SP that both the policemen have been transferred and then were put under suspension also. National Human Rights Commission had also taken cognizance of this incident and has asked for reports. As the victim had made allegations of torture against police at the time of production before Court, he was sent for medical treatment and then Magisterial Inquiry was ordered under para 14(6) of Criminal Manual, which is still pending.

**Mehsana**

28

**MSA/5/08**

**Inquiry of an undetected murder case entrusted to CID (crime)**

Shri Nandlal V. Bhatia made a petition that his father Virumal Gelar Bhatia was murdered at Apsara Guest House, Mehsana and police has yet not found any clue. On his request for thorough inquiry of this incident, Superintendent of Police Mehsana was asked by the State Commission to send report. SP reported that in spite of discreet efforts no evidence or clue has been found hence; ‘A’ summary is filed in this case. Since this case remains undetected, the State Commission has recommended Home Department for getting it inquired through CID (Crime), Home Department has entrusted inquiry to CID (Crime) and report is awaited. 5

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**Kheda**

29

**KRA/12/07**
Connivance of lower revenue staff resulting in harassment

Shri Melabhai Somabhai Parmar Dashrathpura, Sinhuj. Tal. Mahemdabad aged 80 years made a petition that one Rupaben Shankarbhai has prepared false record in connivance with village Talati and harassment is caused to him for handing over the land survey No. 1317/1 to Rupaben Reports were called for from Superintendent of Police Kheda and then from Collector Kheda which revealed that possession of disputed land is still with petitioner Melabhai Parmar. As the disputed land still stands in the name of Rupaben’s parents. She obtained a judgment in her favour from Revenue Authorities. Hearings were held at the State Commission and ultimately it was made clear that the disputed land was purchased by the petitioner in 1972. Though entry was not made in village record, it was now made after 36 years on the basis of registered sale-deed. Thus, after a long period the aged petition succeeded in getting Justice only at the intervention by the State Commission.

Bharuch30 BRC/20/08

Misbehaviour of anti-social elements and Police connivance

Shri Suklabhai Bharmalbhai Vasava of Vejalpur, Ta Bharuch made a complaint before the State Commission that he belongs to Scheduled Tribe, a minority in the area which is dominated by the people indulged in bootlegging activities and having support of local police. The opponents were harassing to such extent that they even beat petitioner’s daughter in public and police refrained from taking action against the culprits. On calling for a report, Superintendent of Police Bharuch intimated that the precautionary measures under Cr. P. C. 107, 116(3), 110 were taken against the opponents and police case No. 69/08 is registered under IPC 323, 504, 506(1)(c), 114 and also u/s 3(1)(10) of Atrocity Act against the four accused. Thus, State Commission’s intervention resulted in proper police action.

Gandhinagar31 GND/1/07

Discrimination by Authorities for not allowing SC/ST school teachers to form a Union
President, *Gandhinagar District Primary Teachers’ Utkarsh Mandal* made a petition before the State Commission that though High Court has passed directions and such Associations already exist in other districts and the *District Panchayat, Gandhinagar* has also passed a resolution approving their Association, the *District Primary Teachers’ Association* is protesting against formation of another association and preventing rights of SC/ST teachers. As this action violates human rights of the teachers belonging to Sc/ST, the State Commission called for report from Development Commissioner and it was revealed that District Panchayat Resolution dated 19-3-2005 was quashed by Development Commissioner on 5-2-2007 and then petitioners have preferred an appeal with Deputy Secretary, Panchayat and Rural Housing Department on 14-2-2007. The State Commission has asked Panchayat and Rural Housing Department to send a factual report and in spite of frequent reminders and DO letters, the Department has yet not intimated the decision of Government on the appeal filed by the petitioners and thus the issue is still pending.

**Ahmedabad**

**ADC/172/08**

**Inaction by Police in a domestic violence case against a retired Judge**

Smt. Laxmiben Chandraprakash Koshti of Ahmedabad made a petition regarding harassment by her husband and in-laws. She alleged that her husband Chandraparkash Koshti was having extra marital relations and was living with another woman and has denied private legal practice; hence, his influence prevented police from taking action in the case etc. Reports were called for from Commissioner of Police Ahmedabad and matter was also brought to the notice of District Sessions Judge (Human Rights). It was reported by 514 and under Section 31 of Domestic Violence Act was registered at Sabarmati Police Station; the opponents were arrested and released on bail. Police also took precautionary measures against the accused. Thus, the petitioner’s plea was attended properly only after the intervention by the State Commission.
7.7 Application received in Gujarat state human rights commission during 2008-2009 in different domain (6)

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Application received in Gujarat state human rights commission during 2008-2009 in different domain

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7.8 Exemplary cases 2009-2010

Here are some proceedings done by Gujarat State Human Rights Commission in connection to the application received district wise in relation to the application received for violation Human Right in 2009-2010 to Gujarat State Human Rights Commission.

Exemplary cases

RAJKOT

RJR-61/09

One joint representation was made to the State Commission against atrocity on Dalit families of village Sanathali for proper investigation under IPC 307 and under section 3(2)(5) of Atrocity Act which was sent to Superintendent of Police, Rajkot Rural for inquiry and report to State Commission. As the petitioners were physically assaulted, FIR was already registered against the accused under IPC section 326, 325, 147, 148, 149, 504, 506(2) and under section 3(1)(10) of Atrocity Act and in further investigation under section 307 of IPC and section 3(2)(5) of Atrocity Act were also included and it was also added as per the prayer of the petitioner or by the Superintendent of Police that fair investigation would be carried out by the Sub Divisional Police Officer Gondal. Thus, at the instance of State Commission, the two petitioners were attended properly by the police.

Ahmedabad

ADR-9/10

Bhangi Valiben the widow of Govindbhai, age 64 of Sasiyana, Tas Dhandhuka sent a petition to Gujarat State Human Rights Commission for protection against harassments by accused who were given loan by her deceased husband. As, the State Commission asked superintendent of Police, Ahmedabad Rural to inquire, it was reported that both the parties have arrived to an amicable compromise, the amount of Rs. 2500 had been given back to the petitioner and the petitioner has expressed satisfaction etc. Thus, at the instance of State Commission, the dispute was settled.

PATAN

PTN-40/09
Shri Dharmeshbhai Prajapati of Patan complained to the Commission that M/s Idea Cellular Ltd. has constructed a 50 meter tower violating of the conditions prescribed in NOC and Patan Municipality has refrained from taking action against the Company for a long period over 19 months. Earlier, one company was forced by the authorities to pull down the mobile tower erected in residential area in Patan. As the State Commission called for a report, Collector – Patan reported that the company was inflicted a fine of Rs. 10,000 and Rs. 17,920 were recovered as necessary fees and was given NA permission with retrospective effect. Thus, a reference from the State Commission activated authorities to take action against the company after lapse of two years.

PORBANDAR

PBR-9/09

Smt. Kundanben A. Pandhi, a female health worker, employed at Garej Primary Health Centre petitioned before Gujarat State Human Rights Commission that she was attaining superannuation in November, 2009 and authorities have yet not sanctioned her special leave application. She was suffering from cancer and was operated up on in February, 2003. Her application for leave on special medical grounds was not attended properly and was tossed for various queries by the concerned authorities over a long period. As soon as Gujarat State Human Rights Commission called for a report the issue was resolved and petitioner got relief in getting her leave amounting to six and half years was sanctioned with approval of Finance Department. Her thanks giving letter to GSHRC touched any one’s sentiments.

SABARKANTHA

SBK-109/09

Shri Ramabhai Jethabhai Valand and others of Devli, Ta, Modasa filed a petition that a Government Kharaba (waste land), adjoining to their agriculture land was allotted to Ex-serviceman Shri Puvar Pravinsinh Vadansinh before 20 years and since then he has started encroachment over petitioners’ land and have closed approached road etc. and petitioners’ plea remained unsolved since years. This being a land dispute was sent to Collector, Sabarkantha for necessary action and subsequently it was reported to the Gujarat State Human Rights Commission that Sub Divisional Magistrate of Modasa acted upon this issue by resolving an amicable
compromise among both the parties on 1-8-2009. Thus, State Commission communication to district authorities was attended properly resulting into solution of a decade old quarrel between two neighbors.

BHAVNAGAR 6

BVN 95/10

Shri Bhavubha M. Jhala, a retired primary teacher submitted his grievance that since he retired 3 years ago, he was not getting revised pension w.e.f. 1-1-2006 for which he is eligible and payment of Rs. 2-3 lakhs is held up. In-action and lethargic approach of Officers of City Primary Education Committee, District Education Officer and Local Fund Office have kept such 56 cases in balance. This grievance was sent to concerned authorities for report to Gujarat State Human Rights Commission and it was reported by Shashnadhitkari, Nagar Pratmik Shikshan Samiti, Bhavnagar that these pending cases have been taken care of. Necessary compliance was made to Local Fund Office. Hence, these pensioners will get the arrears after the required process for pay verification is completed. Thus, the State Commission became a catalyst in finalizing the grievance of retired pensioners.

AHMEDABAD 7

ADC 508-10

Shri R. R. Shaikh from Kalupur, Ahmedabad brought it to the notice of the Gujarat State Human Rights Commission that the Primary School at Banderi Pole, Kalupur is functioning in a hazardous and very old building. Hence, if any mishap occurs due to collapse of this building, precautionary measure are required so as to save lives of children. The Dy. Estate Officer of Ahmedabad Municipal Corporation, Central Zone has reported to GSHRC that the owner of the building as well as the school authorities have been served with notices under section 264 of BPMC Act for immediate repairing of this building. Final outcome of this process is awaited.

ANAND 8

AND/34/09

Shri Chandubhai Jivabhai Pandor of Vejpur, Ta, Bhiloda, Dist. Sabarkantha made a petition before the Gujarat State Human Rights Commission that his elder brother Narendrabhai, serving at Collector Office, Anand, disappeared alongwith his wife and two daughters. Their residential government quarter at Anand remained closed for over two years. Now, the whereabouts of the disappeared persons were not
traced in police inquiry. Petitioner represented that he was not economically sound to make overdue payments of rent of this quarter, he urged authorities for possession of building of the disappeared family. The Executive Engineer (R & B) Division Anand has reported that proposal for waive of pending amount is made to competent authority and necessary procedure of undertaken Panchanama of the building of that closed quarter were done and the petitioner was allowed to take away the belongings of his brother’s family.

Thus, the State Commission became instrumental in completing the procedure and petitioner’s request was settled.

**VALSAD**

**BSR/14/10**

Shri I. V. Patel of village Kanjanhari, Ta. Valsad filed a petition to the State Commission that he lost his land due to installation of gas pipe line through it, and was entitled to get compensation. The Commission called for a report from Dy. Collector, Hazira. After that, applicant got a compensation of Rs. 1,47,737.

Thus, the State Commission became instrumental and petitioner’s grievance was settled.

**KHEDA**

**KRA/33/09**

Petitioner Shri R. D. Patel, residing at Haribhai Society, Sevalia filed a petition to the Commission in June, 2009 about illegal setting of electronic scale made by Patel Traders in the market. State Commission wrote to Food and Civil Supply Department for taking necessary action. On 15th February, concerned authority replied to the applicant that there was no illegal setting in the scale but it was not renewed in time limit and so Rs. 500 as a penalty recovered from the Patel Traders.

**AHMEDABAD**

**ADR/1/08**

Applicant Shri K. M. Chauhan residing at Sanand, Dist. Ahmedabad applied to the State Commission regarding giving employment in class IV post of his father Mr. Manubhai B. Chauhan, who was working under Road & Building Department, Ahmedabad expired on duty in Sept, 2005.
In this matter, at the first instance the Road & Building Department furnished his report in February, 2008. It was started that the father of the petitioner was working as daily wager who died during his service. According to the provisions and standing policy of the State Government, such sympathetically compassionate service is not admissible in case of the heirs of a daily wager.

The State Commission therefore drew the attention of the General Administration Department, Government of Gujarat in July, 2008. The General Administration Department replied on 26-3-2009 that the scheme of compassionate service will not apply to cases of daily wagers, casual workers, apprentices, contractual ad-hoc appointments and re-employment services as per the provisions of the GR dated 10-3-2000.

The State Commission therefore, decided to recommend to the State Government to reconsider the cases of the daily wages and avoid such injustice towards the legal heirs of such deceased employees; because such compensate services become the base of income and livelihood of such affected families. Moreover the State Government had regularized the services of such daily wagers with effect from 1-10-1988 etc. by way of accepting the recommendations of Dolatbhai Parmar Committee. Therefore, the Status at the time of death of the employee should be considered. In this case the heirs of diseased daily wagers are required to be considered because the service of the deceased employee was regularized w.e.f. 1-10-1988. Thus the services must be treated as regular employee in such cases. The State Commission therefore recommended clarifying the word “daily wager” in the GR, GAD dated 10-3-2000. Therefore the Government is requested to clarify the matter accordingly.

The State Commission is waiting for action taken report in this regard.

AMRELI

AMR/33/09

Shri B. M. Chauhan of Amreli filed a petition to the Commission in July, 2009 regarding stopping of his payments as he was suffering from Cancer.

The State Commission called for a report of Gujarat State Road Transport Corporation (GSRTC). The GSRTC had sanctioned the amount of Rs. 8800 from the welfare fund.
Two petitioners Shri Bhikhabhai Abdulbhai Makrani and Shri Khatubhai Arjanbhai Darbar residing at valadar, Ta, Kodinar had filed a petition regarding violation of their human rights by local police authority. They alleged that one complainant belonging to SC has given a false complaint at Kodinar police station under Atrocity Act and various sections of IPC against them.

The State Commission took cognizance and immediately issued a notice for hearing of the case on 26-12-08 before the ADGP of the Commission. During hearing it was found that there was no involvement of the petitioners in the case. Therefore the Commission issued two recommendations to the Supt. of Police, Junagadh that, (1) not to arrest the petitioners who are not found involved in the case and (2) if any independent and third party evidence are found against the petitioners, and if the petitioners are required to be arrested in this offence, the report in this regard may be furnished to the State Commission within 21 days.

Accordingly, the Deputy Supdt of Police, Veraval in his report of 26-12-08 stated that the complainant had confessed that he had filed false case against petitioners; hence, “B” summary was filed in the Court. Thus, the State Commission ultimately got discharged the petitioners from the so called serious offence.

Petitioner Rajebhai Alibadhai Momin residing at Dhasavasa, Ta, and Sissapur filed a petition before the State Commission that the village Panchayat has passed two illegal resolutions in its Gram Sabha, dated 16-1-06. The resolutions No. 41 & 45 were resolved against the petitioner and other citizens of the village are vague and fabulous matter. It was further resolved that the applications of the petitioner not to be entertained. It was further resolved that the petitioner and other citizens are hereby black listed.

The report was called from District Development Officer, Patan and finally after such involvement of the State Commission, the Taluka Panchayat, Siddhapur
issued orders regarding cancellation of disputed resolutions of the Gram Sabha under section 249(1) of the Panchayat Act.

JAMNAGAR 15

JND/36/07

On behalf of the citizens of village Bhayu Khakhariya, Ta, Kalawad, petitioner N. M. Jadeja filed a petition regarding absence and negligence in performing of duty of Talati in the village Panchayat. Report in this regard was called from District Development Officer, Jamnagar. Further observation and recommendations were made by the State Commission to the Dist. Development Officer, Jamnagar to take appropriate actions against the village Talati in this regard. Subsequently, it was reported that the alleged Talati is transferred and she was also warned for regular attendance in the village Panchayat.

BHAVNAGAR 16

BVR/53/08

Petitioner Shri Narshibhai J. Dankhra residing at present Surat forwarded a petition without his signature and date in September, 2008 The State Commission has taken cognizance of the case and called for report from the District General of Police (DGP). The DGP office has furnished its report on 2-4-2009. The allegation was leveled against an Executive of a trust named Vijay Seva Trust of Bhavnagar. The executive of the trust Shri Chhatrapal Singh @ Satubha KalyanSinh Sarvaiya is playing and arranging gambling business on behalf the trust.

The State Police investigated the case through its vigilance squad. The Squad made a raid at night on 17-9-08 and registered a case under Gambling Act and recovered Rs. 3.44 lakhs and material involved including vehicle, mobile phones and other instruments worth of Rs. 17.59 lakhs.

Thus the petition which was forwarded to The State Commission resulted in the wide interest of the citizens.

AHMEDABAD 17

ADR/73/09

Petitioner Shri Ashokbhai K. Gohil filed a petition dated 25-9-09 in which he stated that he was serving in a factory Taxspin Barring Ltd. At Ranpur since 17 years and was removed from the service without any reason. He further stated that the
management behaves with the foremen and labourers of the factory as a slave and insult the labourers using bad languages, abuses and threatening to remove from the job; and also threatening not to speak against the factory.

The State Commission initially disposed of the case and forwarded for necessary action to the Labour Commissioner. The Labour Commissioner informed that they have approached the employer and employee and found that the intention of the management was not to continue the petitioner on his service as a grinder in the factory. Therefore the Labour Department has registered a case in the Labour Court of the petitioner for his re-instatement in service under the Industrial Dispute Act, as well as they have also taken action under Minimum Wages Act.

After observing the pitiable position of such labourers the State Commission found violation of human rights in taking specific and mandatory actions by the Labour Courts for the petitioner. It was found proper to recommend the State Government to make such provisions in the Act to granting interim relief to the labourers against the management at the admission stage of the case in Labour Court for the maintenance of their livelihood.

The action taken by the Government is yet awaited.

BANASKANTHA

BKT/56/07

Petitions Shri Makrani Jahangirkhan Kesarkhan and Makrani Mohmdakhan Kesarkhan residing at village Thara, Ta, Kankarej stated in their petition dated 3-12-07 that they have been victimized in the communal riots of the year 2002; however the financial relief was not paid to them.

Report from the District Magistrate was sought which was received in January, 2010; in which it was stated that after exoneration of the petitioners in a police case, necessary guidance from the State Government was obtained. On that basis the eligible assistance was paid to Makrani Mohmadkhan Kesarkhan and the payment of assistance to the other petitioner Makrani Jahangirkhan Kesarkhan is under scrutiny.

MEHSANA

MSN/66/09
Petitioner Smt. Asmitaben Kanjibhai Patel residing at Gandhinagar filed a petition regarding her domestic violence, torturing and harassment by her husband before the State Commission.

The State Commission called for a report from the SP, Gandhinagar. SP reported that an offence was registered against the accused under IPC 498(A), 324, 323, 504, 506(2) and 114 vide FIR I Cr. No. 226-09 at sector-21 police station on 13-9-2009.

Thus, as soon as the police authority received a complaint through the State Commission, police registered complaint and took proper legal action against accused.

AHMEDABAD 20
ADR/54/10

Petitioner Shri Sureshbhai Maneklal Patel residing at village Lapakaman Tam Daskroi filed a petition before the State Commission regarding detailed investigation of his FIR No. 251/09 at Sarkhej Police Station. The State Commission simply forwarded the application to the SP Ahmedabad Rural for necessary action on 25-6-2010. However, the report was furnished by the SP and stated that out of 8 accused involved in the case 4 had been arrested by the police and ‘A’ summary was filed for the rest of accused in the Court.

AHMEDABAD 21
ADC/245/09

Petitioner Shri Musafir Samu Thakor residing at Arbudanagar, Odhav had filed a petition on 24-3-2009 before the State Commission regarding missing of his grandson Albela Devendra Thakor since two years. The report was called by the Commission from the Commissioner of police Ahmedabad. Initially, the CP furnished detail investigation about missing person who was not traceable. The State Commission thereafter asked for further intensive detailed investigation and also about the location of mobile phones.

The CP further reported that the local police of Kagadapith police station has filed a case entry No. 37/09 and undertook a detail investigation. The police visited at the native place of the missing person at Balvahi of Bihar state. The missing person was found mentally disabled. Hence he was not kidnapped or murdered.

PATAN 22
PTN/48/09

Petitioner Shri Daudsha Dosusha Sai residing at Ganwada Village, Ta, Siddhpur forwarded a petition to the State Commission dated 11-9-2009 mentioned that he is a BPL card holder. However, neither Government assistance nor any other subsidized residential plot was allotted to him. A report was called from the Dist. Development Officer, Patan. In the report of DDO, it was stated that no residential plot was allotted to the brother or son of the petitioner; therefore a residential plot has been now allotted to the son of the petitioner as his son is included in the updated BPL list.

Thus, the State Commission became instrumental to such poor eligible citizen.

AHMEDABAD 23

ADR/90-09

Petitioner Shri Dilip Babulal Upadhyay presented a petition before the State Commission on dated 4-2-09 in which it is alleged that the designated Secretary and other Directors of the Co-Operative Housing Society harassing and threatening him. Reports were called from the Registrar Co-operative Societies and Ahmedabad Municipal Corporation. It was reported that AMC that directors of the Co-operative Society filed a civil suit in the Civil Court and therefore after the final disposal of the civil suit, the AMC will take necessary actions of removing of encroachment can be undertaken.

The State Commission therefore raised a query to both the authorities that the disputed matter pertains to a co-operative society, the Court of Board of Nominee has only the jurisdiction and not to that of the Civil Court.

However, if the civil suit is filed, whether Civil Court had issued any interim order or not? After raising such query by the State Commission on 24-2-10, it was reported by the AMC that the interim relief was refused by the Court; and it was also reported by the Assistant District Registrar, Co-operative Society, Ahmedabad City that the petitioner also filed an arbitration suit in Board of Nominee. Accordingly, the Board of Nominee has issued a permanent stay order restraining the respondent society not to make encroachment in the common plot and to remove the tube-well and the room etc. which was considered as encroachment. The AMC reported that the encroachment in the common plot of the co-operative society is removed. Thus, the
State Commission had provided proper justice and peaceful environment to the residents of the co-operative society.\(^{(7)}\)

\(^{(7)}\) Annual Report 2009-2010 Pg. 28 to 35
### Application received in Gujarat state human rights commission during 2009-2010 in different domain

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(8) Annual Report 2009-2010 Pg. 71 to 76
Application received in Gujarat state human rights commission during 2009-2010 in different domain
Here are some recommendations as well as proceedings done by District wise sampling in connection to the complaints received of Violation of Human Rights during 2010-2011 after inspecting the proceedings of complaints of violation of Human Rights in 2009-2010 by Gujarat State Human Rights Commission.

7.10 Several Exemplary cases 2010-2011

PATAN

PTN/14-2010

Petitioner Smt. Vijyaben Jogaji Thakor of Khareda village of Patan district is an agricultural labourer. Her husband died due to snake bite during working in his farm.

The petitioner had prayed for assistance before the Gujarat Shramyogi Kalyan Board, Gandhinagar for death compensation. After rejection of her application by the Board, she had approached the Commission and filed a petition on 16-3-2010.

The State Commission called for a report from the Board by its letter dated 27-4-2010. After finding the facts of the case, the State Commission had recommended to the Board to consider the petition. Subsequently, the Board had sanctioned Rs. 1,00,000 as death compensation to the petitioner.

Thus, on intervention of the State Commission an agriculture labourer, vulnerable illiterate, miserable woman got justice. She also wrote a letter of thanks to the Commission.

MEHSANA

MSA/71-2010

Applicants Shri Pathan Husenkhan Zafakhan and others, live in city survey No. 20 of Kasba area of Mehsana city have applied to the State Commission for residential plot on 30-7-2010.

Government has unearthed their huts under encroachment abolition drive in year 2006. Applicants have earlier frequently applied for alternative residence plot to the Collector Mehsana but all efforts were in vain. Finally, they approached to the State Commission. The State Commission called for the report from Collector Mehsana. As the report of collector was not found satisfactory, the Commission has held hearing on 6-12-2010. After long argue, second hearing was fixed on 20-12-
2010. In this hearing the Secretary of the GSHRC has recommended to consider the case of these BPL beneficiaries' applicants sympathetically and submitted the action taken report to the Commission. At the concluding hearing held on 10-1-2011 between Applicants and Collector, the Collector reported in writing that eligible beneficiary applicants were allotted residential plots as per rules.

Applicants got residential plots only after consultation with the State Commission.

AHMEDABAD 3 ADC/743-2010

An applicant Rashtriya Sangram Sena of Juna Vadaj suburb of Ahmedabad city filed a petition dated 24-10-2010 regarding to provide essential services like residences, drinking water, health centre, BPL cards and school at Bakra Mandi area of Ranip suburb to the sufferers of BRTS projects of the city.

The State Commission forwarded the application to Collector Ahmedabad and Ahmedabad Municipal Corporation for necessary action.

In response to the recommendations of the State Commission, Ahmedabad Municipal Corporation replied that the drainage facility is already provided and fitting of DI pipe line work is in progress in this area.

SABRKANtha 4 SBK/60-2009

Applicant Shri Jethusinh Madhusinh Zala of Sabarkanta district had filed an application dated 12-5-2009 in the State Commission against injustice in his pension.

Applicant had took voluntary retirement on 31-10-2001, but ST Division Himatnagar had considered his birth date as 20-10-1940 instead of 20-4-1944 at the time of pension fixation hence his pension was fixed on basis of 31-10-1998. Even after regular correspondence with ST authority and Provident Fund office, applicant could not get justice; he approached to the State Commission. The State Commission called for reports from ST authority and Provident Fund Office. As the reports were not found satisfactory, the State Commission had fixed hearing on 17-2-2011.

At the time of hearing before the Deputy Secretary of the GSHRC, both the authorities were present. Provident Fund officer had produced revised pension order as well as he gave promise that the difference will be paid by the end of March, 2011.
Thus, the applicant got justice to get his benefits with intervention of the State Commission.

**AHMEDABAD**

**5 ADR-9/2010**

An applicant of this case, a widow Valiben Govindbhai Bhangi of Ahmedabad had filed an application dated 24-1-2010 in the State Commission stating that her husband had rented some money to the opponent. After death of her husband, when she asked the opponent to repay the rented money, he threatened to kill and started to harass her. Police had not registered her complaint.

The State Commission had sent her application to the Superintendent of Police Ahmedabad Rural for necessary action. Police had reported to the State Commission that both the parties bring together and arrival at amicable resolution; and opponent had returned rented money to the applicant. By this way, both the parties came to successful compromise.

Thus, interference of the State Commission, a widow got rented money back from the opponent.

**AHMEDABAD**

**6 ADC/32V2007**

Navjivan Mahila Mandal of Ahmedabad had submitted an application in the State Commission in the year 2007 regarding chemically polluted water in Vatva area of Ahmedabad city. The State Commission called for reports from the Gujarat Pollution Control Board (GPCB) and the Ahmedabad Municipal Corporation (AMC) vide letter dated 4-7-07.

The GPCB had reported to the State Commission in its report that the Board had started to installing new pipelines to discharge domestic polluted waste water of the societies. As well as the AMC had reported that they had taken care regarding the issue of the complaints of the Mandal in regard to chemically polluted water on war footing bases in Vatva area. It is further reported by the AMC that they had undertaken the efforts of repair and maintenance of mega pipeline in this area. Moreover, urgent steps to prevent overflowing polluted water from manhole of the mega pipeline and raise the height of the manholes of both the sides of the road near the bridge under construction from Ambika to Bibi Talav four roads leading to
Gujarat offset four roads had been undertaken to discharge the chemically polluted water.

Thus, the steps had been taken by the GPCB and the AMC due to the active involvement of the State Commission on the complaint of Navjivan Mahila Mandal.

AMRELI

AMR/4/2011

Applicant Kashiben Dosabhai Parmar serves at Rajula Municipality as Safai Kamdar (sweeper). Her birth certificate was issued by the Community Health Centre, Rujala.

She had represented by her application dated 7-1-2011 to the State Commission stating that not to retire her as erroneous birth date in her service book. The State Commission called for report of its letter dated 8-2-2011 from Rajula Municipality. Municipality had submitted its report by letter dated 15-2-2011.

On the consultation with the State Commission, after examination her service book, her birth date was read as 1-1-1951 instead of 1-1-1961 by error. Hence no superannuation retirement order was issued.

Thus, by intervention of the State Commission, an inferior employee prevented from injustice due to a minor error.

AHMEDABAD

ADC/587/2010

Shri Bhikhabhai Dahyabhai Sitapuri his petition dated 12-08-2010 before the State Commission, stating that he was retired as Traffic ASI Ahmedabad City on 30-06-2010. The payments of Pension, Gratuity and Leave Salary pay were paid to him on the basic of old pay scales instead of new pay scales and also requested to extend the permission to continue to holding Government quarter after his retirement.

The State Commission had sent the application to the Commissioner of Police, Ahmedabad City for necessary action. The Commissioner of Police replied to the State Commission by its letter dated 8-2-2011 that the pensioner benefits were sanctioned and paid on the basis of new pay scales. The leave salary will be paid to him on the same base after availability of grants. The Government quarter is permitted to hold up to 28-2-2011.
Thus, the State Commission became an instrument to uphold the pensioner benefits to a retired police employee.

AHMEDABAD
ADC/673/2010

Ahmedabad based adolescent Kanchanben Rameshbhai Parmar prayed before the State Commission by her application dated 29-9-2010 that being her immature age of 17, her parents are physical harassing and torturing her to marry with a young without her consent by force; and finally she forced to leave her parents’ house.

The State Commission sent her application to the Commissioner of Police Ahmedabad city for necessary action. Police reported that her parents had given up forcing for her marriage. Now her parents leave for Delhi for long time and she had stated in her written statement that she pleased by the action taken and withdrew the application. By this way a crime of child marriage is prevented and adolescent get justice.

ANAND
AND/63/2010

An applicant Shri Natwarsinh Mohansinh Solanki of Ajarapura village of Anand District submitted his application dated 9-9-2010 before the State Commission stating that he had applied for loan for tailoring business to the District Industry Centre Anand under Bajpai Bankable Scheme; but nothing done from the Office. The State Commission had sent the application to the District Industry Centre for necessary action.

District Industry Centre replied by its letter dated 28-1-2011 that it had recommended positively sanctioning the loan to the bank on 4-6-2010 and bank had released loan for Rs. 14000/- on 22-10-2010.

Thus, positive efforts of the State Commission, a beneficiary succeed to get loan for starting tailoring business.

AHMEDABAD
ADC/36/2010

A resident and blind applicant of Kubernagar, Chhranagar of Ahmedabad City, Shri Nanakram Dharamdas Ramchandani had wrote a letter dated 5-10-2009 to the Commissioner of Police (CP) Ahmedabad City and a copy to the State
Commission stating that city police had not took any action regarding abduction of his daughter Jyoti. In this regard the State Commission, vide its letter dated 16-2-2010 as well as second application dated 23-1-2010 vides its letter dated 4-3-2010 called for reports from CP. In reference to this, the first report was received on dated 17-5-2010 in which stated that the missing adolescent Jyoti fosters by the applicant and lives as family member and carries out housekeeping works. In between conflict arose among applicant, his son and daughter-in-law. In this regard police case and legal actions also took place among them. CP had stated in his second report that Jyoti is missing on dated 4-1-2009, and the applicant doubted on his son and daughter-in-law and used to make applications against them. The search of the missing adolescent is in progress.

The applicant continued to make applications to the State Commission as well as argued on phone and in physically presence. He was firmed to register police complaint against them. After the several correspondences by the State Commission, Ahmedabad Shahibag Sardarnagar police Station registered a crime against accused on 24-8-2010 u/s 363, 368, 323, 516(2), 174 of IPC and initiate investigation. The final result is awaited in the present case.

In this way, after involvement of the State Commission, a complaint was registered of a blind by the police.

AHMEDABAD 12
ADC/180/2009

Petitioner of Ahmedabad Shri N. C. Langhanoja lives in tenement No. 6B of P & T Civil Engineering wings Co O. H. Society since 1988. There was an aqueduct road to reach the tenement. Terminating this road in Town Planning Scheme Vejalpur-3, AUDA had merged the road in the final plot No. 24/1; due this the way in will be close up in future. Petitioner had filed his petition on dated 22-3-2009 in the State Commission after not getting positive response from AUDA even after representations repeatedly. The State Commission called for a report from AUDA by its letter dated 20-4-2009 and reminders from time to time. Subsequent representation of petitioner and interference of the State Commission AUDA, after verifying the physical situation of the tenement had stated in its report dated 22-3-2011 to the State Commission that a scheme of a 6 meter approach road is prepared in Town Planning Scheme Vejalpur-3 for the tenement. The Town Planning Scheme had been submitted

610
to the Government on dated 23-12-2010. The approach road will be opened only after getting approval from the Government.

Thus, a senior citizen got approach road by the interference of the State Commission.

PANCHMAHAL 14
PMS/52/2010
Smt. Sumitraben Surendrasinh Chavda of Vejalpur (Kajol) has filed an application dated 19-8-2010 before the State Commission requesting to remain present the staff in time at Kalol ST Depot for issuing student passes as well as to stop the ST bus at Kheda-falia pick-up stand.

The Commission has forwarded the application to the ST authority for necessary action. ST authority stated the Commission in its reply that necessary instructions in this regard have been issued to the Depot Manager.

VADODARA 14
BRD/20/2010
Smt. Yasminbanu Iliyasbhai Diwan of Sokhda (Radhu) of Karjan Tehsil in her application dated 12-4-2010 before the Commission stating that her husband is being in jail, the father-in-law and mother-in-law harassed her.

The application was forwarded to District Social Defence Officer, Vadodara for necessary action. The District Social Defence Officer in his letter dated 13-7-2010 informed to the Commission that her family arrived on successful compromise.

VALSAD 15
BSR/25/2010
Shri Habibbhai Taiyabbhai Teenwala of valsad by his application dated 24-4-2010 requested the State Commission to remove irregular encroachment. The application forwarded to the Collector, Valsad for necessary action. The Collector, in his reply dated 13-8-2010 informed the State Commission that the irregular encroachment has been removed.

AHMEDABAD 16
ADC/594/2010
A resident of Ahmedabad, Smt Cheharben Maljibhai Desai in her grievance application dated 30-8-2010 to the State Commission stated that she has not been
getting Widow pension for Rs. 500 PM more than 10 months even after it was sanctioned to her by City Prant Officer with effect from August, 2009.

The State Commission asked for the report from City Prant Officer vide letter dated 11-10-2010; the City Prant Officer replied in his letter dated 30-10-2010 that his office only sanctions the pension and the payment is being made by the District Social Defence Officer.

The State Commission asked for report from the District Social Defence Officer vise letter dated 24-1-2011. The District Social Defence Officer has started in his report dated 8-3-2011 that the arrears of Widow Pension has been credited in her bank account.

By this way, with the State Commission’s positive approach, a widow received her widow pension.

Here are details of cases recommended by Government district wise by Gujarat State Human Rights Commission in connection to the applications received to Gujarat State Human Rights Commission during 2010-2011¹⁹

7.11 Several Recommendations made by the Commission 2010-2011

MEHSANA

MSA/71/2010

Applicant: Shri Pathan Husenkhan Zafakhan Date of Application: 30-7-2010

The State Commission has recommended to the Collector, Mehsana to sanction plot to them who may be entitled as per norms after examining the remaining ousters beneficiaries out of BPL list under encroachment demolition drive.

It is informed by the Collector that considering the recommendation of the State Commission the plots have been allotted.

AHMEDABAD

ADR/1/2007

Applicant: Smt. Nitmaliben K. Jagota

The State Commission in its partial modified recommendation to the Revenue

¹⁹Annual Report 2010-2011 Pg. 4 to 8
Department and Roads & Buildings Department asked to fix responsibilities of the officers involved in violation the standards norms of road boundary line affair of 6-1-2007 in which the business of woman has been disturbed by way of demolition of her hotel near Dhandhuka and also grant compensation to her. Final report is awaited.

GANDHINAGAR

GND/183/2009

Applicant: Smt. Mayaben J. Bhatt

Date of Application: 23-11-2009

The State Commission has recommended to the Social Defence Director to appoint the applicant on the post of Assistant Teacher having much experience and knowledge to qualify for the post compare to the selected candidate. It is further recommended to take legal action against the responsible institute. Case is under way.

AHMEDABAD

ADC/410/2009

Applicant: Smt. Gitaben Bhikhabhai Sharma

Date of Application: 7-8-2009

The State Commission has recommended to the Director General of Police to reconsider the payment of pension and gratuity to the heirs of the retired police head constable. The report is awaited.

AHMEDABAD

ADR/73/2010

Applicant: Shri Ashokbhai K. Gohil & others

Date of Application: 12-5-2010

After taking into consideration all aspects of the application, the State Commission has recommended to the labour Department to the effect that there should must to make provision in the law for granting substance allowance to the labourer at the time of the case filed in the Labour Court. The report is awaited.

GANDHINAGAR

GND/175/2010

Applicant: Smt. Ramilaben Babubhai Makvana

Date of Application: 28-9-2010
After examining the substances of the application the State Commission has recommended the Home Department and Addl. Director General of Police to sanction pensioner benefits to the wife of retired SRP constable.

The Addl. Director General of Police has reported to the Commission considering the recommendation of the commission and orders of the Hon’ble High Court, it is decided to abrogate the compulsory retirement order and confirm the removal order. The Case is under consideration.

GANDHINAGAR

GND/180/2010

Applicant: Pro. Dr. M. B. Patel  
Date of Application: 1-10-2010

The State Commission after consideration the facts of the application has recommended with detailed analysis and finding to the Higher Education Department to pay the benefits as per the standing policy and orders of the Education Department dated 17-6-1999 to the professor recruited on Ad-hoc basis and passed GPSC examination. The report is awaited.\(^{(10)}\)
### 7.12 Application received in Gujarat state human rights commission during 2010-2011 in different domain

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Application received in Gujarat state human rights commission during 2010-2011 in different domains.
7.13 CONCLUSION

It is a matter of common knowledge; Gujarat is one of the most industrialized and politically alert states in India. It has healthy democratic traditions and culture of service to the people cultivated since the freedom movement days guided India by the father of the Nation – Mahatma Gandhi and the Architect of Indian Unity Sardar Vallabhbhai Patel. Its human rights conditions are far better than that in many other States and Countries Economy is highly vibrant and the people's participation in an every activity is loudable.

The comprehensive vision mission and passion of the State in nearly all spheres touching Human Rights especially Education, Health, Culture and Heritage etc. with special focus on the citizens with under privileged and helpless background is immense profuse. The Government of State is very pragmatic and is very well-known for its Pro bono public attitude, dynamism, good governance and overall efficiency. In this context it may be delightful to notice that the Chief Minister’s Office, Government of Gujarat is the 2\textsuperscript{nd} place Winner of the United Nations public service award for improving Transparency, Accountability and Responsiveness in the Public Service category and in recognition of its contribution towards improving and effectiveness, efficiency and quality of public service, a certificate dated June 23, 2010 by Shri Zu Kang under Secretary General for Economic and Social Affairs, United Nation has been granted.

By and large, public of the State is adorably conscious of its rights and duties, the State is one of the most peaceful state in India. Whether the Crime rate, when compared with the rest of the Country, is low. Gujarati businessmen have enterprising and entrepreneurial caliber of a very high order, their superlative business acumen promises to have development at par with the rest of the developed world.

It is apposite to point out that the unpretentious citizenry of well-high entire state of Gujarat is human and endowed with remarkably perceptible charitable disposition as well as with steadfast devotion to the cause of human welfare and other social obligation, including the preservation of the precious human rights. Lots of people and numerous agencies government, ouasi-govt. Non govt. and municipal are engaged
in providing substantial assistance to the needy people in connection with the effective enjoyment and protection of their human rights. All of them deserve encomium and encouragement.

The report of 2010-2011 threw light on the vital performance in the form of same “exemplary cases” carried out and recommendation made to the various authorities by the commission during the year 2011. It can be seen that due to active and effective role of the commission, fruitful results were achieved and quick relief was meted out to the application. Thus the commission had proved its meaningful existence.

Summarily it is resulted that the public servants/authorities become more vigilant about the rights of people with intervention of the commission which is the sign of welfare state. Therefore, time bound steps are required to adhere under section 18 of the Act to dispose off the cases in specified time.