

4-7-2001

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National Human Rights Commission
(Chairman's Sectt.)

Subject: - Chairperson's visit to the State of Maharashtra in the month of June 2001-A report.

Chairperson reached Mumbai on 4 June 2001.

5,6 & 7 June 2001

Justice Ajay Khanwilkar and Justice Sharad Bobde of Mumbai High Court met with Chairperson and discussed issues of human rights which are also the concern of the courts.

During this period, Justice Arvind V. Savant, Chairperson, Maharashtra State Human Rights Commission was constantly in touch with Chairperson to deliberate upon matters relating to the functioning of the newly formed State Commission.

8 June 2001

Chairperson and Members of the State Commission hosted Dinner in honour of Chairperson, NHRC . On this occasion, Chairperson, NHRC impressed upon the Members of the State Commission about their responsibility in promoting and protecting human rights in the State. He said the goal should be to facilitate achievement of a high level of good

and humane governance. Coordination between the National and State Human Rights Commission in its functioning was also discussed.

9 June 2001

Accompanied by Justice Savant, Chairperson visited the premises allotted to the State Commission which was found unsatisfactory.

10 June 2001

Chief Justice of Mumbai High Court, Justice B.P.Singh, some judges and Chairperson of the State Commission met the Chairperson at dinner where important issues in which the role of Human Rights Commission and Judiciary is complimentary, were discussed. The problem of large number of undertrials and the need for speedy trials was an important issue of discussion.

11 June 2001

In the forenoon, in a meeting attended by Chief Secretary, Additional Chief Secretary, Home Secretary, Commissioner of Police, Secretaries of Women and Child Development, Urban Development, Labour, Health, I.G.(Human Rights), I.G.(Prisons) and other senior officers, Chairperson and Secretary of the State Commission, Chairperson, NHRC expressed his dissatisfaction over non-provision of basic facilities to the

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State Commission. He stated that the Commission appeared to have been constituted on paper alone. He emphasised that operational and financial autonomy is necessary for proper functioning of the Commission. Indicating the purpose of his interaction with the officers to work out modalities to help in providing higher levels of good governance, he emphasized that every State Government must interact with and respect the advice of the Human Rights Commission. It will go a long way in the protection of human rights. It is the ordinary citizen who needs an institution like the State Commission to protect his rights against the misuse of power. With a strong State Commission, credibility will be achieved in the eyes of the people in the country as well as in the international community. The Commission, therefore, should not be thought of as a necessary evil but as an institution essential for improving governance which is needed for the protection of human rights.

Later in this meeting, important items were discussed like issues of adoption of Model Autopsy Form, Abolition of Manual Scavenging, child labour in slaughter houses, combating sexual harassment at workplace, registration of marriages, improving police-public relations, implementation of NHRC guidelines on arrest, working of Human Rights Cell in police headquarters, Human Rights Training, setting up of District Complaints Authority, overcrowding in Jails, and Quality Assurance in Mental Health etc. The action taken report on all

these points provided by the officers in the meeting is being sent to the Secretary General separately. Chairperson told the officers to look into the reasons for increasing number of deaths in Beggar Homes in the State. Proper solution must be found to prevent such deaths. He also asked them to ponder over the issue of the stray dogs in Pune in order to find a satisfactory solution to the problem.

The officers assured the Chairperson to facilitate the functioning of the State Commission, and mentioned that the matter was being directly handled by the Chief Secretary.

12 June 2001

Chairperson visited the Mumbai Central Prison located at Arthur Road. He was accompanied by the Chairperson of the State Commission and the Inspector General of Prisons. He visited the women's ward, men's ward, hospital, video conferencing room, kitchen and vocational centre. The women prisoners complained to him that due to non-granting of bail for a long time and also delays in trial proceedings, immense hardship is being caused to them and the members of their families. Chairperson told the I.G.(Prisons) to provide the details of every prisoner to the NHRC and the State Commission. Chairperson requested the Chairperson of the State Commission to pursue this matter to overcome their hardships. He was

informed that the Chief Justice of the Mumbai High Court is already seized of the matter as well.

The number of prisoners in the jail is 2341 as against the authorized strength of 804. Of these 107 were women prisoners. The overcrowding in the jails requires to be tackled. The women's condition appeared to be pathetic which needs immediate attention. Toilet which is located in a corner in every individual cell itself appeared to be inconsistent with human dignity. The Chief Medical Officer, Sanjay Gangurde who was present in the hospital was asked a few questions on health issues. He appeared to be unaware of basic information about HIV/AIDS and how its spread can be prevented. He also stated that medical examination of the prisoners at the entry stage was not being conducted in the jail, which is a serious lapse on the part of the authorities in the implementation of the NHRC instructions on the matter. It also appears that senior doctors do not visit the jail. Utmost need is that the authorities must not only take therapeutic action to improve the conditions of the prisoners but also work for prevention of violation of human rights in general. Chairperson expressed dissatisfaction on the condition of the prison located in central part of Mumbai wherein the involvement of NGOs and other available resources could make a big difference. Secretary General may kindly take necessary action.

13 June 2001

Justice Ajay Khanwilkar of the Mumbai High Court hosted dinner in honour of Chairperson wherein the Chief Justice & other Judges of the Court were also present. The occasion was utilized for discussing important human rights issues of common concern.

On 14 June 2001, Chairperson returned to Delhi.

(K.V.S.Rao)
SA to Chairperson
18.6.2001

Secretary General