



MAHARASHTRA STATE HUMAN RIGHTS COMMISSION, MUMBAI

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Case No. 5194/2007-08 / 411

07-
26/11/08

Name of the complainants :

1. Shaikh Iqbal Dilawar
R/o Tilak Road, Ahmednagar
Tal & Dist Ahmednagar.
 2. Pravin Popat Salve
(Through Legal Guardian Mother)
Asha Popat Salve
R/o Behind Grampanchayat Office
At Post Dhavalpuri, Tal. Parner
Dist. Ahmednagar.
- V/s
1. The Commissioner
Women & Child Development Commissionerate
3, Church Road, Pune-411 001.
 2. The Management
Ahmednagar Yatim Khana & Boarding and Bhisti Masjid
Trust
P.T.R. No. B-223 (Nagar), Opp. Ahmednagar Municipal
Corporation, Ahmednagar.
 3. Sayyad Majid Gulam Rasul
R/o Near Jumma Masjid, Back Side of District Court
Tangegalli, Ahmednagar.
 4. Shaikh Yusuf Gulab
R/o At Post Dashmi-Gavan, Tal. Nagar
Dist. Ahmednagar.

Date : **October 22, 2008.**

Coram : **Justice Kshitij R. Vyas (Former Chief Justice), Chairperson.**

PROCEEDINGS

The complainants are absent at the time of hearing. On behalf of respondent Shri D. V. Desavale, Dy. Commissioner, Women and Child Development, Pune, Shri Sayyed A. Majid Clerk and Shri Shaikh Yusuf, Peon remained present. None present for the respondent No.2.

On the basis of the complaint filed by one Shaikh Iqbal Dilawar and Pravin Popal Salve for the alleged torture to the complainants and to take immediate action against the Management Ahmednagar Yatim Khana, the Commission issued notices to the respondents with a direction to file reply in the matter. The Investigation Wing of the Commission was also asked to visit Yatim Khana and to enquire regarding the allegations made in the complaint and submit the report.

In compliance with the said directions, Shri L. P. Tike, Superintendent of Police of the Investigation Wing of the Commission visited the Yatim Khana and submitted the report together with certain suggestions. The respondents who are managing authorities of the Yatim Khana have also filed the reply giving details about Management of Yatim Khan with documents to substantiate their say. Needless to say that they have denied the allegations made by the complainants in Toto.

Having gone through the replies and the report submitted by the Investigation Wing of the Commission, the Commission is satisfied with the work and maintenance carried out by the Trustees. The Ahmednagar Yatim Khana is established for running orphanage student's hostel and providing food, cloths, accommodation, medical facilities and education to the orphanage children for their rehabilitation, free of cost. The said Yatim Khana is running as per the guidance of Women and Child Development Department and the control of the said organization over the institution. The said department also sanctions the grant. Trustees who are present before the Commission have also assured that the suggestions given by the Investigation Wing shall be taken into consideration and shall be implemented.

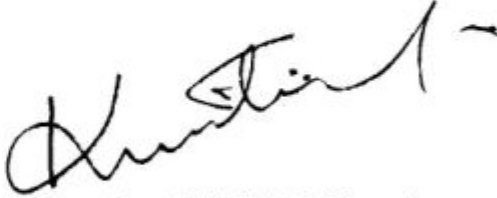
The Commission with a view to have some more assurance, issued notice to the Commissioner, Women and Child Development, Maharashtra State, Pune and asked the responsible Officer to visit the Yatim Khana and to enquire into the allegations made in the complaint and also on the working of the Yatim Khana.

Today at the time of hearing the Dy. Commissioner Shri D. V. Desavale is present and submitted a report. Shri Desavale has stated that in compliance with the order passed by the Commission, he himself has visited the Yatim Khana. He has found certain deficiencies stated in the report. There are as many as eleven (11) suggestions made in the report. **Since no responsible office bearer of the Trust is present at the time of hearing, the Commission while closing the case recommends the Management of the Ahmednagar Yatim Khana to carry out all suggestions stated in the report filed by the Commissioner, Women & Child Development, M.S., Pune in its letter and spirit.**

The Commissioner, Women & Child Development, M. S., Pune is also recommended that they will pay surprise visit to the said Yatim Khana periodically to ensure proper and efficient working of the Ahmednagar Yatim Khana.

With the aforesaid recommendations, the case is ordered to be closed.




(Justice Kshitij R. Vyas)
Chairperson.

Mumbai; October 22, 2008.