



THE GUJARAT STATE HUMAN RIGHTS COMMISSION

**SECOND ANNUAL REPORT
2007-2008**



**THE GUJARAT STATE HUMAN RIGHTS COMMISSION
Town Hall Annexe, Sector-17, Gandhinagar-382 017
GUJARAT**



सत्यमेव जयते

CHAIRPERSON

THE GUJARAT STATE HUMAN RIGHTS COMMISSION

Town Hall Annexe, Sector-17, Gandhinagar – 382 017, GUJARAT

FOREWORD

The GSHRC published its First Report last year (Year 2006-07) giving the background of its formation, organizational set up, legal provisions and implementation of The Protection of Human Rights Act, 1993 (PHRA,1993). The Protection of Human Rights Act, 1993 (PHRA,1993) provides wide scope and powers to deal with human rights issues, but very limited direct powers to Act. This is against the general perception that the commission has wide powers to deal with the issues referred to it. In fact the GSHR Commission is still not fully constituted as per the scheme of the Act as there is only Chairperson appointed there, who discharges his duties with the help of the officers provided by the Government and no member is still appointed. Though legally it may not pose any issues as it is protected by Section 9, but the vacancies of members give a feeling of incompleteness, hopefully Government will take steps to make it complete as soon as possible. The year 2007-08 was a year of many activities. The more posts were created but availability of the manpower remained a major constraint.

The act also aims at promotion and protection of the human rights and upholding the fundamental human rights such as right to life, liberty, equality and human dignity of the common men at large.

In exercise of the powers conferred by Section 21(1) of the Act, the Government of Gujarat constituted and set up the Gujarat State Human Rights Commission on 12th July, 2006.

According to the provisions of the Act the State Human Rights Commission is supposed to be an institute with the responsibility of promoting and protecting the Human Rights of individual citizens in the state and, thereby, to foster an administration of good governance.

The office of the State Commission is presently functioning in the annexee of the Town Hall situated in Sector No. 17, Gandhinagar-382017, with a camp office of the Chairperson at Bungalow No. 37, Ministers' Bungalows, Gandhinagar-382020. The Government also gave 5 vehicles for its effective use.

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

After constitution of the Gujarat State Human Rights Commission, the petitions from the citizens are directly received by the State Commission. On many matters the Commission initiates inquiry suo motu also.

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

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

The large numbers of applications were against the domestic violence and crimes against women and weaker sections in the state. Generally it is said that there are undue influence of films and modernization on the mind of people which lead to social exposure of women to outer world but the corresponding changes have not accepted by their immediate kith and kins and in laws. They always look for a bride to their son who can work for them as almost a perfect house manager, caretaker, and ideal entertaining hosts to varieties of guests. Any deviation or resistance from her side turn the tide against her and many times such brides are physically assaulted or even eliminated. It is a great task of social workers and society to accept the changed atmosphere.

The property disputes and unauthorized possession of land and going to criminal cases rather than handling them from revenue systems who maintain 'Record of Rights' is another managerial draw back in the field machinery particularly pertaining to the urban properties. It breeds lot of vested interests.

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

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

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

The state Commission took the issue of 'Plea Bargaining' provision of the CrPC Section 265A to 265L. Secretary held series of Meetings with the district administration and impressed the district authorities to concentrate on thinning the overcrowded inmates in the prisons.

The State Commission has developed its own website wherein one can see the required information and position of one's case at home. It also provides the required information under Right to Information Act, 2005 as well as all required guidance to people.

The section 33 (2) of the Protection of Human Rights Act, 1993 envisages complete autonomy to the State Commission for spending of grants paid by the State Government for the purposes of the Protection of Human Rights Act, 1993, in the way it deems fit. However, though the State Commission gets regular grants yet it has to approach the Government for every new issue. The proposals for full autonomy is not accepted by Government, but the Commission's endeavour is there to further impress the authorities to accept this request because without the full autonomy Commission cannot act as per its own plan. Secretary has series of Meetings with the senior officials but their recommendations have not been accepted and are still under consideration of Government.

The Commission was visted by the various dignitaries at National and international level. Ms Ashma Jahangir, The UN Special Rapporteur for Freedom for Religion and Belief, visited the Commission and was happy to note that there was no application of discrimination based on religion. The Commission had made many recommendations to the State Government or concerned public authorities during the year 2006-07and 2007-

08. While some of the recommendations have been accepted and implemented, some are still pending for decision at the level of the Government or other authorities. This fact is also reflected from the budgeted provision and expenditure for the year 2007-08. The total budgeted provisions could not be utilized by the Commission due to shortage of time and initial teething problems of its establishment. The annual report of the State Commission for the year 2007-08, based on the available record, and approved by it, is being submitted, herewith, in accordance with the provisions of Section 28 of the Protection of Human Rights Act, 1993.

At this juncture, I take this opportunity to submit the Report to the state Government to place it before the State Assembly.

Place: Gandhinagar
Dated:24.2.2009

(D. S. Sinha)
Former Chief Justice, Gujarat
&
Chairperson,
The Gujarat State Human Rights Commission.
Gandhinagar.

Gujarat State Human Rights Commission

Annual Report: 2007- 08

Preface

The Year 2007-08 was the first full year of functioning of the Commission in the state. The Commission received petitions on the various issues under its jurisdiction. Priority was given to address the old issues referred by the Hon High Court Committee. During the year 2007-08 the State Commission had received total 1420 complaints and petitions from 1st April, 2007 to March 31, 2008. In the beginning of the year there were 191 petitions pending from the last year 2006-07. Thus total 1611 petitions were required to be handled before the State Commission in the year 2007-08, out of which 1060 petitions have been disposed off and 551 applications remained pending at the end of the year. The State Commission has prepared district wise and subject wise statistical statements of classification of total 1420 applications under 89 sub heads of 15 major heads received during 2007-08. The petitions from the citizens are directly received by the State Commission.

As it was stated the Government had enacted many laws for Administrative Reforms, out of which 'Human Rights Protection Act, 1993' is one of very important revolutionary law. It was noted that many times petitions or applications are received by the Commission in a routine manner as endorsed applications to one of many dignitaries, authorities under the law. The Commission acted cautiously to remove any misconception on the objective of the Act and to ensure that proper attention to these petitions be paid at appropriate level, but that is not the proper method to address the issues. The commission thought it proper to lay down some guidelines for the benefit of the applicants by giving a proper format for the purpose. It was also necessary that applicants know apart from our laws of land some important international convants which form the basic of human rights and enshrined in fundamental rights of our constitution. In democracy laws are made by majority people in power but these basic pillars are to protect every one's rights individually whether he is in majority or minority or even not a citizen of this country. The Commission also notified its Regulations in 2006, these are also given to have complete idea of the prescribed procedure for functioning of the Commission. The Commissions are certainly not the first contact point on many issues, It is the concerned public authority which is entrusted to take care of the relevant human rights at the initial statge falling under their jurisdiction itself, the commission comes into picture when the concerned agency or authority failing in discharging its functions as per objectives of the law. The Human rights commissions are also barred from the issues dealt by special statutory authorities, Commissions created for this purpose. There fore, it is necessary to know whether the aggrieved has approached those forums or not. Since judiciary is independent, and Commission is a quasi-judicial body, it is not expected to indulge in issues pertaining to judiciary. Since Commission is primarily entrusted with the task of protection of Human Rights a moral responsibility lies with the commission to work as the watch dog of Human Rights in the state.

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 deteriorations in the expected behaviour of people however despite lot of drawbacks, no other system can be better form then the democratic system where majority and minority both are ensured of protection of human rights., it is utmost important that the fundamental rights of the citizens are protected and guaranteed under such Act. The Human Rights Protection Act, 1993 protects and provides relief 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 human dignity.

All the major efforts have been directed towards the full protection of the human rights. The Commission deals with its 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 groups such as Scheduled Castes, Scheduled Tribes, Primitive Tribals, Women, Children and Minorities of the society.

Gujarat is a progressive State. It remained as a peaceful State from the point of views 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 Hon'ble Supreme Court, or before the Hon'ble High Court or National Human Rights Commission or pending before any Competent legal Authority handling such cases can also be examined by the Commission. After coming this Commission into existence, the State generally remained peaceful and normal. Generally, the citizens of the State are well aware of their rights and as a result, there is a better law and order situation in Gujarat comparing to the other States of the country, which plays an important role in the enjoyments of human rights for the people.

The Commission noted with satisfaction in the last report that the State Government has made available with help of internet connection Gujarat State Wide Area Network (GSWAN) required information on state Government policy matters and other information, everywhere in the state to people connected by internet such as Central Government, people in Foreign countries, Legislative assembly, its offices, High Court, Government Ministers' Offices, Sachivalaya Departments, Offices of Heads of Departments, District Offices, Municipal Corporations, District Panchayats, Municipalities, Taluka Level Offices, Zonal Offices, Boards and Corporation Offices, Village Panchayats at Village level and liaison offices of the organizations etc. Therefore, this transparency is very helpful in redressal of grievances and providing information of most of the policy decisions taken in the State. The state Commission has also launched its website having address: '<http://ghrc.nic.in>'. It was also stated that, the general public or a common man can approach public and Government Offices on every Monday. On that day, each officer remains present in his office, and on every Tuesday, the elected representative people can approach to the office, on any time without prior appointed time. As a result, many cases of breach of human rights are getting resolved. Besides this, coordination has been well set with the heads of public offices and general public from village level to district level and state level, and as a result intensive care

is being taken for the smallest grievances of common man. Even then issues of such a large state are many small and big mistakes are there which are solved by helping people and being useful to people. It was also stated that, the Office of the Commission, is the state forum to protect human rights, each District Sessions Court in the State has been declared as the Human Rights Court and the Public Prosecutor of each Sessions Court has been appointed as the Special Public Prosecutor to take up human rights cases. However, due to lack of awareness and clarity about this aspect, this facility is not much utilized at all at districts level. More elaborate arrangements of these provisions are required to be made in this direction.

The Commission has compiled this Report into 8 Chapters. Chapter 1 deals with general introduction its legal background formation, functions and procedures etc , Chapter 2 focused on the of activities at the District administration and need to empower common man at that level, which is the cutting edge level for a common man. Sensitizing District Administration can help in protecting rights of masses, Chapter 3 deals with performance and position of weaker sections and crimes committed against them. In fact 90 percent of offences are directed against them. It is surprising the domestic violence is surpassing other crimes. It shows the family value conflicts and total social indifference to resolve these conflicts are taking lot of social energy. Greater efforts are needed socially to remove these conflicts. Chapter 4 deals with general cause of concerned from the Human Rights angle to the people below poverty line, poverty is the greatest violatin of human rights. The person below poverty line has no capacity to enjoy properly his human rights. Various programmes, particularly the Mellenium Development Goals adopted by the UNO aimed for helping the poor and reducing this figure to half by 2015. Our own 20 Ponit Programme started three decades ago, issues of employment generation, enforcement of Minimum wages, food security, enrolment of girl child in schools, sanitation programmes, and monitoring programmes for benefit of weaker section are to be focused to remove social and economic backwardness. The Chapter 5 deals with the major efforts to ensure Good governance which is prerequisite for helped to reduce the miseries of people and facilitate them to enjoy their rights more effectively. Chapter 6 deals with issues management of prisons and the custodial crimes. The prisoners are both nerve centres as offenders and offended of violation of human rights. A proper management of these nerve centres can help society a lot. The Commission visited these centres and given details in this chapter. Chapter 7 covers exemplary cases, the various issues referred to the Commission and Commission helped to resolve them in its modest manner, and finally, Chapter 8 conclusions and recommendations of the commission to various Departments of the Government to deal with the issues more effectively.

The report provides relevant information in annexures to give clear idea of the various aspects of violations of the Human rights.

This report has been prepared with the detailed information of Commission's all officers and staff, its organizational setup and structure, formation and historical background, statements of accounts, statements of prescribed subject wise and district wise petitions in the state, cases of important issues and subjects schedules are prepared by the Commission such as the list of functions and powers of the State Commission, procedure to be undertaken for applications /

petitions being received in the State Commission, details of hearing and procedure and also the telephone directory of Senior Responsible Officers of the State Commission. There are also some limitations in its institutional functioning. However, numerous achievements have been there for the protection of human rights, and continuous efforts have been initiated in this direction for securing more and more achievements of goals. We are grateful to our small family of faithful and sincere officers, entire staff, representatives, experts and Government Departments for their cooperation for achieving our objectives as a great success.

This Annual Report for the year 2007-08 of the Gujarat State Human Rights Commission is submitted before the State Government under Section 28 of the Protection Human Rights Protection Act, 1993.

Date: 25th February, 2009

Place: Gandhinagar.

(Dr. R. L. Meena)

Secretary,

Gujarat State Human Rights Commission,
Gandhinagar

GUJARAT STATE HUMAN RIGHTS COMMISSION

SECOND ANNUAL REPORT : 2007-08

Contents

Sr. No.	Particulars	Page No.
i Foreword	By Justice Shri D.S.Sinha, Hon'ble Chairperson, GSHRC	i
ii Preface	By Dr. R.L.Meena, IAS Secretary, GSHRC	v
	Index	
*Chapter 1	The Gujarat State Human Rights Commission Brief Introduction, History, Functions and the Procedure.	1
*Chapter-2	Functions of District Authorities for Human Rights (Sensitizing the District Administration).	6
*Chapter-3	Atrocities and Crimes against Weaker Sections	9
*Chapter-4	Human Rights, Poverty Alleviation and Millennium Development Goals (MDG), enforcement in the Tribal and Backward areas.	16
*Chapter-5	Democratic Working and Good Governance (A pre-requisite for Protection of Human Rights)	21
*Chapter-6	Custodial Crimes and Prisoners' Conditions (Violation of Human Rights by Authorities)	25
*Chapter-7	Exemplary Cases observed by the GSHRC in 2007-08	29
*Chapter-8	Conclusion and Recommendations	37
	Annexures	
Annexure-1	The Universal Declaration of Human Rights (UDHR) United Nations	43
Annexure-2	Gujarat State Human Rights Commission- (Procedure) Regulations (Notification Dt. 22-12-2006)	47
Annexure-3	Gujarat State Human Rights Commission-Guidelines for applications , Dt. 24-12-2006	51
Annexure-4	List of Important Notifications Reported in the 1 st Annual Report of GSHRC	53
Annexure-5	(5A) Details regarding Fatal Road Accidents (5B) Achievement in Vaccination Programme (5C) Achievement in Mother Child Programme (5D) Work done under Chiranjivi Yojana during 2007-08	54
Annexure-6	Retention and Drop out Rate of Std. 1 to 5 in Gujarat State (1990-91 to 2007-08)	55
Annexure-7A	20 Point Programme 2007-08 Poverty Alleviation Programmes	56
Annexure-7B	20 Point Programme-National level Score Card and Statement of Progress for the year 2007-08	59

Sr. No.	Particulars	Page No.
Annexure-8	Organisational Structure of GSHRC	60
Annexure-9	(9A) Statement showing offences registered under Atrocity Act (Schedule Caste)	61
	(9B) Statement showing offences registered under Atrocity Act (Schedule Tribe)	62
Annexure-10	Prison Statistics of Jails in India for the year 2005 (NHRC)	63
Annexure-11	(11A) Information regarding Crimes against Women in Gujarat (1991-2008)	66
	(11B) Offences of Atrocity on Women during 2007-08 in Gujarat	67
Annexure-12	Statistical Information regarding Applications received at GSHRC 2006-07 and 2007-08	68
Annexure-13	Statements 13(1) to 13(6) Districts > Classified Subjects Applications received by GSHRC during 2007-08 *Annexure 13(7) NHRC classification codes.	69
Annexure-14	(14A) Guide Lines issued by NHRC regarding Encounters	77
	(14B) Statement showing details about Missing Children	78
Annexure-15	Graphs showing functions- year 2007-08	
	15(1) Applications> Districts wise	79
	15(2) Applications>Classified Subjects wise	80
Annexure-16	List of Sanctioned Posts in the Office of GSHRC	81
Annexure-17	Telephone, Fax and Mobile Numbers of the Officers of GSHRC	82

CHAPTER : 1

The Gujarat State Human Rights Commission Brief Introduction, History, Functions and the Procedure

The Protection of Human Rights Act 1993, is primarily based on the initiative taken by The United Nations Organization (UNO) after the world War II, felt a need for international conventions to protect the Human Rights, The Universal Declaration of Human Rights (copy of the UDHR is given in Annexure 1) and the fundamental rights and directive principles enshrined in the various provisions of the Constitution of India. The Protection of Human Rights Act, 1993 provides for the "National Human Rights Commission" (NHRC) at National level and under the same Act, as per Section 21 independent 'State Human Rights Commission' (SHRC) at State level. The various notifications and orders passed for this purpose were given in the Annual Report 2006-07. However, a list of these Notifications and orders is given in Annexure 4 for ready reference. Accordingly, both levels the national Commission and state Commission are functional to deal with the complaints against the breach of Human Rights in the Gujarat State in their respective subject areas. Under Section 30 and Section 31 of the Protection of Human Rights Act, 1993, provisions have been made with the consent of Hon. Chief Justice of the High Court to appoint special courts for the speedy disposal of the cases of breach of Human Rights, headed by a Judge of each District Sessions Courts as the Special Court of Human Rights by a notification of May 24, 2002 and by a notification of July 20, 2007 appointed Public Prosecutors for speedy disposal of breach of Human Rights, Moreover, the State Commission opened its own website for State Commission's important information one can see i.e. <http://ghrc.guj.nic.in>. The Gujarat State Human Rights Commission has started its function from Sept, 2006 which is given in detail in its First Report in the Year 2006-07. The functions and activities performed in the second year 2007-08 are covered in this Report.

To maintain its information system, The National Human Rights Commission has prescribed the details of 'common code of subjects' which is being followed by the State Commissions also, this shows sub heads and major heads of different subjects on the breach of Human Rights in its rules and on these lines,[(see Annexure 13(1 to 6)]. It is undertaking to link the management information system (MIS) through the National Information Network and Gujarat State Wide Area Network (GSWAN).

The work of the Commission starts with registration of the petition as soon as reached to the state Commission, it is acknowledged, and its inquiries start and seeking reports from the concerned government departments. During the year 2007-08, up to March 31, 2008, the State Commission has received total 1420 complaints and 191 petitions were pending of last year. Thus total 1611 petitions were handled during the year by the State Commission in the year 2007-08, out of which 1060 petitions have been disposed off. The State Commission has disposed off all except 551 applications pending at the end of the year.

The State Commission has prepared district wise and subject wise statistical statements of classification of total 1420 applications under 89 sub heads of 15 major heads received during 2007-08 the important aspects of the subjects of these petitions will be discussed in chapters 3, 4 and 6.

The GSHRC maintains the details of its accounts statement and has submitted in the provisionally prescribed format as the audit work is underway. Brief statement of the expenditure incurred from the financial grants provided by the Gujarat Government for the purpose of its

functioning and exercising powers of the State Commission for the year 2007-08 are given below. These grants are allotted by the Gujarat Government under section 33 of the Protection of Human Rights Act, 1993.

Expenditure incurred for the second year (2007-08) Available grants (Provisional)

(As this is the second year statistics are not presented for the last three years)

Sr. No.	Major Head of Budget	Minor Head	Sub Head	Year wise amounts (Rs. in lakhs)			
				Grants Sanctioned		Actual Expenditure incurred(provisional)	
				2006-07	2007-08	2006-07	2007-08
1	2070, Other Administrative services	104 Vigilance	03 GSHRC	109.00	111.65	108.51	108.29

Organisational Structure of Gujarat State Human Rights Commission is Given in Annexure-17

Functions of the State Commission

The State Commission has to perform following functions as per Sections 12 ,13, 17 and Section 18 of the Protection of Human Rights Act, 1993, Section 12 prescribe the functions of the Commission which interalia include to

- (a) Inquire, suo motu or on a petition presented to it by a victim or any person on his behalf, or on a direction or order of any court into complaint of:-
 - (i) Violation of human rights or abetment thereof; or
 - (ii) Negligence in the prevention of such violation, by a public servant;
- (b) Intervene in any proceeding involving any allegation of violation of human rights pending before a court with the approval of such court;
- (c) visit, notwithstanding anything contained in any other law for the time being in force, any jail or other institution under the control of the state government, where persons are detained or lodged for purposes of treatment, reformation or protection, for the study of the living conditions of the inmates thereof and make recommendations thereon to the government;
- (d) Review the safeguards provided by or under the Constitution or any law for the time being in force for the protection of human rights and recommend measures for their effective implementation;
- (e) Review the factors', including acts of terrorism, that inhibit the enjoyment of human rights and recommend appropriate remedial measures;
- (f) Study treaties and other international instruments on human rights and make recommendations for their effective implementation;
- (g) Undertake and promote research in the field of human rights;
- (h) spread human rights literacy among various sections of society and promote awareness of the safeguards available for the protection of these lights through publications, the media, seminars and other available means;
- (i) encourage the efforts of non-governmental organizations and institutions working in the field of human rights;
- (j) Such other functions as it may consider necessary for the promotion of human rights.'

The definition of Human Rights

The Gujarat State Human Rights Commission functions as per the provisions of the Protection of Human Rights Act, 1993. The definition of "Human Rights" under the Act in Section 2 (d) is given as follows:-

(d) "human rights", means the rights relating to life, liberty, equality and dignity of the individual guaranteed by the Constitution or embodied in the International Covenants and enforceable by courts in India",

Moreover, for the purpose of law, "Commission" means National Human Rights Commission constituted under Section 3(1), while, "State Commission" means State Human Rights Commission constituted under section 21 (1) read with Section 2 (1) (n) and wherever "Commission" is mentioned, there is an amendment in Section 29 about reference to "Commission" shall be construed as references to "State Commission" in that context. The constitution, duties and powers of the State Human Rights Commission are given in Section 21(1) Chapter V of the Act and the functions to be performed by the State Commission are in Section 21(5) given below.

"21(5) A State Commission may inquire into violation of human rights only in respect of matters relatable to any of the entries enumerated in List II and List III in the Seventh Schedule to the Constitution:

Provided that if any such matter is already being inquired into by the Commission or any other Commission duly constituted under any law for the time being in force, the State Commission shall not inquire into the said matter

The procedure adopted by the state Commission

To streamline further procedure, in exercise of the powers conferred by sub section (2) of Section 10 read with Section 29 of the Protection of Human Rights Act, 1993, the Gujarat State Human Rights Commission has made Regulations which are notified vide Notification No. HRC-102006-EST dated 22-12-2006. The Regulations are called "The Gujarat State Human Rights Commission (Procedure) Regulations, 2006". They came into force from 22nd December, 2006. The Regulations have incorporated the provisions of the Headquarters of the State Human Rights Commission, Venue of the Meetings, Periodicity of Meetings, Secretariat Assistance, Agenda, and Procedure for dealing with complaints. As per Clause 8 of the Regulations, all complaints in whatever form received by the State Commission shall be registered, assigned a number and acknowledged and, ordinarily, placed for admission, as far as possible, within two weeks of receipt thereof. Ordinarily, complaints of the following nature are not entertainable by the State Commission. (a) In regard to events which happened more than one year before the making of the complaints, (b) With regard to matters which are sub-judice, (c). Which are vague, anonymous or pseudonymous, (d). Which are of frivolous nature & (e) Those which are outside the purview of the State Commission. The Commission prescribes for personal hearing of the petitioner or any person on his behalf before any officer, member, bench or special bench. The Commission can direct further investigation for ascertaining the truth enabling proper disposal of the matter. The guidelines provide for the petitioner to approach the Human Rights Courts and the format of the application, etc. These Regulations dated 22-12-2006 and Guidelines dated 24-12-2006 are given in the annexures (2) and (3)

Under Section 17. 'The Commission while inquiring into the complaints of violations of human rights may:-

(i) Call for information or report from the Central Government or any State Government or any other authority or organization subordinate thereto within such time as may be specified by it:

Provided that:-

(a) if the information or report is not received within the time stipulated by the Commission, it may proceed to inquire into the complaint on its own;

- (b) if, on receipt of information or report, the Commission is satisfied either that no further inquiry is required or that the required action has been initiated or taken by the concerned Government or authority, it may not proceed with the complaint and inform the complainant accordingly;
- (ii) without prejudice to anything contained in clause (i), if it considers necessary, having regard to the nature of the complaint initiate an inquiry.

The State Commission has the powers relating to inquiries u/s 13 and the steps after the inquiry under Section 18. Considering the above provisions of the law, the Complaints /petitions are received from the petitioners from all over the State, they are first being registered in the Inward Register of the office of the Commission and the receipt for the same is given to the concerned Petitioner on the spot. Thereafter, such applications are scrutinized under the provisions / rules prescribed under the Human Rights Protection Act, 1993 and if prima facie breach of such Human Rights is found in it, the Public authorities of the concerned Departments / Sections / Authorities / Offices / Boards / Corporations are called for to submit an independent clear report within 21 days in normal circumstances, and if it is not submitted within the prescribed time-limit, the concerned Public authority is issued notice for the required information as per section 17(i)(a) of the Human Rights Protection Act, 1993, to submit the same within 7 days without fail and if even after this action the report is not received, the State Commission takes further action and as per the provisions of section 13 (5), the State Commission procedure prescribed in the Civil Procedure Code as a Court. A preliminary hearing is done and the party can be summoned and the concerned Officer can be issued summons to remain present and the petition is admitted, the case and may initiate for further detailed inquiry. The Commission can also take action as per section 18 after adopting procedure as per sections 13 and 17.

The report received from the "Public Servant" is scrutinized in the Commission. After completion of its scrutiny, the opinion of the Commission is sent to the concerned Officer, and if the complaint received from the Applicant is solved in the report received from the Public Servant, its note is taken and the Applicant is finally replied accordingly. But if, the complaint is not found correct on the basis of report, such cases are filed and disposed off and the Applicant is informed accordingly.

In certain cases, if there is any commission or omission no action on the breach of human rights in the preliminary report and proper procedure is not followed by the Public Servant, then after hearings, compliance is sought and thereafter, necessary recommendations, directions and decisions are given from the State Commission to the Public Servant for implementation of the directions to protect the human rights. The concerned Public Servant / Government Department has to implement the recommendations, directions and decisions of the State Commission, if compliance is not done the commission can take its note in its Annual Report.

For the applications/petitions received in the State Commission, after receiving the report from the concerned competent authority it is scrutinized and thereafter State Commission takes final decision and if there is any serious lapse in the case at any stage right from inception to conclusion, under the Protection Of Human Rights Act, suggestion, instruction, recommendation are sent to State Government or to the competent authorities as well a intimation sent to the concerned petitioner. The state Government or the concerned state authority in normal circumstances accepts such recommendations and as per instructions under section 18(e) complies within a period of one month or within the extended period by the Commission, in such period the recommendation, guidance, instructions or advice action, provision of report are made. For such recommendations or directions as received in normal circumstances by the State Government or concerned authority. With a view to make available immediate protection of civil rights within a prescribed time limit at free of cost in these circumstances present highly expensive without delay in justice, an easy and inexpensive procedure has been chalked out under this Act.

In context to human rights, an important provision has already been made in section 14 so as to utilize the services of any officer or any office of the Government with the concurrence of the Government thus, concerned office or authority has to work under the full control of the State Commission, and a provision has also been made to publish its report about procedures done or to be done about observations of such report by the Commission after receiving from the authorities under section 18(f) of the Act.

Under section 18(a) of the said Act, if the State Commission finds that the public servant has breached the human rights, then it will recommend to the authority as it deems fit to take actions about responsibility for reimbursement as suggested in the Act.

Under section 18(b), the State Commission can contact in such a way as the court finds it proper for issuing writ, orders or directions from the Hon'ble Supreme Court or High Court and under section 18(c) can recommend interim relief as deem fit.

After the action taken by the State Commission, reports are to be submitted about the actions taken or to be taken regarding recommendations, directions, suggestions or guidance of the State Commission within a prescribed time limit to the Government or the concerned authority. If a report is not received within a prescribed time limit or an extension of time limit has not got the responsibility arise of the concerned authority about not acceptance of the recommendations of the State Commission. So, thus, the State Commission be continuously committed in the direction to provide easy and speedy justice to the citizens.

The Government or the concerned authority is immediately informed with the recommendations or suggestions about each case either as disposed off or as filed up by the State Commission. So, information can be obtained by contacting State Commission regarding the non intimation of final disposal of the case admitted in the State Commission. Thus, the real picture of disposed of cases and actions taken about the recommendations of the State Commission can be reflected in the report of the State Commission and a separate assessment can also be done from the data about the awareness and competency of the Government Departments or authority regarding human rights in this context.

The Gujarat State Human Rights Commission undertakes important work in cases of alleged breach of human rights of the citizens of the State and orders to the Public Servants to follow human rights and contributes its maximum towards the implementation of people oriented and transparent administration.

CHAPTER : 2

THE FUNCTIONS OF DISTRICT AUTHORITIES FOR HUMAN RIGHTS (Sensitizing the District Administration)

Legislature, Judiciary and Executive are the three pillars of Democracy and are given a balanced role to contribute to the democratic ethos to run the country. Of the Executive, the District Magistrate plays a vital role. Being the Nodal officer at the District level to vast field of "Executive", have over all responsibility to ensure protection of Human Rights. It harnesses all the development projects of Government and also maintains District administration including law and order at the Cutting Edge of the society. It has to work in liaison with the various State Government Departments, Central Government offices, NGOs, Statutory bodies, Armed forces, Private Organisations etc. Apart from the implementation of the Government Policy, it has to apprise the higher authorities regarding ground realities of the District. As, lot of qualified, talented and professional youngsters are entering in this field, it is necessary to create awareness towards Human rights among them. Thus, sensitizing the District Administration means ensuring that the people will get their due from the Administration and in making the life of the people much better and dignified.

2. The District Administration is the real face of the state administration. All kinds of administrative and developmental activities are initiated, supervised and followed up till the delivery level. District Administration needs to be sensitized so that it can act as prime Human Rights defender as per the international standards and in ensuring the practice of true Democracy at the grassroots level. So as to ensure basic Human Rights to the citizens, its alertness and attitude as prime Human Rights defender within the government system is absolutely essential for a democratic and welfare state.

3. All public welfare functions and schemes of State Government e.g. Local bodies, Law and Order, Scarcity relief, Natural calamities and Disaster Management, Public Health and Sanitation, Education, Roads, Electricity, Irrigation, Food and Nutrition, Agriculture, Fisheries and Preservation of Forests, Prisons and custodies, Care to Children, old age and retarded people and upliftment of slum dwellers, marginal farmers, labourers of unorganised sectors and women, Social justice and empowerment related to Economically and socially backward classes, Scheduled castes and Scheduled tribes, Juvenile Justice and atrocities on Women, Cottage and small scale industries, Co operative societies, Sports, Literature and Cultural Activities, Urbanisation issues, Housing are carried out through District Administration, hence it can be the only important and vital agency so far as the issues of Protection of Human Rights are concerned.

4. In modern concept of pro people administration, the independent agencies and NGOs only need not to raise the flag for Protection of Human rights. The duly Sensitized District Administration should be one of the agencies within the government machinery, which can take up the causes for Protection of Human Rights, easily and successfully. The District Administration can also make use of Human Rights norms as a strong weapon to protect people from the clutches of vested interest. Any individual or NGO has to spend time and money both to get redress for Human Rights violation, which can also be taken up by the District Administration even before any such violation takes place or at the time of such violation. If such happens within the Government System, then definitely it is the wonder of Democracy.

5. District administration plays a key role in handling the Human Rights issues. The state Government has also designated District Courts as the Human Rights Courts in the state. The District Authorities are supposed to deal effectively all the issues but on account of lack of awareness among the administration and people most of the petitions are addressed to the Commission at the state level and copies are sent to the District Authorities and field functionaries. Here issues are of District level hence the Commission needs verification of record or the facts on the ground. This process makes the procedure lengthy and costly for the petitioner.

6. The NHRC has got prepared 'The Human Rights Manual for District Magistrates' and has sent it to every District heads as they are expected to address district level public grievances directly. The manual emphasizes the role of District Administration in deep.

7. New Global standards of governance are emerging need to be enforced at the district level to reach to the common man. Citizens are demanding better performance on the part of their governments and they are increasingly aware of the costs of poor management and corruption. The District Administration should have the objective to promote sound development management through basic level good governance that seeks to advance the following critical objectives:

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

8. Therefore, the role of District Magistrate becomes very important to have full public orientation of the district administration to be sensitive to resolve these issues before they become complicated and hardened the attitude of the belligerent parties and become subject to judicial litigation. There are many regulatory Departments maintaining Village records including Record of rights, the Revenue Department which is the custodian of Land Records. A proper maintenance of this record which is historically being done by the Talati-cum-Mantris and under close supervision of Circle officer Mamlatdar and all developmental records under Taluka Development Officers. The upto date maintenance of this record is key to bring desired efficiency and transparency in the District Administration. The transparency brought under Village Panchayats by internets can empower the common man.

9. The experience of about last two years shows that most of the grievances are in public at the District level. Even those policy issues at the state level the grievances are reflected at the district level functioning only. Therefore, the importance of District Administration get prime place in handling them. The 10 major areas of grievances are issues pertaining to. The present public grievances in the state are largely found in the following areas of legal framework

- (1). Domestic violence against women, dowry deaths, rape, murder and suicides.
- (2). Disputes regarding properties particularly with family members,
- (3). Atrocities against the Scheduled Castes and Scheduled Tribes.
- (4). Police issues regarding prohibition, Custodial tortures and illegal detentions.
- (5). Land disputes and issues regarding rights of roads.
- (6). Issues of rehabilitations of unauthorized colonies.
- (7). Complaints of Maintenance of revenue records and city survey records etc.
- (8). Grievances regarding pension discrimination in service and non payment of GPF and pensions in time.
- (9). Procedural irregularities arising of urban land transactions.
- (10) Money lending at high interest rates, Loan recovery and Economic disputes.

10. There is not much awareness to raise HDI issues but these real long term Human Rights Issues needed immediate attention. Some of these issues are being monitored as Programmes on the directions of the Supreme Court. The District administration has to be more focussed on the following areas:-

- (1)→ Abolition of Bonded Labour
- (2)→ Functioning of the Mental Hospitals at Ranchi, Agra and Gwalior
- (3) Functioning of the Government Protective Home (Women), Agra
- (4)→ Right to Food

- (5) Review of the Child Marriage Restraint Act, 1929
- (6)→ Protocols to the Convention on the Rights of the Child
- (7) Preventing Employment of Children by Government Servants: Amendment of Service Rules
- (8)→ Abolition of Child Labour
- (9) Guidebook for the Media on Sexual Violence against Children
- (10)→ Trafficking in Women and Children : Manual for the Judiciary for Gender Sensitisation
- (11)→ Sensitization Programme on Prevention of Sex Tourism and Trafficking
- (12)→ Maternal Anaemia and Human Rights
- (13)→ Rehabilitation of Destitute Women in Vrindavan
- (14)→ Combating Sexual Harassment of Women at the Work Place
- (15)→ Harassment of Women Passengers in Trains
- (16)→ Abolition of Manual Scavenging
- (17)→ Dalits issues including atrocities perpetrated on them
- (18)→ Problems faced by Denotified and Nomadic Tribes
- (19)→ Rights of the Disabled
- (20) Right to Health
- (21)→ HIV/AIDS
- (22) Relief Work for the Victims of the Natural Calamities
- (23)→ Monitoring of relief measures undertaken after Gujarat Earthquake 2001
- (24) District Complaints Authority
- (25)→ Population Policy, Development and Human Rights

CHAPTER : 3

ATROCITIES AND CRIMES AGAINST WEAKER SECTIONS

India being one of the oldest continuing civilizations it has carried lot of burden of past social vagaries with it. There have been continuous flow of immigrants from North –East and Central Asia; the winners of the battles imposed their own conditions to the defeated and over a period of time developed as a code of conduct for each group. For centuries together the majority of its population was deprived of various basic rights like acquiring knowledge and protecting themselves from the exploitation. The 'Karma Theory' of birth gave these rigorous restriction a religious legitimacy which kept them in low esteem and subjudication. The social reforms of last five hundred years and the serious movements of the Father of Nation Mahatma Gandhi and great Leader Dr. BR Ambedkar have brought them recognition of equality before the Constitution of India and not only assertive action of abolition of untouchability and any inequality before law is enacted, but directive principles of state policy also found way in the statute. No doubt, the pace of change was slow but this was a unique peaceful revolution taken place any where in the world. **Barrack Obama** the dream President of America's black population, who got decades after US rights to vote, sworn as the President within 45 years of gaining franchise, need emulation the strategy for Indian democracy to resolve social issues which have failed to bring a down trodden as Prime Minister even after more than 59 years of adult franchise.

2. The form of discrimination against Weaker Sections have now changed shape from physical discrimination to economic and that is the reason any adverse situation developed they faced the burnt first. The present economic slow down cannot be any exception which has rendered innumerable casual workers jobless. No doubt the Employment Guarantee programmes are to some extent helpful but they are the worst hit. even without economic slow down these weaker section faced social discriminations and there are large number of petitions received in the commission from these groups, the women, scheduled Castes (SC) and the Scheduled Tribes (ST), children and minorities, the people below poverty line, and people affected by projects or the natural disasters etc. This chapter is devoted to analyze the size and nature of these recorded atrocities in the foregoing paragraphs. The revolutionary legislation of right to information, no doubt slightly empowered them but there is lot of efforts require to level the social malaise.

Human Rights and Dalits - a legal framework:

3. The fall out of deep rooted malaise of Varna classification in Manusmirti passed through millenniums of history necessitated long term affirmative action in India for Dalits and weaker sections and women which dates back to social reforms initiated in the 18th Century. Efforts of Raja Ram Mohan Roy are well known to remove atrocities against widows and women folk. Presently a three pronged strategy is envisaged. Firstly, an overall frame work of rights is created under Article 15 and 17 that conferred equality of status and abolition of untouchability. it was hoped that it will liberate the dalits from all disabilities, but it did not happen. Several policies and programmes were undertaken under these institutions to give concrete steps to ensure full equality in enjoyment of the constitutional rights. Reservation was not only given in the elections to the seats in Parliament (Article 330) but also in the State legislative Assemblies (Article 332), panchayats (Article 243D) and Municipalities {articles 343 (T)}. The system of reservation was introduced in services of Central and state Governments. Thirdly, the attempts are made to wean away Dalits from such perniciously degrading practices as 'Manual scavenging by passing the 'Employment of manual scavengers and construction of dry latrines prohibition Act 1993.' Some other legislations helped these groups are

Right to Information Act, 2005

4. Under the Right to Information Act, 2005, the Government has made arrangements to avail the best facilities to get information to the citizens and thus an excellent work is being done for protection of human rights. Under the Right to Information Act, 2005, the State Commission has provided the requisite information in time to all genuine applicants during the year 2007-08. The Gujarat State Human Rights Commission has also published required State Commission's booklet under the aforesaid Act within the prescribed time limit. The Human Rights generally touch upon every person however, the violations are generally seen more against the weaker sections of the society. The major violations are against the most vulnerable section of our society i.e. women,

scheduled Castes (SC) and the Scheduled Tribes (ST) and some of them against minorities. The people below poverty line face major constraints of poor literacy rates, poor education opportunities and health services and other infrastructure facilities

Scheduled Caste / Scheduled Tribe atrocities

5. The Constitution of India has given Right to equality to every citizen. It prohibits any kind of discrimination based on race, caste, creed, faith or religion by public administration. The practice of untouchability has been totally eradicated under Article 17 of the constitution. The Central Government has notified following Acts for its effective enforcement against any violation.

- (I) Citizens Rights Protection Act, 1995
- (II) Scheduled Caste / Scheduled Tribe (Atrocities) Prevention Act, 1989.
- (III) The Untouchability Act, 1976
- (IV) Prevention of Atrocities on Scheduled Caste, Schedule Tribes Rules, 1955.

6. It is noteworthy here that, the Central Government has constituted two separate Commissions at the National Level for Scheduled Castes and Scheduled Tribes (1) National Scheduled Caste Commission and, (2) National Scheduled Tribe Commission. Any citizen of the State can submit his petitions to these Commissions. As per the section 21(5) proviso of Human Rights Protection Act, 1993, if any issue is already filed before any of these Commissions or the NHRC, this commission cannot entertain such cases so that the disputes are not repeated unnecessarily with different commissions. Besides these two, there are three other commissions to serve the weaker sections, those are; The National Commissions for Minorities, National Commission for Women and the National commission for Protection of Child Rights.

7. The State Commission is very alert and immediately admits complaints as soon as they are filed and in case of Scheduled Caste and Scheduled Tribes, gets inquiry reports immediately. After going through the reports received, and if any discrimination is noticed, it gets rectified immediately and if necessary instructions to the concerned Officers are given for protecting the rights of the Scheduled Caste / Scheduled Tribe and recommend penalty in serious offences.

8. As mentioned earlier State Commission received total 1420 petitions up to 31st March, 2008, out of which 70% cases pertain to the Scheduled Caste / Scheduled Tribes, are finalized by the State Commission. A few such cases are presented in the report. Guidance and suggestions have been given to the authorities in many cases and recommendations have also been sent to the Government by the State Commission. Thus, State Commission is well aware and serious in solving the cases of Scheduled Castes / Scheduled Tribes.

9. In the Gujarat State Human Rights Commission there are 1420 petitions received during the year 2007-08 out of which 37 petitions are from the SC/ST category, from which 22 petitions have been disposed off. The State Commission also recommended in many cases for the Human Rights of such weaker sections. There are 1159 offences registered regarding atrocity on SC and 199 offences regarding ST category during the year 2007-08. Out of which many Cases under atrocities against SC/ST were filed and the offences registered by the police, out of which in many cases it was found that relevant Section of Atrocities are wrongly applied which were set right by the Gujarat State Human Rights Commission. The State Commission also made recommendations in regard to the responsibility of such lapses as well as also various recommendations are made for the implementations of Human Rights of such weaker sections. The concerned authorities have not promptly reported action taken on the implementation of the recommendations.

10. Thus the State Commission has acted according to the legal provisions for protecting Human Rights of the weaker sections of Gujarat State and thus discharges its duty to peaceful development and welfare of the State. The State Commission scrutinizes the petitions and if found correct, issues notices to obtain the reports and to arrange the hearing and make recommendations. Ultimately desired results achieved to prevent the breach of the Human Rights in the State.

MINORITIES

11. Gujarat state has a sizeable 18% of the minorities. The Gujarat State Human Rights Commission during the year f received 37 petitions of various kinds, from the minority communities like Muslims, Christians, Parsis etc. during the year 2007-08.

WOMEN

12. We have discussed in the last year Report our healthy traditions and dignified place of women in our society in ancient literature, enjoying equal rights with man. Women are Life partners of men and inseparable part of his society. But because of different physiological capabilities, historically half of the total population (Women folk) in the entire world have been victimized or exploited. Sometimes, men forget the importance of powers of women and as a result, women are being exploited. The feudalistic rulers in the medieval period brought the worst practices and reduced woman simply to an object of enjoyment and produce heirs. The Taliban fatwas in neighbouring Pakistan are remnants of that ideology. The 2001 census shows and increases in the sex ratio however; the reason for alarm was the sharp decline by 18 points in the child sex ratio in the age group of 0-6 years. This decline is wide spread that out of 28 states and Union territories only 4 states –Kerala, Tripura, Mizoram and Sikkim and one Union territory Lakshadweep point to an increase. Gujarat (-54) has sharp decline along with Punjab, Haryana, Himachal Pradesh and Chandigarh and Delhi. There are 122 districts spread out over 14 states having a child sex ratio of less than 900. There is a clear co-relation between the proliferation of sex determination tests, and increase in sex selective abortions. This is a major crime against the women. The other major crime is that of rape. The Courts take this crime as crime against life. In one of the landmark judgments Hon'ble Supreme Court observed that with 'Right to life' under law means right to live with dignity that would include all those aspects that made life meaningful. Women also have right to enjoy equal status under the constitution. Women also have right to life and liberty, they also have right to be respected and treated as equal citizens. Their honour and dignity cannot be touched or violated. They have also right to lead an honorable and peaceful life. They must have the liberty, the freedom and, of course, the independence to live the role assigned to them. (Justice S. Sagir Ahmed 1996). The Court placed rape in the framework of fundamental right to life under article 21 of the Constitution. "Rape is----not only a crime against the person of a woman (victim), it is a crime against the entire society. It destroys the entire psychology of a woman and pushes her into deep emotional crises." There are many horrifying stories in Gujarat also, The Bijal Joshi (name changed) rape case of Ahmedabad of 2004 and the recent PTC, College student rape case of Patan, incident is one of the series of crimes committed in the society against woman. There are endless instances of crimes of bride burning for dowry and day to day harassment of newly wedded girls in their prime age of 18 to 35 leading to large scale dowry deaths and suicides. There are many types of social discriminations from childhood onwards, sexual harassments on work places and discrimination in wages despite the equal wages labour laws, the society has to come out more assertively against these malpractices in the society.

13. The State Commission is alert of women rights, it attends petitions of women immediately and keeps continuous vigilance and gets immediate inquiry reports on their issues. After receiving reports, if any loopholes are found, it is immediately passes necessary recommendations to the concerned offices to ensure full protection of rights of the women. Petitions of women, under the 'Protection of Women from Domestic violence Act, 2005 is involved, The State Commission undertaken action under the Protection of Women from Domestic Violence Act, 2005. Moreover, under this Act, the State Commission has asked for the report from the State Government on the appointment of Protection Officers, creating public awareness on gender sensitization and providing the budget provision for all the Districts of State. As this Act has come into force recently, during the year 2006-07, so far no such case is registered on the police records under this Act.

14. The State Commission is in preparedness to issues pertaining to women. It's policy for hearing such case is on priority basis and concerned executing officers are kept present, the State Commission insists for immediate solution of the issues raised in a prescribed time-limit and takes actions for immediate dispensation of justice, free of any burden to the women against the cases of violations of rights of the women.

15. There are 117 petitions received in The State Commission from the women during the year 2007-08 regarding violation of Human Rights. The details are as under;

(1) Abduction, rape and murder

7

(2) Discrimination against women	30
(3) Dowry death or their attempts	7
(4) Dowry demand	8
(5) Exploitation	25
(6) Indignity of women	20
(7) Rape	5
(8) Sexual harassment	15

Total	117

16. There is an increase of 67 petitions in the complaints of women in the State Commission during the year 2007-08 in comparison of the year 2006-07. The State Commission have taken special care in protecting the rights of women and also taken interest to admit the cases under the new Domestic Violence Act of 2005. The State Commission is vigilant for issues of violence against women. There are 10,152 offences registered in Gujarat State regarding violence against women during the year 2007-08 of which the break-up is given below;

(1). Rape	337
(2). Murder	268
(3). Abduction	1016
(4). Attempt to murder	84
(5). Dowry death	25
(6). Torture	5795
(7). Teasing	908
(8). Suicide	482
(9). Others	<u>1237</u>
Total	10152

17. The details of offences registered for atrocities on women and children of minorities in Gujarat are as follows:-

No.	Year	Women		Children		Total
		Muslim	Christians	Muslim	Christians	
1	2006-07	1130	31	74	9	1244
2	2007-08	1257	47	60	8	1372
	Total	2387	78	134	17	2616

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

Looking to the above statistics petitions presented for violence against women of Muslim and Christians are increased to the tune of 127 and 16 respectively in the year 2007-08. However the petitions on children of Muslims and Christians have decreased to 14 and 1 respectively.

18. The highlights of some of the steps taken by the National Commission which apply on the state also are:

- i) Integrated Action Plan to prevent and combat human trafficking with special focus on women and children - A draft Plan of Action was evolved in this regard and it was discussed with all stakeholders during the National Consultation held in New Delhi

from 3-4 August, 2007. The document once finalized will take the shape of a National Plan of Action to prevent and combat human trafficking.

- ii) Missing Children - The recommendations / suggestions of the Committee constituted by the National Human Rights Commission in this regard have been sent to the concerned authorities in the country and to the Government of India.
- iii) Juvenile justice - The Commission is in the process of preparation of an Action Plan for bringing about improvements in the functioning of the juvenile system in the country and also to prepare guidelines in this regard.

Missing Children and women

19. The missing children is a matter of serious concern. The following Guidelines are given by the Hon'ble Supreme Court of India on 14-11-2002, while hearing the Writ Petition (Cri.) No. 610 of 1996 filed by Horilal V/s Commissioner of Police, Delhi & Ors. with regard to effective steps to be taken in case of tracing out the missing and kidnapped minor girls and women etc.: -

- (i) Publish photographs of the missing person in the newspaper; telecast them on the television promptly and in any case not later than one week of the receipt of the complaint. Photographs of the missing person shall be given wide publicity at all the prominent outlets of the city/town/village concerned, that is, at the railway stations, inter-State bus stands, airport, regional passport office and through law enforcement personnel at border check-posts. This should be done promptly and in any case not later than one week of the receipt of the complaint. But in case of a minor / major girl such photograph shall not be published without the written consent of the parents/guardians,
- (ii) Make inquiries in the neighborhood, the place of work/study of the missing girl from friends, colleagues, acquaintances, relatives etc. immediately. Equally all the clues from the papers and belongings of the missing person should be promptly investigated,
- (iii) To contact the Principal, class teacher and student at the missing person's most recent school/educational institutions. If the missing girl or woman is employed somewhere, then to contact the most recent employer and her colleagues at the place of employment,
- (iv) Conduct an inquiry into the whereabouts from the extended family of relatives, neighbours, school teachers including school friends of the missing girl or woman,
- (v) Make necessary inquiries whether there have been past incidents or reports of violence within the family. Thereafter, the investigating officer/agency shall:
- (vi) Diligently follow up to ensure that the records requested from the parents are obtained, and examined for clues,
- (vii) Hospitals and mortuaries be searched immediately after receiving the complaint.
- (viii) The reward for furnishing clue about the missing person should be announced within a month of her disappearance.
- (ix) Hue and cry notices shall be given within a month.
- (x) The investigation should be made through women police officers as far as possible.
- (xi) The concerned Police Commissioner or the D.I.G. / I.G. of the State police would find out the feasibility of establishing a Multi-Task Force for locating missing girl children and women.
- (xii) Further, in the metropolitan cities, such as Delhi, Mumbai, Kolkata and Chennai, the Investigating Officer should immediately verify the red-light areas and try to find out the minor girls. If any minor girl (may or may not be recently brought there) is found, her possession be taken and she may be sent to the local children's home (Sec. 34 of

the Juvenile Justice (Care and Protection of Children), Act, 2000), and the I.O. to take appropriate steps that all medical/other facilities are provided to her.

Rights of persons with disabilities - Rights of Disability

20. Conventions on the Rights of Persons with Disabilities were adopted on 13th December, 2006 by the UN General Assembly. The Government of India has ratified the Convention on the Rights of Persons with Disabilities (CRPD) on 1st October 2007. Article 33 of the Convention explains the role of National Human Rights Institutions (NHRIs) in promoting and protecting the Rights of Persons with Disabilities. There is a need to focus on their rights for employment, education, vocational training and access of services. A few petitions got filed before the commission which have been disposed of. The Commission provides a role for NHRIs in the monitoring of the rights of persons with disability and will continue its efforts in this regard.

CHILDREN

21. There is an increase of 4 petitions pertaining to violence against children in the year 2007-08 Government of India has set up separate Commission for issues of children known as National Commission for Protection of Children Rights (NPCPR). It is recommended that state governments may also have similar Commission to focus on the issues of children

RIGHT TO HEALTH:

22. In the context of Human Rights, Every citizen has right to live healthy and a Right to Health. Therefore, the State Government has also implemented many programmes on health. Where in planning has been organized for various programmes for availing easily health and peaceful life services to the people of the State. The State Government is taking actions to make these programmes as the people's programmes. In which mainly four groups of programmes are in force (a) Public Health, (b) Medical Services, (c) Medical Education and Research, and (d) Family Welfare Programmes. As a risk of public health, preservation of healthy environment is an important issue for human rights, which is being taken into consideration.

In respect of human rights, the following priority aspects are to be taken into consideration on health (1) Primary facilities for health (2) Immunization programmes (3) Special disease control (4) IMR / MMR / Study of institutional delivery ratio and facilities and taking into further consideration present age of fast communication and transport (5) Trauma centre, EMS (at No108) services have been found proactive in proper direction towards Human Rights work.

The State Commission received a total of 15 applications up to March, 21, 2007, out of which 5 were of public health and 10 were of pollution control, of these, 5 applications have been disposed off and 10 are pending.

Consumer Rights

23. Consumer Protection Act, 2002, is an Act protecting the rights of consumers. In which, it includes protection against purchase-sale of harmful products, which can damage to life and property, quality of items, purity, to inform about its standards and price, to assure to avail various items at reasonable price, to think over about consumers interests in proper forum, and disposal of complaints against exploitation of consumer or illegal trade system and to enable to hear. All private, public and cooperative fields have been covered in this Act and there is a provision to get justice free of charge, easily and speedy and to reimburse the loss. Judicial Magistrate First Class are given powers for hearing of such type of offences to the Consumer District Forum, State Commissioner in this Act. Under this Act, a customer can complaint for loss, defective items, and items sold at higher price due to illegal trade practices. The complaints received under these subjects have been sent to the concerned Departments to take actions before the relevant forums.

Disaster Management

24. The work of Disaster Management in Gujarat is done by the 'Gujarat State Disaster Management Authority' (GSDMA) under the Gujarat State Disaster Management Act, 2003, in eventuality of such event Government immediately give required assistance on war footing to the affected and disabled people, children, paraplegias, old aged and women and the work of social rehabilitation is being carried out speedily and on timely basis. On this occasion, it is to be noted that some scattered cases of 2001 earthquake are pending in relief works. 11 applications have been received by the State Commission out of which 6 applications have been disposed off and 5

are still pending which require reassessment of the damages. There is still no positive response from the authority. It is recommended that the Gujarat State Disaster Management Committee should act with open mind on such humanitarian issues and resolve favorably these issues.

Relief and Rehabilitation of the Displaced persons

25. The Government of Gujarat has adopted a progressive policy regarding the rehabilitation of the Project affected people (PAP) of the major irrigation Dams, canals, and other major projects like SSNNL are being monitored by the Committee appointed by Hon. Supreme Court. The Project of Gujarat Capital at Gandhinagar displaced certain villages. These 7 villages have problems of house sites or Gamtal for the growing families. The issue need deep thinking and the status of families which has grown, need serious consideration to extend Gamtal or a multistory housing project for economically weaker sections society to accommodate more then 2000 new families on the same pattern of programmes working for other villages in panchayat areas. It is recommended that Government may resolve these issues on the priority basis.

CHAPTER : 4

Human Rights and Poverty Alleviation and Millennium Development Goals enforcement in the Tribal and Backward Areas of Gujarat state

The poverty is the greatest obstacle and curse on the human being. People's economic status is directly linked to the capacity to enjoy human rights. The poverty is now directly related to the status of Human Development Index (HDI). The concept of right to life cannot be materialized if people die of hunger. Therefore, right to life is subservient to the right to food and means of livelihood and improvement of the HDIs. There are billions of people on earth suffering for being below poverty line. India is a nation of over 260 million poor people, a number that has barely declined over the last three decades of development. All growth benefits the poor have percolated very little. "Poverty goes hand and hand with malnutrition and disease" besides being the main violator of human rights, it poses the greatest challenge to development. It is also a major cause of unemployment, deprivation, poor wages, low income, lack of education, and worst of all the fatalism'. The persistence of human deprivations amounts to a denial of economic and social – poverty makes a person vulnerable and helpless victim deprived of social, cultural, and political freedom.--'(Professor Parmanand) There are many definitions of poverty by economists, but the appropriate definition of pro-poor growth should be that it benefits them disproportionately.

In the foreword to white paper on 'eliminating world poverty' Tony Blair Prime Minister of UK noted 'eliminating world poverty is in Britain's interest- and is one of the greatest moral challenges we face. G8 Countries agreed to provide an extra 10 billion US Dollar a year in aid by 2010 there are many success stories but still there is a very long road to go' (Tony Blair July 2006).

15% people of Gujarat are tribes numbering population over 75 lakh in the North and Eastern hilly areas of the state, suffering from these poverty, mal-nutrition, ill-health lack of education and gainful employment deficiencies. Government has declared Rs15000/ crore Vanbandhu Kalyan Yojana for the 11th Plan, most of the allocation is meant to provide required infrastructural facilities in such areas. Besides coastal area Development, Component Plan for scheduled castes people, backward area development plan and the rural development programmes applied through the state. These funds needed careful spending to help these areas to come out of poverty trap. These areas provide easy prey to the Naxallite type of workers who aim at to exploit their feelings to create troubles in the state. These areas have maximum forest covers. Some district like Dangs has 95% forest area under reserve and protected forest. The clash of interests between environment protectionist and tribal upliftment come in open clash, the finally awarding property rights on the lease holding areas of protected forest under the new Tribal Rights Act 2005. Government need to implement these laws very effectively to avoid infiltration of Naxalite Movement in Gujarat, as these are potential fields of conflict, areas of wider tribal and others conflict all need careful handling. In Narmada District many complaints received in the commission from these social activists indicates potential tension. The GSHRC considered this factor as a major constraint in enjoyment of human rights, therefore we have devoted this chapter covering the on going efforts and their inadequacies To overcome infrastructure and other facilities in such poverty pockets a comprehensive programme to improve their physical conditions has been taken up. The UN adopted 8/MDGs. These 8 goals cover the following issues which are

Goal 1 : Eradicate extreme poverty and hunger

Goal 2 : Achieve universal primary education

Goal 3 : Promote gender equality and empower women

Goal 4 : Reduce child mortality

Goal 5 : Improve maternal health

Goal 6 : Combat HIV/AIDS, malaria and other diseases

Goal 7 : Ensure environmental sustainability

Goal 8 : Develop a Global Partnership for Development.

The eight MDGs break down into 21 quantifiable targets that are measured by 60 indicators.

Twenty Point Programme

Some creative pro-poor policies have been introduced such as National Rural Employment Guarantee Act under which 100 days of paid employment is guaranteed to every household for public infrastructure projects. Major employment generation works are being implemented in the rural areas have been included under this programme. The National Rural Employment Guarantee Act has come into force for ensuring minimum earning and livelihood to provide food security of the households in rural areas of the country by providing at least one hundred days of guaranteed wage employment in every financial year to every household whose adult members volunteer to do unskilled manual work and for matters connected therewith or incidental thereto.

The existing 20 points programme, focused on the people below poverty line, for Monitoring are:

1	Poverty Eradication	11	Women Welfare
2	Power to People	12	Child Welfare
3	Support to Farmers	13	Youth Development
4	Labour Welfare	14	Improvement of Slums
5	Food Security	15	Environment Protection and Afforestation.
6	Housing for All	16	Social Security
7	Clean Drinking Water	17	Rural Roads
8	Health for All	18	Energization of Rural Area
9	Education for All	19	Development of Backward Areas
10	Welfare of Scheduled Castes Scheduled Tribes, Minorities and OBCS	20	enabled e-Governance

It is acknowledged that poverty is one of the main factors in pushing children into inhospitable conditions and making them vulnerable for exploitation. The Central and State Governments have introduced several schemes to be implemented at Gram Panchayat level with the object of providing job opportunities to the poor and the disadvantaged and elevating them from the poverty line. All these programmes, especially concerning children welfare should be properly planned at the Gram Sabha level following the Antyodaya approach. Schemes such as Mid-day Meal Scheme, Sarva Siksha Abhiyaan, Health Immunization etc. deserve to be properly monitored for achieving optimum results. Proper implementation of these poverty alleviation programs are indeed a human rights approach. If such schemes and programmes of the Government are implemented it can be reasonably expected that the vulnerable sections will become empowered to resist exploitation that often takes place now. The GSHRC considered this factor is major constraint in enjoyment of human rights, therefore we have devoted this chapter covering the on going efforts and their inadequacies. Annexure 7A and annexure 7B give item-wise performance of the state in these programmes in the country and the state. .

MDG Goal 1 : Eradicate extreme poverty and hunger

Reduce Extreme poverty by half

It is clear that rapid growth will be essential to reduce the number of the poor and sustainable poverty reduction, it will have to be accompanied by more rapid employment expansion than hitherto, greater investment in health, education, water/sanitation and child nutrition than so far, and directly targeted poverty-reduction programmes. 15% of world population faces a daily struggle for essentials, including the 300 million Indians who survive on less than \$1 per day. The secretary General of UN Kofi Annan recommended and got adopted UN resolution to increase the contribution of developed countries for the cause of poverty reduction minimum 1% of their GDP. The Millennium Development Goals (MDGs) are eight goals to improve HDIs and The target fixed for this purpose was to half the people BPL to come above poverty line by 2015 that is the world's main development challenge. The MDGs are drawn from the actions and targets contained in the Millennium Declaration that was adopted by 189 nations-and signed by 147 heads of state and governments during the UN Millennium Summit in September, 2000. The Poverty line was fixed as minimum earning of one dollar a day. The above objective now becoming difficult to achieve on account of ongoing economic slow down.

Recognition of Right to Food:

On 23rd December, 1996, the Indian Council of Legal Aid and Advice and others filed a Writ Petition (Civil) No.42/97 before the Supreme Court of India under Article 32 of the Constitution, alleging that deaths by starvation continued to occur in certain districts of Orissa. The Commission has approved the constitution of a Core Group on Right to Food, "Pursuant to the Orders of the Supreme Court, the Indian Council of Legal Aid and Advice filed a petition before the Commission on 1st September, 1997 making a number of suggestions in regard to interim relief to the affected population. Further the Commission with the assistance of one of its Special Rapporteur has been regularly monitoring the progress of implementation of its directions. This the right to food acquired a legal sanctity. In fact in India poverty alleviation programmes are taken up immediately after independence. Since 70s the effective monitoring 20 point programme was undertaken at the National and states level. A brief statement of the performance of states under these programmes is given in annexure 8 where Gujarat hold 3rd position nationally. So many broad opportunities for progress have been opened because of implementation of various popular rural schemes such as Indira Awas Yojana for residence, Formation of Self Help Groups for empowerment of Women, campaign for complete cleanliness, Water Shed Schemes for Area Development and Water-Land-Forest, Swarna Gram Rojgar Yojana, Rural Self Employment Scheme, Rural Employment Guarantee Scheme, National Balanced Development Scheme, Gokul Gram Yojana. Because of above mentioned development schemes, the level of economic and social prosperity has come up due to infrastructure facilities of the rural people. There is lot of efforts for rural development. Formation of 'Sakhi Mandal' has been very important for the welfare of the women. Thus these rural development schemes have been proved very crucial and vital for the upliftment of SC/ST, SEBC and other classes of general category people staying in the villages. In addition to this, the implementation of these anti-poverty schemes has played a major role for the promotion and conservation of human rights. However, these programmes need lot of managerial inputs which can be more effective and fruitful.

In addition, other employment generation schemes like "Swaranjayanti Gram Swarojgar Yojana (SGSY)" and "Sampoorna Grameen Rojgar Yojana (SGRY)" to deal with the rural poverty are included under this Point. The scheme "Rural Business Hubs in Partnership with Panchayats" aims at extension of fruits of economic liberalization to the rural areas of the country through rural business hubs. The "Self help Groups" formed under different schemes, other than SGSY and SGRY have also been included. To deal with urban poverty 'Swaranjayanti Shehari Rojgar Yojana' has been identified.

Employment Guarantee Scheme

This is a revolutionary scheme. It is an important scheme brought for the first time for giving assurance of employment to the unemployed persons. National Rural Employment Guarantee Scheme has been implemented from 2nd February, 2006 in the six districts in the first year and thereafter in the whole State, under the National Rural Employment Guarantee Act, 2005 enacted by the Central Government. The families living in rural areas of the above districts of the State whose adult members unemployed are willing to do unskilled manual labour work which can be given to them on demand on certain conditions up to 100 days in a year. The management of this programme is being done at district level by the DRDA Agencies through District Panchayat by the District Programme Coordinator, Programme Officer of District Panchayat at Taluka level and at Village level by Gram Panchayats. This scheme is based on demand and not on target. The Gujarat State Human Rights Commission is vigilant, well aware and determined about the basic, effective, and meaningful implementation of this programme. No petitions of any kind have been received here in the Commission.

The Old age Pension cases

From BPL families 40 complaints of not receiving these benefits were received from the old age people. The Commission brought the matter to the respective collectors who implement this programme, all issues of this category are favourably settled.

MDG Goal 2 : Achieve universal primary education.

The Government is making sincere efforts to increase the scope of universal primary education in the state. All primary schools are given assistance to the tune of Rs. 500/- for the festival of admission to the schools. There is a scheme in existence called as 'Vidhyadeep Vima

Raxan' in order to provide insurance protection to all children studying in Government Primary Schools. Payment was made in 31 claims during the year 2007. In case of any emergency of common injury or any health related problems during the school timings. There is a facility to provide for immediate facility of treatment in the school.

In order to give special boost to the girl education there is a scheme called 'Narmada Shri Nidhi' in which bond worth Rs. 1000/- is given to girls since 2002-03. In order to encourage girl education every year Chariot procession (Kanya Kelvani Rath Yatra) for girl education is organized by the Government. The Secretary, addl. DGP and Dy. Secretary went to Navsari, Valsad and Banaskantha Districts. The Gujarat Human Rights Commission is actively monitoring this programme, the table given in annexure: 6 show fall in drop out ratio from 49.02 % in 1990-91 to 2.98 % in 2007-08.

MDG Goal 3 : Promote gender equality and empower women

Various schemes for the welfare of women have been project by the Commissioner Women and Children Development during the year 2007-08. As on today there are 21 women centers in the state. Every year minimum Rs. 2.25 lakhs at district level and Rs. 1.25 lakhs at Taluka level are given as assistance to the women. There are 18 districts and 53 centers which are connected by Help-line as well as satellite. In order to accord prices to these volunteer organisations and social activities which are doing excellent performance the scheme of Rs. 1/- lakh and Rs. 50,000/- is in force. There is an act prevalent in Gujarat for providing protection to the women against domestic violence. In addition to this the defence officials have also been appointed.

MDG Goal 4 : Reduce child mortality

In order to bring down infancy death rate there is a vaccination programme in which infants above one year age is given various vaccines such as B.C.G. polio and measles. The performance of vaccination to children is done every Monday and Wednesday respectively at Health Centres and area of the respective village so that maximum children are covered for vaccination. In order to reducing infancy death rate of children of above 5 years age. Government has launched oral dehydration, acute respiratory infection programme and administering doze of vitamin 'A' programme.

The Government has also launched programme by which children are immured against six fatal diseases by administring vaccine to the children of one year age, not only this but children are vaccinated all over Gujarat on 'Mother Day'.

The Government of Gujarat has declared the calendar year 2008 as 'Nirogi Bal Varsh'. The main purpose of this programme is to ensure and bring about improvement in the health of mother and child.

There are various schemes in force such as 'Beti Bachao Abhiyan', 'Nari Gaurav Nidhi' for bringing about gender equality by gender resource center. Apart from this gender data bank has been set up and distributed

Recognition of Right to Health:

For the Commission it has been important to link the issue of health to that of human rights. When linked together, more can be done to advance human well-being than when health, and human rights, are considered in isolation. The Commission constituted a Core Advisory Group on Health, comprising of eminent medical experts with a request to prepare a plan of action for systemic improvements in the health delivery systems of the country. The Commission organized three major national consultations on maternal anemia, human rights and HIV/AIDS, and access to healthcare. Based on these consultations, detailed recommendations have been sent to the concerned authorities. Furthermore, the Commission has also been working on issues like sub-standard drugs and medical devices, illegal trade in human organs, emergency medical care, and fluorosis. In partnership with Jan Swasthya Abhiyan, between July to December 2004, the Commission is organizing five regional and one national public hearing on access to healthcare.

MDG Goal 5 : Improve maternal health

The Government of Gujarat has also implemented RCH-II plan. The objects of;

- (1). To bring down mortality rate of mother from 389 to 100 at every per lakh live birth,

- (2). To bring down the rate of reproduction from the present level 2.82 to 1.00,
- (3). To bring down infancy death rate from 53 to 30 at every 1000 live birth.

The Shishu- Janani Kalyan Yojana is aiming at to tackle this issue and is quite successful in bringing down the figure of MMR (mother death during delivery) and IMR (infants death with in 5 years of age) considerably. The details of programmes of the State are given in Annexures: 5B, 5C and 5D.

MDG Goal 6 : Combat HIV/AIDS, malaria and other diseases

Deeply concerned about the need to protect the human rights of those affected/infected by HIV/AIDS, the Commission has been redressing individual cases relating to discrimination faced by them. It has organized a national consultation on this issue and made recommendations to concerned authorities on issues like consent, testing, respect for confidentiality, protection of vulnerable groups, prevention of mother-to-child transmission, etc. It has also launched a multi-media campaign to disseminate information on human rights and HIV/AIDS to various target groups. A Member of the Commission has been designated to serve as the Focal Point on HIV/AIDS related matters. Gujarat has effectively eradicated the leprosy and controlled TB, However, Malaria, Hipotitis –B, lepptopirisis and diseases in tribal areas are not under control. Water borne diseases may get aggravated due to climatic changes which show signs of more rains.

Gujarat State AIDS Control Society, Ahmedabad National AIDS Control programme:

National AIDS Control programme was initiated in the year 1992 for the control of HIV/AIDS with the financial aid from World Bank. For its implementation, "National AIDS Control Organization (NACO)" at the national level was formed. With the guidance of Control Organization (NACO)" the State Government has implemented AIDS programme under the supervision of state level committee. For quick and effective implementation of the programme, The activities undertaken for the reduction of HIV/AIDS by Gujarat AIDS Control Society are coverage of 76 Non-Government Organization (NGOs) covering more than a lakh high risk is covered. In partnership with 17 NGOs Integrated Rural HIV/AIDS Awareness Programme (IRHAP) was started with the overall objective to reach the rural population in an intensive manner and to build the capacity of the village level institutions. This programme is under implementation in 1425 villages of 57 blocks of 6 districts of the State.

MDG Goal 7 : Ensure environmental sustainability

In order to achieve this M.D.G., the Gujarat Pollution Control Board has prepared an Annual Action Plan and has started implementation of it since the year 2002-03 and is being reviewed regularly at appropriate time so that the action plan can be effectively implemented throughout the State, it has to go a long way t achieve the goal. Gujarat Government is one of the first government to start a climate change Department which is expected to study the possibilities of favourable use of these changes. The top priorities assigned for gas net work, and green field projects in wind and solar energy will go a long way in this field.

In addition to this vision become out 2010-15 and its strategic planning has been put into implementation by the Gujarat Pollution Control Board.

MDG Goal 8 : Develop a Global Partnership for Development.

It is noted that share of poverty ridden countries is very low in world GDP and the share in export markets are the lowest. The least developed countries are given special exemptions by WTO form the competition with developed world. The items produced by the poor countries are also exempted. However without allowing labour migrations in places with labour shortage areas of west and transfer of technology from west to east. Such proper partnership will not develop. The commitment of contribution of 1 percent of GDP is also far from achieving the goals.

CHAPTER : 5

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

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

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

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

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

5. Right to Information Act 2004, is another major landmark instrument added in recent times, in order to achieve and Ideal State of Good Governance. As it directly elevates rights of common people, it can be termed as Boon in the way of bringing better Transparency. Hence intelligent individuals and active NGOs can play a vital role in monitoring the performance of the State. They can ensure that, there is always greater transparency and less corruption.

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

7. The terms “governance” and “good governance” are being used increasingly in relation to the process of decision-making and the processes by which decisions are implemented or not implemented. Government is one of the key actors in governance as formal government structures in developing economies such as India are the major means by which decisions are arrived at and implemented. Good Governance may be said to have the following major characteristics:

- Participatory by way of fair play of all stakeholders
- Consensus oriented to keep in view the sensitivity of issues for each others needs
- Accountability to the people
- Transparency of procedure followed in the system to inspire confidence of all
- Responsiveness to the public changing needs
- Effective and efficient handling of the issues brought before them
- Equitable and inclusive to all sections
- It follows the rule of law which are equally shared by all

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

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

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

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

Constitutional provisions for the 73rd and 74th amendments have to be made operational along with help from the civil society.

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

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

12. Effective Performance Management and its Appraisal

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

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

14. As a State of Good Governance need amount into a State of Less Corruption, it can also be termed as a People Friendly State. In order to achieve the Illusory state like that of Rama Rajya, the best available path is nothing but the Golden way of Good Governance, and no governance can claim to be good government without convincing public at large on the full protection of their Human Rights. Executive or Bureaucracy directly affect the cutting edge level of society, and therefore, the level of corruption always tend to reach new heights in this area. Therefore, in order

to achieve the ideal stage of Rama Rajya by way of Good Governance, the end of Ravan Regime, is necessary. Security in service conditions is definitely a vital characteristic for bureaucracy but Corruption and Inefficiency always violate its spheres. Therefore much efforts are required in controlling these evils as far as possible.

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

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

17. For good governance, it is essential "to device of long-range strategies and short-term measures to deal with the menace of corruption, By policing assumes police-public partnership, the roots of police deviating from the Rule of law" due to .ambiguous legislations, vulnerability to legal sections, occupational culture and .a desire to produce quick results

18. Thus there is a need to have streamlined democratic working system at all levels for, good governance which is pre-requisite for ensuring full protection of Human Rights for every citizens.

CHAPTER : 6

Custodial Crimes and Prisoners' Conditions (Violation of Human Rights by Authorities)

Custodial Violence and Custodial Deaths

Article 21 of our Constitution provides for guaranteed the right to life and liberty, ensuring this provision enacted in the form of law in the Protection of Human Rights Act 1993 definition incorporated section 2(d) which says, "human rights' rights as per section 2(d) "human rights', means the rights relating to life, liberty, equality and dignity of the individual guaranteed by the Constitution or embodied in the International Covenants and enforceable by courts in India."

2. The Universal Declaration of Human Rights envisage freedom of life in its first articles which envisages All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood., Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty. Everyone has the right to life, liberty and security of person. No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination. No one shall be subjected to arbitrary arrest, detention or exile. Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him. Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence. No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.

3. It is generally perceived that the worst form of violation of Human Rights is in the form of torture. In a report "Torture in India 2008: A State of Denial" the first ever nationwide assessment of the use of torture in the nation, the Amnesty Commission of Human Rights alleges that 7,468 persons on an average of 1,494 a year died or killed in prisons and police custody during 2002-2007. A pervasive regime of impunity is the single-most important factor for institutionalising widespread use of torture even in areas where there are no armed conflicts. Only four personnel were convicted in 2004 and three in 2005 for custodial deaths, it says. The ACHR warns that unless the government addresses human rights violations and brings those responsible to justice, the prospects for counter insurgency success will diminish significantly and the space for more violent and extreme armed opposition groups (AOG) will grow, and these will continue to commit appalling acts of torture with impunity."

4. Among India's burgeoning armed opposition groups, the naxalites or Maoists have an appalling human rights record, including killing, torture and mutilation. Their targets include anti-Maoists, Salwa Judum activists, alleged police informers, adivasis and Dalits. The naxalites have increasingly organised para-state institutions, notably "jan adalats" to impose torture and mutilation.

5. Moots legislation

The ACHR recommends that the government enact legislation to criminalise torture and provide compensation to the victims, further amend the Human Rights Protection Act of 1993 to bring the armed forces under the purview of the National Human Rights Commission and ratify the United Nations Convention Against Torture. It also urges the National Human Rights Commission to recognise torture as a crime distinct from custodial death and provide a separate heading for torture under its annual report, create a separate department to study all post-mortem reports

submitted to the Commission in all cases of custodial deaths and set up a separate prosecution department that will take necessary measures for prosecution of the guilty, should find facts and evidence established torture.

6 . There are many provisions of IPC which defined as crimes which are all required to be enforced and the police has the powers to arrest either to prevent the crime or offender who has committed the crime. The Criminal procedure code has provided for the procedures as how the administration of justice should conduct itself.

7. The National Human Rights Commission in Reports for the year 2005-06 has observed

“ 3.50 The most fundamental of all rights is undeniably the Right to life and liberty. Denial of this basic right to a human being or impediments brought in the way of attainment of this right, in any manner, is cause for concern for the society as a whole. Therefore, when the State apparatus is accused of being the cause of custodial violence or death, it would not be wrong to say that it is willfully abdicating its most basic and fundamental duty towards the citizens in a democratic system. The very core of a democratic philosophy rests on the presumption that the State shall not do anything that impedes or denies the right to life of any individual except by the due process of law.

3.51 The National Human Rights Commission has, since its inception, been grappling with the problem of the custodial justice system in the country. In particular, it has focused on the most serious of its manifestations - custodial deaths. It is to bring an element of deterrence and accountability of those upon whom the law has vested the responsibility of managing the custodial institutions, that the Commission has issued directions, which make it incumbent and mandatory for all district authorities to report to the Commission any incident of custodial death, within a period of twenty-four hours of its occurrence”.

8. Custodial Violence and Deaths

There are many dimensions to the problem relating to custodial justice management. The National Human Rights Commission in Report for the year 2006-07 has observed,

“ 3.54 The Commission has made sincere efforts for the protection and promotion of Human Rights within the country. Though the impact of the Universal Declaration of human rights is quite evident in Part III and IV of the Indian Constitution, the fact remains that there is a wide gap between theory and practice. The denial of fundamental freedoms and human rights by the states, creates conditions of social and political unrest. It definitely sows the seeds of violence and conflicts within and between societies and nations.

3.55 Some of the common features of violations of human rights are torture of arrested persons, disappearance of suspects who ought to have been in regular police custody, deaths in fake encounters, deaths in police custody, and under-trials detained in jail for years without trial.

3.56 In order to curb custodial violence, the Commission has issued guidelines to all States and Union Territories that all deaths in police and judicial custody should be promptly reported to the Commission within 24 hours of the occurrence.

3.57 The Commission has further directed that in case of death in police custody, the post-mortem is to be video-graphed and the videotape sent to the Commission. These measures enable the Commission to exercise checks on custodial torture and violence by the police and other public servants.

3.58 Since its inception in October 1993, the Commission has received intimations of 15166 deaths in police and judicial custody. Most of these deaths, especially those in judicial custody, were chiefly attributable to natural causes such as illness and old age. In other cases, they occurred for a variety of reasons, including illness aggravated by medical negligence, violence by public servants or between prisoners, and due to suicides.”

9. The Procedure for Arrest

The State has to exercise powers of arrest to bring the criminals to justice and prevent untoward happenings. The Criminal Procedure Code, 1993 provides procedure to do so. Very important guidelines-instructions are given in the judgment dated 19-10-2001 in the case of Appellant Shri D. K. Basu and others Versus State of West Bengal, Criminal Miscellaneous

Petition No. 12704/2001, in the Hon'ble Supreme Court. In which, the most of the aspects have also been covered under the Criminal Procedure Code, 1973 and the instructions have been given to activate the State Human Rights Commission by this judgement. (The details have been given in the report of the last year 2006-07)

10. Position of Jails in Gujarat

The Gujarat State Human Rights Commission carries out its functions and duties under Section 12 of the Human Rights Protection Act, 1993. Under these provisions, inquiry about carelessness of any public servant in preventing such breach or breach of human rights, the State Commission, undertakes itself "Suo Motu" or from representation of somebody. Moreover, under Section 12(c) of the above Act, about working of Jails, special provisions have been made as....“(c) visit, notwithstanding anything constrained in any other law for the time being in force, any jail or other institution under the control of the state government, where persons are detained or lodged for purposes of treatment, reformation or protection, for the study of the living conditions of the inmates thereof and make recommendations thereon to the government;”

In this regard the Commission and its officials made some visits and sent the recommendations on their condition to the concerned authorities during the year.

11. The present status of the the Jails in Gujarat State is as below :-

- (1) The total No. of prisoners in State as on 31-3-2008 jails is 11,336 and detainees are 673. Average over crowding in State jails is 113.40%. But in (1) Ahmedabad Open Jail (2) Amreli Open Jail (3) Chhota Udepur Sub Jail (4) Rajpipla Sub Jail and (5) Himmatnagar Sub Jail, there was no over crowding in the year 2007-08.
- (2) Out of the total prisoners there are 466 females and 10,870 are males. The details of the prisoners as on 31-3-2008 are as under:-

Details of prisoners

Sr.No.	Details of offence	Convicted		Under trail		Detainees	Total
		Male	female	Male	female		
1	TADA/POTA	21	0	121	2	673	817
2	NDPS	445	28	133	14	0	620
3	Others	4293	167	5184	255	0	9899
	Total	4759	195	5438	271	673	11336

- (3) The Gujarat State Human Rights Commission, in respect of human rights of prisoners in jails, undertakes programmes according to Section 12 (i), and undertakes necessary actions into considerations in context of protection and promotion of Human Rights regarding issues of prisoners' programmes and Shibirs.

12. The Commission closely watches the law enforcement agencies. In the whole year total Complaints of 11 prisoners have been received in the State Human Rights Commission. Out of which, 8 complaints have been disposed off and 3 are pending for requisite information and further inquiry.

The Commission is serious and showing its concern for the over crowding of jails. To reduce the number of inmates, the State Human Rights Commission recommends as follows:-

- (1) With a view of speedy disposal of all the arrested prisoners in State Jails, the Commission recommends to take suitable actions for hearing the cases fast.
- (2) It also recommends creating facilities as per the needs to match their numbers if there are more prisoners than recommended to increase the intake capacity of jails by constructing more facilities and also having full utilization of jails building ready for occupation.
- (3) The Commission also recommends keeping vigil to present in time before the Hon'ble Court the arrested prisoners on remand before the expiry of their tenure. It is illegal to keep any person in arrest without getting remand.

- (4) The State Commission also visits the jails and study the situation of prisoners in the jail. The authorities have been given suitable advise on their conditions for the Jails of Navsari, Jamnagar etc.
- (5) The capacity of vacancy allotted to various jails in Gujarat is 6218 for male prisoners and 301 for female prisoners comparing to this figure it is 47 % over crowded.

13. Complaints of violation of Human Rights by the police

The State Commission also noticed several issues of violations of Human Rights by the police in the state. The State Commission also recommended departmental actions or punishable actions to the authorities. The action taken by the sate authorities are awaited in such cases.

There are 21 subjects of sub heads prescribed by NHRC under this Minor Head regarding cases of violence of Human Rights.

The total Number of complaints registered in the Gujarat State Human Rights Commission against Police during the year 2007-08 is 394 given below:-

(1)	Arbitrary use of power	40
(2)	Abduction and kidnapping	4
(3)	Abuse of power	51
(4)	Attempt to murder	1
(5)	Atrocity on SC/ST	5
(6)	Custodial death	1
(7)	Custodial Torture	2
(8)	Custodial violence	1
(9)	Death in police encounters	1
(10)	Failure in taking lawful action	233
(11)	False implications	23
(12)	Illegal arrest	1
(13)	Unlawful detention	5
(14)	Police motivated incidents	6
(15)	Prolonged trail	11
(16)	Victimization	9

	Total	394

CHAPTER : 7

Exemplary cases observed by GSHRC in 2007-08

Bhavnagar

1

BHV 49 /07

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 Defence regarding this grievance.

Field officer of Social Defence 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 now 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

2

AMR-27/07

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 reported that Notices were given to the sweet maker for removal of that furnace, and as it was complied 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.

Panchmahals

3

PMS-12/07

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. was added in the chargesheet later on. The prime accused, who was on bail, was externed from the city and preventive steps taken against remaining two also.

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

Gandhinagar

4

GND-83/07

Smt. Yashodaben Dharmdrabhai Solanki, Ahmedabad made a petition before Gujarat State Human Rights Commission 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 finalisation of the accident claim.

Vadodara City

5

BCT / 13 / 07

Extortion of poor and helpless people 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 Corporaion. 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 petioner 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 CrPC 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.

Ahmedabad Rural

6

ADR/ 289/07

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 Viththalapur 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 persuasions 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 and handicapped villager for starting his own means of livelihood.

Ahmedabad City

7

ADC-33/08

Delay of 12 years in finalisation 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 pensionary benefits for a long period over 12 years. Director, ESIC, was asked by GSHRC to look into this grievance and to send a report. Susequently, 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

8

ADC-60/08

Complaint of a widow regarding property grabbing

Smt. Sumanben Somaji 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, Khiroo 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 @ Khiroo Goswami. After death of her husband Smt. Sumanben had went to Maharashtra and in her absence, her home was opened up and belongings were shifted by Goswami . Therefore, on the basis of the complaint filed by the applicant, offences under IPC-454, 380, 114 were registered and missing household belonging 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

9

ADC / 7/ 08

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

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 Krishnadharm 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.

AUDA 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 Aawas 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.

Ahmedabad City

10

ADC/ 214/07

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 alongwith 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 then 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 filed 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 CrPC 107 and applicant was replied accordingly.

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

Ahmedabad City

11

ADC //17 /08

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 Jewellers, 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 Jewellers.

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 alongwith Gold Ornaments were returned by the accused Jewellers and the issue was settled amicably. Thus, at the intervention of the State Commission, one victimised person was saved from further injustice.

Patan

12

PTN / 49 / 07

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 the 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

13

BKT / 17/ 07

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 CrPC 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

14

SBK/ 127//06

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

Shri Babubhai Becharbhai Patel of Galodia, Ta: 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 who was interested in selection of the site of this check-dam.

Report was called for from the Executive Engineer, Irrigation Project Dvn. 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

15

SBK 50 / 07

Inordinate delay in Pensionary benefits

Shri Dhulaji Gangaji Hadula retired as Malaria inspector in June 2007, his pension case was 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 non payment 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 lateron.

Kachchh

16

KTC 16/ 07

Nonpayment of Labour charges to poor labourers

Shri Hurji Lunja 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 R. 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 and 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 were paid to the applicant. Thus the issue was settled amicably.

Junagadh

17

JND 38/07

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

18

GND//3//08

Denial of incentive in Government Scheme for Family Planning Operation

Smt. Shobhnaben Manharlal Bhadreja of Dabhoda, 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 benefits of the Government Scheme for having only one child. Though she had applied alongwith necessary documents, she was not given that benefit for a long period over 17 years.

GSHRC called for a report from the Commissioner, Health Services and it was complied by District Health Officer that after due verification of records and Government instructions in this regards, Mrs. Shobhnaben's case was 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.

Panchmahals

19

PMS/ 42 / 07

Harassment by in-laws 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 till a long period of over 25 years for 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-laws 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, alongwith his mother, brother's wife and maternal uncle were booked under IPC 498(c),306 & 114. They were also found co-accused under sections 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. Chargesheets were framed against them accordingly and the case is now pending in Sessions court.

Ahmedabad

20

ADC / 38 / 08

Compensation from Releif 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 trapped under the collapse of a huge tree during the heavy rain storm. He was admitted to LG Hospital and during the treatment became paralysed on account of serious lower waist injuries. He lost leg movements 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.

Bharuch

21

BRC / 24 / 07

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: Bharuch., in connivance with the Talati. As his complaint was not heard by local authorities, he preferred a petition before GSHRC. Reports were calledfor 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 were feasible against him.

Surendranagar

22

SNR-3/07

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 toShri 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 harrassment 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 these blank cheques 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, 406, 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.

Bhavnagar

23

BNR-17/07

Regarding misuse of properties belonging to a charitable organisation and Role of Government machinery in safeguarding "Public Interest".

Shri Maganbhai Kalabhai Dodia of Bagdana, Dist. Bhavnagar represented to GSHRC that agri. Land Survery No 119, known as "Diveliya" is being illegally utilised by the occupants. Owner of this Land is Bagdeshvar Mahadev as it was donated to that entity. Administrator or Caretakers of this temple can not 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 organisation, 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 orders 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 surver No. 119, the allegations are quite substantiated. Therefore, action 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 an egile complainant 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)

24

ADR-2/08

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

Shri Pumanbhai Manilal Vania and 8 others of Modasar, Ta: Sanand made a petition before GSHRC that they had completed construction and had 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 again and to release the amount of assistance to all these 9 applicants as they are not at any fault. Reply is awaited.

Surendranagar

25

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 one Shobhna Amritbhai Chauhan of Ahmedabad, he left Surendranagar with 8 tolas 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 behaviour of Shobhna 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 is awaited.

Amreli

26

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 chargesheeted under IPC 504, 506(2) only. As the applicant 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 chargesheet. Action taken report is awaited from SP/ Amreli.

Ahmedabad

27

ADC 109 / 07

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.

Surat

28

SCT 19 / 07

Non payment 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 as 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.

CHAPTER : 8

CONCLUSION AND RECOMMENDATIONS

The Gujarat State Human Rights Commission worked for first full year in 2007-08, however, the constraints of key personnel remained there as no new staff or officers could be added during the year. The commission does not have proper investigation team and much of the investigations are got done through the regular government machinery only. The Commission was visited by the international dignitary Ms Asma Jahagir, UN Special Rappoteur on Freedom of Religion and Belief and it was noted with satisfaction that there was not a single application of discrimination based on religion with the watchdog agency of human rights and oversees the conditions of the Human Rights, in the State. Early in the year, Member of NHRC Shri PC Sharma visited Ahmedabad and called on the Hon Chairperson in Circuit House Ahmedabad. The State HRC officials attended the workshop and complied pending issues.

The report can be concluded that the year was full of activities. The report is covered in 8 Chapters. In Chapter 1, the introduction with history, powers of the Commission, its functions and procedure are covered in briefly because it has been given in detail in the last year's report. The regulations and guidelines are also given in the annexure to give idea of law and its use. The Annexure 1 to 4 cover UN Declaration of Human Rights, regulations, guidelines, application forms and the various orders given in the previous report to legal background of its administration. During the year efforts were made to Sensitize the Human Rights Protection Authorities in the Districts and discussed with them the provisions of the Manual for district Magistrates compiled by the NHRC, activating the Legal Aid Authorities etc. In the performance report for the year 2007-08. Chapter 3 covers the issues of weaker sections and atrocities and crimes committed against them, atrocities on SC/ST/Minorities, Women and child. Chapter 4 covers the UN millennium development goals (MDGs) vis a vis poverty alleviation programs and other infrastructure activities covered under the program as well as the Human Development index and issues related to 20 point program which is the Indian version of MDGs reported much earlier in the decade of 70s. Chapter 5 given to have good governance which is necessary for democratic functioning and common protection of various human rights touching upon a common man in day to day working. Chapter 6 covers the Custodial Crimes and violation of Human Rights by forces. Necessary data has been collected from the State Crime Record Bureau and Human Rights cell of DGP and Government Departments, which give us the status of the subject. Chapter 7, the exemplary cases are given to deter the agencies from violations of such human rights. Chapter 8 gives the Summary, Conclusions and the recommendations of the report.

The Commission notes with concern that there are large scale violations of rights of women and weaker sections. It is not much heard but it is a fact that practice of dowry is quite prevalent in the state. There are bride burning cases. The worst part of this is that the detecting agencies are paying least attention to these social victims' pleas and convictions are very low. Police actions are mere formalities. The worst part of this evil is this, that though there is general perception that dowry is only confined to Hindus, but it is equally prevalent among Muslims and other religious groups also. There is another myth that educated people do not have dowry problem, but the practice is equally prevalent among well educated groups. The Millennium Oevelopment Goals (MDGs) were planned to provide suitable program to reduce poverty to half by 2015. India is good in planning we started 20 point program in Seventies but paying lip service, today India is home to largest number of people below poverty line. The record of HDI is very poor even a progressive state like Gujarat is lacking in this respect. The state government has taken seriously the drop out and poor state of affairs of female literacy which will definitely show positive results in future. We need all such issues to be taken up with similar commitment.

Gujarat State has primary school facility in every village and Ashram Schools have been sanctioned by the Government in the tribal areas at various places which are adequate in number as per their needs, and much more in numbers than many other States. Though there are such adequate facilities, the standard of education quality is very poor resulting into wide spread unemployment among Tribals, because of which the Tribals youths are able to get the jobs in low income activities. Therefore, it is necessary to improve the quality of education in the schools including that of tribal areas to improve their competibility in better paid jobs.

Position of common man and farmers in the State is that of highly indebtedness. But due to sub trained agriculture programs the position of farmers has improved in Cotton growing and other areas. No complaints from farmers have been received for seed failures. The transfer of land Pattas in the tribal areas is another major issue. Implementation of the law for the transfer of the Pattas of Land records in the name of the Tribals has not yet been done, which is required to be done at the earliest.

The infrastructure of Health is good in the state but the Doctors do not stay regularly in these remote areas even today, this problem needs to be addressed immediately. As a part of connecting all hospitals with Emergency Medical Service at No. 108 (earlier 1066) for road accidents and other emergency medical needs was started since 2004, this work is being carried out by the Emergency Medical Service Society under the guidance of the Health Department. As a result, immediate treatment in many serious road accidents and medical cases are being received. Further more attention is required to be paid in such difficult remote tribal areas so that there is no loss of life even that of any single patient. The Network of Trauma Centers needed to be increased covering all highways, railways cities as per needs.

An immunization program campaign is also carried out by Health Department. Health Checkup of about one crore students in the schools is being carried out during the months of July and August ever year and necessary free treatment is given to students wherever any disease is detected. By making such more intensive health programs, status of health of future citizens of the country will become more protected.

The complaints against weaknesses in investigation of crimes by the Police Department are received in the State Commission. The State Commission had sent its recommendations, guidance and necessary suggestions to the Home Department, and concerned Heads of Department from time to time. Various organizations under DGP have been alerted in human rights field, if necessary by calling for hearing in serious cases whenever required.

The working of the registration of petitions reached to the State Commission started and acknowledgement of its receipt, its inquiries and getting its reports from government authorities started from December, 2006. Thereafter, during the year 2007-08 the State Commission had received total 1420 complaints and petitions which were classified district wise and month wise up to March 31, 2008. In additions to these 191 petitions were pending for the last year. Thus total 1611 petitions were required to be dispose off on its merits before the State Commission in the year 2007-08, out of which 1060 petitions have been disposed off. This is a huge task for a small setup of the Commission.

These applications, disposed off or pending, do not depict the correct picture regarding violation of Human Rights as some of them are simply endorsements of applications addressed to concerned authorities. Many of these applications pertain to private-mutual individual civil disputes or interests also come which prima facie do not form a case of violation of human rights against authorities at all. They do not fall strictly issues of violation of Human Rights as per the Act which refer only to the complaints against public servants. The number of applications may depend on the awareness, literacy rates and the nature of cases and also the public willingness to write against authorities as well as their knowledge on the issues. The cases of unlawful custody have also been noticed in the State. Especially, there are examples of the accused persons who were taken on remand were not presented before the courts on the prescribed dates,. The main reason for such delays was given that the officers were mostly busy in making urgent security requirement. For the matters taken under judicial custody for remand, day-to-day pre-review should be carried out before the date given by the Court, and in such cases, it is must that rulings on the arrests and custody must be strictly followed and that not even a single person be left unauthorized under the police custody even by a mistake. Immediate suitable recommendations have been sent in such cases, which came to the notice of the officials of the Commission during their field visits.

There are very small number of cases of missing women and children in Gujarat comparing to the other States. Out of which a negligible number is in the sensitive age group of 12 to 15 years but we must trace them all. There is a noteworthy contribution for human rights by the NGOs in the State, various programmes, conferences have been organized for creating awareness of rights of the people of the old aged and their petitions are disposed off sympathetically on priority basis. The guidelines issued by National Human Rights Commission should be strictly followed to

mobilize the administrative machinery, so that not a single incident of missing of children occurs or remains unresolved.

If the issues of custodial deaths is looked into, nine incidents were reported. The State Commission monitors such cases closely. Present position is not serious considering its number, but prompt action should be there, so that there is not a single such incident happens in the State. The State Commission has received 10 (Ten) petitions of the prisoners, who are in the jails , this number is much smaller comparing to the number of the other States in the country. However, the Commission has taken all their complaints seriously.

Overall the Commission aimed at achieving the high standard of Human Rights comparable to the developed countries. The State Human Rights Commission is continuously making efforts for the protection of rights of all the citizens and it is necessary that not any kind of loss is made to all the citizens in regard to enjoying their democratic fundamental rights but it is also necessary that all the machinery should actively cooperate with sincere efforts of the Commission in this humanitarian task.

In the foregoing chapters of the Report, the Commission has recommended from time to time to follow the best practices for protecting human rights. It will certainly make the standards of human rights protection very high in our state.

The matter of the good governance in all walks of life is essential. The simplicity, transparency, efficiency and objectivity are hall mark of good governance. This can be achieved only when all are clear in objectives and determined to achieve the welfare of all on war footing.

The Commission acted during the year on very positive side and recommendations were made on following subjects:-

- (1) **Custodial deaths;** During the year Commission took note of certain custodial deaths. It was inquired but no effective response was received from the authorities, in the year total 9 custodial deaths were reported which are less then the previous year
- (2) **Crime detection:** The detection of crime is very low. There were 7 death issues reported which were alleged murders, the police could not find the culprits. It was recommended that in murder cases, crime detection be made more effective.
- (3) **Taking FIRs:** There are clear ruling of Hon. Supreme Court on the issue of FIRs however, the common man still finds it difficult to register an FIR. In these circumstances there are 14 complaints which were taken after recommendation of the State Commission.
- (4) **Disaster Management:** There are cases of disaster management where assistance were not given to the victims, they have moved from pillar to posts but administration has closed these issues without redressal of their grievances. The replies that issues are old matters and are closed in Government is not a correct approach. Every victims be given full Justice.
- (5) **Property issues;** There is unusual interest of police in property issues. The land being the subject of Revenue Department but rather than advising the complainant to go to the Revenue department, tendencies seen ignoring record and encouraging to file criminal cases. It is recommended to go strictly by the revenue record to establish the prima facie rights. For Displaced cases procedure of law should be followed rather to indulge in property issues unduly more.
- (6) **Pensions:** very surprisingly the same government and public servants who give curt and passive response when they were in service are now many of them at the receiving end. Being senior citizens, the State Commission sympathetically takes up their issues and helped them to settle their issues and impress upon the Government to direct all concerned to attend senior citizens' issues promptly.
- (7) **Services: discriminations against SC/ST/Minorities**

Discrimination against the employees from SC/ST/minority is very common. It is unfortunate that after 62 years of independence such discrimination still exists. Gujarat is a progressive state, need to be more positive in this regard.

- (8) **Domestic issues:** the complaints give a passive picture of domestic front. Most of the families are passing through undue tensions on dowry or ill- treatment of the brides or the daughter in laws. The failures of love affairs were also cause of tension. There are continuous tensions in the family to accommodate the daughter in laws. There are issues of bride burning. Administration need to be more sensitive to their causes. The Social Activists should play more positive role to fill up the gap between tradition and modernity.
- (9) **Issues of Corruption:** Corruption complaints against the public servants are very frequent. There is a separate commission i.e. the Vigilance Commission, to look into this menace and most of the applicants were advised to approach the relevant authorities. All departments need to have transparent procedures and standard formats to deal with various subjects. The public dealing issues should have standardized forms to remove ambiguity. Department of Administrative Reforms to look into issues of procedures more deeply.
- (10) **Issues related to Judiciary:** The Judiciary is independent under the Constitution and has to manage its affairs itself, however, many complaints against the judges and lower judiciaries were sent which were advised to approach the competent authorities.
- (11) **Missing Children:** The issues of missing children particularly against girl is serious concern. The NHRC guidelines were circulated to the State agencies to be more sensitive to protection of children rights.
- (12) **Guidelines for arrest,** Supreme Court laid down the procedure for arrests which subsequently government gave a legal shape. It is needed to be followed more seriously.
- (13) **Administrative autonomy;** the Commission remained a weak organization, the financial autonomy for functioning of the Commission was not accepted. It is further recommended to look into this issue more positively, because more effective Human Rights Commission will keep common man more satisfied, more public awareness and more justice to a common man.

For Visit Photo

For Visit Photo

Annexure :1

The Universal Declaration of Human Rights UDHR (United Nations)

On 10 December 1948, the General Assembly of the United Nations adopted and proclaimed the Universal Declaration of Human Rights, the full text of which appears in the following pages. Following this historic act, the Assembly called upon all Member countries to publicize the text of the Declaration and "to cause it to be disseminated, displayed, read and expounded principally in schools and other educational institutions, without distinction based on the political status of countries or territories."

PREAMBLE

Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people,

Whereas it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law,

Whereas it is essential to promote the development of friendly relations between nations,

Whereas the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom,

Whereas Member States have pledged themselves to achieve, in co-operation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

Whereas a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge,

Now, Therefore THE GENERAL ASSEMBLY proclaims THIS UNIVERSAL DECLARATION OF HUMAN RIGHTS as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

Article 1.

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 2.

- Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

Article 3.

- Everyone has the right to life, liberty and security of person.

Article 4.

- No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

Article 5.

- No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 6.

- Everyone has the right to recognition everywhere as a person before the law.

Article 7.

- All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

Article 8.

- Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

Article 9.

- No one shall be subjected to arbitrary arrest, detention or exile.

Article 10.

- Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

Article 11.

- (1) Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.
- (2) No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.

Article 12.

- No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

Article 13.

- (1) Everyone has the right to freedom of movement and residence within the borders of each state.
- (2) Everyone has the right to leave any country, including his own, and to return to his country.

Article 14.

- (1) Everyone has the right to seek and to enjoy in other countries asylum from persecution.
- (2) This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

Article 15.

- (1) Everyone has the right to a nationality.
- (2) No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

Article 16.

- (1) Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.
- (2) Marriage shall be entered into only with the free and full consent of the intending spouses.
- (3) The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

Article 17.

- (1) Everyone has the right to own property alone as well as in association with others.
- (2) No one shall be arbitrarily deprived of his property.

Article 18.

- Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Article 19.

- Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Article 20.

- (1) Everyone has the right to freedom of peaceful assembly and association.
- (2) No one may be compelled to belong to an association.

Article 21.

- (1) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.
- (2) Everyone has the right of equal access to public service in his country.
- (3) The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

Article 22.

- Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

Article 23.

- (1) Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.
- (2) Everyone, without any discrimination, has the right to equal pay for equal work.
- (3) Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.
- (4) Everyone has the right to form and to join trade unions for the protection of his interests.

Article 24.

- Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

Article 25.

- (1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.
- (2) Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

Article 26.

- (1) Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.
- (2) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.
- (3) Parents have a prior right to choose the kind of education that shall be given to their children.

Article 27.

- (1) Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.
- (2) Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

Article 28.

- Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

Article 29.

- (1) Everyone has duties to the community in which alone the free and full development of his personality is possible.
- (2) In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.
- (3) These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

Article 30.

- Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.

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Annexure 2

GUJARAT STATE HUMAN RIGHTS COMMISSION

NOTIFICATION

No. HRC-102006-EST

Dated 22-12-2006

In exercise of the powers conferred by sub section (2) of Section 10 read with Section 29 of the Protection of Human Rights Act, 1993 (as amended by the Protection of Human Rights (Amendment) Act 2006 (No.43 of 2006), the Gujarat State Human Rights Commission hereby makes the following regulations, namely:-

1. Short Title and Commencement- (1) These Regulations may be called the Gujarat State Human Rights Commission (Procedure) Regulations, 2006.

(2) They shall come into force with effect from the 22nd day of December, 2006.

2. Definitions- In these Regulations unless the context otherwise requires:-

- (a) ' Act' means the Protection of Human Rights Act, 1993.
- (b) The 'Chairperson' means the Chairperson of the State Commission.
- (c) The 'State Commission' means the Gujarat State Human Rights Commission.
- (d) 'Member' means a Member of the State Commission and includes the Chairperson.

3. Headquarters of the State Commission.- The Headquarter of the State Commission shall be located at Gandhinagar.

4. Venue of the Meetings. - The State Commission shall ordinarily hold its meetings and sittings in its office or at the camp office of the Chairperson located at Gandhinagar. However, it may, in its discretion, hold its meetings and sittings at any other place in Gujarat if it considers it necessary and expedient.

5. Periodicity of Meetings; - The State Commission shall normally have its sittings in the first and third weeks of every month, excepting holidays. However, the Chairperson by himself or at the instance of one or more of the Members may direct special sitting of the State Commission to be convened to consider any specific matter of urgency.

6. Secretariat Assistance. - The Secretary alongwith such officers of the State Commission, as may be directed by the Chairperson or considered necessary, shall attend the meetings of the State Commission.

7. Agenda. - The Secretary shall, in consultation with the Chairperson, prepare the agenda for each meeting of the State Commission and shall cause the notes thereon to be prepared by the Secretariat. Such notes shall, as far as possible, be self contained. Specific files covering the agenda items shall be made readily available to the State Commission for reference. The agenda papers shall ordinarily be circulated to the Members at least two clear days in advance of every meeting. When matters are set down only for hearing the case list of the day of sitting only shall be prepared and circulated.

8. Procedure for dealing with complaints. - (1) All complaints in whatever form received by the State Commission shall be registered, assigned a number and acknowledged and, ordinarily, placed for admission, as far as possible, within two weeks of receipt thereof. Ordinarily, complaints of the following nature are not entertainable by the State Commission. -

- (a) In regard to events which happened more than one year before the making of complaints.
- (b) With regard to matters which are sub-judice.
- (c) Which are vague, anonymous or pseudonymous.
- (d) Which are of frivolous nature.
- (e) Those which are outside the purview of the State Commission.

(2) No fee is chargeable on complaints.

(3) Every attempt should be made to disclose a complete picture of the matter leading to the complaints and the same may be made in Gujarati, Hindi or English to enable the State Commission to take immediate action. To facilitate the filing of complaints the State Commission shall, however, entertain complaints in any other language included in Eighth Schedule of the Constitution. It shall be open to the State Commission to call for further information and affidavit to be filed in support of allegations whenever considered necessary.

(4) The State Commission may, in its discretion, entertain complaints conveyed through email or fax, followed by confirmation by the complainant.

(5) A complaint may be dismissed in limine if, upon preliminary investigation or preliminary inquiry by such police and investigation staff under the control of the Additional Director General of Police and such other officers and staff as has been made available to the State Commission by the State Government for efficient performance of its functions, which include investigation and inquiry into the complaints of violation of human rights, the allegations in the complaint are unfounded or unsustainable or unwarranted or not cognizable by the State Commission or requisite action has already been taken or initiated by the concerned authority.

(6) Upon admission of a complaint, the Chairperson/State Commission shall direct whether the matter would be set down for statutory inquiry or statutory investigation.

(7) On every complaint on which a decision is taken by the Chairperson/Commission to either hold statutory inquiry or statutory investigation, the Secretariat shall call for report/comments/information from the concerned Government/authority giving the latter a reasonable time there for.

(8) On receipt of the report/comments/information from the concerned authority a detailed note on the merits of the case shall be prepared for consideration of the State Commission. If no such report/comment/information is received the matter may proceed ex parte.

(9) The directions and recommendations of the State Commission shall be communicated to the concerned Government/Authority and the petitioner as provided for in Section 18 of the Act.

(10) The State Commission may, in its discretion, afford a personal hearing to the petitioner or any other person on his behalf or such other person or persons as, in the opinion of the State Commission, should be heard for appropriate disposal of the matter before it and, where necessary, call for records and examine witnesses in connection therewith. The State Commission shall afford a reasonable opportunity of hearing, including opportunity of cross examining witnesses, if any, in support of the complaint and leading of evidence, in support of his stand, to a person whose conduct is enquired into by it or to any other person where in its opinion the reputation of such person is likely to be prejudicially affected.

(11) **Hearings of the cases** : The State Commission may, in its discretion, afford a personal hearing to the petitioner or any other person on his behalf or such other person or persons as, in the opinion of the State Commission, should be heard for appropriate disposal of the matter before any officer, member, a bench or a special bench consisted of two or more Members..

(12) Where investigation is undertaken by the team of the State Commission or by any other person under its discretion, the report shall be submitted within a week of its completion or such further time as the State Commission may allow. The State Commission may, in its discretion direct further investigation for ascertaining the truth or enabling it to properly dispose of the matter. On receipt of the report, the State Commission may, on its own motion or if moved in the matter, direct inquiry and receive evidence in course of such inquiry.

(13) The Chairperson or any member of the State Commission or officer, when requested by the Chairperson, may undertake visits for making an on-the-spot study. Where such a study is undertaken, a report thereon shall be furnished to the State Commission as early as possible.

(14) The State Commission may appoint one or more rapportiers for Specific issues required in depth study and long term monitoring for its assistance.

9. Minutes of the Meeting. - (a) The minutes of each meeting of the State Commission shall be recorded during the meeting itself or immediately thereafter by the Secretary or by any other officer as directed. Such minutes shall be submitted to the Chairperson for his approval and upon

approval be circulated to all the Members of the State Commission at the earliest and in any case, sufficiently before the commencement of the next meeting.

(b) The Conclusions of the State Commission in every matter undertaken by it shall be recorded in the form on an opinion. Dissenting opinion, if given, shall also form part of and be kept on record. Action shall be taken on the basis of the majority opinion where there is difference of opinion.

(c) Follow-up Action. - Unless specifically authorized, no action shall be taken by the Secretariat of the State Commission on the Minutes of the meetings until the same are confirmed by the Chairperson.

10. Record of minutes. - A master copy of the minutes of every meeting and opinions of the State Commission, duly authenticated by the Secretary, shall be maintained and, a copy of the minutes pertaining to each item shall be added to the relevant file for appropriate action. Opinions shall be kept in the respective records and the copies thereof with appropriate indexing shall be kept in guard files.

11. Report of Action taken. - Report of follow-up action shall be submitted to the State Commission at every subsequent sitting indicating therein the present stage of action on each item on which the State Commission had taken a decision in any of its earlier meetings, excepting the item on which no further action is called for.

12. Transaction of business outside the Headquarters. - The State Commission or the Chairperson or a member, with the approval of the Chairperson, may transact business at places outside its headquarters, provided that if parties are to be heard in connection with any inquiry under the Act, at least two Members shall constitute the bench of the State Commission for such purpose.

13. Authentication of orders and decisions. (1) Orders and decisions of the State Commission shall be authenticated by the Secretary or any officer of the State Commission, not below the rank of Deputy Secretary and authorized by the Chairperson.

(2) Copies of inquiry reports or orders passed finally disposing of matters by the State Commission shall be furnished free of cost to the petitioner or his representative.

(3) Unless any document is classified by the State Commission as Confidential, copy thereof be made available to the parties in the matter on payment of a reasonable fee to meet the cost. Every effort should be made to provide the copies with utmost expedition and, in any case, not later than the period prescribed under the Right to Information Act, 2005(22 of 2005).

14. Annual report. - The State Commission shall furnish its annual report for the period commencing from 1st April of the year and ending on 31st March of the succeeding year to the State Government as provided in Section 28(1) of the Act. The original report shall be signed by the Chairperson and the Members of the State Commission, if available, and be appropriately preserved.

15. Special reports.- The State Commission may furnish such special reports on specific matters as may be considered necessary in terms of section 28(1) of the Act.

16. Reports on Complaints and inquiries. - Every report to which Section 18 of the Act applies, along with the recommendation of the State Commission shall be sent to the concerned Government or authority or person, as the case may be, within two weeks of the completion of the proceedings, and on receipt of the report/recommendation the concerned Government or authority shall within one month or such further time as the Commission may allow, forward its comments on the report, including the action taken or proposed to be taken thereon, to the State Commission. Thereupon the State Commission shall publish the report in the manner provided in section 18(f) of the Act.

17. Printing of the report. – Upon its finalization the Secretariat of the State Commission shall be responsible for the printing of the Annual Report and Special Report with utmost expedition.

18. Investigation team. - The State Commission shall have its own team of investigation to be headed by a person not below the rank of Inspector General of police appointed by it and such other categories of officers as the State Commission may, from time to time, decide. The State

Commission may in any given case appoint an appropriate number of other appropriate persons to be associated with the investigation either as investigators, rapportiers or observers.

19. As and when any matter is found not covered by these Regulations, it shall be competent for the State Commission to make appropriate direction and the State Commission may add, delete, amplify and amend these Regulations from time to time.

By order of the Sate Commission

R L Meena
Secretary
Gujarat State Human Right Commission
Gandhinagar

Annexure 3

GUIDELINES FOR MAKING PETITION REGARDING VIOLATION OF THE HUMAN RIGHTS ISSUED BY THE GUJARAT STATE HUMAN RIGHTS COMMISSION

(Date: 24-12-2006)

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

1. The National Human Rights Commission.
OR
2. The Gujarat State Human Rights Commission for redressal.
3. The victims of the offences arising out of violation of human rights have remedy before the Human Rights Courts in Gujarat which are mandated to conduct the trial speedily.
4. **The National Human Rights Commission is located in Faridkot House at Copernicus Marg, New Delhi-110001.**
5. **The State Human Rights Commission is situated near Town Hall, Sector-17, Gandhinagar-382017 with a camp office of the Chairperson at Bungalow No.37, Ministers' Bungalows, Sector-20, Gandhinagar-382020.**
6. **Courts of Sessions of respective Districts of Gujarat have been specified to be the Human Rights Courts.**
7. The Gujarat State Human Rights Commission and the Human Rights Courts can be accessed by the petitioner or any person on his behalf by furnishing a petition in writing.
8. The petition must be written in English, Hindi or Gujarati language, giving:
 - (a) the name,
 - (b) parentage, or husband's name,
 - (c) complete residential address,
 - (d) full details of the person, authority or office in respect of which the grievance relates,
 - (e) full particulars of the cause, such as the incident, place, date, month and year, particulars of the witnesses,
 - (f) supporting documentary evidence, if any.
 - (g) The details of authority, office or ministry which has been approached earlier together with the information regarding action taken thereon.
 - (h) In case the Commission has been approached previously, full particulars in that regard along with the result should also be given in the petition.
 - (i) The petition must be signed or appended by thumb impression of the petitioner.
 - (j) As far as possible, the petition should be supported by the affidavit of the petitioner.
 - (k) The petition must be made within one year of the incident giving rise to the cause of action.
9. The petition making allegations found false may invite appropriate action against the petitioner.
10. The petition may be made in the format annexed to this guidelines as Annexure i.

By order of the Commission,

(Dr. R.L. Meena)
Secretary

Format for Petition to be filed before the State Commission (annexure: i)

(As approved by the Gujarat State Human Rights Commission)

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

4. Full details of the person, authority or office in respect of which the grievance relates,

5. Full particulars of the cause, such as the incident, place, date, month and year, particulars of the witnesses,

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

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

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

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

Date and Place

Signature or Thumb impression of the Petitioner

Annexure 4

List of important decisions reported in the First Annual Report of Gujarat State Human Rights Commission

1. Government Notification of Constitution of the Gujarat State Human Rights Commission. [No. GG/52/2006/HRC-1094/GOI-1(Part-ii)/N, dated 12-7-2006]
2. Warrant of Hon'ble Governor about appointment of Hon'ble Chairperson of the Gujarat State Human Rights Commission. (dated 27th July, 2006)
3. Notification of appointment of Hon'ble Chairperson of the Gujarat State Human Rights Commission. [No. GG/87/2006/HRC-1094/GOI-1(Part-ii)/N, dated 18-8-2006]
4. Government Resolution about sanctioning establishment of the Gujarat State Human Rights Commission. (No. HRC/1099-140-N dated 25-8-2006)
5. Government Notification regarding assuming the charge of post by Hon'ble Chairperson of Gujarat State Human Rights Commission. [No. GG/98/2006/HRC-GOI-1(Part-ii)/N, dated 12-9-2006]
6. Resolutions of Gujarat State Human Rights Commission – Notifications of State Commission regarding giving powers and appointment of officers in details.
 1. No. GG/01/2007/SHRC/2007-Consti/Reso/Legal dated 31-1-2007 (Appointment of Dr. R.L.Meena, IAS, as Secretary, GSHRC)
 2. No. GG/02/2007/SHRC/2007-Consti/Reso/Legal dated 31-1-2007 (Appointment of Shri Chitaranjan Singh, IPS, as addl. D.G.P., GSHRC
 3. No. GG/03/2007/SHRC/2007-Consti/Reso/Legal dated 31-1-2007 (Delegation of powers to Secretary GSHRC regarding appointments of staff)
 4. No. GG/04/2007/SHRC/2007-Consti/Reso/Legal dated 31-1-2007 (Delegation of Administrative and Financial powers to Secretary, GSHRC)
 5. No.GG/05/2007/SHRC/2007-Consti/Reso/Legal dated 31-1-2007 (GSHRC-authorizes ADGP in pursuance of the investigating activities of the State Commission)]
7. Government Resolution regarding declaring the Secretary of the Gujarat State Human Rights Commission the Head of the Government Department. (Home Department, Resolution No. ઢ૨૧૬/1006/8124/N, dated 13-12-2006)
8. Government Notification regarding declaring the Sessions Courts in the State as Courts of Human Rights. (Legal Department No. GK/2002/16/SPC/1094/VIP-226/D, dated 24-5-2002)
9. Government Notification regarding notifying all Public Prosecutors as the Special Public Prosecutor for the purpose of conducting cases of Human Rights in all Human Right Courts of State. (Legal Department No. APT/332007/1569/GK/13/H, dated 20-7-2007)
10. List showing subject wise classification of incidents leading to complaints/ Suo-moto action (as per NHRC- Resolution No.13)

Annexure 5 A
Details regarding Fatal Road Accidents in last three years

Year	Male	Female	Total
2005	4404	860	5264
2006	4512	1087	5599
2007	5172	1121	6293

(Source: Computer cum State Crime Record Bureau, Gujarat State)

Annexure 5 B
Achievement in Vaccination and Mother Child Programme during year 2007-08
VACCINATION

Sr.No.	Procedures	Work load	Achievement	Percentage
1	T.T. Mother	1500800	1264055	84.23
2	B.C.G.	12900900	1208784	93.64
3	D.P.T.	12900900	1174855	91.01
4	Polio	12900900	1162414	90.01
5	Measles	12900900	1153185	89.33
6	Full vaccination	12900900	1115121	86.38

(Source: Commissioner, Health & Family Welfare, Gujarat State)

Annexure 5 C
Achievement in Mother Child Programme during year 2007-08

Sr.No.	Procedures	Work load	Achievement	Percentage
1	Registration of pregnant mother	1500800	1370588	91.32
2	Pregnancy registration	1363360	1182497	86.79
3	Institutional pregnancy	1182497	920343	77.8

(Source: Commissioner, Health & Family Welfare, Gujarat State)

Annexure 5 D
Work done under Chiranjivi Yojana during year 2007-08

Sr.No.	Procedure (pregnancy under Chiranjivi Yojana)	Achievements
1	Normal	106080
2	LSCS	7651
3	Complicated	7312
4	Total	121043
5	Doctors	865

(Source: Commissioner, Health & Family Welfare, Gujarat State)

Annexure 6

Retention & Drop Out Rate of Students in Std. 1 to 5 in Gujarat state 1990-91 to 2007-08)

Year	Retention Rate %			Drop Out Rate %		
	Boys	Girls	Total	Boys	Girls	Total
1990-91	55.37	46.59	50.98	44.63	53.41	49.02
1991-92	56.33	47.33	51.83	43.67	52.67	48.17
1992-93	58.26	49.81	54.03	41.74	50.19	45.97
1993-94	59.62	50.16	55.37	40.38	49.84	44.63
1994-95	65.06	58.9	62.29	34.94	41.10	37.71
1995-96	66.55	59.99	63.07	33.45	40.01	36.93
1996-97	67.28	60.26	64.60	32.72	39.74	35.4
1997-98	67.74	61.05	64.69	32.26	38.95	35.31
1998-99	70.72	72.44	71.04	29.28	27.56	28.96
1999-00	76.23	79.17	77.70	23.77	20.83	22.30
2000-01	78.95	79.19	79.07	21.05	20.81	20.93
2001-02	79.54	79.47	79.50	20.46	20.53	20.50
2002-03	80.92	80.86	80.88	19.08	19.14	19.12
2003-04	82.21	82.16	82.17	17.79	17.84	17.83
2004-05	91.28	88.23	89.84	8.72	11.77	10.16
2005-06	95.47	94.21	94.87	4.53	5.79	5.13
2006-07	97.16	96.32	96.76	2.84	3.68	3.24
2007-08	97.23	96.75	97.02	2.77	3.25	2.98

(Source: Director, Primary Education, Gujarat State)

Annexure 7 A
20 Point programme 2007-08
(Poverty Allevation Programmes)
GUJARAT

Sr. No.	Item code	Item/parameter Name (Units)	Target April-2007-March,2008	Achievement April,2007-March,2008	Percent Achievement
1	2	3	4	5	(5)/(4)
<u>Employment generation under the NREG Scheme</u>					
1	01A01	No. of job cards issued (Number)	**	8,65,503	
2	01A02	Employment generated (Number)	**	90,04,000	
3	01A03	Wages given (Rupees)	**	81,83,71,000	
<u>Swaranjaynti Gram Swarojgar Yojana</u>					
4	01B01	Total Swarojgaris Assisted (Number)	26,873	35,786	133
5	01B02	SC Swarojgaris Assisted(Number)	**	18,514	
6	01B03	ST Swarojgaris Assisted(Number)	**	0	
7	01B04	Women Swarojgaris Assisted(Number)	**	13,593	
8	01B05	Disabled Swarojgaris Assisted(Number)	**	325	
<u>Sampoorna Grameen Rojgar Yojana</u>					
9	01C01	Total employment generated (Numbers of Mandays)	**	89,57,000	
10	01C02	Employment generated for SC (Number of Mandays)	**	41,39,000	
11	01C03	Employment generated for ST (Number of Mandays)			
12	01C04	Employment generated for Women (Number of Mandays)			
<u>Self Help Groups (SHG)</u>					
13	,01E01	Formed under SGSY (Number)	**	4,901	
14	,01E02	To whom income generating activities provided (Number)	2,106	2,363	112
<u>Distribution of waste land to the landless</u>					
15	,03E01	Total land distributed (Hectare)	**	3,000	
16	,03E02	Land distributed to SC (Hectare)	**	711	
17	,03E03	Land distributed to ST (Hectare)	**	778	
18	,03E04	Land distributed to Others (Hectare)	**	1,511	
<u>Minimum Wages Enforcement (including Farm Labour)</u>					
19	04B01	Agriculture and Farm Workers; Inspections made (Number)	**	14,211	
20	04B02	Agriculture and Farm Workers; Irregularities detected (Number)	**	11,634	
21	04B03	Agriculture and Farm Workers; Irregularities detected (Number)			
22	04B04	Agriculture and Farm Workers; claim filed	**	0	

Sr. No.	Item code	Item/parameter Name (Units)	Target April-2007-March,2008	Achievement April,2007-March,2008	Percent Achievement
1	2	3	4	5	(5)/(4)
		(Number)			
23	04B05	Agriculture and Farm Workers; claims settled (Number)	**	1	
24	04B06	Agriculture and Farm Workers; Prosecution cases pending(Number)	**	58,436	
25	04B07	Agriculture and Farm Workers; Prosecution cases filed (Number)	**	468	
26	04B08	Agriculture and Farm Workers; Prosecution cases decided (Number)	**	209	
27	04B10	Agriculture and Farm Workers; Others (Number)	**	0	
		<u>Food security (Targeted Public Distribution System)</u>			
28	05A02	Off take (Tonnes)	11,30,035	8,82,491	78
		<u>Food Security (Antodaya Anna Yojana)</u>			
29	05B02	Off take (Tonnes)	3,32,180	2,93,573	88
		<u>Rural Housing - Indira Awaas Yojana</u>			
30	06A01	Houses constructed (Number)	94,234	96,234	102
		<u>EWS/LIG Houses in Urban Areas</u>			
31	06B01	Houses constructed (Number)	500	500	100
		<u>Rural Areas - Accelerated Rural Water Supply Programme</u>			
32	07A02	Slipped back habitations and habitations with water quality problems covered (Number)	3,139	3,143	100
		<u>Sanitation Programme in Rural Areas</u>			
33	08D01	Individual Household latrines constructed (1Number)	**	8,47,897	
		<u>Institutional Delivery</u>			
34	,08E01	Delivery in institutions (Number)	**	9,20,652	
		<u>SC Families Assisted</u>			
35	10A01	SC Families Assisted (Number)	1,40,000	1,39,448	100
		<u>ST Families Assisted</u>			
36	10C01	ST Families Assisted	*	1,82,657	
		<u>Universlization of ICDS Scheme</u>			
37	12A01	ICDS Blocks Operational (Commulative) (Number)	260	260	100
		<u>Functional Anganwadis</u>			
38	12B01	Anganwadis Functional (Commlative) (Number)	43,371	43,195	100
		<u>No. of Urban poor families assisted under Seven Point Charter</u>			

Sr. No.	Item code	Item/parameter Name (Units)	Target April-2007-March,2008	Achievement April,2007-March,2008	Percent Achievement
1	2	3	4	5	(5)/(4)
39	14A01	Poor families Assisted (Number)	4,000	4,000	100
		<u>Afforestation (Public and Forest Lands)</u>			
40	15A01	Area covered under Plantation (Hectare)	1,00,000	92,164	92
41	15A02	Seedlings planted (Number)	6,50,00,000	31,77,24,000	489
		<u>Rural Roads – PMGSY</u>			
42	17A01	Length of road constructed (Kilometer)	500	450	90
		<u>Rajiv Gandhi Grameen Vidyutikaran Yojana</u>			
43	18B01	Villages electrified (Number)	500	1,236	247
		<u>Energising pump sets</u>			
44	18D01	Pump sets energized (Number)	9,140	14,473	218
		<u>Supply of Electricity</u>			
45	,18E02	Electricity supplied (Million Units)	68,747	57,614	84
	<u>Note</u>	*- Target Not Received			
		** - Non-Targetable			
	1	<i><u>Very Good (90% or above of targets)</u></i>			
		01B01, 01E02, 06A01,06B01, 07A02, 10A01,12A01,14A01,15A01,15A02, 17A01,18B01,18D01			
	2	<i>Good (Between 80% to 90% Targets)</i>			
		05B02, 18E02			
	3	<i>poor (Below 80 % of targets)</i>			
		05A02			

(Source: Commissioner, Rural Development, Gujarat State)

ANNEXURE 7 B
20 POINT PROGRAMME

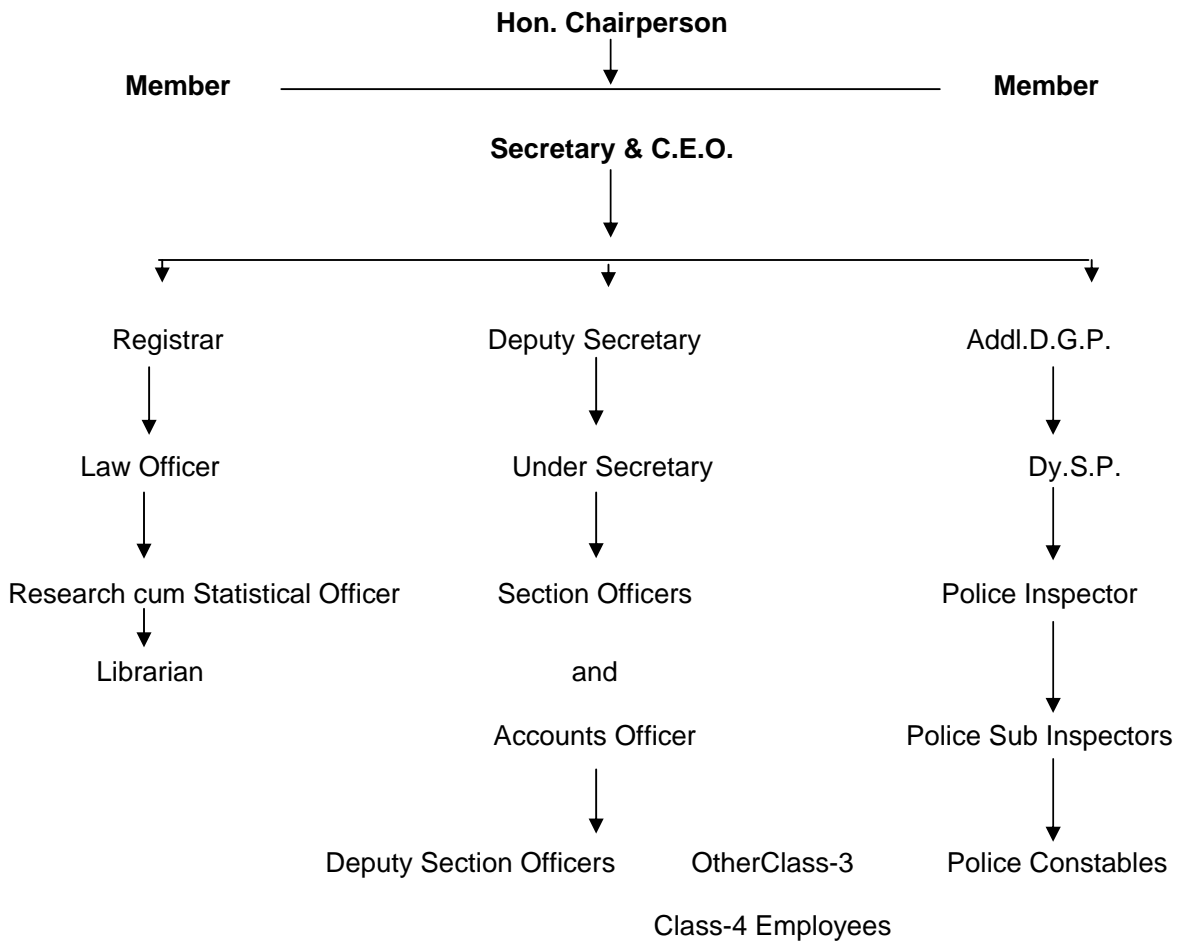
National Level Score Card and Statement of Progress for the year 2007-08

Name of the State	Sr.No.	Maximum score	Items/Grade				Total Marks	%age acqu-ired	Place
			a	b	c	d			
Rajasthan	17	51	17	0	0	0	51	100	1
Himachal Pradesh	15	45	13	0	2	0	41	91	2
Gujarat	17	51	14	0	3	0	45	88	3
Andra Pradesh	16	48	12	1	3	0	41	85	4
Haryana	16	48	12	1	3	0	41	85	4
Karnatak	16	48	12	1	3	0	41	85	4
Uttarakhand	16	48	11	2	3	0	40	83	7
Delhi	9	27	6	1	2	0	22	81	8
Tamil Nadu	16	48	11	1	4	0	39	81	8
Kerala	15	45	10	0	5	0	35	78	10
Madhya Pradesh	16	48	10	0	6	0	36	75	11
Pondichery	12	36	8	0	3	1	27	75	11
Uttar Pradesh	17	51	9	2	6	0	37	73	13
Goa	12	36	7	0	4	1	25	69	14
Jharkhand	15	45	8	0	7	0	31	69	14
Manipur	13	39	8	0	3	2	27	69	14
Chhattisgadhd	17	51	9	0	6	2	33	65	17
Panjab	16	48	8	0	7	1	31	65	17
Jammu Kashmir	14	42	6	1	7	0	27	64	19
Meghalaya	14	42	6	1	7	0	27	64	19
Sikkim	15	45	7	1	6	1	29	64	19
Tripura	15	45	8	0	5	2	29	64	19
Orissa	15	45	6	2	6	1	28	62	23
West Bengal	16	48	6	2	8	0	30	62	23
Assam	16	48	7	0	7	2	28	58	25
Mizoram	12	36	6	0	3	3	21	58	25
Maharashtra	17	51	6	1	9	1	29	57	27
Naga Land	13	39	5	0	5	3	20	51	28
Bihar	16	48	4	0	12	0	24	50	29
Arunachal Pradesh	14	42	2	0	6	6	12	29	30

(Source:Govt.of India, Compilation of State Reports on 20 Point Programme for the year 2007-08)

Annexure 8

Organizational Structure



Annexure 9 A

Statement showing offences registered under Atrocity on Scheduled Caste Act

(for the period from 1-4-2007 to 31-3-2008)

Sr. No.	District	Murder	Group Hurts	Rape	Arson	IPC (Others)	Total
i	ii	iii	iv	v	vi	vii	viii
1	Ahmedabad city	5	1	5		50	61
2	Baroda city		1			8	9
3	Surat city			1		10	11
4	Rajkot city		1	1		16	18
5	Ahmedabad Rural		4	2	2	80	88
6	Anand		1			33	34
7	Kheda	1	5		3	55	64
8	Sabarkantha	1	1			29	31
9	Gandhinagar	1	4			41	46
10	Mehsana		4		1	66	71
11	Patan		4	4		67	75
12	Banaskantha	1	4	4	5	148	162
13	Vadodara Rural				1	12	13
14	PanchMahals		3		1	13	17
15	Dahod						0
16	Bharuch					10	10
17	Narmada		1			1	2
18	Surat Rural		1			2	3
19	Valsad					1	1
20	Navsari		1	1		3	5
21	Junagadh	1	5	4		70	80
22	Porbandar				1	6	7
23	Amreli	1	2			29	32
24	Bhavnagar		4	2	1	45	52
25	Rajkot Rural	1	5	3		64	73
26	Surendranagar	1	5	2		73	81
27	Jamnagar	1	2	2	1	31	37
28	Kachchh		7	1	1	63	72
29	Western Railway					4	4
30	Dangs- Ahwa						0
31	Tapi						0
	Total	14	66	32	17	1030	1159

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

Annexure 9 B

Statement showing offences registered under Atrocity on Scheduled Tribes Act (for the period from 1-4-2007 to 31-3-2008)

Sr.No.	District	Murder	Group Hurts	Rape	Arson	IPC (Others)	Total
i	ii	iii	iv	v	vi	vii	viii
1	Ahmedabad city					5	5
2	Baroda city			1		4	5
3	Surat city			2		2	4
4	Rajkot city					2	2
5	Ahmedabad Rural					4	4
6	Anand		1	1			2
7	Kheda		2			5	7
8	Sabarkantha	1		1		6	8
9	Gandhinagar			2		2	4
10	Mehsana		1			2	3
11	Patan		1			5	6
12	Banaskantha		2	1		29	32
13	Vadodara Rural	1	1			17	19
14	PanchMahals	3	4			5	12
15	Dahod			1		3	4
16	Bharuch	4	4	2		12	22
17	Narmada	2	1			7	10
18	Surat Rural	1				12	13
19	Valsad		1	1		3	5
20	Navsari	1	1			8	10
21	Junagadh		1				1
22	Porbandar					1	1
23	Amreli					1	1
24	Bhavnagar			1			1
25	Rajkot Rural			2		1	3
26	Surendranagar		1	3		3	7
27	Jamnagar					3	3
28	Kachchh					3	3
29	Western Railway	1	1				2
30	Dangs- Ahwa						0
31	Tapi						0
	Total	14	22	18	0	145	199

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

Annexure 10

Prison Statistics of Jails in India for the year 2005 (NHRC)

*CJ > Cental Jail

*DJ > District Jail

*SJ > Sub Jail

(As on 31st Dec 2005)

STATES	***Projected pop in lakhs as of 1st Jan 2006	No. OF JAILS					CAPACITY				
		*CJ	*DJ	*SJ	Others	Total	CJ	DJ	SJ	Other	Total
ANDHRA PRADESH	805.68	7	9	106	5	127	6632	1637	3227	843	12339
ARUNACHAL (No Jail)	11.67	0	0	0		0	0	0	0		0
ASSAM	286	6	18	1	2	27	3386	2467	32	472	6357
BIHAR	905.02	6	24	25		55	10155	8064	3813		22032
CHHATTISGARH	225.36	4	6	17		27	2593	1085	885		4563
GOA	14.85	1	0	1	3	5	150	0	115	91	356
GUJARAT	548.38	2	6	11	4	23	2466	1572	1135	280	5453
HARYANA	232.42	2	12	4	1	19	2248	7732	145	462	10587
HIMACHAL PRADESH	64.43	2	2	7	2	13	506	160	196	110	972
JAMMU & KASHMIR	109.15	2	8	3		13	1220	1630	250		3100
JHARKHAND	292.23	3	19	4		26	2217	3228	500		5945
KARNATAKA	561.47	6	6	82	3	97	5211	820	2727	513	9271
KERALA	332.19	3	3	26	7	39	2527	453	1246	1013	5239
MADHYA PRADESH	661.9	8	21	86	1	116	7469	4335	6154	608	18566
MAHARASHTRA	1045.38	8	24	172	6	210	11733	5104	2361	1094	20292
MANIPUR	23.03	2	0	0		2	1090	0			1090
MEGHALAYA	24.65	0	4	0		4	0	520	0		520
MIZORAM	9.44	1	5	0		6	545	459			1004
NAGALAND	21.15	1	3	6		10	600	350	210		1160
ORISSA	388.21	4	9	52	5	70	2095	2472	3275	1325	9167
PUNJAB	260.03	7	7	10	2	26	8636	1862	676	100	11274
RAJASTHAN	620.85	8	25	59	12	104	7210	4524	3363	746	15843
SIKKIM	5.75	1	0	0		1	121	0	0		121
TAMIL NADU	650.49	11	0	120	2	133	13730	0	4412	10	18152
TRIPURA	34	1	3	7		11	355	288	422		1065
UTTAR PRADESH	1827.01	5	50	3	2	60	5974	27358	516	598	34446
UTTARAKHAND	91.95		6	2	1	9		1067	336	360	1763
WEST BENGAL	850.59	6	12	29	6	53	10957	5803	1751	1211	19722
Total States	10903.28	107	282	833	64	1286	109826	82990	37747	9836	240399
Union Territories											
ANDAMAN & NICOBAR	4.17	0	1	3		4	0	269	40		309
CHANDIGARH	10.94	1	0	0		1	1000	0	0		1000
DADAR & NAGAR HAVELI	2.64	0	0	1		1	0	0	40		40
DAMAN & DIU	2.14	0	0	2		2	0	0	120		120
DELHI	159.45	9	1	0		10	5200	1050	0		6250
LAKSHADWEEP	0.72	0	0	4		4	0	0	16		16
PONDICHERRY	10.91	1	1	2		4	225	50	30		305
TOTAL Union Territories	190.97	11	3	12	0	26	6425	1369	246	0	8040
All India as of 31-12-05	11094.25	118	285	845	64	1312	116251	84359	37993	9836	248439

Contd..

Annexure 10 (Contd.)

STATES	CJ	CONVICTS			Total	UNDERTRIALS				T(UT)	T(C+UT)
		DJ	SJ	Other		CJ	DJ	SJ	Other		
ANDHRA PRADESH	4143	223	145	481	4992	3971	2089	3198	286	9544	14536
ARUNACHAL (No Jail)					0					0	0
ASSAM	1710	1539	4	222	3475	2437	2377	28	158	5000	8475
BIHAR	4008	1258	343		5609	9124	21959	8936		40019	45628
CHHATTISGARH	4013	210	77		4300	2360	1470	1678		5508	9808
GOA	128		10		138	17		97	178	292	430
GUJARAT	3763	567	120	37	4487	2162	2547	1553	170	6432	10919
HARYANA	1285	3400		101	4786	1527	5691	302	137	7657	12443
HIMACHAL PRADESH	472	91	24	52	639	119	134	276		529	1168
JAMMU & KASHMIR	88	126	7		221	527	937	73		1537	1758
JHARKHAND	4312	927	53		5292	3123	8976	1412		13511	18803
KARNATAKA	3789	83	129	95	4096	4078	919	2686		7683	11779
KERALA	2398	72	28	311	2809	1067	782	1357	655	3861	6670
MADHYA PRADESH	11414	1659	1132	186	14391	4616	4651	7724		16991	31382
MAHARASHTRA	7653	917	477	680	9727	9556	6300	715	90	16661	26388
MANIPUR	31				31	395				395	426
MEGHALAYA		42			42		511			511	553
MIZORAM	69	96			165	332	329			661	826
NAGALAND	109	15	17		141	166	183	135		484	625
ORISSA	1325	1906	489	476	4196	1832	1801	4988	1141	9762	13958
PUNJAB	3972	765	138	37	4912	6960	2472	646		10078	14990
RAJASTHAN	4107	963	27	605	5702	2949	2659	2297	32	7937	13639
SIKKIM	73				73	122				122	195
TAMIL NADU	7382		6	75	7463	9264		3960		13224	20687
TRIPURA	510	120	120		750	167	127	362		656	1406
UTTAR PRADESH	7188	4328	46	416	11978	1434	42875	431		44740	56718
UTTARAKHAND		413	48	304	765		889	689		1578	2343
WEST BENGAL	3349	308	82	132	3871	7051	3357	3187	777	14372	18243
Total States	77291	20028	3522	4210	105051	75356	114035	46730	3624	239745	344796
Union Territories											
ANDAMAN & NICOBAR	65	1			66		154	5		159	225
CHANDIGARH	84				84	371				371	455
DADAR & NAGAR HAVELI					0			43		43	43
DAMAN & DIU			11		11			36		36	47
DELHI	1541	985			2526	9785	6			9791	12317
LAKSHADWEEP					0			6		6	6
PONDICHERRY	114	5			119	138	26	5		169	288
TOTAL Union Territories	1804	991	11	0	2806	10294	186	95	0	10575	13381
All India as of 31-12-05	79095	21019	3533	4210	107857	85650	114221	46825	3624	250320	358177

Contd..

Annexure 10 (Contd.)

STATES	CONVICTS+UT(F)					CHILDREN <5 WITH (F)					(-) means idle cap. (% Over/Idle)	% UTs	% women	No. prisoners per hundred thousand of population
	CJ	DJ	SJ	Others	T(C+UT)F	CJ	DJ	SJ	Others	T-C<5				
ANDHRA PRADESH	141	222	51	470	884	9	25	1	33	68	17.81	65.66	6.08	18
ARUNACHAL					0					0				
ASSAM	96	108		7	211	8	16		2	26	33.32	59.00	2.49	30
BIHAR	284	801	237		1322	12	57	25		94	107.10	87.71	2.90	50
CHHATTISGARH	360	63			423	46	7			53	114.95	56.16	4.31	44
GOA	17				17	1				1	20.79	67.91	3.95	29
GUJARAT	203	105	61	14	383	14	14	2	1	31	100.24	58.91	3.51	20
HARYANA	68	311		136	515	2	28		13	43	17.53	61.54	4.14	54
HIMACHAL PRADESH	15	11	12		38					0	20.16	45.29	3.25	18
JAMMU & KASHMIR	12	55			67	1	3			4	-43.29	87.43	3.81	16
JHARKHAND	255	409	34		698	45	74	1		120	216.28	71.86	3.71	64
KARNATAKA	332	49	56	11	448	16	2	1		19	27.05	65.23	3.80	21
KERALA	78	21	28	76	203	2	2		10	14	27.31	57.89	3.04	20
MADHYA PRADESH	433	291	93		817	71	47	19		137	69.03	54.14	2.60	47
MAHARASHTRA	601	715		9	1325	65	86			151	30.04	63.14	5.02	25
MANIPUR	19				19					0	-60.92	92.72	4.46	18
MEGHALAYA		12			12					0	6.35	92.41	2.17	22
MIZORAM	26	49			75	3	6			9	-17.73	80.02	9.08	88
NAGALAND		5	15		20					0	-46.12	77.44	3.20	30
ORISSA	64	52	277	37	430	5	9	35	5	54	52.26	69.94	3.08	36
PUNJAB	641	135			776	71	15			86	32.96	67.23	5.18	58
RAJASTHAN	87	93	31	208	419	15	8	6	17	46	-13.91	58.19	3.07	22
SIKKIM	5				5					0	61.16	62.56	2.56	34
TAMIL NADU	903		706		1609	46		29		75	13.97	63.92	7.78	32
TRIPURA		26	13		39		1			1	32.02	46.66	2.77	41
UTTAR PRADESH	33	1182	3	125	1343	9	228		14	251	64.66	78.88	2.37	31
UTTARAKHAND		36	12		48		4			4	32.90	67.35	2.05	25
WEST BENGAL	663	229	280	94	1266	309	41	48	12	410	-7.50	78.78	6.94	21
Total States	5336	4980	1909	1187	13412	750	673	167	107	1697	43.43	69.53	3.89	32
Union Territories														
ANDAMAN & NICOBAR		4			4					0	-27.18	70.67	1.78	54
CHANDIGARH	26				26	2				2	-54.50	81.54	5.71	42
DADRA & NAGAR HAVELI					0					0	7.50	100.00	0.00	16
DAMAN & DIU			1		1					0	-60.83	76.60	2.13	22
DELHI	487				487	38				38	97.07	79.49	3.95	77
LAKSHADWEEP					0					0	-62.50	100.00		8
PONDICHERRY	6				6					0	-5.57	58.68	2.08	26
TOTAL Union Territories	519	4	1	0	524	40	0	0	0	40	66.43	79.03	3.92	70
All India as of 31-12-05	5855	4984	1910	1187	13936	790	673	167	107	1737	44.17	69.89	3.89	32

(Source: National Human Rights Commission, New Delhi)

Annexure-11 A

Information regarding crimes against Women in Gujarat (1991-2008)

Sr. No	Head	Section	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
1	Rape	376 IPC	270	308	311	307	251	253	321	311	304	314	235	262	230	331	336	363	331	359
2	Kidnapping Murder	363, 366 IPC	551	591	526	592	627	551	769	914	896	765	731	697	739	777	863	881	1024	1041
3	Murder	302 IPC	359	375	337	311	326	345	376	345	351	334	284	277	287	254	251	323	274	284
4	Attempt to Murder	307 IPC	73	75	71	94	101	65	102	106	87	80	75	77	72	64	76	79	81	91
5	Dowry Deaths	304 B IPC	48	62	63	80	55	63	85	63	57	55	43	36	31	27	37	39	23	28
6	Torture	498 A IPC	1164	1574	1540	1556	1809	1909	2419	2989	3365	3542	3191	2866	3185	3781	3998	4898	5692	6093
7	Molestation	354 IPC	887	1045	974	1006	1124	992	1073	1192	1118	976	803	759	705	763	774	757	722	857
8	Eve-teasing	509 IPC	69	76	69	59	74	87	83	114	134	147	91	94	82	92	80	71	83	86
9	Abatement to Suicide	306 IPC	161	235	304	320	455	458	523	536	575	497	473	434	403	438	387	494	512	493
10	Greivous Hurt	325 IPC	331	394	328	266	267	283	300	305	294	260	237	236	189	205	180	194	181	228
11	Simple Hurt	324 IPC	895	948	874	870	868	853	832	996	963	910	817	708	591	669	584	494	499	520
12	Child Marriage	4,5,6	57	45	45	47	50	34	21	17	26	20	8	23	9	16	22	6	11	16
13	Attempt to Commit Suicide	309 IPC	363	280	303	208	100	150	221	234	209	153	150	102	77	69	56	17	14	13
14	B.P. Act	110.117	1320	1253	875	686	548	422	377	267	319	222	348	286	372	338	315	435	284	307
15	Suicidal Death	Cr.P.C. 174	1096	1166	1522	1386	1523	1475	1476	1638	1774	1668	1632	1455	1483	1358	1366	1472	1666	1840
16	Accidental Death	Cr.P.C. 174	2405	2148	2597	2724	2753	2804	3077	3767	3378	3029	2750	2686	2545	2554	2546	2601	2905	3166
17	Others	337 IPC	377	530	516	572	617	581	647	839	828	754	673	462	537	523	603	554	501	645
18	I.T.P.A.3,4,5,6,7,8	1956 Act of 3 to 8	0	0	0	6	5	4	5	6	39	47	61	31	63	30	41	82	40	46
	Total.....		10426	11105	11255	11090	11553	11329	12707	14639	14717	13773	12602	11491	11600	12289	12515	13760	14843	16113

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

Annexure 11 B

Offences of Atrocity on Women registered during the year 2007-08 in Gujarat

S no.	Name of City/District	Rape (376)	Murder (302)	Abduction (363, 366)	Attempt to Murder(307)	Dowry death (304-B)	Toture (498-A)	Teasing (354)	Instigating to suicide(306)	Gravious Hurt (325)	Hurt (324)	Attempt to suicide (309)	Misc (337, 342 etc.)	Total
1	Ahmedabad city	40	13	126	9	3	1271	182	31	4	28	2	6	1715
2	Rajkot city	2	7	37	1	0	195	17	18	2	2	0	0	281
3	Surat city	27	23	80	4	2	362	51	25	3	31	0	21	629
4	Baroda city	5	6	31	3	1	272	12	15	17	23	5	1	391
5	Ahmedabad Rural	1	9	43	2	0	184	31	13	25	39	0	26	373
6	Kheda	8	17	32	1	0	140	37	23	0	3	0	5	266
7	Anand	12	11	52	1	0	189	20	16	8	16	0	9	334
8	Gandhinagar	11	5	25	3	3	193	12	17	2	3	0	1	275
9	Sabarkantha	11	11	37	8	0	177	37	17	8	9	0	7	322
10	Mehsana	6	9	43	4	1	250	30	13	2	10	1	7	376
11	Jamnagar	17	7	24	5	0	250	17	26	7	25	1	38	417
12	Rajkot Rural	26	6	46	5	5	243	29	23	10	22	0	77	492
13	Surendranagar	19	5	32	1	0	126	47	24	2	0	0	2	258
14	Banaskantha	22	12	42	1	5	242	60	26	7	7	0	2	426
15	Kachchh	9	10	35	2	2	277	23	27	1	8	0	16	410
16	Patan	10	3	40	2	0	182	25	11	1	38	3	17	332
17	Amreli	8	9	43	6	0	180	24	7	7	29	0	107	420
18	Bhavnagar	18	6	77	5	2	253	84	31	11	45	3	66	601
19	Junagadh	12	10	46	1	1	371	44	25	4	36	0	57	607
20	Porbandar	1	3	11	2	0	58	3	5	3	12	0	4	102
21	Vadodara Rural	9	17	20	6	0	62	9	3	10	15	0	6	157
22	Bharuch	8	7	15	1	0	78	15	11	10	17	0	14	176
23	Narmada	4	2	2	1	0	7	5	3	10	13	0	5	52
24	Panchmahal	17	10	39	2	0	85	25	23	5	36	0	11	253
25	Dahod	19	14	18	2	0	38	35	24	7	27	0	16	200
26	Surat Rural	2	8	3	3	0	54	10	5	9	10	0	4	108
27	Tapi	1	1	0	0	0	1	1	1	0	4	0	0	9
28	Valsad	8	7	4	1	0	25	11	11	1	0	0	2	70
29	Navsari	1	7	12	1	0	18	2	3	0	0	0	0	44
30	Dangs- Ahwa	3	5	0	0	0	6	4	4	0	4	1	0	27
31	Western Railway	0	6	1	1	0	6	6	1	0	1	0	5	27
	Total	337	266	1016	84	25	5795	908	482	176	513	16	532	10150

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

Annexure 12

Statistical Information regarding Applications received at GSHRC (2006-07 and 2007-08)

Sr. No.	Name of District	2006-2007					2007-2008			Total Applications as on 31-3-2008 3(1)+4(1)	Total disposal as on 31-3-2008 3(2)+3(4)+4(2)	Total pending as on 31-3-2008 3(5)+4(3)
		Applications Received in 2006-07	Disposed off during 2006-07	Pending as on 31-3-2007	Disposed off during 2007-08	Pending as on 31-3-2008	Applications Received in 2007-08	Disposed off during 2007-08	Pending as on 31-3-2008 4(1)-4(2)			
1	2	3(1)	3(2)	3(3)	3(4)	3(5)	4(1)	4(2)	4(3)	5(1)	5(2)	5(3)
1	Ahmedabad City	80	65	15	11	4	318	167	151	398	243	155
	Ahmedabad Rural	23	12	11	9	2	60	17	43	83	38	45
2	Mehsana	25	19	6	6	0	41	28	13	66	53	13
3	Rajkot City	11	6	5	5	0	25	15	10	36	26	10
	Rajkot Rural	13	8	5	5	0	32	19	13	45	32	13
4	Bhavnagar	22	13	9	9	0	50	41	9	72	63	9
5	Surat City	9	6	3	3	0	41	19	22	50	28	22
	Surat Rural	12	12	0	0	0	27	26	1	39	38	1
6	Vadodara City	20	11	9	9	0	58	40	18	78	60	18
	Vadodara Rural	3	3	0	0	0	14	14	0	17	17	0
7	Kheda	30	22	8	8	0	54	25	29	84	55	29
8	Banaskatha	26	20	6	6	0	61	45	16	87	71	16
9	Sabarkantha	24	16	8	8	0	67	39	28	91	63	28
10	Jamnagar	28	21	7	7	0	46	34	12	74	62	12
11	Junagadh	16	8	8	6	2	36	28	8	52	42	10
12	Kachchh	16	12	4	4	0	27	15	12	43	31	12
13	Surendranagar	28	28	0	0	0	32	25	7	60	53	7
14	Amreli	26	16	10	9	1	35	22	13	61	47	14
15	Valsad	3	3	0	0	0	9	9	0	12	12	0
16	Bharuch	9	7	2	2	0	38	30	8	47	39	8
17	Godhara	11	8	3	3	0	47	37	10	58	48	10
18	Gandhinagar	24	15	9	9	0	98	59	39	122	83	39
19	Dangs-Ahwa	3	2	1	1	0	3	1	2	6	4	2
20	Dahod	17	6	11	8	3	29	12	17	46	26	20
21	Navsari	3	3	0	0	0	13	6	7	16	9	7
22	Narmada	60	35	25	22	3	41	33	8	101	90	11
23	Anand	25	19	6	6	0	43	25	18	68	50	18
24	Patan	23	16	7	7	0	51	35	16	74	58	16
25	Porbandar	2	0	2	2	0	4	4	0	6	6	0
26	Tapi (Vyara)	0	0	0	0	0	2	2	0	2	2	0
27	Other	18	7	11	8	3	18	15	3	36	30	6
Total		610	419	191	173	18	1420	887	533	2030	1479	551

ANNEXURE 13(1)

Statement showing District wise and Classified Subjects wise information regarding applications received from 1-4-2007 to 31-3-2008

S. No.	Name of District	CHILDREN (100-01 to 100-05)					HEALTH (200-01 to 200-03)					JAIL (300-01 to 300-08)							
		Child labor (100-01)	Child marriage (100-02)	Child prostitution (100-03)	Exploitation of children (100-04)	illegal traffic on children (100-05)	Total (3 to 7)	Exploitation of mentally retarded person(s) (100-05)	Public health hazards (200-01)	Malfunctioning of medical professionals (200-04)	Total (8 to 10)	Custodial death (300-01)	Custodial rape (300-02)	Exploitation of child prisoners (300-03)	Debarment of legal aid (300-04)	Harassment of prisoners (300-05)	Inequalities in prison (300-06)	Irregularities in prison (300-07)	Unlawful solitary Confinement of prisoners (300-08)
1	2	3	4	5	6	7	8	9	10		11	12	13	14	15	16	17	18	
1	Ahmedabad city	1	0	0	0	0	1	0	0	0	0	0	0	0	4	0	0	0	4
	Ahmedabad Rural	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Mehsana	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3	Rajkot City	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	1	0	1
	Rajkot Rural	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4	Bhavnagar	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5	Surat City	0	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0
	Surat Rural	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6	Baroda City	0	0	0	3	0	3	0	0	0	0	0	0	0	3	0	2	0	5
	Baroda Rural	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7	Kheda	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8	Banaskantha	0	0	0	1	0	1	0	0	1	1	0	0	0	0	0	0	0	0
9	Sabarkantha	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10	Jamnagar	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1
11	Junagadh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12	Kachchh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13	Surendranagar	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14	Amreli	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15	Valsad	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
16	Bharuch	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0
17	Panchmahals	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
18	Gandhinagar	0	0	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0
19	Dangs	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
20	Dahod	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
21	Navsari	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
22	Narmada	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
23	Anand	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
24	Patan	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
25	Porbandar	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
26	Tapi (Vyara)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
27	Other/General	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Total	1	1	0	5	1	8	0	0	2	2	0	0	0	7	1	3	0	11

ANNEXURE 13(2)

Statement showing District wise and Classified Subjects wise information regarding applications received from 1-4-2007 to 31-3-2008

S.No.	Name of District	JUDICIARY (400-01 to 400-02)			MAFIAS/ UNDERWORLD (500-01 to 500-03)				LABOUR (600-01 to 600-06)						
		Biased Judiciary (400-01)	Double jeopardy (400-02)	Total (19 to 20)	Nuisance by notorious Gundas/ Mafias (500-01)	Nuisance by local elements (500-02)	Trouble by Anti-social elements (500-03)	Total (21 to 23)	Bonded labor (600-01)	Exploitation of labors (600-02)	Forced labour (600-03)	Hazardous employments (600-04)	Slavery (600-05)	Traffic of human labour (600-06)	Total (24 to 29)
1	2	19	20		21	22	23		24	25	26	27	28	29	
1	Ahmedabad city	2	0	2	0	11	15	26	0	2	0	0	0	0	2
	Ahmedabad Rural	0	0	0	0	0	2	2	0	0	0	0	0	0	0
2	Mehsana	0	0	0	0	1	0	1	0	0	0	0	0	0	0
3	Rajkot City	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Rajkot Rural	0	0	0	0	0	1	1	0	0	0	0	0	0	0
4	Bhavnagar	0	0	0	0	3	3	6	0	0	0	0	0	0	0
5	Surat City	0	0	0	0	1	3	4	0	0	0	0	0	0	0
	Surat Rural	0	0	0	0	0	1	1	0	0	0	1	0	0	1
6	Baroda City	0	0	0	0	0	0	0	0	0	0	0	1	0	1
	Baroda Rural	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7	Kheda	1	0	1	0	0	0	0	0	0	0	0	0	0	0
8	Banaskantha	0	0	0	0	7	2	9	0	0	0	0	0	0	0
9	Sabarkantha	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10	Jamnagar	0	0	0	0	0	0	0	0	1	1	1	0	0	3
11	Junagadh	0	0	0	0	1	1	2	0	0	0	0	0	0	0
12	Kachchh	1	0	1	0	0	0	0	0	0	0	0	0	0	0
13	Surendranagar	1	0	1	0	0	0	0	0	0	0	0	0	0	0
14	Amreli	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15	Valsad	0	0	0	0	0	0	0	0	0	0	0	0	0	0
16	Bharuch	1	0	1	0	1	0	1	0	2	0	0	0	0	2
17	Panchmahals	1	0	1	0	0	1	1	0	0	0	0	0	0	0
18	Gandhinagar	0	0	0	0	1	1	2	0	0	0	0	0	0	0
19	Dangs	0	0	0	0	0	0	0	0	0	0	0	0	0	0
20	Dahod	0	0	0	0	0	0	0	0	0	0	0	0	0	0
21	Navsari	0	0	0	0	0	1	1	0	0	0	0	0	0	0
22	Narmada	0	0	0	0	0	0	0	0	2	1	0	0	0	3
23	Anand	0	0	0	0	0	0	0	0	0	0	0	0	0	0
24	Patan	0	0	0	0	1	0	1	0	0	0	0	0	0	0
25	Porbandar	0	0	0	0	0	0	0	0	0	0	0	0	0	0
26	Tapi (Vyara)	0	0	0	0	0	0	0	0	0	0	0	0	0	0
27	Other/General	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Total	7	0	7	0	27	31	58	0	7	2	2	1	0	12

ANNEXURE 13(3)

Statement showing District wise and Classified Subjects wise information regarding applications received from 1-4-2007 to 31-3-2008

Sr.No.	Name of District	Discri. against Minority/ /SC /ST (700-01 to 700-02)			POLICE / ARMED FORECES (800-01 to 800-21) (Please see detailed classification under 800-01 to 800-21 in Annexure 13(7))																					Total (32 to 52)
		Discri. Against Minority (700-01)	Dscri. Against SC/ ST (700-02)	Total (30 to 31)	01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	
		30	31	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	
1	Ahmedabad city	1	0	1	10	0	0	10	1	0	0	0	0	0	0	1	0	36	10	0	0	0	2	4	0	74
	Ahmedabad. Rural	0	0	0	4	0	0	6	0	0	0	0	0	0	0	0	9	0	0	0	0	1	1	0	21	
2	Mehsana	1	3	4	0	0	0	4	0	0	0	0	0	0	0	0	8	0	0	0	0	0	1	0	13	
3	Rajkot City	0	0	0	1	0	0	1	0	0	0	0	0	0	0	0	4	0	0	0	0	0	0	0	6	
	Rajkot Rural	0	1	1	2	0	0	2	0	0	0	0	0	0	0	0	5	1	0	0	0	0	0	0	10	
4	Bhavnagar	0	0	0	1	0	0	2	0	0	0	0	0	0	0	0	6	0	0	1	0	0	0	1	11	
5	Surat City	0	0	0	1	0	0	1	0	0	0	0	0	1	0	0	7	0	0	0	0	0	0	0	10	
	Surat Rural	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0	0	0	0	4	
6	Baroda City	1	1	2	2	0	0	2	0	0	0	0	0	0	0	0	11	1	0	1	0	0	0	1	18	
	Baroda Rural	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	4	1	0	0	0	0	0	1	6	
7	Kheda	0	0	0	0	0	0	2	0	0	0	0	1	0	0	0	13	4	0	0	0	1	0	0	21	
8	Banaskantha	1	0	1	1	0	0	0	0	0	0	0	0	0	0	0	12	0	0	0	0	0	1	0	14	
9	Sabarkantha	0	2	2	3	0	0	3	0	2	0	0	0	0	0	0	14	1	0	0	0	0	0	1	24	
10	Jamnagar	1	1	2	0	0	0	1	0	0	0	0	0	0	0	0	3	0	0	0	0	0	0	2	6	
11	Junagadh	0	1	1	0	0	0	0	0	0	1	0	0	0	0	0	4	0	0	0	0	1	0	3	9	
12	Kachchh	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	5	0	0	0	0	0	1	0	6	
13	Surendranagar	0	4	4	1	0	0	2	0	0	0	0	0	0	0	0	3	0	0	0	0	0	0	0	6	
14	Amreli	1	2	3	1	0	0	1	0	0	0	0	0	0	0	0	6	0	0	0	0	0	0	0	8	
15	Valsad	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	1	
16	Bharuch	0	1	1	1	0	0	4	0	0	0	0	0	0	0	0	10	0	0	0	0	0	1	0	16	
17	Panchmahals	0	0	0	3	1	0	2	0	0	0	0	0	0	0	0	8	1	0	0	0	0	0	1	16	
18	Gandhinagar	0	2	2	2	2	0	2	0	2	0	0	0	0	0	0	16	2	0	2	0	0	0	0	28	
19	Dangs	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	
20	Dahod	1	1	2	0	0	0	1	0	0	0	0	0	0	0	0	8	0	0	1	0	0	0	0	10	
21	Navsari	1	0	1	1	0	0	0	0	0	0	0	0	0	0	0	5	0	0	0	0	0	0	0	6	
22	Narmada	0	6	6	2	0	0	3	0	0	0	0	0	0	0	0	9	2	0	0	0	0	0	1	17	
23	Anand	1	0	1	1	0	0	1	0	0	0	0	0	0	0	0	11	0	0	0	0	1	0	0	14	
24	Patan	0	1	1	2	0	0	0	0	0	0	0	0	0	0	0	14	0	1	0	0	0	0	0	17	
25	Porbandar	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	
26	Tapi (Vyara)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
27	Other/General	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Total	9	28	37	40	4	0	51	1	5	1	0	2	1	0	1	0	233	23	1	5	0	6	11	9	394

ANNEXURE 13 (4)

Statement showing District wise and Classified Subjects wise information regarding applications received from 1-4-2007 to 31-3-2008

Sr. no.	Name of District	POLUTION, ECOLOGY AND ENVIROMENT (900-01 to 900-04)					REFUGEEES / MIGRANTS (1000-01 to 1000-03)				RELIGION / COMMUNITY/ RACE (1100-01 to 1100-06)						
		Ecological disturbanc es (900-01)	Environmen tal pollution (900-02)	Misuses of Scientific and Technical Development (900-03)	Pollution affecting surrounding (900-04)	Total (53 to 56)	Atrocitiy on Migrants (1000-01)	Chakma refugee problems (1000-2)	Shrilankan refugee problems (1000-03)	Total (57 to 59)	Communal violence (1100-01)	Ethnic conflicts (1100-02)	Group clashes (1100-03)	Racial Discrimination (1100-04)	Religious discrimination (1100-05)	Religious intolerance (1100-06)	Total (60 to 65)
1	2	53	54	55	56	57	58	59		60	61	62	63	64	65		
1	Ahmedabad city	7	0	0	0	7	0	0	0	0	0	0	0	0	1	1	
	Ahmedabad Rural	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
2	Mehsana	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	
3	Rajkot City	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Rajkot Rural	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	
4	Bhavnagar	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
5	Surat City	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	
	Surat Rural	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
6	Baroda City	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	
	Baroda Rural	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
7	Kheda	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
8	Banaskantha	0	2	0	0	2	0	0	0	0	0	0	0	0	0	0	
9	Sabarkantha	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
10	Jamnagar	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
11	Junagadh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
12	Kachchh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
13	Surendranagar	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
14	Amreli	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	
15	Valsad	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
16	Bharuch	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
17	Panchmahals	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
18	Gandhinagar	0	2	0	0	2	0	0	0	0	1	0	0	1	0	2	
19	Dangs	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
20	Dahod	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
21	Navsari	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
22	Narmada	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
23	Anand	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	
24	Patan	1	1	0	0	2	0	0	0	0	0	0	0	0	0	0	
25	Porbandar	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
26	Tapi (Vyara)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
27	Other/General	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Total	11	5	0	0	16	0	0	0	0	1	0	0	1	4	6	

ANNEXURE 13(5)

Statement showing District wise and Classified Subjects wise information regarding applications received from 1-4-2007 to 31-3-2008

S no	Name of District	SERVICE MATTERS (1200-01 to 1200-03)				WOMEN (1300-1 to 1300-12)												
		Disparities in employment opportunities (1200-01)	Non-payment of pension/ Compensation (1200-02)	Other service disputes (1200-03)	Total (66 to 68)	Abduction rapes and murder (1300-01)	Commission of sati (1300-02)	Discrimination against women (1300-03)	Dowry death or their attampts (1300-04)	Dowry demand (1300-05)	Exploitation of women (1300-06)	Gang rape (1300-07)	Indecent representation of women (1300-08)	Indignity of women (1300-09)	Immortal trafficking on women (1300-10)	Rape (1300-11)	Saxual Harassment (1300-12)	Total (69 to 80)
1	2	66	67	68		69	70	71	72	73	74	75	76	77	78	79	80	
1	Ahmedabad city	6	21	2	29	1	0	7	5	2	7	0	0	4	0	0	9	35
	Ahmedabad Rural	0	2	3	5	0	0	0	0	0	0	0	0	0	0	0	1	1
2	Mehsana	1	0	4	5	0	0	1	2	1	0	0	0	1	0	0	0	5
3	Rajkot City	0	1	4	5	1	0	0	0	0	2	0	0	0	0	0	0	3
	Rajkot Rural	0	0	3	3	0	0	0	0	0	0	0	0	2	0	0	0	2
4	Bhavnagar	2	1	3	6	0	0	2	0	1	0	0	0	1	0	0	1	5
5	Surat City	0	0	2	2	0	0	0	0	0	1	0	0	0	0	0	0	1
	Surat Rural	0	0	2	2	0	0	0	0	0	0	0	0	0	0	0	0	0
6	Baroda City	0	3	3	6	0	0	1	0	0	0	0	0	0	0	0	0	1
	Baroda Rural	0	0	2	2	0	0	1	0	0	1	0	0	0	0	0	0	2
7	Kheda	1	0	0	1	1	0	1	0	1	1	0	0	0	0	0	0	4
8	Banaskantha	0	1	3	4	1	0	2	0	0	0	0	0	1	0	0	0	4
9	Sabarkantha	0	1	3	4	1	0	2	0	2	3	0	0	1	0	0	2	11
10	Jamnagar	2	1	2	5	0	0	1	0	0	0	0	0	1	0	1	0	3
11	Junagadh	2	1	1	4	0	0	0	0	1	0	0	0	0	0	0	0	1
12	Kachchh	0	0	1	1	0	0	0	0	0	1	0	0	1	0	0	0	2
13	Surendranagar	1	0	2	3	0	0	0	0	0	0	0	0	0	0	0	0	0
14	Amreli	0	2	1	3	0	0	1	0	0	0	0	0	2	0	0	1	4
15	Valsad	0	4	0	4	0	0	1	0	0	0	0	0	0	0	0	0	1
16	Bharuch	1	0	4	5	0	0	1	0	0	0	0	0	0	0	0	0	1
17	Panchmahals	0	0	2	2	0	0	3	0	0	1	0	0	0	0	2	0	6
18	Gandhinagar	0	0	10	10	2	0	2	0	0	7	0	0	2	0	0	0	13
19	Dangs	1	1	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0
20	Dahod	0	0	0	0	0	0	1	0	0	0	0	0	0	0	1	0	2
21	Navsari	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
22	Narmada	1	1	0	2	0	0	1	0	0	0	0	0	0	0	0	0	1
23	Anand	0	0	2	2	0	0	0	0	0	1	0	0	2	0	1	0	4
24	Patan	0	0	0	0	0	0	2	0	0	0	0	0	2	0	0	0	4
25	Porbandar	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1
26	Tapi (Vyara)	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0
27	Other/General	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Total	18	40	60	118	7	0	30	7	8	25	0	0	20	0	5	15	117

ANNEXURE 13(6)

Statement showing District wise and Classified Subjects wise information regarding applications received from 1-4-2007 to 31-3-2008

Sr. No.	Namen of District	TADA (1400-01 to 1400 to 1400-03)				Miscelineous (1500-01 to 1500-04)						Grand Total
		Harassment of detained (1400-01)	Misuse of TADA (1400-02)	Illegal arrest under TADA (1400-03)	Total (81 to 83)	Disappearance of persons (1500-01)	Land disputes (1500-02)	Hunger strike (1500-03)	Family disputes (1500-04)	Others (1500-05)	Total (84 to 89)	
1	2	81	82	83		84	85	86	87	88	89	
1	Ahmedabad city	0	1	0	1	0	35	0	22	78	135	318
	Ahmedabad Rural	0	0	0	0	0	8	0	0	23	31	60
2	Mehsana	0	0	0	0	0	4	0	0	8	12	41
3	Rajkot City	0	0	0	0	0	1	0	0	8	9	25
	Rajkot Rural	0	0	0	0	0	2	0	1	13	16	32
4	Bhavnagar	0	0	0	0	0	5	0	5	22	32	50
5	Surat City	0	0	0	0	0	5	0	0	8	13	41
	Surat Rural	0	0	0	0	0	4	0	0	4	8	27
6	Baroda City	0	0	0	0	0	13	0	7	30	50	58
	Baroda Rural	0	0	0	0	0	1	0	0	2	3	14
7	Kheda	0	0	0	0	0	6	0	1	20	27	54
8	Banaskantha	0	0	0	0	0	5	0	2	18	25	61
9	Sabarkantha	0	0	0	0	0	7	0	0	19	26	67
10	Jamnagar	0	0	0	0	0	7	0	1	18	26	46
11	Junagadh	0	0	0	0	0	6	2	0	11	19	36
12	Kachchh	0	0	0	0	0	3	0	0	13	16	27
13	Surendranagar	0	0	0	0	0	3	0	2	13	18	32
14	Amreli	0	0	0	0	0	1	0	1	14	16	35
15	Valsad	0	0	0	0	0	2	0	0	1	3	9
16	Bharuch	0	0	0	0	0	1	0	1	8	10	38
17	Panchmahals	0	0	0	0	1	4	0	2	14	21	47
18	Gandhinagar	0	0	0	0	0	10	0	0	28	38	98
19	Dangs	0	0	0	0	0	0	0	0	0	0	3
20	Dahod	0	0	0	0	0	0	0	7	8	15	29
21	Navsari	0	0	0	0	0	0	0	0	5	5	13
22	Narmada	0	0	0	0	0	2	0	0	10	12	41
23	Anand	0	0	0	0	0	5	0	8	8	21	43
24	Patan	0	0	0	0	0	4	0	4	19	27	51
25	Porbandar	0	0	0	0	0	1	0	0	0	1	4
26	Tapi (Vyara)	0	0	0	0	0	0	0	0	1	1	2
27	Other/General	0	0	0	0	0	0	0	0	18	18	18
Total		0	1	0	1	1	145	2	64	442	654	1420

Annexure 13 (7)

List of subject wise classification of concerned incidents about complaints and Suo moto cases

(See Rule : 13 NHRC)

Code No.	Major Head (Main Subject)	Sub Code No.	Sub Head (Sub Subject)
1	2	3	4
100	Children	100-01	Child Labour
		100-02	Child Marriage
		100-03	Child Prostitution
		100-04	Exploitation of Children
		100-05	Illegal Traffic on Children
200	Health	200-01	Exploitation of mentally retarded persons
		200-02	Public Health hazards
		200-03	Malfunction of Medical Profession
300	Jail	300-01	Custodial Death
		300-02	Custodial Rape
		300-03	Exploitation of Child Prisoners
		300-04	Debarment of Legal Aid
		300-05	Harassment of Prisoners
		300-06	Inequalities in Jails
		300-07	Irregularities in Jails
		300-08	Unlawful Solitary confinement of Prisoners
400	Judiciary	400-01	Biased Judiciary
		400-02	Double Jeopardy
500	Bully / Mafia / Underworld	500-01	Nuisance by notorious Gundas/Mafias
		500-02	Nuisance by local elements
		500-03	Harassment by Anti-social Elements
600	Labour	600-01	Bonded Labour
		600-02	Exploitation of Labourers
		600-03	Forced Labour
		600-04	Hazardous employment
		600-05	Risks of Slavery
		600-06	Traffic of Human Labour
700	Minority / Scheduled Caste / Scheduled Tribe	700-01	Discrimination with Minority
		700-02	Discrimination with SC / ST
800	Police	800-01	Autocracy of Power
		800-02	Abduction / Kidnapping
		800-03	Abduction / Rape
		800-04	Misuse of Power
		800-05	Attempt of Murder
		800-06	Atrocities on SC / ST
		800-07	Custodial Death
		800-08	Custodial Rape
		800-09	Harassment in Custody
		800-10	Violence in Custody
		800-11	Death in Police Firing
		800-12	Death in Police Encounter
		800-13	Fake Encounter

Code No.	Major Head (Main Subject)	Sub Code No.	Sub Head (Sub Subject)
1	2	3	4
		800-14	Failure in taking Legal Action
		800-15	Wrong instigation/trap
		800-16	Illegal Arrest
		800-17	Illegal detention
		800-18	Undue Arrest
		800-19	Police sponsored incidents
		800-20	Delay in Police Procedure
		800-21	Victim of Grudging, Exploitation
900	Pollution, World of Embodied souls and Environment	900-01	Ecological Disturbances
		900-02	Environmental Pollution
		900-03	Misuse of Scientific and Technical Development
		900-04	Surrounding Effects of Environment
1000	Surrender / Refugee / Migrator	1000-01	Atrocity on migrants
		1000-02	Chakma Refugees Problems
		1000-03	Srilankan Refugees Problems
1100	Religion / Cult / Castes	1100-01	Communal Violence
		1100-02	Ethnic Conflicts
		1100-03	Group Clashes
		1100-04	Racial Discrimination
		1100-05	Religious Discrimination
		1100-06	Religious Intolerance
1200	Service Matters	1200-01	Disparity in Employment Opportunities
		1200-02	Non Payment of Pension / Compensation
		1200-03	Other Service Disputes
1300	Women	1300-01	Abduction, Rape and Murder
		1300-02	Commission of Sati
		1300-03	Discrimination against Women
		1300-04	Dowry Death or its attempts
		1300-05	Dowry Demand
		1300-06	Exploitation of Women
		1300-07	Gang Rape
		1300-08	Indecent representations of Women
		1300-09	Indignity of Women
		1300-10	Immoral Trafficing of Women
		1300-11	Rape
		1300-12	Sexual Harassment
1400	TADA	1400-01	Harassment of detained
		1400-02	Misuse of TADA
		1400-03	Illegal Arrest under TADA
1500	Miscellaneous	1500-01	Disappearance of Persons
		1500-02	Land Disputes
		1500-03	Hunger Strike
		1500-04	Family Disputes
		1500-05	Others

Annexure 14 A

Guide Lines issued by National Human Rights Commission regarding Encounters

The Guide lines issued by the Commission in respect of procedures to be followed by the State Governments in dealing with deaths occurring in encounters with the police were circulated to all Chief Secretaries of the States and Administrators of Union Territories on 29-3-1997. Subsequently on 2-12-2003, revised guide lines of the Commission have been issued and it was emphasized that the States must send intimation to the Commission of all cases of deaths arising out of police encounters. National Human Rights Commission has written letters to all the Chief Ministers and Administrators and has recommended the modified procedure to be followed by the State Governments in all cases of deaths, in the course of police action.

On a careful consideration of the whole matter, the Commission recommends following modified procedure to be followed by the State Governments in all cases of deaths in the course of police action;

(A) When the police officer in charge of a police station receives information about the deaths in an encounter between the police party and others, he shall enter that information in the appropriate register.

(B) Where the police officers belonging to the same police station are members of the encounter party, whose action resulted in deaths, it is desirable that such cases are made over for investigation to some other independent investigating agency, such as State CB/CID.

(C) Whenever a specific complaint is made against the police alleging commission of a criminal act on their part, which makes out a cognizable case of culpable homicide, an FIR to this effect must be registered under appropriate sections of the I.P.C. Such case shall invariably be investigated by the State CB/CID.

(D) A Magisterial Inquiry must invariably be held in all cases of death which occur in the course of police action. The next of kin of the deceased must invariably be associated in such inquiry.

(E) Prompt prosecution and disciplinary action must be initiated against all delinquent officers found guilty in the magisterial inquiry/police investigation.

(F) Question of granting of compensation to the dependents of the deceased would depend upon the facts and circumstances of each case.

(G) No out-of-turn promotion or instant gallantry rewards shall be bestowed on the concerned officers soon after the occurrences. It must be ensured at all costs that such rewards are given/recommended only when the gallantry of the concerned officer is established beyond doubt.

(H) A six monthly statement of all cases of deaths in police action in the state shall be sent by the Additional Director General of police to the Commission, so as to reach its office by 15th Days of January and July respectively. The statement may be sent in the following format along with post-mortem reports and inquest reports, wherever available and also the inquiry reports.

- (1) Date and place of occurrence
- (2) .Police Station,/ District
- (3) Circumstances leading to deaths
 - (i) Self defence in encounter
 - (ii) In the course of dispersal of unlawful assembly
 - (iii). In the course of effecting arrest
- (4) Brief facts of the incident
- (5) Criminal Case No
- (6) Investigation agency
- (7) Findings of the magisterial inquiry/inquiry by senior officers.
 - (a) Disclosing in particular names and designation of police officials, if found responsible for the death and,
 - (b) Whether use of force justified and action taken was lawful.

Annexure 14 B

Statement Showing details about Missing Children during the period 1/4/07 to 31/3/08

Sr. No.	Name of District	No. of Missing Children			No. of Children traced out			Age wise classification of Missing Children						Total	Per-centage
		Boys	Girls	Total	Boys	Girls	Total	0 to 5		6 to 12		13 to 18			
								Boys	Girls	Boys	Girls	Boys	Girls		
1	Ahmedabad City	227	246	473	131	115	246	24	21	61	25	142	200	473	52.01
2	Rajkot City	90	95	185	68	45	113	5	7	14	10	72	77	185	23.89
3	Vadodara City	46	70	116	18	29	47	0	0	9	4	41	65	119	9.94
4	Surat City	324	291	615	168	159	327	14	23	77	49	223	224	610	69.13
5	Ahmedabad Rural	15	19	34	3	3	6	0	0	2	3	14	17	36	1.27
6	Rajkot Rural	18	46	64	12	13	25	0	0	4	3	14	43	64	5.29
7	Vadodara Rural	8	8	16	4	2	6	0	1	3	1	3	8	16	1.27
8	Surat Rural	5	7	12	0	0	0	0	0	1	1	4	6	12	0.00
9	Jamnagar	34	33	67	10	5	15	2	2	6	2	25	29	66	3.17
10	Surendranagar	8	10	18	2	0	2	0	0	4	0	6	8	18	0.42
11	Bhavnagar	38	29	67	26	13	39	2	0	12	3	27	23	67	8.25
12	Porbandar	3	13	16	3	7	10	0	1	1	1	2	11	16	2.11
13	Junagadh	30	77	107	20	17	37	3	2	7	6	24	73	115	7.82
14	Amreli	9	39	48	7	17	24	0	0	0	0	9	33	42	5.07
15	Kachchh	32	47	79	22	21	43	2	3	14	9	17	34	79	9.09
16	Banaskatha	6	16	22	0	3	3	1	1	1	0	4	15	22	0.63
17	Mehsana	26	57	83	9	28	37	1	1	7	6	13	53	81	7.82
18	Patan	7	15	22	3	6	9	0	4	1	1	3	13	22	1.90
19	Gandhinagar	39	70	109	23	33	56	7	8	6	3	26	59	109	11.84
20	Sabarkantha	10	11	21	7	2	9	0	0	0	0	11	11	22	1.90
21	Kheda	6	25	31	1	3	4	0	0	1	1	6	23	31	0.85
22	Anand	25	29	54	9	9	18	4	2	4	4	17	23	54	3.81
23	Godhara	13	21	34	10	8	18	2	1	4	1	7	19	34	3.81
24	Dahod	0	0	0	0	0	0	0	0	0	0	0	0	0	0.00
25	Bharuch	10	16	26	1	5	6	0	1	4	3	6	12	26	1.27
26	Narmada	5	5	10	2	3	5	1	0	1	0	3	5	10	1.06
27	Valsad	31	18	49	9	5	14	2	2	11	1	19	14	49	2.96
28	Dangs-Ahwa	6	1	7	5	1	6	1	0	0	0	5	1	7	1.27
29	Navsari	7	11	18	3	5	8	0	0	2	0	5	11	18	1.69
30	Western Railway	4	2	6	1	1	2	1	0	0	1	3	1	6	0.42
	Total	1082	1327	2409	577	558	1135	72	80	257	138	751	1111	2409	47.11

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

Visit of Ms. Asma Jahangir, UN Special Reppoteur to Gujarat State Human Rights Commission.



Justice Shri D S Sinha, Hon'ble Chairperson, Gujarat State Human Rights Commission receiving Ms. Asma Jahangir.



Discussions with the Gujarat State Human Rights Commission officials



Ms. Asma Jahangir with Hon'ble Chairperson Shri D S Sinha, Dr. R L Meena IAS, Secretary, GSHRC and Shri Chitranjan Sinh IPS, Addl. DGP, GSHRC



Ms. Asma Jahangir from Seeing off Gujarat State Human Rights Commission.

Annexure 16

List of sanctioned posts in the office of the Gujarat State Human Rights Commission

Sr. No.	Name of the post	Nos.	Pay Scale
1	2	3	4
1.	Hon'ble Chairperson	1	Rs. 30,000/- Fix + Allowances
2.	Member (Officiating or Retired High Court / District Judge)	1	Pay as per rules or payment of pay minus pension
3.	Member (Social Worker)	1	Rs. 11,000/- Fix
4.	Secretary	1	Rs. 22,400 – 24,500
5.	Additional Director General of Police	1	Rs. 22,400 – 24,500
6.	Deputy Secretary	1	Rs. 12,000 – 16,500
7.	Under Secretary	1	Rs. 8,500 – 14,000
8.	Deputy Superintendent of Police	1	Rs. 8,000 – 13,500
9.	Section Officer	3	Rs. 6,500 – 10,500
10.	Police Inspector	1	Rs. 6,500 – 10,500
11.	Deputy Section Officer	12	Rs. 5,500 – 9,000
12.	Police Sub Inspector	3	Rs. 5,500 – 9,000
13.	Steno Grade-I	6	Rs. 6,500 – 10,500
14.	Steno Grade-II	1	Rs. 5,500 – 9,000
15.	Driver	2	Rs. 3,050 – 4,590
16.	Police Constable	8	Rs. 2,750 – 4,400
17.	Peon	6	Rs. 2,550 – 3,200
18.	Cook	1	Rs. 4000/- Fix
19.	Hamal Cum Sweeper	1	Rs. 2,550 – 3,200
	Total...	52	

Annexure 17

Telephone, Fax and Mobile Numbers of the Officers of GSHRC

Sr. No.	Name	Office	Fax (Office)	Residence
1	2	3 (STD Code: 079)	4 (STD Code: 079)	5 (STD Code: 079)
1.	Justice Shri D. S. Sinha, Hon'ble Chairperson	232 57546 Mobile: 99784 06157	232 57596	232 59926 232 59927 Fax: 232 59929
2.	Dr. R.L. Meena IAS Secretary	232 57547 Mobile: 99784 06017	232 57596	232 41062
3.	Shri Chitrnjan Singh IPS Additional D.G.P.	232 57592 Mobile: 99784 06055	232 57592	228 62562
4.	Shri Pravinsinh Rana, Deputy Secretary	232 57593 Mobile: 98790 26026	232 57596	232 27609
5.	Shri V.G. Vanzara, Under Secretary	232 57595 Mobile: 94270 51857	232 57596	232 60605
6.	Shri A. R. Gamara, Section Officer	232 57596 Mobile: 98795 27596	232 57596	232 87949
7.	Shri J. J. Chavda, Police Inspector	232 57526 Mobile: 98795 30825	232 57596	
8.	Shri J. K. Patel, Section Officer	232 57594 Mobile: 98252 87578	232 57596	
9.	Shri N. V. Shah, Section Officer	232 57629 Mobile: 94279 89900	232 57596	232 39522
10.	Kum. S. J. Chaudhary, Accounts Officer	232 57594 Mobile: 98980 04117	232 57596	
