

27th May 2021

To,
Shri Uddhav Thackeray,
Hon'ble Chief Minister,
Government of Maharashtra,
Mantralaya, Mumbai – 400 032

Subject: Immediate action to ensure the working of Maharashtra State Human Rights Commission.

The COVID-19 Pandemic has severely affected communities and groups who are at the margin of society. It has put the human rights of the people in further peril. People have been doubly bearing the burden of economic crisis and health insecurity, affecting their right to life, food, water, housing, basic amenities, health and access to medical treatment, among other issues. We have also witnessed during this phase an increase in discrimination, hate crimes, casteism, gender violence, islamophobia, and transphobia. In such a scenario, the complete absence of the State Human Rights Commission has resulted in the deterioration of Human Rights in Maharashtra.

It is appalling that the Maharashtra State Human Rights Commission (MSHRC) has a pile-up of cases but there are no chairperson or members. No appointments have been made to the MSHRC since July 2018 and the retirement of the acting chairperson Mr. M.A. Sayed on 27th April 2021 (his application for extension being pending and undecided to date) has left the Commission entirely non-functional¹. Under Section 21 of the Protection of Human Rights Act, 1993, the State Commission should consist of Chairperson, one judicial member and one expert member as provided. All these three positions are currently vacant, apart from the position of the Inspector General of Police.

With only the acting Chairperson Mr. M.A. Sayed attending to matters in the year 2020-21, the lack of appointment of members to the MSHRC has badly affected the pendency of cases, which situation is bound to worsen now that no bench is available. It is evident from the Progress Report 2020 – Statement showing Pendency and Disposal of Cases in MSHRC, Mumbai, that only 1083 out of 21820 cases were disposed off (i.e. less than 5%) from 1-1-2020 to 31-12-2020². The end of the year 2020 has recorded the maximum number of pending cases to date in the history of MSHRC at 20737 cases.

MSHRC, which is constituted to ensure the better protection of human rights in Maharashtra, plays an important role in addressing human rights violations and is crucial for our democracy and dispensation of justice. The functioning of MSHRC is even more essential in critical times like the pandemic as it is an important recourse to justice for ordinary people who have been suffering. With the courts working on low capacity and taking only urgent and Covid related

¹ <https://indianexpress.com/article/cities/pune/cases-pile-up-but-no-chairperson-or-member-appointed-to-maharashtra-human-rights-panel-7314159/>

² <http://mshrc.gov.in/progress-report.php>

matters in light of the second wave of the pandemic, the need for MSHRC to look into specific cases of human rights violations, is felt even more.

We the undersigned civil society organisations and activists who are engaged in human rights work with different communities in Maharashtra demand that the Maharashtra Government immediately fill up the vacant positions in the MSHRC and ensure its smooth functioning. We would like to remind the Maharashtra Government of the motto of the national human rights institutions which is the protection and promotion of human rights meaning the rights relating to life, liberty, equality, dignity. It is the duty of the Maharashtra Government to ensure that these principles do not remain mere words.

Signatories –

1. Aajeevika Bureau Mumbai
2. Adv Adesh Bansode, Ghar Hakk Sangharsh Samiti
3. Ajit Patil, CPI(ML) Liberation, Maharashtra
4. Akhilesh Rao, Anita Dhole, Bilal Khan, Jameela Begum - Ghar Bachao Ghar Banao Andolan
5. Amita Bhide, Tata Institute of Social Sciences
6. Avinash Kadam, Shramik Mukti Dal
7. Brijesh Arya, Leena Patil - Pehchan
8. Brinelle Dsouza, Jan Swasthya Abhiyan-Mumbai
9. Chayanika Shah, FAOW, Mumbai
10. Deepa Pawar, Anubhuti
11. Dr. Shaihla Ansari, Jan swasthya Abhiyan
12. Dr. Amar Jesani, Mumbai
13. Dr. Raghunath Sitaram Mahajan Dr. Babasaheb Ambedkar College of Social Work, Morane, Dhule
14. Dr. Sejal Tambat, YuMetta Foundation
15. Hasina Khan, Bebaak Collective
16. Homeless Collective
17. Jalindar Adsule
18. John Dsouza
19. Justice Coalition of Religious-West India
20. Lara Jesani, People's Union for Civil Liberties
21. Mahesh Kamble, Tata Institute of Social Sciences
22. Maria Dcosta, Judean women cell, Mumbai
23. Mariyam Joseph FMM SSS
24. Meeena Godad, Canossa
25. Meena Saraswathi Seshu, SANGRAM
26. Mukta Srivastava, Anna Adhikar Abhiyan, Maharashtra
27. Mumbai Responds Network
28. Natty Lopes, Sakhya
29. Paroj Banerjee, Humaree Pehchaan
30. Peehu Pardeshi, Tata Institute of Social Sciences

31. Pravin Borkar, Pani Haq Samiti
32. Prayas Ek Koshish, Mumbai
33. Priya Sharma, IIT Bombay
34. Rafiq Siddiqui/Founder/Chairman - Holy Mother English School, Malwani
35. Rajesh Parmar, Advocate
36. Ratoola Kundu, Tata Institute of Social Sciences
37. Sagayamary.M - Advocate
38. Sandhya gokhale, Forum Against Oppression of Women
39. Sanjana Krishnan
40. Sanjeev Sane - Swaraj India
41. Seema Thomas, Jagruti Kendra, Mumbai, Maharashtra
42. Shweta Damle - Habitat and Livelihood Welfare Association
43. Sitaram Shelar, Center for Promoting Democracy (CPD)
44. Sujata Gothoskar, Nari Atyachar Virodhi Manch, Mumbai
45. Sukla Sen, PUCL Maharashtra, Mumbai
46. Varsha vidya vilas, Sadbhvana sangh,
47. Virochan Raote
48. Vivek Sundara, Social Activist
49. Yash Agrawal - Navi Mumbai
50. Youth for Unity and Voluntary Action