

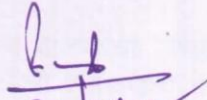
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Recommendations of the Commission is prepared
and placed on flag "A" for Concurrence.

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A. N. Tripathi
Secretary
MSCPCR

Chairman (Incharge)


26/2/15

Before the Maharashtra State Commission for Protection of Child Rights.
Enquiry, under sections 13 and 14 of the Child Right Protection Act, 2005.

C.R.No.151/2014

Shailya Mahadev Swami

Applicant

Vs.

District Woman and Child Development
Officer and Others

Respondents

Background:- This matter came before the Commission by filing a complaint from Shri Shailya Mahadev Swamy, father of girl child, who was being sexually exploited by teacher Shri Jitendra Mahajan , over a period of one year. Contents of the complaint reveal that after knowing the incidence from the girl child, the complainant approached to the school authority and requested to initiate an action against such teacher. The police complaint has also been filed against teacher. Matter was heard by the Hon'ble High Court Bombay Bench at Aurangabad. Now the matter is before the Additional Sessions Judge, Taluka Basmat, Dist. Hingoli. Police has registered case under section 354 (A) (1) along with section 506 of Indian Penal Code and section 8 of Protection of Children from Sexual Offences Act and filed chargesheet. The Commission took the cognizance, issued notices to the complainant, police and other authorities. Reply filed by alleged accused teacher and refuted the charges saying that the said case has been registered with mala fide intention by the parents of girl child to indict him on the false and bogus charges. He has got bail from the Court of Additional District Judge, Hingoli. Cancellation of bail application filed by complainant has also been rejected by Hon'ble High

Court. The Head Master of School Shanti Vidya Mandir has filed a reply saying that the school authority has appointed an Enquiry Committee in pursuance of order of Education Officer against concerned teacher. Enquiry Committee has exonerated the concerned teacher from the charges and recommended to reinstate his services.

3. The said matter is in the Court even Hon'ble High Court has made some observation in this regard. Therefore, this Commission does not feel to make any recommendation and accordingly the matter is disposed of.



By order and seal of the Commission

(A.N. Tripathi)

I.F.S.

Secretary

Maharashtra State Commission for Protection
Of Child Rights.

la, Date:- 30 MAR 2015