

**TRIPURA HUMAN RIGHTS COMMISSION**  
**KUNJABAN: AGARTALA**  
**Complaint No. 94 of 2024**  
**(Complaint by one Mst. Suhel Begam).**

**ORDER SHEET**

| SL. No. | Date       | Order   | Note |
|---------|------------|---|------|
| 08      | 27/06/2025 | <p>This Commission vide order dated 13.05.2025 arising out of complaint No. 94 of 2025 (Complainant: Mst. Suhel Begam) recommended the DM &amp; Collector, Unakoti and other concerned authorities to provide house benefit to the complainant under PMAY(G) i.e Prime Minister Awaas Yujona(Grammen) scheme within a period of 30 days from the date of the order.</p> <p>This Commission had fixed the date today for compliance report.</p> <p>Today, this Commission finds a report furnished by the DM &amp; Collector, Unakoti District, Kailashahar dated 29.05.2025 wherein it is stated inter alia that the matter was considered and a necessary inquiry was made by the BDO, Chandipur, R.D Block. From the report dated 29.05.2025, it comes to fore from para 3 that:- " In the point No. 4 of the aforesaid correspondence, it was mentioned that the survey appearing beneficiary ID No. 160002848 of the plaintiff was done without any delay as per guidelines through <b>Awaas-Plus 2024 App</b> issued by the MoRD, Govt. of India and a copy (<i>Screen shot from the housing MIS login</i>) of the same have also been enclosed herewith for your ready reference".</p> <p>The DM &amp; Collector, Unakoti further reported that the survey process across the state has been closed and for the finalization of PWL(Permanent Wait List), Special Gram Sabha needs to be convened as and when directed by the</p> |      |

Rural Development Department followed by scrutiny by the District Appellate Committee for the finalization of the final list of eligible beneficiaries. The due process for selection of the beneficiary is on as per schedule of activities as mandated by MoRD, Govt. of India and is likely to be approved following due process.

The Commission has perused and has given thoughtful considered to the report dated 29.05.2025 furnished by the DM & Collector, Unakoti District, Kailashahar (development section). We have also perused the screen shot.

Having considered the report and on thoughtful consideration, the Commission has taken a serious view over the matter qua the manner the recommendation has been dealt with by the office of the DM & Collector, Unakoti. When the Commission recommends for providing certain benefits in favour of an eligible beneficiary, then, it is the solemn obligation of the authority concerned to comply the said recommendation to protect the human rights of a human being.

Here, the complainant is a specially abled woman. She is houseless. When the survey was made in the area where the complainant resides, the authority concerned had excluded her name without any valid reason. According to this Commission, the exclusion of the name of the complainant Mst. Soheli Begam was an example of gross arbitrariness on the part of the DM & Collector, Unakoti district, Kailashahar.

Human Rights includes the rights and liberties of a citizen of India. It includes the right to equality and right to life as enshrined in the Articles 14 and 21 of the Constitution of India. Right to life does not connote mere existence of life, but, a dignified life.





From the complaint, it is evident that the complainant being a woman is homeless, which cannot be ignored for a single moment in a civilized society. It is a gross violation of right to life under Article-21 of Constitution of India. It is also not expected that a women will be left homeless and the authorities concerned while implementing the benefit of the scheme failed to render fair exercise in collecting data's of eligible beneficiaries. In the process the authorities quite illegally and arbitrarily excluded the name of the complainant from the list of beneficiaries. Further, it is observed that the implementing agencies had failed to exercise due diligence in preparing the list of beneficiaries, which tantamounts to arbitrary exercise of the powers and responsibilities vested upon them. The Government must be a benevolent Government. Arbitrariness is a concept derived from Article 14 of the Constitution of India. The Commission has taken the report and the way the DM & Collector, Unakoti has dealt with the recommendation aptly proves the insensitivity of the subject matter of the recommendation.

We should not forget that India as a nation is a party to the international covenant on civil and political rights and the international covenant on economy, social and cultural rights adopted by the General Assembly of the United Nations on 16<sup>th</sup> December 1966. The Human Rights embodied in the aforesaid convention stand substantially protected by the Constitution.

Having regard to the various aspects, and societal scenario of this country and the urgency of the matter, "The Protection of Human Rights Act, 1993" was promulgated at the wisdom of the law makers to look after the wellbeing of the citizens of this country.



In the opinion of this Commission, if a woman like the complainant is discriminated and deprived of having the benefit of a house under the PMAY (G) Scheme, then, the executive, which is one of the means of good governance will be a utter failure to render justice and to protect the ethos and morality of the Constitution of India, which the framers had envisioned under Article 14 and Article 21 of the Constitution of India.

As a matter of reiteration, when the Commission dealing with the complaint, came to a conclusion that the complainant being a homeless specially abled woman was eligible to be provided with a house under PMAY(G) Scheme then the DM & Collector, Unakoti and other authorities, being a protector of the provision of the Constitution is bound to implement the recommendation made by this Commission as all the organs of the Government are committed to render justice to the citizens of this Country.

The Human Rights Commission serves as a watchdog, protecting citizen's fundamental rights, as enshrined under Article 14 and Article 21 of the Constitution of India. It's recommendation should be implemented regardless of the fact any scheme exists or operational status of the scheme, to address discrimination and to uphold the right to lead a dignified life. In the instant complaint, the discrimination is apparent and manifold. For this, the implementing agencies are duty bound, that is, the DM & Collector, Unakoti District is under solemn obligation to address the discrimination to undo the wrong and to set the matter in right direction according to the spirit of Article 14 and Article 21 of the Constitution of India.

In the light of above discussions, and to achieve the object of the equality and right to life with dignity; and

further, to achieve the object of the various provisions embodied in the Rights of Persons with Disability Act, 2016 the Commission deems it necessary to again recommend the authorities concerned to provide the complainant Mst. Soheli Begam with a house immediately irrespective of her name is included in the survey or not.

This Commission expects that the DM & Collector, Unakoti District will personally step into the matter and do all necessary things to implement this recommendation within a period, preferably within 30 days from the date of receipt of order by the office of the DM & Collector, Unakoti District.

Office of this Commission is directed to communicate today's order through e-mail and the hard copy of the same be sent by a messenger or by any process so as to reach the same to the DM & Collector, Unakoti District, Kailasahar without any sort of further delay.



**(Justice Arindam Lodh)**  
**Chairperson**



**(U. Choudhuri)**  
**Member**