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**Record of Discussion in the Workshop on Human Right
Awareness & Facilitating Assessment of Enforcement Of Human
Rights at District Ambala (Haryana) From 6th to 8th August, 2008**

In continuation of the 28 Districts programme a workshop on Human Right Awareness & Facilitating Assessment of Enforcement of Human Rights was organized at Panchayat Bhawan, Ambala District of Haryana by The National Human Rights Commission from 6th to 8th August 2008. The workshop was presided by the Honourable Member, NHRC, Shri RS Kalha and Special Rapporteur, Smt. Kanchan Bhattacharya, JS (T), Shri P M V Shiromony, DIG (Inv), Shri, Sudhir Choudhary and Director (Admn), Dr Sanjay Dubey were the officials representing the Commission.

The inaugural session brought out the objective of the program as to achieve better implementation of various welfare programmes and to facilitate the state, district and local bodies' functionaries in carrying out their functions in a right based perspective.

Smt Feeroza Mehrotra, Home Secretary, Haryana Government in her welcome speech drew the attention of the NHRC officials and the participants towards the discriminatory nature of the society with regard to women and also urged to include discussions on gender equality. She also stated that in order to protect and promote human rights it is very necessary that the root causes of violation of human rights need to be highlighted.

Member (RSK) stated that since the objective of all laws, government officials, Commission and other stakeholders is good governance, it therefore becomes clear that a cooperative and collaborative approach is required.

Various State and district level officers including representatives of the Panchayati Raj Institutions, academicians and NGOs attended the workshop.

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The proceedings of the workshop are discussed in brief in succeeding paragraphs.

Session 1: Sensitization Program on Human Rights. The session was presided by the Member (RSK), NHRC with panelist being Home Secretary, Haryana Government, Joint Secretary (T), NHRC, Nodal Officer (Human Rights), Haryana, Special Rapporteur, DIG (I), NHRC, Deputy Commissioner, Director (Admn), NHRC and others.

The panelists sensitized the house about various issues related to human rights and also the core issues like Right to life, Right to Food, Custodial Justice, Right to Health including Hygiene and Sanitation, Right to Education, Right to Culture and protection of Community Assets, Manual Scavenging and Rights of SC, ST and other vulnerable sections, with special focus on rights of women.

During the discussion following issues was brought to the notice of the house:

- One of the participants informed that there are around 540 dry latrines and 72 ladies working as manual scavengers.

In response to the above fact the district officials stated that there is no such practice and the latrines do not come under definition of dry latrines as given by the act.

Home Secretary directed the DC to have a fresh survey conducted by a different team.

Session – 2: Custodial Justice and evaluation of measures to ensure the same. The panelist for the session were Member (RSK), NHRC, JS (T), Special Rapporteur, DIG (I), NHRC, Director, NHRC, IG, Haryana.

Special Rapporteur while introducing the subject clearly brought out the role of police in modern society and stressed on the need of training regarding

- modern method of investigation and also on frequent meetings between the senior and other rank of police officials.

During the discussion following issues was brought to the notice of the house:

- It was suggested that though protection and promotion of Human Rights is important, equally so the maintenance of law and order is. Therefore, what is required is maintaining a proper balance between the two.
- One of the participant also requested that there should be a minimum one-day workshop for the lower rank police officials to sensitize them regarding Human Rights.

Session – 3: Right to Life and its expanded interpretation and evaluation of measures to ensure the same including responsibility of Government of Panchayat. The session was presided by the Joint Secretary, NHRC with panelist being Special Rapporteur, NHRC, DIG, NHRC, Director, NHRC, RA, NHRC, Chairman Ambala Zilla Parishad and BDO, Barara.

The role of Panchayati Raj Institutions with respect to right to life and its expanded interpretation was discussed at length.

During the discussion following issues was brought to the notice of the house:

- The need for further strengthening the panchayats to play grater role was highlighted.

○ **Session – 4: Right to Food and evaluation of measures taken to ensure the same.** The session was presided by the Joint Secretary (T), NHRC with panelist being Special Rapporteur, NHRC, DIG, NHRC, Additional Director, Food and Supply, Government of Haryana, Chairman, Zila Parisad and BDO, Barara.

Additional Director, Food and Supply clearly explained the food security system and its working ensuring the right to food. He also stated that as per the survey of BPL the number came out to be 13 lakh which was approximately double than the figures to be incorporated as directed by the Central Government. Therefore, the remaining families were declared as state BPL.

During the discussion following issues was brought to the notice of the house:

- One of the participants raised the issue of problem of incapability of the weaker section to purchase food commodities during the month end owing to the lack of financial resources.

The District Officials in response stated that though the items are released on the first quarter of the month but the formalities makes the undue delay in providing the same to the consumer.

- Issue of non-availability of Angan Wadi Kendra in areas predominantly inhabited by the Scheduled Caste community was also raised.

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Session – 5: Right to Health, Hygiene and Sanitation and evaluation of measures to ensure the same. The panelist for the session were JS (T), NHRC, DIG (I), NHRC, Director, NHRC, Deputy Commissioner, Ambala, Chief Medical & Health Officer (CMHO), PMO and others.

While introducing the session, CMO explained about various schemes available in relation to the health sector. He also stated that due to the lack of awareness among the lower staff there is violation of human rights and the same can be addressed by organizing a sensitization programme for lower staff.

PMO highlighted the major problems faced by them in discharge of the services like:

- Lack of space in the hospital and the same being divided into two building blocks which compounds the problem.
- In lieu of absence of private rooms public favors private hospitals
- Lack of trained manpower and radiologist.

Deputy Commissioner urged for amendments in Central legislations dealing with inspection of food and drug adulteration and health services. He commented that the amendment is required keeping in mind that more than 80 per cent of the time of inspectors is spent only on attending court related work including their physical presence.

Session – 6: Right to Education and evaluation of measures to ensure the same. The panelist for the session were Member (RSK), JS (T), NHRC, Director, NHRC, District Education Officer, Ambala, Deputy Commissioner, Ambala and others.

DEO introduced the subject by providing information about the various schemes available in Education Sector in the District. Discussions were also

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● made regarding Right to Education Bill, Kapil Sibal's Report on Education and Sarba Sikhshya Abhiyan

- Quality aspect being hampered by vast number of universities and other institutions being established and opened.
- Issue of non-availability of educational institutions at the area resided by brick makers.

While addressing the issue it was clarified that the administration has started the concept of Bhatta shala in those areas for providing education to the children living in such area.

- Suggestion for attaching psychologists and counsellors to every school and other educational institutions was also made.
- It was also observed that quality education and mass education can't go side by side.

Session – 7: Evaluation of measures to ensure Human Rights of SC & ST communities and other vulnerable sections of society. The session was chaired by Member (RSK), JS (T), Director (A), NHRC, Deputy Commissioner, District Welfare Officer and others.

The session was introduced by District Welfare Officer explaining in brief of the various schemes meant for SCs. Joint Secretary (T) expressed concern about the issue of landlessness and lack of employment awareness for SC.

During the discussion following issues were brought to the notice of the house:

- Temporary ration cards may be issued to daily wage earners and rations may be issued in smaller quantities on regular basis rather than providing once in a month.

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- It was brought to the notice that at many places where SCs are staying, there is no Anganwadi Kendra and no health camps conducted in the schools.

During the proceedings the following important recommendations and observations were deduced:

- The content of the subject matter of the awareness programme should be flexible in order to incorporate issues specific to the State concerned; for example, State of Haryana needs discussions on gender equality.
- In order to protect and promote human rights it is very necessary that the root cause of violation of human rights need to be identified and addressed.
- The objective of all laws, government officials, Commission and other stakeholders is good governance; it therefore becomes clear that a cooperative and collaborative approach is required.
- Fresh survey on the status of Manual Scavengers to be conducted by a different team of officials.
- Need of a minimum one-day workshop for the lower rank police officials to sensitize them regarding Human Rights was also recommended.
- Training regarding modern methods of investigation should be given to police personnel so that custodial violence can be minimized.
- There is need for further strengthening the Panchayats.

- The working days for Fair Price Shops to be increased and displayed.
- The issue of lack of infrastructure facility and lack of trained manpower in medical service sector was raised with special reference to Radiologists and Lady Medical Staff.
- A suggestion as to amendment of laws relating to Food Adulteration, Drugs Adulteration and Health was made stating the fact that 80% of the time of an inspector is spent in court proceedings after investigation.
- Forensic experts to be appointed in the hospitals to lessen the work load of Doctors in the court and services could be made for the patients.
- Awareness workshop on Human rights to be conducted to the medical staff for sensitizing them.
- Camps to be organized on regular basis at school and college levels to provide information and training regarding first aid to the Students.
- Counsellors and Psychologists must be attached to schools and other Educational Institutions for guiding the decision-making capacity of the students.
- Concern regarding the future of a child after completion of elementary education was raised.

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- Issue regarding the quality aspects of education was raised with regards to the opening of vast number of Universities and other Educational Institutions.
- Quality Education should not be compromised at the cost of mass education.
- Lack of commitment on the part of teachers and absenteeism from school was raised.
- Absence of schools or alternative system near the brick kiln.
- To organize health camps in schools and colleges on regular basis.
- The landlessness and poor economic capability of SC people need to be taken care of.
- Low literacy rate and dropout rate should be addressed.
- Vocational training to be provided to make SC people self-sufficient.
- Avenues for employment to be worked out.
- Adverse sex ratio needs special attention at all levels by society, government NGOs etc.
- Insurance facilities to be provided.
- Temporary ration cards be provided to daily wage earners (migrant).

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Report of the Field Visits Conducted at Ambala on 6th August 2008

Introduction.

The team of NHRC that visited Ambala for the "Human Right Awareness & Facilitating Assessment of Enforcement of Human Rights Programme in Selected 28 Backward District in the Country" was further subdivided into three units for carrying out the spot visit and assess the enforcement of basic human rights, viz, food, health, education, spelling out of Right to Life as guaranteed under Article 21 of the Indian Constitution.

Composition of Sub Units

Three separate Units were constituted to make spot visits and collect data. The teams were as under:

1. Unit one: Shri. Michel V. Shiromony, Joint Secretary (Training), Ms. Tapaswanee Mohanty, Research Assistant & Shri. Bhaskar Tripathi, Research Assistant.
2. Unit two: Smt. Kanchan Chaudhary Bhattacharya, Special Rapporteur & Shri. RK Nigam, Assistant.
3. Unit three: Sudhir Chowdhary, DIG (Inv.) & Dr. Sanjay Dubey, Director (Admin.)

FIELD VISIT REPORT

Unit 1 visited following places:

- a. Block Development Office, Barara, District Ambala
- b. Primary Health Centre, Barara, District Ambala
- c. Gram Panchayat Dahiya Mazara, Barara, District Ambala
- d. Primary School, Rajokherdi, District Ambala
- e. Angan Wadi Kendra, Rajokherdi, District Ambala
- f. Thana, Barara, District Ambala

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- g. Community Health Centre, Mulana, District, Ambala
 - h. Balmiki Basti, Ambala Cantt.

Block Development Office, Barara, District Ambala

In an interview with the Block Development Officer Mr. Gagan Deep Singh the following facts were brought out:

1. The Block is one of the oldest block in the district which was established in the year 1956.
2. The BDO stated that the major programmes that are operative in the block are National Rural Employment Gurarantee Act, Indira Awas Yojna and Total Sanitation Programme. He further stated that majority of the population in the block is that of BPL families consisting of the schduced caste community. Houses alloted under the Indira Awas Yojna are registered in the name of woman member of the family and approximately 150 houses per block per year in proportion to the population of the block are sanctioned.
3. With regard to the pension scheme for Disabled persons and old aged people BDO stated that the amount is rupees 300 per month per person and there are approximately 10,000 pensioners in the Block.
4. BDO also made it clear that there is no shortage of drinking water. The tubwell are all covered and are dig 400 to 500 feet depth in order to avoid salt/sulpher content in the drinking water.
5. The BDO stated that any project amounting up to Rs. 3.00 lakhs is directly given to the gram panchayat for execution.
6. It was also informed that the majority of the people belonging to BPL are the ones who also constitute the group of landless people.
7. As to the beneficiary of BPL card holders, the BDO explained that the survey for preparing the list was conducted in three stages and the scrutiny at the last level is going on.

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8. The BDO also made it clear that there is no provision for taxation through panchayat though every panchayat has government land which is auctioned for agricultural or other purposes and 90% of the proceeds is used for panchayat and the remaining goes to the state finances. Normally 30% of the land is given to the people belonging to Scheduled Castes.
 9. BDO also informed about the Kandi Project executed in old Ambala District had constructed shops and are auctioned for the development of SC community.
 10. BDO also informed that the block has fifteen engineering colleges and one medical college under the Maharishi University..
 11. As of ICDS and AWW (Angan Wadi Workers) told that they have their own Mahila Mandals who look after the needs and implementation of the above programme.

Primary Health Centre, Barara, District Ambala

The Centre has two male Doctors and a capacity of four beds. The Centre also has provisions for labour room and minor operations.

The Doctor of the hospital complained about the lack of adequate staff in the hospital. According to the Doctor there is vacancy of Staff Nurse, Health Supervisor, Health Worker (Male), and class IV employees.

The register clearly mentioned that the number of OPD patients was more than 100 for the day (06.08.08).

The register indicating births and deaths was also maintained indicating in total 48 births (24 Male & 24 Female) and 14 deaths (7 each of Male and Female) for the month of July 2008.

Observations

- The entire Hospital Area need better cleanliness and sanitation facilities. The Hospital Waste was kept in the waiting room where the patients were also sitting.

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- The operation table in the labour room needs replacement.
 - There were marks of white-ants in the building due to lack of cleaning.
 - The Patients waiting for the Doctor also informed about the following:
 1. Lack of Lady Doctor.
 2. Erratic supply of drugs.
 3. Cases being referred to outside.
 4. Medicines need to be purchased from out side by the patients.
 5. Patients are not provided with the facility of fans.

Gram Panchayat Dahiya Mazara, Barara, District Ambala

The Panchayat seemed to be self-sufficient and the works under National Rural Employment Guarantee Act were implemented for creating community assets like community ponds. The villagers seemed content with the administrative efforts.

Observations

- The sanitary conditions were not well equipped.
- Lack of water based toilets was quite evident in houses.

Primary School, Rajokherdi, District Ambala

The building is shared among Primary, Secondary and Higher Secondary Level. There are only two teachers for 5 classes of Primary section at the time of inspection.

Observations

- Lack of infrastructure, There is only one classroom for five classes. As explained by the teacher it becomes difficult to teach as concentration of the student is disrupted due to different level of instructions to be given to the different classes.

Students of classes 3rd to 5th were found to be taught by one teacher in a group.

- Register required to be maintained lacked recordings.

Angan Wadi Kendra, Rajokherdi, District Ambala

It was informed by the Aganwadi worker that the centre has first aid kit and is capable of providing primary health services to the pregnant women. Further the Auxillary Nurse Maid (ANM) visits the centre every friday for checkups and on every third Wednesday for vaccination.

The centre also has facility of cooking and it provides nutritious food to the children and also pregnant women. The centre registers 20 to 22 children daily.

Observations

- The centre lacked electricity connection.

Thana, Barara, District Ambala

Station House Officer, Shri. Prem Chand, during the course of talks provided following information:

1. The maximum number of cases fall under the Dowry Prohibition Act and Section 420 of the Indian Penal Code (offence of Cheating).
2. At present there are 94 cases for the current year that are pending before the Court.
3. Though the data is being computerised still power shortage leads to difficulty in updating.
4. Last recorded FIR was of the date of 2nd August 2008.
5. Last recorded case of murder was that of last year and the accused remain untraceable till date.

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Observations

- The guidelines of DK Basu case were displayed in front of the Police Station.

Community Health Centre, Mulana, District, Ambala

The centre is functioning for the last 30 years. The centre has facility for 20 beds. There are four doctors including one Lady Medical Officer. On an average there are about 100 patients that receives services of the OPD every day.

Observations

- The centre faces shortage of drugs supply.
- According to MO iron tablets (Folic Acid) are also not sufficiently available.

Balmiki Basti, Ambala Cantt.

The basti though had houses with common toilet facility but what lacked was the sewerage system but has a Sulabh Toilets used by the people on payment basis.

Unit 2 visited following places:

1. Senior Secondary School, Model Town, Ambala City
2. Senior Secondary School, Prem Nagar
3. Inclusive Education of Disabled, Government School, Sector -8, Ambala City.
4. Fair Price Shop (Shri Arun Kumar Depot Holder) Model Town, Ambala City.

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5. Fair Price Shop (Shri Santosh Kumar Bhatia), Prem Nagar, Ambala City.
 6. District Food Supply and Controller, Ambala
 7. Godown, District Food Supply and Controller, Ambala
 8. Sain Mazra village, Narayangarh, Ambala and Angan Wadi Kendra, Rampur, Ambala

Senior Secondary School, Model Town, Ambala City

The primary section of the school had a total number of enrollment of 112 students and four teachers. There were four class rooms allotted to primary section including nursery class. The school was up to Senior Secondary and the enrolment of senior wing was of 306. There were 19 teachers in the senior wing.

District education officer informed that the Mid Day Meal Scheme is running in 840 schools in the district and 98271 students are getting benefit from this Scheme. The scheme is running in Govt./ Govt. aided primary school for classes from 1st to 5th and independent middle schools were also covered under this scheme from 1st April 2008. From 1st July 2008 the students of Govt. aided Sec/ High school studying in classes 6-8 have also been covered under this scheme.

Observations

- The lack of infrastructure was evident from the fact that students of class three and K G were seated together and given instructions, similar was the condition of class 1st and 2nd.
- There was a clear shortage of teaching staff which needed alternation so that children could receive proper education.
- Proper implementation of the Mid Day Meal Scheme was observed. Nutritious content of food was good as children were provided food like Daliya, black grains (Chana) & wheat. Two women engaged in cooking were provided with wages @ 40 paisa per child or Rs.40/- per day which ever is higher. The quality of grain in storage was also good.

- Provision for giving instruction by means of Satellite Interactive Television (SIT) were also made.
- Computer education was also provided to the students of 6th and above.
- Facility of Library was also provided to the primary section though there is need to improve and systemitize the issue and reading of books.

Senior Secondary School, Prem Nagar

The primary section of the school had clases from nursery to 5th and total number of enrollment was 198 students. There were three teachers for the primary wing. Only two class rooms were allotted for primary sections of which one was being utilized for Satellite Interactive Television (SIT) for the students. The school was up to Senior Secondary and the enrollment of senior wing was 588. There were 23 teachers in the senior wing.

Observations

- Proper implementation of Mid Day Meal Scheme was observed. Nutritious content of food was taken care of as children were provided daliya, rice, moong dal and sesame seeds (til). The food was not only nutritious but also tasty. The quality of Mid Day Meal was observed excellent.
- The lack of infrastructure was evident from the fact that students of class three and fourth were seated together in the SIT room and some other students of primary wing were seated in the second room.
- Post of Head teacher is vacant. There was only three teachers for six classes in the primary wing. (Nursery to Vth). Shortage of staff and infrastructure was observed in the primary wing.
- Provision for drinking water and toilet is reasonably ok.
- Last year's (2007-2008) result of classes VIIIth was 75.64%.
- The teachers here are committed and motivated.

- Senior students were lacking in general information and knowledge.

Intensive Education for Disabled (IED), Govt. School Sector-8-Ambala city.

The school was specially for the disabled students providing the education from nursery to 5th classes. The Bachpan Shala is also running in the same building. There are 28 disabled students getting education in the school. The total students enrolled in the school were 209 out of them 149 were present on the day of visit. Exercise equipment for the disabled students was also available in the school.

Observations:

- Provision for drinking water and toilets were adequate.
- The school building was neat & clean.
- One permanent teacher and 2 guest teachers have been provided for the school i.e. for Bachpan Shala, Nursery and from 1st to 5th classes. The shortage of staff was quite apparent in the school.
- The students of the school especially of Bachpan Shala belong to very poor families. The clothes that these children wearing were shabby and only partial. These children would benefit from the supply of uniform to them.

Fair Price Shop (F.P.S)

Arun Kumar Depot Holder, Model Tour Ambala city

- Total 872 consumer cards (33AAY, 63 BPL and 776 APL) were registered with the FPS.
- On the day of visit there was no commodity available except 11.800 kg. Wheat. Daily stock register was not found with the shopkeeper. It was informed that records were sent to the Headquarter at Chandigarh in connection with an enquiry against the shopkeeper quite a few days back but no interim stock book had been made and was available for inspection.

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- An effort was made to check the register of sale (June 2008) of the shopkeeper by matching with the selected cards in order to verify the same, However the shopkeeper could not make available the selected cards.

Santosh Kumar Bhatia, Prem Nagar.

Total 675 nos of cards were registered with the shop. All were the APL cards. Daily stock register and sale Register were available with the shopkeeper. The records of distribution was verified by checking some selected cards with Daily Stock Register and Sale Register. Records were found satisfactory.

Office of District Food and Supply Controller, Ambala

District Food and Supply Controller informed that there are 10,975 families of AAY and 21485 families of BPL categories in Ambala Distt. Total no. of Fair price shops are 414 out of which 131 are in urban and 283 are in rural areas. They are providing wheat @ Rs.2.10/- per KG to AAY families, @ Rs.4.84/- per KG to BPL families and @ Rs. 6.86 to APL families. Sugar @ of Rs.13.50 per KG to AAY/BPL families. K. Oil @ of 9.08 to 9.11 per liter to AAY, BPL and APL families. It was also informed that Govt. of India has not allocated rice for BPL families from June 2008 to March 2009. Therefore they are not providing rice at F.P.S. However they have increased the quantity of wheat for the consumers.

Godown, District Food Supply and Controller, Ambala.

The Godown of District Food and Supply Department was visited. All the halls of godown were full with stock of wheat. Total purchase was of 46540 MT, total dispatch was 40623 M.T. and 5917 M.T. wheat was available in the godown as on 5-8-2008. A large number of bags were lying in the open area. It was informed that this stock has to be downloaded today itself by the other agencies.

Sain Mazra Village (Naraingarh) and Rampur Village

As per the information provided by P.O., ICDS Cell, Ambala, there is large difference in the sex ratio in the birth records of the villages of Sain Mazra and Rampur. In Sain Mazra the sex ratio is 13 (boys) : 4 (girls). The ratio is almost reverse in Rampur village. There were more girl children.

We visited the two villages and tried to know the reasons behind this abnormal sex ratio. Women of Sain Mazra village appeared to be worried about the future of their daughters. They spoke of the bane of dowries etc. Some raised the matter of the higher education or even education of their daughters, as higher education is very costly. One of them wanted to get the admission of her daughter in MBA, but could not do that because of higher fee of private institutions i.e. around Rs.50-75 thousands. The need for counselling regarding vocation options and education loans etc to the villagers is felt. The access to methods of sex detection should be denied more strictly and such clinics carefully watched. The villagers may also need awareness regarding the adverse effects of sex detection.

The economic conditions of the villagers of Rampur are not good. Mostly villagers are daily wage workers, some time they get work and other times not. Many girls here desired to do some vocational courses such as sewing/ embroidery etc, the facilities for these were not available near the village. Everywhere the need for vocational counselling and guidance was visible. It appears that drop out (from school) ratio may be high in the village. The Angawadi Kendra is running in the Dharam Shala. Some time they may have to vacate from the Dharam Shala. There needs to be a separate building for the Anganwadi Kendra. The Panchayat is economically weak and not able to meet even small expenses. There is a need for counselling and awareness creation for the villagers regarding the various schemes of employment/ Education and vocational training. A temporary sewing /embroidery training centre may be set up, from which two - three villages nearby can be benefitted.

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It was learnt that Government officials as also other NGO bodies have frequented village Rampur holding sessions and Nukkar Nataks etc and this has impact in better response to the girl child in the village. Such activity should be more commonly planned, activated and be encouraged.

Field Visit Report of Unit III is enclosed at Annexure