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**Summary Record of Discussion in the Workshop on 28 District Programme on Human Right Awareness & Facilitating Assessment of Enforcement Of Human Rights held at Saputara, Dang of Gujarat on 12<sup>th</sup> February 2009.**

In continuation of the 28 Districts programme on Human Right Awareness & Facilitating Assessment of Enforcement of Human Rights, the National Human Rights Commission had organized a workshop on 12<sup>th</sup> February 2009 at Saputara of Dang District in Gujarat. The Honorable Member, NHRC, Justice Shri B.C Patel, chaired the workshop. Apart from the Chief Secretary of the State, District officials and representatives, the other NHRC representatives at the workshop were Special Rapporteur, Shri. R.K Bhargava, Director (Research), Shri Y.S.R Murthy, PS (Dy Registrar) to Member, Shri Srivasan Kamath and Research Officer, Tapaswinee Mohanty.

The District Collector welcomed the NHRC team and the other participants to the workshop.

Director (Research), NHRC stated about the objectives behind the workshop. He said that the Commission plays a major role in the promotion and protection of human rights. He said that the Commission since its inception has been working on serious human rights issues. He said that the Commission is trying to facilitate good governance or humane governance. He said that with this objective the Commission since last year has started the 28 District Human Rights Awareness Programme in selected 28 districts of the country, focusing on 7 core issues including food security, right to education, right to health, hygiene and sanitation, right to custodial justice, protection of rights of SCs & STs, right to culture and protection of community assets, right to life, living Condition and nature of responsibility of government and Panchayat. The Commission is giving recommendations on various issues from time to time and monitoring the implementation of the same. He said that till now the Commission has conducted eight such programmes in eight States of the Country for spreading awareness of

human rights among the beneficiaries and the concerned representatives of the government.

The Special Rapporteur, NHRC, Shri R. K Bhargava said that the basic agencies of the government must ensure the basic rights of human being. He said that some of his experiences during the two days field visits were good and some need improvement. He said that the people and representatives must be well aware about their role and rights.

Member, NHRC, Justice Shri B.C Patel said that the Constitution of India guarantees justice, liberty and equality to every citizen and our country is a democratic republic. He said that every citizen needs to be aware of his or her rights. He said that people must be honest to the State and the society. He said that the Constitution guarantees right to equality and protects against any discrimination on the basis of birth, creed, religion etc. He said that it is the duty of the government servants to ensure that these rights of people are ensured to them or enjoyed by every individual. He said that untouchability should be removed and all should be treated equally. He said that the protection of life and personal liberty enshrined in Article 21 of the Constitution is the most important Fundamental right and the Supreme Court has given much emphasis on this right. He stated about the right against exploitation like bonded labour etc, right to freedom of conscience, practice and propagation of any religion, rights of minority to establish and administer educational institutions, right to education, right to work, right to public assistance in certain cases and right to constitutional remedy. He said that there are reasonable restrictions on these rights for the welfare of the people. He said that it is the duty of State to secure social order for promotion of welfare of the people and to ensure people's physical and mental development. He said that it is the duty of the government to ensure a humane condition of workplace, living area, food and maternity benefit not only to women but also to male, especially for those migrating to other places in search of work. He said that there are provision in the constitution for early childhood care and

education to every child up to the age of 16 years. He said that the government must take initiatives for the promotion of educational and economic development of SCs, STs and other weaker section of the society. He said that there is no science teaching college in the district, though one college is there in Ahwa. So steps must be taken and the college and district authority must try to include a science stream into it. He said that the State must raise the level of nutrition and standard of living in order to ensure public health. He said that protection and improvement of environment is important for the development of health. He stated that there is no meaning of right to life and personal liberty until and unless there is food and shelter to every person. He said that because of universal brotherhood in the country there is no problem in staying in any part of the country and in this sense different from rest of the countries in the world. He said that there is unity irrespective of the differences in culture, religion, geographical area, language etc. He said that the right of every individual to health, hygiene and sanitation must be ensured and the government is trying to secure a good health care system to every citizen through its various schemes. He said that it is the duty of state and district officials to protect and promote human rights and prevent human rights violation in the society.

Then four groups were formed to discuss the following issues:

- **Group-I:** Right to food and evaluation measures taken to ensure the same including the responsibility of Panchayat, food adulteration and Human Rights of SC & ST communities and other vulnerable section of the society.
- **Group-II:** Right to custodial justice and labour
- **Group- III:** Right to Education and evaluation of measures to ensure the same
- **Group- IV:** Right to Health, hygiene, sanitation, environmental issues including drug adulteration and evaluation of measures to ensure the same.

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The presentations were made by the speakers of the four groups at the concluding session. From the field visit reports, discussions and presentations at the workshop the following suggestions were deduced:

### **RIGHT TO EDUCATION**

1. The shortage of clean drinking water is a major problem faced by the school, which requires remedial measures.
2. The gap in literacy levels between tribal boys and girls needs to be addressed and measures to check the drop out rate in schools needs to be taken seriously.
3. The school management should make arrangement for providing adequate number of teachers to the schools in order to ensure quality education.
4. The shortage of buckets, mattress and fans in the hostels needs to be addressed immediately. Action taken by the Principal may be reported to the NHRC.
5. For the whole district only one college is available at Ahwa. But there is no Science faculty in the college. The number of colleges needs to be strengthened and a Science stream needs to be added in to it.
6. More toilets should be constructed considering the number of students and teachers.
7. Kitchen room should be constructed in order to ensure distribution of hygienic Mid-day-meal to the students.
8. The attendance of children and staffs should be monitored regularly in AWCs and must be improved.
9. More hostel rooms and toilets as per the number of students need to be constructed within school premises.
10. The timings of the school have to be properly maintained. It has to be ensured that both teachers and students maintain the punctuality in coming and leaving the school.

11. Measures have to be taken to improve the condition hygiene and sanitation in schools. The medical check up of students must be done regularly.
12. Supply of water to schools both for drinking and other purposes need to be ensured.
13. Regular and timely supply of food grains to AWCs has to be ensured.
14. The remuneration of teachers needs to be increased in order to ensure quality education. Trained computer teachers may be recruited for enhancing computer literacy.

#### **RIGHT TO CUSTODIAL JUSTICE**

15. The inmates need to be shifted into separate cells in the Sub-jail. The medical examination of the inmate must be ensured at the time of entry into the jail. The officers to be made aware of NHRC directives. Trained officials from prison department must look after the prison management.
16. It was noticed that despite Supreme Court instructions and the Commission's recommendations, guidelines issued in D.K. Basu case have not been displayed in the police stations. The district administration needs to take appropriate action in this regard.

#### **RIGHT TO HEALTH**

17. The vacant posts in the hospital needs to be filled up at the earliest in order ensure quality health care to all. Water supply needs to be provided. Cleanliness of hospitals and health centres needs to be improved.
18. In an interaction with doctors it was noticed that there is a need for intensive information, education and communication efforts in order to make the public utilize health facilities whenever there is an illness and not delay treatment.
19. It must be ensured that doctor comes to PHC regularly and in time.
20. The problems like lack of staffs and infrastructure facilities need to be addressed at the earliest.

21. Proper monitoring of the attendance of the doctor and staffs has to be made and in case found guilty, disciplinary action must be taken against them.
22. It should be ensured that the doctor and other staffs stay inside the premises of the PHC. Therefore proper accommodation must be provided to the staffs and doctors inside the compounds of PHC.
23. It should be ensured that the PHCs have all the essential drugs because the PHCs are far away from each other and from the civil hospital at Ahwa.
24. The number of PHCs in the district be increased and it should be based both on the population using the service and the distance of villages from such PHC.

#### **RIGHT TO FOOD**

25. A regular inspection of Fair Price shops including verification of ration cards should be done by the DSO, action may be taken against owner, if found guilty, of the fair price shop and should be reported to the NHRC.
26. The staple diet food of people in the district is Nagli, supplemented by wheat. The production of 'nagli' is not enough for their needs. The cultivation of nagli also leads to soil erosion and therefore this issue needs to be examined in proper perspective.
27. The dealers informed that people demand wheat instead of wheat flour as wheat can be stored for a long time but flour cannot be. The government may consider it after detail analysis of the problems associated. The double packaging of the wheat flour may be ensured in order to protect that from any damage.
28. Proper monitoring of FPS need to be done so that people get the supply in time and at the determined price only. The license of the dealer should be cancelled after inquiry wherever people make that sort of complaint against the dealer or the quality or quantity of food grains. The ration shops should give ration on all days of the week except one day when it is closed. This point needs to be checked by the District Supply Officer.

## RIGHT TO LIFE/ RIGHTS OF SC/ST

29. The procedure of payment to the workers working under NREGA scheme needs to be streamlined and the District Administration needs address the delay in payment. It must be ensured that people get the payment of their wages in time.
30. Certain villagers (Enjinpuda) in their interaction pointed out that though one hand pump has been working in their village, tap water supply is yet to start in their areas. This problem needs to be addressed.
31. Efforts must be made to streamline disbursement of funds under the scholarships so that they are available to students right in the beginning of their academic term and not at the fag end. The district administration needs to make efforts to ensure that the scholarship scheme is implemented scrupulously.
32. Another problem indicated by the villagers was lack of toilets, about which the Grampanchayat should encourage individuals to build toilets in their houses. The demand of land for constructing toilets should be disposed off as per the rules expeditiously.
33. The Employment Generation Programme specially under NREGP should be taken up more actively so that all able bodied persons are provided 100 days employment in a year under this scheme and their incomes are adequate enough for them to buy enough food grains and other basic needs.

**Field Visit Report Of The "28 District Programme On Human Rights  
Awareness & Facilitating Assessment Of Enforcement Of Human Rights"  
Held At Dang, Gujarat From 10<sup>nd</sup> To 12<sup>th</sup> February 2009**

In continuance of the 28 District Programme the team from National Human Rights Commission visited Dang District of Gujarat from 10<sup>th</sup> February to 12<sup>th</sup> February 2009. The visits mostly concentrated to the following themes: right to food, right to education, right to health, criminal justice system in the district and right to life, living condition and nature of responsibility of Government and Panchayat.

### **1. RIGHT TO EDUCATION**

The team consisting Mr. Y.S.R Murthy, Director (Research), NHRC and other district officials visited the following schools:

(Date of visit: 10<sup>th</sup> February 2009)

#### **(a) Ashram School**

The school, is run by Dang Swarjaya Trust, caters to about 150 tribal children in the primary and secondary schools.

#### **Observations**

- i. When asked about the gap in literacy levels between tribal boys and girls, the founder of the Trust attributed it to migration of tribals in search of livelihoods and how girl children are made to look after the young children in the family while their parents are involved in cutting of sugarcane crop.

#### **(b) Visit to Primary School, Bardipada**

The school which was started in 1951 caters to students in 1- 7 standard. All 10 teachers sanctioned are in position and teaching. There is a separate toilet for girls. Regular meetings with parents are held. Sports facilities are available in the school. Four disabled children are enrolled in the school. The enrolment of boys and girls is as follows:

Year	Boys	Girls	Total
2004-05	183	108	291
2005-06	177	114	291
2006-07	192	120	312
2007-08	212	116	328
2008-09	203	116	319

The school has bagged the best school award instituted by the Dan Holi Convent Trust and its Principal was also awarded the Best Teacher Award.



### **Observations**

- i. The shortage of clean drinking water is a major problem faced by the school, which requires remedial measures.

### **(c) Anganwadi Centre, Bardipada**

Ten pregnant ladies have been registered. They are being given breakfast, IFA tablets and advice. The readymade food packets meant for children in 0-3 years and weight charts being maintained at the centre were also seen.

### **Observations**

- i. The Anganwadi Centre seems to be working well.

### **Measures to be taken**

- i. The gap in literacy levels between tribal boys and girls needs to be addressed and measures to check the drop out rate in schools needs to be taken seriously.
- ii. Remedial measures are required to solve the shortage of clean drinking water faced by the school.

The team consisting Mr. R. K Bhargava, Special Rappoteur, NHRC and other district officials visited the following schools:

### **(d) Government Ashramshala, Malegam**

(Date of visit: 10<sup>th</sup> February 2009)

This is a residential school run by the Government for children studying in class IV to VII. There are 130 children, of which 68 are boys and 62 are girls. The sanctioned strength of the school is 120, but because they do not refuse admission the present strength is 130.

### **Observations**

- i. An amount of Rs.600 per month is sanctioned for food per student which, as per the Head Master and other teachers is not enough. This is supplemented through growing vegetables, etc. during the monsoon. The amount of Rs.600 needs to be enhanced keeping in mind the inflation.
- ii. Drinking water is through pipe water supply and this is proper.

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- iii. Of the sanctioned strength of 4 teachers, one post is vacant and 1 male teacher and 2 lady teachers are working in the school and they stay in the school premises.
  - iv. The school building is in a good shape and the children were also questioned by me individually and they seemed to be happy in the school. They are tribal children and are from surrounding villages and they seemed well adjusted in the school.
  - v. In addition to teaching the children are taught tribal culture and they take part in various sports. It is a good point for the development of the children. In the District there are 9 such Government Ashramshalas and 12 private Ashramshalas.

**(e) Santopa Dholakiya Vidya Mandir.**

This is a Higher Secondary School which is also a residential school teaching upto XII Stds. There are 14 teachers, of which 8 are regular teachers and 6 are on ad-hoc basis. There are 416 children studying in the school of which there are 133 girls and 283 are boys.

**Observations**

- I) The school is aided by the Government to Secondary level but Higher Secondary level is non-grant.
- II) Some children were also asked to give their feed back and they seemed happy in the school except that the Maths and Physical teacher has left the school and therefore there is a gap.

**Measures to be taken**

- i. The school management should make arrangement for suitable teacher as early as possible.

**(f) Janta Higher Secondary School, Samgahan**

This is a school run by a Trust and fully aided by the Government. This is also a residential school having 124 children, of which 63 are girls and 61 are boys. There are 5 teachers and classes from VIII to X are functioning. In the Hostel there are 28 girls and 25 boys and the remaining children come from the village itself and from nearby villages and do not stay in the hostel. The Government provides the Trust Rs.600 per month for food.

**Observations**

- (I) The children on being asked about their difficulties expressed that there is a shortage of buckets and mattress and they also need fans in the girls' dormitory. The Principal of the school was asked by the DEO,

who accompanied me, to arrange fans within a week. Action taken by the Principal may be reported to the NHRC.

**(g) Zilla Parishad Primary School, Samgahan**

**Observations**

1. The school has 305 children, of which only 82 girls and 182 boys are staying in the school and another 50 children are coming from villages.
2. There are 8 teachers for the children. The school seems to be running well and the children seemed quite happy being in the school.

**Measures to be taken**

1. The spread and standard of education is quite satisfactory for a backward district. The percentage of girls studying is also very high, which is a good indicator. However, for the whole district only one college is available at Ahwa. But there is no Science faculty in the college. The college needs to be strengthened and a Science stream is added.

The team consisting Ms. Tapaswinee Mohanty, Research Officer, NHRC and other district officials visited the following schools:

**(h) Govt. Primary School, Singhana.**

(Date of visit: 10<sup>th</sup> February 2009)

The total strength of students in the school is 191, studying from class I to class VII and there are Six teachers total consisting of two male and four female teachers. Drinking water is supplied through boring system in the school. The Students are given scholarship on annual basis, Rs.100 to girls and Rs.75 to boys apart from RS.150 to each student for school uniform being given.

**Observations**

- i. There are only two toilets in the school for all the students and the teachers and the toilets are there without flush system and water supply facility.
- ii. The drop out rate in the school is very high due to the migration of parents to Surat and other nearest cities in search of employment.
- iii. The sanctioned number of teachers is 8 where as there are only 6 teachers in the school. The students of three classes (Class I to III) seat together due to the unavailability of adequate number of teachers.

- iv. There is no sweeper in the school to look after the cleanliness.
- v. The school provides Mid-day-meal to all the students in the school. But there is no kitchen room meant for it in the school. The quality of food is satisfactory as per the statement of the teachers and staff.
- vi. There was an AWC (Anganwadi Centre) running in the same school premises but the strength of the children present against the total strength was very less.

**Measures to be taken**

- i. More toilets should be constructed considering the number of students and teachers.
- ii. Measures may be taken to reduce the drop out rate.
- iii. Adequate number of teachers should be provided to the school in order to ensure quality education.
- iv. Kitchen room should be constructed in order to ensure distribution of proper and hygienic Mid-day-meal to the students.
- v. The attendance of children and staffs in the AWC must be improved.

**(i) Ashramsala School, Mahal**

(Date of visit: 10<sup>th</sup> February 2009)

The school is a residential school with 120 numbers of students (62 girls and 58 boys) studying from class 4<sup>th</sup> to 7<sup>th</sup>. There are 3 teachers in the school

**Observations**

- i. The number of students in class 4 was only 5 and therefore the students of class 4<sup>th</sup> and 5<sup>th</sup> were sitting together.
- ii. There are two hostel rooms for girls and two rooms for boys and due to overcrowding and lack of space in spite of the fact that the school has beds for each student, those are put in the store room and students are sleeping on the floor.
- iii. The demand for two more rooms has been made and sanctioned but not yet constructed.
- iv. There were no fans in the classrooms or hostel rooms and also no boundary around the school.

- v. There is no kitchen room in the school and food is being cooked out side.
- vi. Each student is being given 200 gm food grains per day and it was reported that the quality of food grains supplied is good.
- vii. There was a High school aside the Ashramsala School and the strength of students is 140. The school does not have any hostel. Therefore students stay in rental houses provided by the school in the near by villages. So there was an urge for a hostel building within the school premises.

#### **Measures to be taken**

1. Hostel building should be constructed within the school premises.

#### **(j) Primary School, Garkhadi**

(Date of visit: 11<sup>th</sup> February 2009)

The school gives education to 281 students (146 girls and 135 boys) studying from class 1<sup>st</sup> to 7<sup>th</sup>. There are 7 teachers in the school but the sanctioned number of posts are 8. But at the time of inspection only 4 teachers were present in the school and there was no information about the reasons of their absence in the school even after 11 A.M.

#### **Observations**

1. There is no chair or table for students from class 1 to 5<sup>th</sup>.
2. There is no fan in the classrooms.
3. No supply of water in the school, students have to carry water from a distant tube well both for drinking and cooking purpose.
4. The building is very old; there is leakage of water from roof and the floors are broken and cracked.
5. The school does not have any sweeper. Students sweep the floor and premises of the school, even cleans the toilet.
6. The condition of the kitchen room is also not good.
7. The time table of the school is not properly maintained. Students were roaming outside even after 11 A.M.
8. The school has 5 computers and the students of class 6<sup>th</sup> and 7<sup>th</sup> are given computer given education. The school also provides scholarship to the students apart from dresses and books.

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9. The drop out rate is high because of migration by parents in search of employment.

***Measures to be taken***

1. The timings of the school have to be properly maintained. It has to be ensured that both teachers and students maintain the punctuality in coming and leaving the school.
2. Measures have to be taken to improve the hygiene and sanitation of the school.
3. The school needs to be repaired and the infrastructure has to be developed.
4. Supply of waters both for drinking and other purposes need to be ensured.

**(k) AWC, Garkhadi**

(Date of visit: 11<sup>th</sup> February 2009)

The AWC is not well maintained. The roof of the AWC is broken and open. Only 20 students were present out of the total strength of 90. It was reported that 50 students have migrated to the cities. The helper of the AWC was not present. Oil has not been supplied to the AWC since 4 months and Chana since 2 months. Only fortified flour is being served to the children. There are 15 adolescent girls and 17 pregnant women.

***Measures to be taken***

3. The roof of the AWC needs to be repaired.
4. The full attendance of children needs to be improved.
5. Regular supply of food grains has to be ensured.

**(l) Ashramsala, Chinchdi**

(Date of visit: 11<sup>th</sup> February 2009)

The school accommodates 140 (Boys-65 & Gilrs-75) students studying in class 4<sup>th</sup> to 7<sup>th</sup>. But the school has only two teachers for the last six years. The sanctioned number of teachers is four. The State runs 9 ashramsalas in the district. There are five missionary schools in the district and two out of them get grant from government. There is only one hand pump, used for all purposes, in the school. 30 students are accommodated in each room in the hostel. Though construction of some more rooms has been sanctioned but it has not yet been constructed. There are only two toilets for the use of all including teachers and

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students. The school does not have any boundary around it, therefore it becomes difficult to control students, as reported by the teachers.

***Measures to be taken***

1. The teacher student ratio needs to be improved by recruiting more teachers.
2. The boundary, more hostel rooms and toilets as per the number of students need to be constructed.
3. The water supply needs to be improved.

**Member, NHRC, Justice Shri B.C Patel, Director (R), NHRC, Shri Y.S.R Murthy and other district officials visited the following school.**

**(m) Primary School, Ahwa**

(Date of visit: 11<sup>th</sup> February 2009)

The total strength of the school is 245 (Girls-132 and boys-113) and the classes are up to 7<sup>th</sup> standard.

***Observations***

1. The quality of food served in mid-day-meal is satisfactory.
2. There are eight teachers in the school and they are paid Rs. 2500 for the initial 5 years, which is very less.
3. Computers are available but there is no separate computer teacher. Electricity problem is affecting the education.
4. The school has separate toilets for boys and girls.
5. No medical examination of the students has been conducted in the current year.

***Measures to be taken***

1. The remuneration of teachers needs to be increased in order to ensure quality education.
2. Trained computer teachers may be recruited.
3. The medical check up of students must be done regularly.

**2. RIGHT TO CUSTODIAL JUSTICE**

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The team consisting Member, NHRC, Shri B.C Patel, Mr. Y.S.R Murthy, Director (Research), NHRC and other district officials paid visit to the following:

(Date of visit: 11<sup>th</sup> February 2009)

**a. Sub jail, Ahwa**

*Observations*

- i. There are nine inmates staying in one cell.
- ii. There is insufficient light in the jail.
- iii. No medical examination of prisoners is being conducted at the time of entry into jail. The jail officials are not aware of NHRC directives on the subject.
- iv. The official looking after the jail not from the jail department and not properly trained.

**Measures to be taken**

1. The inmates need to be shifted into separate cells.
2. The medical examination of the inmate must be ensured at the time of entry into the jail.
3. The officers to be aware of NHRC directives.
4. Trained officials from prison department must look after the prison management.

The team consisting Mr. Y.S.R Murthy, Director (Research), NHRC and other district officials paid visit to the following:

**(b) Waghai Police Station**

(Date of visit: 10<sup>th</sup> February 2009)

The Director (Research) interacted with Mr. Barot, Dy.S.P and other staff posted there.

**Observations**

1. There were no prisoners in the police lock up at the time of inspection.
2. The various registers maintained at the police station were also seen.



### **Measures to be taken**

1. It was noticed that despite Supreme Court instructions and the Commission's recommendations, guidelines issued in D.K. Basu case have not been displayed in the police station. The district administration needs to take appropriate action in this regard.

#### **(c) Police Station, Saputara**

The team consisting Mr. R. K Bhargava, Special Rappoteur, NHRC and other district officials visited the following:

(Date of visit: 11<sup>th</sup> February 2009)

#### **Observations**

1. The strength of the Police Station is: 1 PSI, 2 SI, 4 Head Constables and 17 Constables, totaling 20.
2. It is housed in a new building. There are 2 lockups, with a capacity of 4 for males and 2 for females.
3. There was nobody in the lockup at the time of my visit.
4. The policemen have no staff quarters. It was told by the SDPO that staff quarters have been sanctioned but the work is yet to start.

### **3. RIGHT TO HEALTH**

The team consisting Member, NHRC, Shri B.C Patel, Mr. Y.S.R Murthy, Director (Research), NHRC and other district officials paid visit to the following:

#### **(a) Civil Hospital, Ahwa**

(Date of visit: 11<sup>th</sup> February 2009)

#### **Observations**

1. Five specialist posts in the hospital are vacant. There are 28 nurses in the hospital.
2. Rural posting of doctors has been made compulsory and is being implemented.
3. Child nutrition development programme in the district is being implemented.
4. Around 200 to 300 patients a day come to the OPD. Emergency medical service is being provided.
5. The white wash of the hospital was done three years back.

6. The hospital management is connected through internet to Gandinagar.
7. The windows of the hospital are broken. There is no mosquito net on the beds.
8. According to the collector, there is no shortage of funds.
9. The cleanliness in the hospital is lacking. The infrastructure is poor and there is lack of water in the hospital.
10. The storeroom of the hospital was not clean and was full of unnecessary things, which needs to be disposed off.
11. There is no dentist available in the hospital for the last two years.
12. The eye OT was found clean. The ceiling of the major OT needs repair. It was reported that the major OT is being used regularly. Tuesday and Friday are kept for doing family planning operations and around 25 to 80 cases are attended on these two days.
13. There are 13 beds in the pediatric ward and six were occupied at the time of visit.
14. There is no radiologist in the hospital.
15. There is no facility of drinking water for visitors in the OPD and one new water dispenser is simply lying unused.

***Measures to be taken***

- i. The vacant posts in the hospital needs to be filled up at the earliest in order ensure quality health care to all.
- ii. Water supply needs to be provided.
- iii. Cleanliness of the hospital needs to be improved.

*The team consisting Mr. Y.S.R Murthy, Director (Research), NHRC and other district officials visited the following:*

**(b) CHC, Waghai**

***Observations***

1. This centre was earlier a PHC and has now been upgraded to a CHC.
2. All essential medicines are available.
3. The institutional deliveries have registered a steady increase over the years. The data is as follows:

Period	No. of Deliveries
Apr 08 to Jan 09	82
Apr 07 to Mar 08	26
Apr 06 to Mar 07	17
Apr 05 to Mar 06	15

- There were no specialists like paediatrician, surgeon and anaesthetist available in the CHC and only minor operations are performed there. Besides, there is no post of gynaecologist.
- A new building is being constructed and the CHC will be shifted to the new building.

**Measures to be taken**

- In an interaction with doctors it was noticed that there is a need for intensive information, education and communication efforts in order to make the public utilize health facilities whenever there is an illness and not delay treatment.

**(c) PHC, Kalibel**

(Date of visit: 10<sup>th</sup> February 2009)

It is the oldest PHC in the District and caters to nearly 35,000 persons in 43 villages. It has 7 sub centres. A number of positive features were noticed.

**Observations**

- There are two doctors in the PHC – one allopathic and one homeopathic doctor.
- At the time of inspection, it was noticed that about 12-15 women patients consulting the lady doctor.
- There was adequate availability of medicines and vaccines in the PHC including anti-snake venom and Rabies vaccine.
- The common ailments treated are respiratory tract infections, skin infections, common cold, diarrhea, leprosy and T.B.
- The number of institutional deliveries done in Kalibel PHC has registered steady increase and is a healthy sign.

2006 – 07: 41  
 2007 – 08: 97  
 2008 – 09: 177

- The overall cleanliness in the PHC is noteworthy.
- 'Mamta Diwas' is observed on every Wednesday in which ASHA, Gram Mitra and Mahila Mandal participate in screening and monitoring of children in the Anganwadi Centre.
- The location of PHC is ideal as it is next to weekly market place. 24 hours Emergency Services (Tel. No. 108) are also working in the PHC.

9. It was also noticed that an operation theatre meant for family welfare activities was locked up and unutilized as there was no surgeon.
10. There were staff shortages of pharmacist, lab technician, sweeper, driver etc.
11. The Medical Officer present stated that supply of UNICEF Kit 'A' & Kit 'B' drugs was discontinued a few years back and cited problems posed as a result. He also informed that they can purchase medicines from outside through Rogi Kalyan Samiti in case of emergency.

**Measures to be taken:**

1. In a separate interaction with villagers at Kalibel, one villager complained that the doctor is not coming on time to PHC regularly. It must be ensured that the doctor comes to the PHC regularly and in time.
2. The posts vacant in the PHC should be filled up at the earliest.

The team consisting Mr. R. K Bhargava, Special Rappoteur, NHRC and other district officials visited the following:

**(d) Primary Health Centre, Samgahan**

Dr. Parmar is the Medical Officer in-charge and one post is vacant. The posts sanctioned and filled as per the staff pattern are given below:

Sr.No.	Post	Sanctioned	Filled up
1.	Medical Officer	1	1
2.	Sr.Clerk	1	1
3.	Lebtee	1	1
4.	Pharmacist	1	vacant
5.	Peon	1	1
6.	Female Supervisor	1	vacant
7.	Male Supervisor	1	vacant
8.	F.H.W.	4	4
9.	MPH.W	4	4
10.	Driver	1	1
11.	Staff Nurse	1	vacant

**Observations**

- a. On an average 60 to 70 patients come per day to OPD and the PHC has 6 beds. At the time of visit 2 beds were occupied.
- b. The Medical Officer is bringing about improvement in the PHC by upgrading the infrastructure as per the funds available. He has changed the flooring, etc. of the maternity room and has changed the wiring and fans of the PHC.
- c. The Medical Officer also stays in the premises and is available even at night. He expressed the difficulties in not having a pharmacist and Staff Nurse which the Government should try to fill up as early as possible.

**Measures to be taken:**

1. The vacant posts need to be filled up as early as possible both at the PHCs, CHCs and District Hospital level.

The team consisting Ms. Tapaswinee Mohanty, Research Officer, NHRC and other district officials visited the following:

**(e) Primary Health Centre, Subir**

(Date of visit: 10<sup>th</sup> February 2009)

*Observations*

1. The PHC has one doctor, Dr M.S Sheikh and the proposal of appointing one more Ayush doctor in each PHC has been made by the State Government. The MO reported that there is no gynecologist in the PHC. The civil hospital at Ahwa is the referral hospital.
2. The post of pharmacist and driver is vacant.
3. A one-month FHW training programme was going on at the PHC during the visit.
4. The PHC has one ambulance for emergency services. There are 9 sub centres in 54 villages and each sub centre has a Female Health Worker and Male Health Worker with it. There 50 Angan Wadi Workers working along with the FHWs and MHWs in 54 villages.
5. The percentage of institutional delivery reported was only 20%, which is very less. There is no nurse or lady doctor in the PHC and because of which people are hesitant to come to the PHC for institutional delivery. The State government has initiated the Chiranjeev Yojna in order to promote institutional delivery, in which the compensation for delivery by any nearest private doctor is given to the beneficiary. Trained Dai is there in each village for doing delivery at home. There are 54 villages and 49.500 population covered under the PHC. It was reported that last year 1500 deliveries took place out of which only 20% are institutional. It was also reported that no maternal death has taken place last year. Under Janani Suraksha Yojna of State Government Rs.500 is given for home delivery through trained Dai and Rs.700 for institutional delivery.
6. It was reported that on an average 30-40 patients come to the OPD everyday. Malaria, snake bites, skin diseases and cough are the most reported diseases in that area. The OPD timing is from 8 to 12 in the morning and 4 to 6 in the afternoon.
7. The Infant Mortality Rate reported was 28.

8. The supply of medicine is regular and the PHC has all the essential drugs and injections.
9. It was reported that Aam Admi Vima Yojna has not been started yet.
10. The State government has initiated 'Nirogi bal Yojna' for disease free children in the district and Mamta day is observed on every Wednesday at village level to keep track of the pregnant women, for promotion of safe and institutional delivery, immunization of children and pregnant mothers and to sensitize the AWW and people at large.
11. The waste management system is operative in the PHC. But the problem areas reported and noticed are: lack of electricity facility, lack of staff nurses and other staffs, lack of quarters for staffs etc.
12. Mosquito nets are distributed to people for prevention of malaria and under DOT- Leprosy Programme Rs. 5000/- is given as incentive to the patient.
13. It was reported that 3 to 5 medical camps are held every year and 29 healthcare related programmes are running in the State.

**Measures to be taken:**

1. The problems like lack of staffs and infrastructural facilities need to be addressed at the earliest.

**(f) Primary Health Centre, Garkhadi**

(Date of visit: 11<sup>th</sup> February 2009)

**Observations**

1. The name of the MO is Dr. Sandip Panchal, who was not available at the PHC even during the OPD time. The OPD timing is from \* A.M to 12 P.M and from 6 P.M to 8 P.M. It was noticed that the peon of the PHC was distributing medicine to the OPD patients and as per information received from the villager; the doctor is not coming to the PHC since 4 to 5 months. The doctor and rest of the staffs rarely come to the PHC because of which the villagers are debarred from their right to get health care services. Nobody stays at the PHC except the peon.
2. The condition of hygiene and sanitation in the PHC was also not good. The OT was also dirty and not maintained properly.
3. The post of pharmacist and nurse is vacant.
4. There are 7 FHW and 7 MHW working in 7 Sub Centres covering 60 villages under the PHC.
5. The essential drugs were not available in the PHC. The registers were not properly maintained.

6. It was reported that in last one year only 9 institutional deliveries have taken place and at the time of visit to the PHC, there were 17 women pregnant in Garkhadi itself.
7. The PHC does not have any sweeper and ANM.

**Measures to be taken:**

1. Proper monitoring of the attendance of the doctor and staffs has to be made and in case found guilty, disciplinary action must be taken against them. It should be ensured that the doctor and other staffs stay inside the premises of the PHC.
2. The condition of hygiene and sanitation in the hospital needs to be improved.
3. The vacant posts need to be filled up as soon as possible.
4. Institutional delivery needs to be promoted further by the PHC.
5. It should be ensured that the PHC has all the essential drugs because there is no other health centre or hospital nearby this PHC and it is far away from the civil hospital at Ahwa.

**4. RIGHT TO FOOD**

The team consisting Mr. Y.S.R Murthy, Director (Research), NHRC and other district officials visited the following:

**(a) Pandit Deen Dayal Grahak Bhandar, Zavda**

(Date of visit: 10<sup>th</sup> February 2009)

The list of beneficiaries displayed at the FPS that the shop caters is as follows:

BPL	-	360
APL	-	153
AAY	-	54
Ashram School	-	1
		.....
		468

*Observations*

1. The off take of food grains is okay.
2. Fair price shop seems to be working well.
3. In a separate interaction with villagers, there was no adverse feedback regarding it.

The team consisting Mr. R. K Bhargava, Special Rappoteur, NHRC and other district officials visited the following FPS:

**(b) Fair Price Shop No.S/119/96, Samgahan**

(Date of visit: 10<sup>th</sup> February 2009)

*Observations*

a. The shop has 640 ration cardholders attached to it and it covers 4 villages viz. (1) Samgahan, (2) Jakhana, (3) Bhurapani and (4) Jokpari. The ration card holders are divided as below:

APL	202
BPL	299
Antyodaya	38

- b. In a discussion with a few villagers, it was reported that they do not have any problem about lifting of ration from the shop.  
c. The shop seems to be working in a satisfactory manner.

**(c) Fair Price Shop No.S/124/97**

(Date of visit: 10<sup>th</sup> February 2009)

- (a) This is located on the Saputara – Ahwa road about 24 km from Saputara.  
(b) This was a surprise visit. The shop was functioning and the ration holders were picking up food grains. The shop has 390 ration card holders attached to it as detailed below:

APL	54
BPL	286
Antyodaya	50

- (c) It covers a population of 1847.  
(d) On examination of the ration cards, deficiency found in the amounts written against individual cards i.e. amounts shown as issued for wheat was not the same as actually done. The amount of wheat was added on the same date. The answer of the shop owner was not satisfactory. The Chief Officer of Saputara Municipality and the DEO also tried to question the ration card holders, who were present, on the amount of wheat they lifted and the amount written in the ration cards pointing out the differences in the entry on their cards.



**Measures to be taken:**

1. A detailed inspection of the Fair Price shop including verification of ration cards should be done by the DSO, action may be taken against the owner, if found, of the fair price shop and should be reported to the NHRC.
2. The staple diet food of people is Nagli, supplemented by wheat. The production of nagli is not enough for their needs. The cultivation of nagli also leads to soil erosion and therefore this issue needs to be examined in proper perspective.

The team consisting Ms. Tapaswinee Mohanty, Research Officer, NHRC and other district officials visited the following FPS:

**(d) Dindayal Grahak Bhandar, Singhana**

(Date of visit: 10<sup>th</sup> February 2009)

The name of the dealer is Shri Sonu Bhai Beljibhai Malbi. It was informed that food grains are supplied once in a month. The FPS supplies food grains to 282 BPL, 152 APL and 166 Antodaya (Total-501) cardholders covering 2262 population of four villages.

**Observations**

1. The last BPL review was held in 2008. Earlier there were 295 BPL cardholders but after the review it has reduced to 282.
2. The FPS also provides food grains to 4 schools under Mid-day-meal scheme.
3. The dealers has license since 1991 and the license gets renewed in every four years.
4. The dealer informed that a review meeting at district level is held every month to sort out the problems in PDS.
5. All the details about the beneficiaries of different category and the details of stock were displayed on the notice board outside the FPS.
6. Some of the cardholders, who had come for taking their ration, present at the time of visit gave a good feedback about the dealer and the quality of food grains, but they requested for supply of wheat instead of wheat flour.
7. The registers were well maintained. The complaint book was available with the dealer.

**(e) Dindayal Grahak Bhandar, Chinchdi**

(Date of visit: 11<sup>th</sup> February 2009)

The name of the dealer is Shri Ghanshyam Bhai Badane. The FPS distributes food grains to 457 BPL, 72 AAY and 136 APL cardholders.

*Observations*

1. Though it was a surprise visit, the registers were well maintained and the notice board outside the FPS contained all necessary information that was supposed to be on it.
2. The dealer was also present and was distributing food grains to the beneficiaries.
3. They gave a good feed back about the quality of food grains supplied and about the service provided by the dealer.
4. The dealer informed that if any undistributed stock is pending with the dealer in any month then that gets adjusted with the next months supply to the dealer.
5. The dealer informed that they have demanded for double packing of the bags containing wheat flours as due to single package sometimes the flour gets damaged.
6. The dealer also informed that people demand wheat instead of wheat flour as wheat can be stored for a long time but flour cannot be.

**(f) Fair Price Shop, Garkhadi**

(Date of visit: 11<sup>th</sup> February 2009)

*Observations*

The following observations were made:

1. Though it was written on the notice board that the shop remains open from 8 A.M to 10 A.M and 2 P.M to 6 P.M everyday except on Monday but the shop was closed.
2. The dealer's name is Shri Chhagan Tulsiram Mahala and he belongs to another village.
3. It was reported by the villagers that the dealer neither opens the shop nor distributes food grains regularly. It was also reported that he sells food grains at prices higher than the authorized prices.

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**Measures to be taken:**

1. Proper monitoring of the FPS need to be done so that people get the supply in time and at the determined price only.
2. The license of the dealer should be cancelled after inquiry wherever people make that sort of complaint against the dealer or the quality or quantity of food grains.

**5. RIGHT TO LIFE**

The team consisting Mr. Y.S.R Murthy, Director (Research), NHRC and other district officials visited the following:

(a) BHESKATRI GROUP GRAM PANCHAYAT OFFICE

(Date of visit: 10<sup>th</sup> February 2009)

**Observations:**

1. Bheskatri Group Gram Panchayat office caters to four villages. The activities of the Gram Panchayat office in relation to birth/death registration, issue of BPL Certificate, 12<sup>th</sup> Finance Commission grant for development, NREGA, MP & MLA Fund, Caste Certificate, infrastructure, drinking water and housing were explained by the Talati-cum-Mantri and the Sarpanch of Bheskatri Gram Panchayat.
2. The team also met one lady Gram Mitra. In Gujarat under Gram Mitra Scheme, five people are appointed on a salary of Rs.1000/- per month to facilitate work in areas of health, development, education, agriculture and welfare.
3. It was seen that a computer along with internet has been installed in the Panchayat Office as a part of e-connectivity programme.
4. The team inquired about the implementation of NREGP and sought details of people who applied under the Scheme and job cards issued in the past 3 years. The Panchayat Official present could not give information readily from his register. After an hour, on request, the following details were provided:

**Implementation of NREGA in Bheskatri Group Gram Panchayat**

Year	Number of Persons who applied for work			No. of Job Cards issued
	Men	Women	Total	
2006-07	318	294	612	418
2007-08	410	570	980	200
2008-09	170	149	319	18

The above figures, particularly the last column in contrast to the column preceding it, underscore the need for vigorous implementation of NREGP which seeks to ensure right to work.

5. At a separate interaction with villages at Kaliber, the feedback about delays in payment of wages under NREGA was received. It was pointed out that payment for work completed in Sept-Oct 2008 is yet to be received as of 10<sup>th</sup> of Feb., 2009. A person belonging to Khatal Group Gram Panchayat observed that lengthy procedures for payment of wages under NREGA at present must be streamlined. In fact, he wondered how he could offer himself for work again when he did not get payment for earlier work. This aspect needs to be addressed by the District Administration.

**Measures to be taken:**

1. The procedure of payment to the workers working under NREGA scheme needs to be streamlined and the delay in payment needs to be addressed by the District Administration.

**(b) RIGHT TO CLEAN DRINKING WATER**

(Date of visit: 10<sup>th</sup> February 2009)

Certain villages (Enjinpuda) in their interaction pointed out though one hand pump has been working in their village, tap water is yet to start in their areas. This aspect requires to be addressed.

**(c) RIGHTS OF SC/ST**

*Observations:*

1. In an interaction with District Administration officials, it was noticed that only nine cases were registered between 1995 – 2009 pertaining to atrocities against SC/ST, of which seven cases were settled outside the court.
2. The detailed interactions with them revealed one major lacuna. The post metric scholarships for tribal students are yet to be disbursed as of February 2009.

**Measures to be taken:**

1. Efforts must be made to streamline disbursement of funds under the scholarships so that they are available to students right in the beginning of their academic term and not at the fag end. The district administration needs to make efforts to ensure that the scholarship scheme is implemented scrupulously.

The team consisting Mr. R. K Bhargava, Special Rappoteur, NHRC and other district officials visited the following:

**(d) GROUP GRAM PANCHAYAT, SAMAGHAN**

*Observations:*

(Date of visit: 10<sup>th</sup> February 2009)

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1. In a meeting with the Sarpanch, Grampanchayat Member, Police Patel and others at Samagahana village, when asked if they have any problem, they indicated that during the month of March and April there is water shortage. The Sarpanch informed that the water supply scheme under Swajal Dhara is being implemented and is likely to be completed by this summer.
  2. Another problem indicated by them was lack of toilets, which the Grampanchayat should encourage individual persons to build toilets in their houses. They have also demanded plots and the Talati informed that 2.43 hectares of Survey No.153 were earmarked. It was later shown by the Circle Officer that plotting is done in half of the survey number, and 3 – 4 applications are pending in the Collector's office.

**Measures to be taken:**

1. The demand of land for constructing toilets should be disposed off as per the rules expeditiously.

**(e) GROUP GRAM PANCHAYAT, BARIPADA**

(Date of visit: 10<sup>th</sup> February 2009)

The Gram Panchayat covers the villages: Chirapada, Baripada, Borigawathi, Chikli Mahaichon. The villagers were asked for the feedback regarding various schemes, etc. The only point they raised was that the Bank has not published the list of those farmers whose loans were waived as per Government of India Orders, and the list should be published in Gujarati so that the farmers know about their status. In the evening in a visit to village Dhumkhal on the Saputara – Ahwa road, the team interacted with a few villagers as the Sarpanch did not belong to the village, and the village Member of the Panchayat had gone out of the district for some work.

**Observations:**

1. The feed back from the villagers was that there was water scarcity in summer, which needs to be attended to.
2. There is a primary school in the village from I to V and the children are going there. The school has 3 teachers: one of the teachers is a lady teacher who is staying in the village itself.
3. The village has a population of 570 but the villagers indicated that they do not have enough work under NREGP. It is the responsibility of the District Administration to either provide 100 days work in a year or to give allowances in lieu of work for the days when the work cannot be provided.
4. Another point raised was that the village attached to the Fair Price Shop at Galkhund which gives ration to this village only on Monday.

**Measures to be taken:**

1. The ration shop should give ration on all days of the week except one day that is closed day. This point needs to be checked by the District Supply Officer and action taken against the Fair Price Shop should be reported to NHRC.

2. Enough work is not available to the villagers and as such they are unable to buy the full quantum of ration in the BPL and Antyodaya category. This adversely affects their health. The Employment Generation Programme specially under NREGP should be taken up more actively so that all able bodied persons are provided 100 days employment in a year under this scheme and their incomes are adequate enough for them to buy enough food grains and other basic needs.

The team consisting Ms. Tapaswinee Mohanty, Research Officer, NHRC and other district officials visited the following villages and Grampanchayat offices:

(f) GRAMSABHA, SINGHANA

(Date of visit: 10<sup>th</sup> February 2009)

1. In an interaction with the villagers and other gram panchayat officials, it was informed that the targeted number of houses to be constructed under Indira Awas Yojna is 916 but the sanction is for 1939 and out of it 396 have already been constructed. Under Sardar Awas Yojna, the target is to construct 201 houses and for this Rs.36,000/- is given to each individual under this scheme. 70 houses have been constructed under the yojna and the rest will be completed by March 2009.
2. The BDO informed that the last BPL list had been received in 2006 from Central Government and the last review by State government had been made in 2007-08.
3. The village has one lecturer, one gramsevak, one lady teacher and two PTC teachers. Among the problem areas, the villagers reported the problem of electricity and lack of hostel rooms in the near by Ashram School. They demanded for a high school in the village.

(g) COMMON SERVICE e-GOVERNANCE CENTRE, SINGHANA

(Date of visit: 10<sup>th</sup> February 2009)

1. The center provides land record, birth certificates, death certificates, income certificate etc.
2. It was informed that there are 70 gram panchayats in the district and gram sachibalayas (meetings) are held in every gram panchayat. Every common service center has Sarpanch as president, Talati/upsarpanch as secretary and 5-gram mitras (Social welfare, Health, Education, Agriculture, Development). The system of appointing gram mitras has been lunched since last year.

(h) COMMON SERVICE e-GOVERNANCE CENTRE AND GRAM PANCHAYAT OFFICE, GARKHADI

(Date of visit: 11<sup>th</sup> February 2009)

### **Observations**

1. It was informed by the gram mitras present there that 11 houses are to be constructed under IAY but out of them right now only 5 have been completed. Under SAY 3 houses are being constructed and the road is being constructed under NREGS.
2. The Sarpanch or the Talati were not present at the office even during the office timing. The gram mitras were found unaware about many schemes and programmes and could not provide the data properly.
3. The office is just near by the FPS in Garkhadi, against whom there is complaint that the dealer does not distribute food grains regularly and does not open the shop even. But still the Gram Panchayat office has not taken any action against the FPS dealer. It seems that the office does not function properly.

### **(g) COMMON SERVICE E-GOVERNANCE CENTRE AND GRAM PANCHAYAT OFFICE, CHINCHDI**

#### **Observation:**

1. It was reported that there are 20 pregnant ladies in the area.
2. Under IAY construction of 160 houses has been started and under SAY 10 houses are under construction, which will be completed by March 2009.
3. Under NREGS in road construction 2500 population of 843 families are employed. Rs.4,52,000/- has to be spent and Rs.3,93,000/- has already been spent. It was reported that Rs.65/85 is given to per person per day. It was said that there are 8 developmental works are going in the area under the NREGS scheme and 2 works are already complete.
4. For drinking water supply the pipeline project, as per the 12<sup>th</sup> Finance Commission recommendation, has been completed in 2006-07.
5. It was reported that the applications for old age pension of 547 persons from 7 villages through the Gram Mitras have been accepted and forwarded to the concerned department.
6. It was reported that late payment of wages under NREGS to the people is creating problem for the daily wage earners and even sometimes delayed for 2/3 months. It was told that the last check for the payment of wages was deposited on 7/1/09 but not yet paid to the people.
7. It was also told that Gram Sabha is held in every 3 months to review the progress of various developmental works and discuss the related problems in villages.

#### **Measures to be taken**

1. The late payment of wages to the workers under NREGS must be addressed by the authorities at the earliest and must be paid in time.