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Workshop Proceedings of the "Human Rights Awareness & Facilitating Assessment of Enforcement of Human Rights Programme in selected 28 Districts", held at Sonbhadra, Uttar Pradesh from 2nd to 6th February 2009

In continuation to the Human Rights Awareness & Facilitating Assessment of Enforcement of Human Rights Programme in selected 28 districts of the country, the National Human Rights Commission had organised a workshop on 6th February 2009 at Sonbhadra District in Uttar Pradesh. The Secretary General, NHRC, Shri A. K. Jain, chaired the workshop. The participants included the State and District officials, Director (Admin.), NHRC, Special Rapporteur, NHRC and Research Assistant, NHRC.

The District Magistrate, Sonbhadra, gave a warm welcome and expressed his gratitude for selecting Sonbhadra District for the Workshop. He stated that the district being one of the remotest, needs such programmes for spreading human rights awareness. He further stated that the district administration will ensure following the guidance given during the course of the workshop.

The Secretary General, NHRC, stated that the programme has two objectives- (a) to create awareness and sensitize the District Level Officials regarding the Human Rights issues and (b) to evaluate the progress achieved in various schemes which have bearing upon human rights of the people. He also explained the constitution and functioning of the Commission and discussed in details the provisions of the Protection of Human Rights Act, 1993.

The Director (Admin), NHRC, while expressing his views on the issue of education, stated that the importance of education in a modern democratic society can not be ignored. Expressing his concern about the quality of education, he said that, the present policy of not failing a student up to class 8th, just to secure retention rate, seems to be a real challenge to ensure quality in education. We should not forget here that we cannot expect to teach simple Maths or English to a student of class 10th if his foundation is weak. He strongly advocated the need of reviewing the policies and priorities. What we

are aiming at is not to produce people who can read and write but a truly educated society.

Special Rapporteur, NHRC, explaining the role of Government in protection and promotion of human rights, stated that in India it is the administrative machinery on which the common man mostly relies for his rights and needs. She cited her experience of visit to village Takiya, where by joint efforts of the education department and the team of NHRC a student who was forced to leave hi education on account of poverty was re-enrolled in the school. While discussing about the rights of prisoners and under trials she said that it is the duty of the custody officer to ensure the rights of the person, except right to move freely (liberty).

IG Police, Varanasi, while discussing the problems faced by the residents of the district stated that the area being affected by naxal violence, the teachers, and medical officers of the remote areas need protection. He further stated that many a times the poor persons are unable to represent their case in court. Consequentially they lose the case and in such cases problems arose in implementing orders. Similarly, many schemes need the adaptation to local requirements.

The District & Session Judge, Sonbhadra referring to the number of pending cases and reasons for prolong delay in disposal of cases, Shri Chote Lal, stated that out of the 13 courts in the district in 5 Courts the seat of the presiding officer (judges) are vacant resulting in delay in disposal.

Later the participants were guided to form four groups for discussion on the specific human rights issues. The basic idea behind this was to adopt a basic participative approach, understand the problems faced by the administration in discharging their responsibilities and also to come out with some recommendations that according to them will help them in functioning in a better manner.

The issues for group presentation were as under:

- Group - I: Right to Food and Rights of SC and ST.
- Group -- II: Right to Custodial Justice & Juvenile Justice Board.

- Group – III: Right to Education.
- Group - IV: Right to Health and Environment Issues.

Group – I: Right to Food and Rights of SC & ST

The group while making its presentation stated various problems and also made some suggestions for resolving the same. To begin with the group focused on the problems associated with Public Distribution System (PDS) and Fair Price Shops (FPS).

The group highlighted that:

- The amount paid to the FPS dealer for porting food commodities from the godawn to his shop is vary low and it does not meet even the cost of movement. It was stated that the rate should be increased and should be made proportionate to the distance of the shop from the godawn rather than the presently prevailing rate of Rs. 6 per quintal. Further it was stated that for the items to be provided under Mid-day Meal Scheme and ICDS there is no provision of porting charges.
- The FPS dealer is not provided any incentive for operating the shop instead he is expected to perform his duty as an obligation imposed on him. It was suggested that some sort of incentive should be provided to the FPS dealer.
- The another issue of corruption involved into the transit of food grains also came into light. It was stated that the loss of food grains is often reported during transit from central store to FPS and the food grains quantity that finally reaches to FPS is always short of the weight shown on paper. This shortfall of food grain supply is due to theft caused by middlemen involved into food grain movement process and generally it is justified as handling loss in transit. But at no point of time actual weight of food grain is shown on record. Consequently the FPS adjust this shortfall of food grain in its distribution to the card holder and /or by manipulation of records.
- The group while highlighting the issues related to the rights of SC and ST stated that recently around 16 Scheduled Castes were transferred from SC to Scheduled Tribes. However, due to some administrative or

procedural problems, 16 groups are neither getting benefits as SC nor as ST. It was suggested that matter should be resolved forthwith so that they get ST benefits at the earliest. However, till then they should continue to get existing benefits as SC.

- One of the major problem pointed out was that in many of the schemes including recently enacted the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forests Rights) Act, 2007, a lot of legal formalities are required to be complied with. This involves a lot of expenses leading to a further burden on the poor people. It is therefore recommended that procedures should be simplified and streamlined to avoid this.
- During the course of discussion it was recommended that since the district is deficient in production of food grains and the majority of the population is dependant on PDS, the quota of cards should be revised and a fresh survey for identification of APL, BPL and AAY cards should be carried out.

Group – II: Right to Custodial Justice & Juvenile Offenders.

The group highlighted that the following problems and made suggestions-

- The compensation in cases of custodial deaths should be payable only if the guilt of the charged officer is proved. It was stated that at times it becomes unjust to award compensation during the continuance of the inquiry. This view was however not agreed to by the representatives of NHRC. It was clarified that NHRC awards monitory relief/compensation on humanitarian considerations in such cases where the violation of human rights by acts of omission or commission of authorities prima facie established. The matter of proving guilt of the officer in a trial for the criminal offence committed in the matter is a time taking process and till then compassion and compensation should not wait.
- Referring to the health facilities for the prisoners it was urged that some sort of mechanism may be developed where the prisoners can obtain blood from blood banks. The problem arises when the prisoner is in need of blood and the blood bank refuses to provide the same due to the policy

of the Bank to provide blood only in exchange and according to law a prisoner is not allowed to donate blood.

- Provision for reservation in trains should be made for the escorting guards who are deputed to take the prisoners to different places for presenting them before the judicial forums.

Group – III: Right to Education

The group highlighted the following issues and suggestions:

- Non availability of teachers was an issue of major concern. It was stated that the teacher: student ratio in the district is very low. For Primary Level the ratio is 1:57 and that of Upper Primary Level is 1:80.
- It was stated that normally a candidate selected for teaching job is sent first to remote areas. After sometime he (she) gets himself transferred closer to his home town/district leading to shortage of teachers in remote areas. This can be avoided if a clear and transparent transfer policy is followed. In the policy, no one should be given posting in his home district or home block as in case of administrative and many other services.
- In order to provide quality education it was suggested that the system of evaluating the learning capacity of the student should be brought back to practice and he should be judged by means of annual examination. Promotions to the higher standard should be given only if he qualifies the same. Further not only the student but also the teacher's capability be assessed on the basis of the results of the students.
- Issue of improper implementation of Mid-day Meal Scheme was also raised. It was suggested that the implementation of the scheme and its monitoring system needs to be strengthened.

Group – IV: Right to Health & Environment Issues:

The group in its presentation after providing the basic data of medical services came out with following suggestions:

- In the absence of sufficient trained manpower it becomes difficult to provide quality service. It was stated that in the entire district there is only

one lady doctor, there is not even a single radiologist and the posts of specialists are lying vacant in the District Hospital. There is immediate need to provide trained manpower on priority basis.

- There is no blood bank in the district and the same needs to be established soon.
- As regards environment degradation, it was stated that the effluent discharged by the factories and industries like NTPC, UPSEB, Anpara, Hindalco, etc has created major health concern in the district. The amount of chlorine, mercury and iron discharged from such industries has led to severe health problems.
- It was also stated that apart from the discharge of waste into rivers and other sources of water, the entire highway connecting Shakti Nagar with Robertsganj is a dumping ground for solid waste products. Not only this, the stone crushers also aggravate pollution problem by releasing a lot of dust in air and. In certain parts of the district it becomes difficult to even breathe.

Conclusion

In concluding the workshop, major issues were summarised and some of the actionable recommendations were deduced. The major action points are be summed as:

1. The district being deficient in food grain production and the majority of the population being dependant on PDS, the Government should review the matter with a view to find ways as to how the problem of the poor families who have got PDS cards are addressed **[Right to Food]**.
2. The Government should issue guidelines for inclusion of the newly transformed 16 Scheduled Castes in Scheduled Tribes categories, so that they can enjoy the benefits of the welfare schemes meant for Scheduled Tribes. Till then they should continue to get existing benefits of SC **[Rights of SC and ST]**.

3. Provision for reservation in trains should be made for the escorting guards who are deputed to take the prisoners at different places for presenting him before the judicial forum **[Criminal Justice]**.
4. In order to provide quality education it was suggested that some system of evaluating of the student should be brought back to practice. Further not only the student but also the teacher's capability be analysed on the basis of the results of the students. **[Right to Education]**.
5. Just like in other government jobs restriction on home posting for teachers should also be considered **[Right to Education]**.
6. In light of frequent accidents occurring in the district, there is a need to establish a blood bank in the district. **[Right to Health]**.
7. The District Hospital and the other medical service providing centres should be provided with sufficient trained medical manpower **[Right to Health]**.
8. There is a need to conduct a fresh study on the issues relating to environmental degradation in the district and find workable solution. In this regard immediate attention be paid to stoppage of polluting effluent by industries in rivers and also air pollution. **[Right to Environment]**.

FIELD VISIT REPORT

The team of NHRC paid visit to the District Sonbhadra of Uttar Pradesh in pursuance of the Human Rights Awareness & Facilitating Assessment of Enforcement of Human Rights Programme in selected 28 districts of the country, from 2nd to 6th February 2009. The objective of the programme is to evaluate and facilitate the implementation of programmes based up on human rights.

The focus area of the visit being right to food, right to education, right to health and right to custodial justice, the team carried out the survey of the institutions responsible for ensuring these rights.

A. Right to Food

1. The team consisting Dr. Sanjay Dubey, Director NHRC, Smt. Kanchan Chaudhary Bhattacharya, Special Rapporteur, NHRC, Bhaskar Tripathi, Research Assistant, NHRC paid visit to the Fair Price Shop, Gram Panchayat Beltad, Ghiratal Sonebhadra.

It was informed by the FPS dealer that according to the orders of the Govt. following commodities are provided:

AAY cardholders receives 25 Kg of Rice @ Rs. 3/kg, 10 Kg of Wheat @ Rs. 2/kg and 3 litres of Kerosene. Similarly BPL cardholder is given 20 Kg of wheat @ Rs. 4.65/Kg, 15 Kg of Rice @6.15/Kg. and 3 litres of Kerosene, whereas an APL cardholder is provided only Kerosene.

During the interactions with the cardholders it was found that-

- The shop distributes the commodities only once in the month.
- Both wheat and rice provided are not of good quality and the FPS dealer mixes the poor quality of rice and wheat along with the fresh stock.
- Weights and measures used by the FPS dealer were also informed to be fabricated and it was stated that the quantity provided is always much lesser then the actual.

Observations

- a. There was no display of the available stock at the shop.

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- b. The complaint register and inspection book are not maintained.

Recommendations

- a. It was suggested that every shop should maintain complaint and inspection book.
- b. It should be ensured that the shop remains open 6 days in a week and food grains should be distributed on all such days.
- c. The details of stocks of food grains should be properly maintained in the register and displayed in the blackboard.
- d. There is a need to revise the list of APL, AAY and BPL cardholders.

2. The team consisting of Smt. Kanchan Chaudhary Bhattacharya, Special Rapporteur, NHRC, Bhaskar Tripathi, Research Assistant, NHRC paid visit to the Kekrahi Sahakari Sammiti Sangh.

The sammiti is authorised to buy rice (dhan) from the farmers @ Rs 850/quintal and there is a bonus of Rs. 50 to be provided to every farmer who sells his produce to the sammitti. The dealer informed that under the orders of the Manager, Provincial Cooperative Federation (PCF) further purchase of the rice had been stopped. It was also informed that the centre had the capacity of storing 20,000 quintal of grains and till then the store had only 5048 quintals.

Recommendation

It is recommended that the administration should issue instructions to start purchase of the rice immediately and the time period for purchase be also extended.

B. Right to Education

1. The team consisting Smt. Kanchan Chaudhary Bhattacharya, Special Rapporteur, NHRC, Bhaskar Tripathi, Research Assistant, NHRC paid visit Primary School Madhupur-I.

The Principal of School, Shri Ramji Pal provided the following information.

- a. The number of students enrolled in the school is 66 and there is one teacher and three Shiksha Mitra to provide instructions to the students.

- b. The school is experiencing a high rate of dropouts because of school being situated on the side of National Highway which causes the concern of safety and security of their children in the minds of parents and thereby stopping them in going to school.

Observations

- a. The school building does not have any boundary wall.
- b. The peculiar point came into notice was that since March 2006 till date, not even a single Shiksha Mitra has been absent from duties which raises a bit of suspicion on the authenticity of the attendance register.
- c. The passage to the toilets is dirty and full of garbage.
- d. The food provided under Mid-day meal scheme was not in accordance with the directions of the authority. The students though according to the schedule were supposed to be served with rice, pulses and vegetable but in practice they were given only rice and pulses.

During the talks one of the student said that the food provided to them is not sufficient.

According to the allocation of the food grains, actual supply was very less and the same can be shown as under:

Sanctioned quantity of food per 100 children	Food required for 66 students	Food provided to the school
Dal - 2.5 Kg	1Kg 650 gms	1 kg
Rice- 10 Kg	6 Kg 600 gms	3 kg

The above table clearly provides the scarcity of food supplied and the poor implementation of the Mid-day Meal Scheme.

Recommendations

- a. There is a need of boundary wall for the school for the safety of the students.
 - b. The improvement in the condition of hygiene and sanitation in the school need to be taken up immediately.
 - c. Proper monitoring of the Mid-day Meal Scheme is required and food grains must be supplied as per the norms.
 - d. Shortage of teachers needs to be addressed at once.
 - e. On the both sides of the School there should be a board placed on the highway indicating the presence of school and directing the vehicles to be driven at a lower speed.
2. The team consisting Smt. Kanchan Chaudhary Bhattacharya, Special Rapporteur, NHRC, Bhaskar Tripathi, Research Assistant, NHRC paid visit Primary School Lohra.

The Head Master of the School, Shri Nandeshwar Singh provided following information.

- a. The number of students enrolled is 251 but students present were 128.
- b. There is one teacher and 3 Shiksha Mitra.

Observations

- a. There is no provision for overhead water tank facility in the school. Students are required to take water from hand pump in pots for toilet purposes.
- b. The school building does not have boundary wall.

Recommendations

- a. There is a need of boundary wall for the school for the safety of the students.
- b. As the school is situated on the national highway, on both sides of the School there should be a board placed on the Highway indicating the

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presence of school and directing the vehicles to be driven at a lower speed.

- c. Overhead water supply tank should be constructed in order to ensure water supply to the toilets.

3. The team consisting Smt. Kanchan Chaudhary Bhattacharya, Special Rapporteur, NHRC, Bhaskar Tripathi, Research Assistant, NHRC paid visit Primary School Takiya, Dargah.

Head Master Shri Kripa Ram Singh provided following information:

- a. There is one teacher and three Shiksha Mitra. In addition to this there is one another teacher for teaching Urdu Language.
- b. There are around 321 students and on the date of visit 208 were present.
- c. Out of the total number of students 131 belong to schedule caste, 152 to OBC, 38 to minority general and the school has no student from schedule tribe community.

Observations

- a. The school does not have a boundary wall and due to this the school building and property is at times misused.
- b. There were two big size pits in the school campus which seems to be a cause of concern considering the safety of the students.

Recommendations

- a. The pits needs to be filled up immediately.
- b. There is a need of constructing the boundary wall for the school.
- c. As suggested by the Head Master there is a need of additional teacher in the school considering the number of students enrolled.

4. The team consisting Smt. Kanchan Chaudhary Bhattacharya, Special Rapporteur, NHRC, Bhaskar Tripathi, Research Assistant, NHRC paid visit Upper Primary School Takiya, Dargah.

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There was only one teacher, i.e., the Head Master, to provide instructions to the students of Classes 6 and 7. The total strength of the students enrolled was 65 out of which 20 belong to SC, 37 to OBC and 8 Minority category.

Recommendations

The school at present requires appointment of teacher on priority bases.

Case related to violation of Child Labour (Prohibition & Regulation) Act, 1986

The team during their visit to Takiya, Dargah found that a child named Anwar, who passed class fifth last year, was forced to leave studies as he needs to work and pay for the education of his younger brothers. Anwar was employed by some contractor who was carrying out some project for the irrigation department.

Though on pursuance by the team of NHRC Anwar was re enrolled into a school but following issues arose from this case:

- a. Non enforcement of the Child Labour (Prohibition and Regulation) Act, 1986 by the Government authorities.
- b. Issue of receiving of fees by the Government schools.

Recommendations

It is recommended that a complete study of the same may be carried out considering that the only place a child to be is school. The Act of employing children for labour also violated the Constitutional Provisions and the orders of the Supreme Court.

5. Dr. Sanjay Dubey, Director, NHRC paid visit to Primary School and Junior High School Rudoly, Gram Panchayat Belach, Robertsganj.

- The Head Masters in both the schools were absent on the day of inspection and the instruction to the students was being imparted by Shiksha Mitra.
- The Anganwadi Kendra is attached to the school. On the day of inspection Anganwadi Worker and her helper both were absent. The register of the

Kendra shows that on an average 50 to 60 children come there but on inspection and inquiry it was found that the same is false and as per the statement of Gram Pradhan, Smt. Dailai Devi only 15 to 20 children come to the centre daily. There is neither weighing machine nor growth chart available at the centre.

It was stated that the Anganwadi worker is negligent in rendering services and she does not give the tablets that she is supposed to provide to pregnant women.

Issues

During the visit following issues were brought to the notice of the Director by the villagers and Gram Pradhan:

- a. Gram Pradhan stated that the Fair price Shop Dealer does not provide the food commodities. Villagers informed that at the time of distribution of Kerosene, the dealer is always drunk and misbehaves with the villagers. It was also stated that the dealer only provides 25 Kg of grains and 2.5 litres of kerosene whereas he should give 35 Kg grains and 3 litres of kerosene.
- b. Non availability of electricity was also brought to the notice of the Director. The Assistant Engineer, Robertsganj said that there has been a theft of wiring there.

Recommendations

- a. Absenteeism in teachers and Anganwadi worker should be monitored and disciplinary action be taken against those who are not performing their duties properly..
 - b. The village has a major problems of electric supply and distribution of food grains by fair price shop. The same should be taken up immediately.
6. Dr. Sanjay Dubey, Director, NHRC paid visit to Primary School, Gram Panchayat Markundi, Robertsgani.

Observations

- a. The floor of the school was damaged.
- b. It seems that the Basic Education Officer has not paid visit to the School.

Recommendations

- a. The school building and specially the floor needs renovation.

Issues

The villagers present at the school provided following information:

- a. There is no electricity in the area and the quantity of Kerosene. (3 litres) distributed once in a month does not seem to be sufficient. Both the lack of electricity and insufficient quantity of Kerosene makes it difficult for students to study.
- b. Smt. Kamli stated that the workers working in cleaning of the pond have not been paid any remuneration for last two months. Gram Panchayat development Officer, Shri Ramashankar Pandey, stated that the work is being carried out under the National Rural Employment Guarantee Act and the wages have not been paid due to the non availability of the bank accounts of the workers.
- c. Smt. Shivkumari informed that the only water source is the hand pump in the school and even that is giving red coloured water. The present Assistant Engineer, Water Department who was present, assured that the new survey and boring will be done within a week.

Recommendations

- School building be repaired.
- The officers should regularly visit school to carry out inspection.
- The problem of electricity and kerosene supply need to be addressed.
- Non payment of wages in NREGS is a serious matter and must be resolved.
- Drinking water supply be ensured.

C. Right to health

1. The team consisting Dr. Sanjay Dubey, Director NHRC, Smt. Kanchan Chaudhary Bhattacharya, Special Rapporteur, NHRC, Bhaskar Tripathi,

Research Assistant, NHRC paid visit to the New Primary Health Centre, Shahgani.

During the visit following information was received;

- a. The timing of the Health Centre was from morning 8 to afternoon 2 o'clock.
- b. The centre charges Re 1 for registration of patients and the registration is valid for 15 days.
- c. The centre has two doctors, 3 ANM 1 Lab Assistant, 1 Assistant for TB patients and 1 LM, Leprosy.
- d. There is one operation theatre.
- e. The OPD for the day was 104 attended by Dr. VN Tripathi.

Observations

- a. The OT table was full of rust.
- b. The medicine store had webs on the walls and the medicine racks.
- c. The hygienic conditions was below average.

Recommendations

- a. The PHC needs to have a continuous electricity supply.
- b. The cleanliness and hygiene condition in the PHC needs to be improved.

2. The team consisting Dr. Sanjay Dubey, Director NHRC, Smt. Kanchan Chaudhary Bhattacharya, Special Rapporteur, NHRC, Bhaskar Tripathi, Research Assistant, NHRC paid visit to the Community Health Centre, Ghorawal.

The CHC has the facility of 20 beds at the time of visit there were two indoor patients, a child suffering from dehydration and a women having urinary infection.

The post of one Lady Doctor, one Pharmacist and one Radiologist are vacant.

Observations

- a. The stock register was not properly maintained.

- b. The hygienic conditions of the centre seemed to be poor.
- c. The insufficient staff creates a problem in service delivery.

Recommendations

- a. There is a need to provide trained and qualified manpower.
- b. The stock register needs to be maintained in proper manner.
- c. Specialist should at least be posted in the centre or arrangements for their routine visits can be made.

3. The team consisting Smt. Kanchan Chaudhary Bhattacharya, Special Rapporteur, NHRC, Bhaskar Tripathi, Research Assistant, NHRC paid visit to the Primary Health Centre, Robertsganj, Kakrahi.

The centre has following staff:

- Medical Officer in Charge – 1
- MO - 2 (one regular one on contract)
- Health Education Officer - 1
- Health Supervisor - 1
- Lab technician - 1
- Eye Assistant - 1
- Staff nurse - 2 (on Contract)
- ANM - 2

And other supporting staff.

The timing of the centre is from 10 to 4 and the majority of cases reported were that of Malaria.

Issues

- a. Erratic drug supply was the major concern.
- b. There is a shortage of staff and in absence of a surgeon the OT is normally not put to use.

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- c. The Payment for the staff working for vaccination has not been made since last October.

Observations

- a. There is no proper supply of electricity and power backup.
- b. Hygiene conditions of Medical store was not up to the mark.

Recommendations

- a. There is a need of providing continuous electricity and water supply.
- b. Hygiene conditions needs to be improved.
- c. The posts lying vacant should be filled as soon as possible.

4. Dr. Sanjay Dubey, Director, NHRC paid visit to Community Health Centre, Salkhan.

During the visit it was found that there were two indoor patients and 14 OPDs. It was informed that majority of patients suffer from Malaria. He further stated that the medicines are quite sufficient in stock.

D. Right to Custodial Justice

1. The team consisting Dr. Sanjay Dubey, Director NHRC, Bhaskar Tripathi, Research Assistant, NHRC paid visit to the District Jail Mirzapur.

The jail has a catchments area of district Sonebhadra. According to the information provided by the Jail Superintendent number of inmates from Sonebhadra were 436 out of which 383 are male, 20 women and 33 Juveniles (Annexure: 1).

Capacity of the Jail the sanctioned strength of the jail is 322 and at present there were 942 prisoners.

Health: There is a jail hospital but the cause of concern is that the Doctor normally comes only after 12 in noon. Further, the hospital needs renovation as the beds are old and not fit for usage.

Lady Doctor visits twice a month to attend women inmates.

Food: According to the orders of the State Government the Jails are forbidden to purchase vegetables from market and the prisoners are to be provided vegetables grown in the Jail campus.

For this reason the prisoners can not be provided with variety of vegetables and sometimes vegetables are not provided.

Clothing & Bedding: According to the Jail Manual, the prisoners are required to be provided 1 Dari and 1 bed sheet per year and a blanket once in every three year. It was informed by the Superintendent that for last one year neither bedding nor clothing is provided for prisoners.

Water Supply: There are hand pumps from which water is taken for usage.

Staffing Pattern: The jail has sufficient staff though the post of Assistant Jailor is vacant and needs to be filled (**Annexure: 2**).

Toilets and bathroom: According to the sanctioned strength the number of toilets is sufficient. The only problem is that of bathing. There are no rooms or covered places for taking bath, both the male and female prisoners are required to take bath in open spaces. Though for women sometimes "Tanhai" (room for Solitary Confinement) is used for bathing.

Infrastructure: The Jail is situated at the centre of city and is covered by multi story buildings, the height of buildings at one side of the Jail is more than that of the boundary wall. This makes it easier to peep into the activities inside the jai.

Observations

- a. The Daris provided to the prisoners are torn and in bad conditions.
- b. There are no electric fittings in the Hospital.
- c. The patients in the hospital were lying on the floor.
- d. Juvenile offenders are also kept in the same premises where other offenders are kept.

Recommendations

- a. The vacant post of Assistant Jailor should be filled up immediately.

- b. Electrification of the wards and hospital needs to be done.
- c. Construction of additional toilets and bathroom, considering the present statistics of prisoners, is a must.
- d. Under Trail Prisoners (432 for Mirzapur and 353 for Sonebhadra) should be provided speedy trial.
- e. As per the provisions of the Jail Manual the bedding and clothing should be provided.
- f. The Jail should be shifted to some other place and till then the boundary wall should be further raised.

2. The team consisting Smt. Kanchan Chaudhary Bhattacharya, Special Rapporteur, NHRC, Bhaskar Tripathi, Research Assistant, NHRC paid visit to Police Station Karma.

During the interaction with Station Officer, Shri Shishir Trivedi following information was received"

- a. The station has 21 Constables, 1 Head Constable and 4 Sub Inspectors.
- b. The majority of crimes reported relates to land disputes, and Motor Vehicle Act.
- c. The Police Station observes "Thana Diwas" on every Saturday where the police officials try to solve the issue.

Observations

- a. The back side of the station does not have boundary wall raising the security concern.
- b. In both the male and women lockup there is no provision for electricity.
- c. Toilets of the lockup were not clean.

Recommendations

- a. Considering the fact that the belt is Naxal affected there is a need to construct a boundary wall for safety purposes.
- b. Toilets of the lockup need to be cleaned and properly maintained.

c. Electrification needs to be done and continuous electricity needs to be provided.

3. Dr. Sanjay Dubey, Director, NHRC paid visit to Police Station Choppan.

The Station Officer stated that the station was established in 1885. The jurisdiction of the station is around 130 Sq. Kms. The problem of naxalites has recently aroused and effective measures are being taken to overcome it.

E. Ambedkar Gram Makariwari, Block Nagaon

Dr. Sanjay Dubey, Director, NHRC paid visit Ambedkar Gram Makariwari. In his visit he interacted with the residents of the village and listened to their problems and number of complaints and grievances were made to him which are as under:

a. Shri Hiralal informed that the old age pension is only paid once in a year and thereafter the money is not paid. Similar statement was made by Shri Roopau.

There were other people also who were appearing to be eligible for the pension but were not receiving it. On inquiring, the District Development Officer informed that, there was a survey done for identification of the people and in that survey 70, 000 people were found eligible for old age pension. The requirement and the data of same has been sent to Administration but till date nothing has been done in this regard.

Some of the applicants, Smt. Parmawati W/O Shri Ramprasad, Smt. Mukhin W/O Shri Dalsingar, Smt. Radhika W/O Shri Mohan, for widow pension were also present. The applications of these women were given to the Block Development Officer, who in tern assured that the pension will be made available to them within a weeks' time.

b. Shri Lokai, Rampati and other villagers informed that JP Group and Forest Department jointly are displacing people from land.

Shri Radheysham Bhartiya, Chairperson, Van Sammitti, informed that the land on which, for years farming is done, is now claimed by JP Cement

Corporation Ltd. as their land. Not only this, the land belonging to the Primary School is also claimed by JP Group as their land.

- c. Shri raghunath Guard, who according to him is entitled for BPL card, has not been provided a house till date. On inquiry the Block Development Officer stated that the applicant is not listed in the BPL list. Further District Development Officer stated that since the new list of BPL is not recognised by the Govt of India the houses can not be allocated.
- d. Villagers also informed that there is no facility for higher education and medicines in the area and both the students and the patients needs to go 20 kms away for these services.
- e. Non supply of electricity was another issue raised by the villagers.