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NHRC Directs Mizoram Chief Secretary to Ensure Cancer Treatment

The National Human Rights Commission (NHRC) has recently directed the Mizoram Chief Secretary to complete the upgradation of Mizoram State Cancer Institute (MSCI) under the Tobacco Cessation Clinics (TCC) scheme project and work for a new 50-bedded cancer hospital within the time limit

New Delhi [India], July 3 (ANI): The National Human Rights Commission (NHRC) has recently directed the Mizoram Chief Secretary to complete the upgradation of Mizoram State Cancer Institute (MSCI) under the Tobacco Cessation Clinics (TCC) scheme project and work for a new 50-bedded cancer hospital within the time limit. The order of the apex human rights watchdog has been passed adjudicating petition filed by noted human rights activist and Supreme Court lawyer, Radhakanta Tripathy.

Mizoram is the state with the highest number of cancer patients in the context of geographical boundary and population size. Between 2011 till 2016 nearly 3137 people died in Mizoram, due to cancer. No proper action was taken by the Government to prevent the disease and to cure it, Tripathy alleged.

The Special Rapporteur, of the NHRC in 2019, submitted a report on the conditions of the cancer patients in Mizoram and recommended the steps to be taken to prevent the disease. The NHRC had forwarded the report to Tripathy for comments and had also directed the Secretary, Ministry of Health and Family Welfare, Government of India, to provide medical equipment and medical workforce to address the problems of cancer patients in India in general and State of Mizoram in specific keeping in view the recommendation of the Special Rapporteur.

Tripathy, in his rejoinder, stated the Commission that it was clear from the report sent by Special Rapporteur, that the State of Mizoram was badly affected by cancer and the majority of population were consuming tobacco, drugs, heroin, alcohol etc. Still no effective steps had been taken by the authorities to curb the menace of cancer, he said. "The failure, negligence of the police, excise department and the drug inspectorate, had resulted in the spread of cancer in the State. Proper infrastructure and facilities are lacking in the State to deal with the situation, even the Centre had also not released the funds for the construction of 100-bed hospital and installation of Linear Accelerator," Tripathy stated.

He further alleged that Mizoram had become the route of smuggling of Ephedrine and pseudoephedrine drugs to Myanmar and Heroine, ATS, Injectible drugs from Myanmar, but no corrective, vigilance measures had been taken regarding this serious issue. "Therefore both Central and State Governments were responsible for spreading of

cancer in State of Mizoram as an alarming state," Tripathy added. The NHRC forwarded the comments of Tripathy, to the Chief Secretary, Government. of Mizoram, directing him to submit an action taken report on it. Pursuant to the further direction of the NHRC, the State submitted a report stating therein 15 main actions taken by the State to curb the cancer menace. Besides awareness programme the State under National Programme for prevention and control of cancer, diabetes, cardiovascular diseases and stroke, awareness, early detection and management of non-communicable disease including cancer are being undertaken by the State.

Operation grand slam, operation favang, anti drugs awareness campaign, canine squad, setting up special narcotic police station etc. has been undertaken by the police department. "Screening under which everyone who are 30 years and above are being screened for five NCDs namely-hypertension, diabetes, oral cancer, cervix cancer and breast cancer which is conducted at all levels in the health care delivery system from sub centre and above. Separate NCD clinic are also set up for screening in all the districts hospitals, sub-district hospitals and community health centers," Tripathy said.

The Supreme Court lawyer highlighted Tobacco cessation clinics (TCC) are also set up in district hospitals with additional TCC located at the Mizoram State Cancer Institute, Zemabawak. "An anti-tobacco squad is constituted in all the districts under the chairmanship of the Deputy Commissioners.

The Mizoram State Cancer Institute was to be upgraded under the TCC scheme project @ 44.27 Cr., but scheme could not be completed due to paucity of fund. Somehow, remaining amount of Rs. 28.00 crore was managed and sanctioned," he said. "Work for a new 50 bedded cancer hospital has started in 2020 and 60 per cent of the structural component is finished. All patients registered under Mizoram Health Care/PMJAY and Government servants are given free treatment," Tripathy said. (ANI)

<https://www.latestly.com/agency-news/india-news-nhrc-directs-mizoram-chief-secretary-to-ensure-cancer-treatment-2606574.html>

News Minute

NHRC writes to K'taka govt to act against wildlife NGO over sexual harassment complaint

Meanwhile the Wildlife Conservation Society claimed the NHRC did not reach out to it directly, and that it has followed due process with regard to the sexual harassment complaint.

The National Human Rights Commission (NHRC) of India has written to the Chief Secretary of Karnataka to take action against Wildlife Conservation Society (WCS) India, an NGO, for non-compliance of the Prevention of Sexual Harassment of Women at the Workplace (PoSH) Act while dealing with a sexual harassment complaint by a former woman employee. WCS is headquartered in New York, and its India chapter is based out of Bengaluru.

The NHRC letter was sent in June to the Karnataka Chief Secretary, and details the allegations against a male employee of WCS India who was a supervisor to the complainant. While the woman complained of sexual harassment to WCS in September 2020, NHRC states in its letter that “the internal committee constituted in the matter worked in a biased manner and did not follow guidelines of the PoSH Act.” Following this, the woman, who is not an employee of WCS since May 2021, requested the NHRC’s intervention.

The NHRC took cognizance of the matter on February 25, 2021 and directed that a copy of the complaint be sent to Secretary of the Ministry of Corporate Affairs, under which WCS operates; the Additional Chief Secretary of the Department of Women and Child Development and Empowerment of Differently Abled and Senior Citizens; the government of Karnataka; as well as the district magistrate of Bengaluru. Following this, the Department of Women and Child Development and Empowerment of Differently Abled and Senior Citizens submitted an inquiry report on the matter to the NHRC and found discrepancies in the internal committee (IC) of WCS India in how the matter was dealt with.

The discrepancies in WCS’s handling of the complaint

The report found that the internal committee constituted was allegedly not in compliance with section 4 of the PoSH Act. “Two employees who are members of the Internal Committee do not have any experience in social work or have legal knowledge and the external member is not familiar with the issues related to sexual harassment,” the NHRC letter states. It adds that the sexual harassment complaint was disposed of “on

the pretext that the complainant does not wish to proceed further on her complaint nor did a conciliation take place as required under section 10(1) of the Act.”

Given that the matter was not resolved per sections 10 (conciliation) or 11 (inquiry into the complaint) of the PoSH Act, the woman allegedly filed another complaint on December 12, 2020 with the HR Department of WCS. This complaint was allegedly not referred to the IC, but rather, a new “grievance committee” was set up on the pretext that this was not sexual harassment. And so, the complaint was not heard as per the PoSH Act.

A third complaint was filed by the woman on March 3, 2021, the WCD Department report found, and again, was allegedly referred to a newly formed committee consisting of three men and women each, who were employees of WCS. This committee also allegedly had one woman presiding officer and a woman external member.

Pointing out this three-time change in the committee on the pretext that “the presiding officer or members who were part of the IC were retired”, the NHRC, quoting the WCD report, has said that the woman’s sexual harassment complaint was not disposed of per the PoSH Act.

The NHRC also said that the complainant has alleged repeated harassment and intimidation from management and IC of WCS India, and was “forced to resign” on May 31, 2021. She has also alleged that WCS India is compelling her to appear before the IC repeatedly. “The complainant further submits that she received the recent communication from WCS India which says that if she does not appear in front of their IC, then the IC shall be compelled to pass an ex-parte order as per the POSH Rule 7(5). The complainant further submits that present ICC and inquiry is set up in a prejudiced and biased manner to exonerate the Respondent,” the NHRC’s letter says.

The woman has also asked for her complaint to be handed over to the Local Complaints Committee (LCC). Every district is supposed to have an LCC to look into complaints of sexual harassment from establishments that have do not have an IC as they have less than 10 workers, or in cases where the complaint is against the employer himself.

The NHRC, noting that WCS India has failed to perform its duty to investigate the sexual harassment complaint against the woman as the ‘employer’ in accordance with the PoSH Act, said that therefore, the complaint should be heard by the LCC. It also asks the Karnataka Chief Secretary for penal action against WCS India and submit an action-taken report to the Commission in six weeks.

WCS India’s response

Vidya Athreya, who took charge as the director of WCS India in June 2021, told TNM, “We learnt of the NHRC letter from social media, and were not sent a communication from the NHRC itself. We believe we have followed the due process.”

She also said that the woman complainant resigned of her own volition in May 2021.

The accused man was allegedly let go of in December 2020, which is when his contract also ended. A source, on the condition of anonymity, told TNM that it was decided that the accused man’s contract would not be renewed after December on the basis of poor performance as well as the sexual harassment allegations against him, and this was formally recorded as well. However, he was reinstated by the management.

Initially, the woman complainant’s reporting line was changed as well, and after she complained, it was arranged for her to report to someone else, and not her alleged harasser. However, after a new grievance committee was formed, the woman was allegedly told in an online meeting that there is no merit to her complaint and she would have to report back to her alleged harasser, the source said.

Vidya confirmed that the man accused of sexual harassment is still working with WCS. When asked if it was because he was found not guilty by the IC, Vidya said that the inquiry was ongoing and reaching completion.

<https://www.thenewsminute.com/article/nhrc-writes-k-taka-govt-act-against-wildlife-ngo-over-sexual-harassment-complaint-151674>

Orissa Post

Raj Bhavan petrol pump blast case: NHRC seeks investigation status report

Bhubaneswar: The National Human Rights Commission (NHRC) has sought a report from the Commissioner of Police, Bhubaneswar and District Magistrate of Khordha on the status of the investigation in the Raj Bhavan petrol pump blast case.

Acting on the petition filed by right Activist Radhakant Tripathy, The NHRC also directed the authorities to submit a report on the steps taken by the state to compensate the injured/NoK of the deceased within four weeks. The rights body warned to take coercive action u/s 13 PHR Act 1993 if it failed to comply with the order.

Tripathy described the blast as an act of negligence and failure of the officials of Petroleum and Natural Gas ministry and pointed out lack of emergency preparedness of the State Capital of Odisha. As many as two persons died and four others sustained injuries in the blast October 7 last year as the storage safety issue has not been taken care of to take care of the highly combustible material. Mr Tripathy requested the NHRC to direct the officials to come out with plans and procedures for shifting hazardous industries to least populated areas with timely inspection.

The NHRC earlier sought ATR from the Director General of Police, and Principal Secretary, Department of Home, Government of Odisha on the outcome of the investigation in the case along with steps taken to rehabilitate the injured/NoK of the deceased.

Pursuant to the directions the Home department submitted the report stating that during investigation it was revealed that one retail outlet was in operation in the name of M/s Raj Bhawan Filling Station at Raj Bhawan Square, Bhubaneswar. Periodic testing in respect of the storage vessel was due to expire October 13, 2020. So testing was being conducted wherein an underground bullet exploded causing large damage to property and human life. One Sadananda Nayak succumbed to injuries, while undergoing treatment at AIIMS, Delhi.

Another victim, Simanchal Parida, has also died in the blast. The Commission while accepting the report observed that the report is silent with regard to the outcome of the investigation and payment of compensation to the injured/NoK of the deceased. The Commission directed the registry to call for a report from the Commissioner of Police, Bhubaneswar and District Magistrate, Khordha, on the status of the investigation in the case along with steps taken by the State to compensate the injured/NoK of the deceased.

<https://www.orissapost.com/raj-bhavan-petrol-pump-blast-case-nhrc-seeks-investigation-status-report/>

Pioneer

NHRC seeks report from Khordha DM, CP

The National Human Rights Commission (NHRC) has sought a report from the Khordha district Collector and the Twin City Commissioner of Police (CP) regarding the status of the investigation into the Raj Bhavan petrol pump explosion case.

The NHRC also wanted to ascertain what steps have been taken by the State Government to rehabilitate and compensate the family of the deceased.

The commission directed the authorities to submit the report within four weeks, failing which it would be constrained to issue a coercive process under Section 13 of the PHR Act, 1993.

The national rights body passed the direction taking cognisance of a petition by rights activist and Supreme Court lawyer Radhakanta Tripathy, the NHRC passed the order. Citing the blast as an act of negligence and failure of the officials of Ministry of Petroleum and Natural Gas, Tripathy pointed out lack of emergency preparedness in State capital Bhubaneswar due to which two persons died and four others sustained critical injuries in the blast on October 7, 2020.

The Government hospitals in Bhubaneswar are not well-equipped to treat burn injuries, Tripathy alleged.

<https://www.dailypioneer.com/2021/state-editions/nhrc-seeks-report-from-khordha-dm--cp.html>

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PNS ■ BHUBANESWAR

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NHRC seeks probe status in petrol pump blast case



NEGLIGENCE ALLEGED

Acting on a petition filed by rights activist Radhakanta Tripathy, the NHRC directed the authorities to submit an ATR on the steps taken by the state to compensate the injured or the kin of the deceased within four weeks.

The rights body warned to take coercive action under Section 13 of Protection of Human Rights Act, 1993 if the government failed to comply with the order.

One Sadananda Nayak succumbed to injuries, while undergoing treatment at AIIMS, New Delhi while another victim, Simanchal Parida, also died in the blast October 7, 2020.

PNN/ AGENCIES

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