

**A report by Shri Damodar Sarangi, Special Rapporteur, NHRC, East Zone – I, on the alleged incidents of starvation deaths reported from village Kuliadunguri, Block Sinapalli, district Nuapada, and the status of implementation of various welfare schemes in the district.**

---

**INTRODUCTION:**

Between 25.11.2011 and 26.11.2011, three persons i.e. Laxman Jagat (27), Lochani Gual @ Bewa (60) and Durbal Nag (55), all of village Kuliadunguri, GP Karanbahali, Block Sinapalli in Nuapada district, died in circumstances, which impelled a section of the civil society and the media to believe that starvation was the cause of these deaths. News of these deaths were highlighted in various national and local news papers including the Indian Express and the Samaj. I had sent clippings of these reports to the Hon'ble Commission with a request to take cognizance of the matter and seek a report from the state government on the causes and circumstances of these deaths. A copy of my letter no. DS/ Spl. Rptr. / NHRC – 04/11- 11 dated 28.11.2011, is enclosed at **Annexure – I** to this report. The Commission took cognizance of the matter and called for a report from the state government, in response to which Joint Secretary (Home) Govt. of Odisha forwarded a report received from Collector, Nuapada (submitted under his memo no. 109/Judl. dated 07.02.2012) for the consideration of the Commission. In his report, the Collector had dismissed the allegations and maintained that the death of Laxman Jagat was due to illness and those of Lochani Bewa and Durbal Nag due to old age.

The report received from the Collector was sent to me by the Hon'ble Commission, under their memo no. 3070/18/30/2011 dated 14.02.2012, seeking my comments on the same. In response to the directions of the Commission, I had submitted my comments on the Collector's report in my letter no. DS/ Spl. Rptr. /NHRC - 07/04-12 dated 25.04.2012. A copy of the said letter is enclosed at **Annexure – II** to this report. Para 7 and 8 of the letter are reproduced below for ready reference.

*“The reports received from the Collector do not appear to have revealed the full facts and circumstances of the deaths under report. Besides, these reports do not offer any insight to the status of various welfare schemes launched by the State and Central Government for the upliftment of the conditions of the people. Nor does it reveal the action plan of the government to manage calamities like droughts that frequently visit the area.*

*The Commission may consider ordering a spot enquiry into the full facts and circumstances leading to the deaths of Laxman Jagat, Lochani Bewa and Durbal Nag, and the status of implementation of the various welfare schemes in Nuapada District”.*

It appears, two other complaints, one each from Akhanda, Managing Trustee, IMC and Sri Pradip Pradhan were received by the Commission on the same subject based on which case files nos. 49/18/30/2012 and 111/18/30/2012 were opened and clubbed to case file no. 3070/18/30/2011/OC. The Commission, after considering all available material, including my comments on the Collector's report, issued a direction to the effect that I hold a spot enquiry into the full facts and circumstances leading to the deaths of the aforesaid persons and that I should also send the status of implementation of various welfare schemes in Nuapada district.

**2.** On receipt of the above directions, I visited Nuapada district on and from 24.07.2012 to 27.07.2012. During my tour of the district, I visited the affected village twice (on 24.07.2012 and 26.07.2012), examined a number of persons acquainted with the facts of the case, including the family members of the victims, the concerned field level public officials, officers of Sinapalli Panchayat Samiti, the local police and MOs of the local CHC.

At the district HQs, I interacted with the Collector and other line officers from time to time, shared with them the information I had gathered in course of my field visits and obtained their views on the same.

**3.** I also paid surprise visits to Health Centres, Primary Schools, Anganwadis, one NCLP School, one NREGA worksite, the PDS outlet of Karanbahali Panchayat, and one SHG activity centre, across the district. I also interacted with the local people including farmers, sharecroppers and landless labourers, to verify the status of implementation of various welfare schemes in the district.

On 27.07.2012, I met the Collector and senior officers of the line departments in the conference hall of the Collectorate, for a final round of discussions on the status of various welfare schemes launched by the central and state governments and for the collection of available data/documents relevant to the enquiry, from them. Based on the information gathered in course of my field visits, my interactions with the district officers and scrutiny and consideration of the data and documents collected from them, I proceed to record my findings/observations as follows;

The report is in two parts. The first relates to the facts and circumstances of the deaths of Laxman Jagat, Lochani Bewa and Durbal Nag, all of Kuliadunguri, GP Karanbahali in Sinapali Block of Nuapada district. The second part relates to the status of PDS, Health Care, Social Welfare, Employment Generation, Agriculture (including irrigation potential and land reforms), SC/ST Welfare etc.

### **Part - 1**

**4.** Before I proceed to discuss the circumstances of the alleged starvation deaths, a few words require to be said about the socio economic status of the

residents of Kuliadunguri, the working of the Public Distribution System, and the status of various welfare and poverty alleviation schemes, including the NREGS, the National Social Assistance Programme and the ICDS, as was obtaining in the second half of 2011, to which the reported deaths relate.

**i.** As reported by BDO Sinapalli, Kuliadunguri village has a total household of 211, who, between them, hold 212 hectare of cultivable land of which only 14 HA are irrigated. The average land holding per family works out to just about 1 HA of non irrigated land.

**ii.** During the year 2011-12, only 516 man days of work was generated for the 165 families registered under the NREGA i.e. just about 3 days per each registered family. As claimed by the BDO, only 30 families demanded for work, for whom 516 person days of work was generated i.e. @ 17 days per family.

**iii.** 113 persons are in receipt of pension and 9 have been given assistance under NFBS. 277 ration cards have been issued. (It is significant to note that the number of cards shown issued exceeds the number of families by 66).

**iv.** 16 families have been given dwelling units under IAY and 1 under Mo Kudia scheme. There are two Anganwadis providing Supplementary Nutrition to 136 and Emergency feeding to 35 beneficiaries. There is a Primary School in the village with an enrolled strength of 104 and an Upper Primary School with an enrolled strength of 47. There are 9 tube wells in the village.

**v.** In his report to the Commission, the Collector has conceded that, the general condition of the villagers of this panchayat is not very good. The agricultural land is mostly un-irrigated. 2011-12 was a drought year in which 90% of crop was lost. As separately reported by Tahasildar Sinapalli, there was also large scale crop loss in the previous year. 193 farmers from this village were compensated for more than 50% crop loss in 2010. In the year 2011, 251 such farmers from Kuliadunguri have been listed to be compensated for suffering more than 50% crop loss. A copy of the list of the farmers compensated/due to be compensated is enclosed at **Annexure - III** to this report. (Here again the number of farmers proposed to be compensated exceed the number of households by 40).

**vi.** As would appear from the report received from ACSO, Nuapada, collected in course of my enquiry, supply of PDS rice to the beneficiaries for the months of July, August and September 2011 was disrupted due to diversion of supplies to the open market by the PEO (Panchayat Executive Officer) of Karanbahali. During my field verification, it came to light that in many cases, rice to the beneficiaries was not supplied for five months i.e. from July 2011 to November 2011.

Kuliadunguri is located in Karanbahali GP of Sinapalli Panchayat Samiti. The job of distributing PDS rice to the card holders of this pachayat was entrusted directly to the GP. Sri Tankadhar Bhoi, Executive Officer of the GP was in

charge of the PDS outlet located in the premises of the panchayat office itself. On 21.09.2011, at about 1600, his assistant Sri Dibya Majhi was caught red-handed by the villagers of Kuliadunguri while carting away 62 bags of rice loaded in a tractor, from the godown, in an attempt to divert the same to the open market. Over this incident, Sinapalli PS case no. 141 dated 22.09.2011 u/s 409/34 IPC was registered. During investigation and supervision of the case, it transpired that for the last three months i.e. July 2011 to September 2011 a large number of beneficiaries, particularly those from Kuliadunguri were being deprived of PDS rice and corresponding quantity of rice was being diverted to the open market.

On 22.09.2011 another 62 bags of rice was detained by the villagers while the same was being taken to Karanbahali in another tractor, from the godown of the storing agent, Sri Hiralal Agarwal, apparently to make good the shortage. During investigation it further transpired that this lot of 62 bags, shown on paper to have been issued to the EO on 09.09.2011, 13.09.2011, 14.09.2011 and 16.09.2011 towards the quota for September 2011, had not been physically lifted till then, presumably with the ulterior motive to misappropriate the quantity without taking the trouble of transporting the same to the panchayat godown.

SDPO Khariar, who had supervised the investigation of the case, had rightly suspected the complicity of the storage agent in the racket. The connivance of the local Sarpanch is also not ruled out, as it is unlikely that without his knowledge such a large number of beneficiaries could remain deprived of their due rice for long three months and such large quantity of rice could be carted away from the godown located in the premises of his office itself, in broad day light for diversion to the open market. It is apparent that the EO was making false entries in the ration cards of most of the beneficiaries without physically issuing any rice to them. A copy of the supervision note from SDPO Khariar is enclosed at **Annexure - IV** to this report.

According to IIC, Sinapalli, the case has since been returned in charge sheet against the EO Sri Tankadhar Bhoi and his associates. No action appears to have been taken against the Sarpanch and the storage agent.

It is surprising, that even after the registration of the case on 21.09.2011, no arrangement was made for issue of arrear dues of rice to the beneficiaries. If that was not enough, issue of rice for October and November 2011 was held up till 27.11.2011 (the day after the death of Lochani Bewa and Durbal Nag). What is even more surprising is the fact that it took the local administration more than two months to physically verify the stock and cross check the same with the relevant registers. It was only on 01.12.2011 that the store was broken open by the local Tahasildar and an inventory was made. It is yet to be determined with finality, how many of the beneficiaries were actually deprived of their due rice and for how long.

According to a report submitted by the Assistant Civil Supply Officer Nuapada to the Collector, a large number of card holders of Kuliadunguri were deprived of their fortnightly quota of PDS rice for long five months. The ACSO had verified 53 BPL cards from the village and had been satisfied that though on paper rice for July, August and September 2011 was shown issued to them, in 34 of the 53 cases no such rice was physically issued. A copy of the report from the ACSO is enclosed at **Annexure – V** to this report for ready reference.

**vii.** In spite of two successive droughts in 2010 and 2011, there is no evidence of any gratuitous relief being distributed in Kuliadunguri, prior to the deaths of Laxman Jagat, Lochani Bewa and Durbal Nag. The Collector was candid enough to admit that despite repeated reminders from him the BDOs failed to submit the required survey reports.

On 24.05.2011, the District Level Natural Calamity Committee held a meeting in the conference hall of the Collectorate. The meeting was presided over by the Collector. The minutes of the meeting were circulated to all BDOs of the district with copies to the Special Relief Commissioner Odisha, Managing Director OSDMA, the RDC South Division and the Additional Secretary to Government, R&DM Department Government of Odisha. This has a reference to the Collector's letter no. 489/Emg. dated 31.05.2011. Para 12 of the minutes are reproduced below for ready reference;

*"The Block Development Officers of the district have been requested time and again to submit the required information on food assistance card (G.R card) to the District Office. But the report on the score is yet to be received. Keeping in view the provisions of the funds already made by the Government of Orissa, the Collector & District Magistrate, Nuapada directed the BDOs to submit the information within 7 days unfailingly. Again, the BDOs were instructed to conduct field survey and to furnish the requirement of the G.R cards for the very poor and infirm persons, if not already available with them to the Deputy Collector, emergency so that requisition can be made to procure the same from the Office of the Special Relief Commissioner, Odisha.*

*(Action-All BDOs, D.C, Emergency)"*

Between 29.06.2011 and 21.10.2011, the Collector issued three reminders to the BDOs for submission of the said report. This has a reference to his memo nos. 598/Emg-I dated 29.06.2011, 780/Emg dated 01.08.2011 and 1099/Emg-I dated 21.10.2011. These survey reports were required for providing Gratuitous Relief (Food Assistance) to diseased/old/infirm/disabled persons in the area not so far covered by G.R cards. A copy of the last letter in the series, issued on 21.10. 2011 about one month prior to the deaths in Kuliadunguri is enclosed for ready reference at **Annexure – VI** to this report. No response was received from the BDOs before the deaths of the three persons discussed above.

## 5. Circumstances of the deaths of Laxman Jagat, Lochani Bewa and Durbal Nag:

### i. Death of Laxman Jagat:

Laxman Jagat was the youngest of the four sons of late Duryodhan Jagat. Three of the four brothers including Laxman were married. Kumar Jagat, the third son of Duryodhan Jagat, aged about 30 years is not married yet. Details of the family members of the four brothers and their vocation are as follows;

#### A. Syamghan Jagat

Sl. No.	Name	Age as reported by the Collector	Relation with the deceased
1	Syamaghan Jagat	60 years	Self
2	Surya Jagat	35 years	Wife
3	Hemalata Jagat	10 years	Daughter

#### B. Ghasiram Jagat

1	Ghasiram Jagat	40 years	Self
2	Lali Jagat	30 years	Wife
3	Arjun Jagat	3 years	Son
4	Garsh Jagat	3 months	Son

#### C. Kumar Jagat

1	Kumar Jagat	30 years	Self
---	-------------	----------	------

#### D. Laxman Jagat

1	Laxman Jagat	27 years	Deceased
2	Bela Jagat	22 years	Wife
3	Jahnabi Jagat	1½ year	Daughter

For the major part of the year, all the brothers were working outside the state as migrant labourers. About two and half years back, while still at Raipur, Laxman married Smt. Bela Mahananda d/o Tunu Mahananda of Gambhariguda, who had also migrated to Raipur along with Bela and her siblings in search of work.

Laxman was not keeping well at Raipur. Meanwhile Bela became pregnant. Laxman returned to Kuliadunguri in June 2010 with his wife and stayed with his mother in their ancestral home. On 17.10.2010, the couple was blessed with a girl child. Meanwhile Laxman's health continued to deteriorate. Sometime in June/July 2011, Bela left for her father's house with her daughter, leaving Laxman in the charge of her old mother, Jamuna (80). The other brothers were away in Andhra Pradesh and Raipur.

Jamuna was in receipt of old age pension. The family is landless. Neither Jamuna nor any of her sons was provided with a housing unit on the specious ground that the gram sabha did not approve of it. The extended family of Jamuna had only one BPL card issued in the name of Syamaghan Jagat in

1997. Jamuna was drawing BPL rice on the strength of this card. She had deposited the card in the panchayat office sometime in March 2011, which was lost there. A duplicate card no. 6536 (sl. 376 of the BPL register) was issued only on 14.10.2011, on the strength of which Jamuna is drawing rice at present. As has been already discussed, the issue of PDS rice to the family had been disrupted since July 2011, which was resumed only after the deaths under reference.

In the absence of any responsible member of the family, the local Anganwadi worker Jamuna Bag, and ASHA worker Sunita Bhasyal tried to help Laxman to the best of their abilities. Jamuna Bag, gave 5 to 6 kgs rice to the family from the Anganwadi stock without any official sanction. Sunita Bhasyal took Laxman to Sinapalli CHC on 05.08.2011 and again on 10.09.2011 for treatment. She spent Rs. 200/- (Rs. 150/- for auto hire and Rs. 50/- for purchase of fruit and water for Laxman) from her own pocket for the purpose.

As has been mentioned in paragraph 7(iii) of the report, the hospital authorities, while accepting that the ASHA worker had brought Laxman to the CHC on 10.09.2011, denied any knowledge of Laxman's visit to the hospital on 05.08.2011. As has been further discussed in the said paragraph, no record of treatment of Laxman is available in the CHC. His name does not appear either in the outdoor or in the indoor register of the hospital. The only reference available is in the register of the RNCTP laboratory to the effect that the result of test for Pulmonary TB was negative. There is no record or reference anywhere to suggest that Laxman was referred to the DHH for treatment. The argument given by the Collector that Laxman did not agree to go to Nuapada district HQ, does not mitigate the fact that Laxman continued to suffer from illness without any treatment /medical intervention for two and half months more, after his last visit to Sinapalli CHC. Laxman died on 25.11. 2011. Copy of the test report is not traceable in the hospital. Nor is it available with the family.

According to the post mortem report, death of Laxman was due to the combined effect of respiratory and cardiac failure and associated protein energy malnutrition. Para VI and VII of the Post Mortem Report are reproduced below for ready reference;

*"VI – More Detailed Description of injury or disease;*

*On Post Mortem Report examination on a 27 years male emaciated body it was found that there was presence of shrunken eyes with papery white pallor of conjunctiva, scaphoid abdomen with bluish discoloration of finger, clearly demarcated bony prominences. On internal examination all the organs congested, lungs were fibrosed and there was an opening of 2 mm size between right and left heart chambers. No food residue in the stomach but gall bladder is normal looking without any distension.*

*VII – Opinion of Sub-Assistant Surgeon as to cause of death;*

*The cause of death may be due to combined effect of respiratory and cardiac failure and associated protein energy malnutrition.*

Papery white pallor of the conjunctiva, scaphoid abdomen, clearly demarcated bony prominence and the absence of food residue in the stomach are typical signs of malnutrition. The opinion as to the cause of death unequivocally indicates that protein calorie malnutrition is the cause of death.

In the record of births and deaths maintained in the local Health Sub Centre the cause of death of Laxman has been registered as “Not known”.

Based on the circumstance of the death, as discussed above and in consultation with the PM report, I have no hesitation in concluding that malnutrition coupled with lack of timely medical attention hastened the death of Laxman.

**ii. Death of Lochani Bewa:**

Details of the family members of the four sons of Lochani are as follows;

A. Debananda Gual

Sl. No.	Name	Age, as reported by the Collector	Relation with the deceased
1	Debananda Gual	60 years	Self
2	Raj Kumar Gual	60 years	Wife
3	Omkar Gual	35 years	Son
4	Neelam Gual	30 years	Son

B. Sadananda Gual

1	Sadananda Gual	52 years	Self
2	Sabitri Gual	--	Wife
3	Sunajori Gual	20 years	Daughter
4	Darminda Gual	12 years	Son

C. Chandradhawj Gual

1	Chandradhawj Gual	55 years	Self
2	Subida Gual	45 years	Wife
3	Guddi	21 years	Daughter
4	Hengula Gual	18 years	Daughter
5	Pankaj Gual	10 years	Son

D. Sradhakar Gual

1	Sradhakar Gual	49 years	Self
2	Punna Gual	--	Wife
3	Lilabati Gual	12 years	Daughter
4	Dharitri Gual	8 years	Daughter
5	Jhili Gual	4 years	Daughter
6	Kiran Gual	6 year	Son



The four sons of the deceased are separated from each other. Lochani Bewa was residing with the family of her youngest son, Sradhkar Gual. For the greater part of the year, three of her four sons, including Sradhakar were working in brick kilns in Andhra Pradesh as migrant workers. The elder son, Debananda stayed back in the village and resided in his own house away from the ancestral home.

According to Debananda, the extended family of Lochani holds about 2 acres of land. The Collector in his report however informed that the family holds 6.63 acres of agricultural land and 6 decimals of homestead land. Debananda, the eldest of the four sons of Lochani was granted a housing unit under the IAY. As reported by the local Tahasildar all the four sons of Lochani were paid compensation for crop loss suffered in the year 2010. They have also been listed for compensation for crop loss suffered in 2011.

Though all the four brothers are registered in the NREGS, none of them was provided with any work. The Collector maintained that they did not ask for work. Debananda however insisted that as no scheme for work in their village under the NREGA was announced, there was no scope for them to demand for work.

All the four brother have BPL cards. Lochani, who was staying with the family of her youngest son Sradhakar, was herself an AY beneficiary. In the Collector's report, it has been conceded that no rice was issued to either Lochani or Sradhakar after June 2011. Debananda also insisted that the family did not get any ration for five months prior to Lochani's death and claimed that his mother died of starvation. He further informed that for a few days before her death Lochani was down with a fever. She was under the treatment of one Kanak Ranganal, a quack from the nearby village. She died on 26.11.2011.

According to Debanand, Lochani was about 80 years of age at the time of her death. In the register of birth and death maintained at the local health sub centre, her age has also been shown as 80. In the death register, maintained at CHC Sinapalli, the age of Lochani at the time of her death has been recorded as 98. She was undoubtedly of ripe age. But that does not take away her right to life, which includes the right to food and medical care.

Unlike in the case of Laxman, no PM was conducted on the body of Lochani. In the absence of any PM report, it is difficult to determine to what extent the breakdown of PDS in the village might have hastened her death.

### **iii. Death of Durbal Nag:**

Details of the extended family of Durbal Nag are as follows;

#### **A. Durbal Nag**

Sl. No.	Name	Age, as reported by the Collector	Relation with the deceased
1	Bilasa Nag	54 years	Wife

2	Raemal Nag	40 years	Son (Adopted)
3	Basmati Nag	39 years	Daughter-in-law
4	Jayanti Nag	17 years	Granddaughter
5	Satyabhama Nag	14 years	Granddaughter
6	Chandramani Nag	11 years	Grandson
7	Pabitra Nag	05 years	Grandson

As has been reported by the Collector, Durbal Nag had no children. He had adopted his nephew Raemal Nag as his son. Raemal Nag ordinarily resides in Raipur with his wife and children. His hut in Kuliadunguri was found under lock and key on both the days of my visit to the village. His wife Smt. Bilasa Nag had reportedly gone to a relative's house in Dharmagarh in Kalahandi district. From the minute book of the Gram Kalyan Samiti, I gathered that the Samiti had sanctioned Rs. 750/- in two installments for the treatment of Durbal Nag in Sinapalli hospital. The translated version of the minutes dated 26.01.2010 is as under;

*"It was decided in the meeting to send poor Durbal Nag to Sinapalli Hospital for treatment. All the members present in the meeting approved the proposal".*

There is a receipt in the Samiti's files in support of payment of Rs. 500/- to Durbal on 28.01.2010, and another installment amounting to Rs. 250/- paid on 19.10.2011. Despite best of efforts on my part, record of treatment, if any, given to Durbal could not be traced. The Anganwadi workers mentioned that Durbal had planned to go to Khariar for treatment. Enquiry by the sub collector at Khariar CHC did not substantiate that he was ever treated there.

Durbal has been shown in the Anganwadi records as a beneficiary of EF since July 2010. In the attendance register, EF was shown provided to him till 25.11.2011, the day before his death. From a closer scrutiny of the register it appeared that, initially Durbal was shown in the register to have received EF till 28.11.2011. But entries from 26.11.2011 to 28.11.2011 were later struck off the register.

Durbal was not in receipt of any Pension. In the Collector's report, it was argued that as Durbal Nag was 60 years old at the time of his death he was not eligible for old age pension. In the death register, maintained at Sinapalli CHC, his age has been mentioned as 66. In the register of birth and death maintained at the local Health Sub Centre, the age of Durbal has been mentioned as 80. The cause of death has been shown as *old age*. In the circumstances, the contention of the Collector that Durbal was not entitled to Old Age Pension is absurd.

In the Collector's report, it has been mentioned that the family of Durbal Nag had been issued a job card no. 18458. It has further been claimed that between September 2006 and May 2011 the family was provided 70 person days of work. In support of his claim the Collector has furnished a tabular statement giving the period of work provided, the number of days engaged, the

number of persons provided work and the total days of work. The table is reproduced below, without modification/correction.

Period of work provided	No of days engaged	No. of persons provided work	Total days of work
27.09.2006 to 29.09.2006	14	02	28 days
06.04.2008 to 11.04.2008	14	01	14 days
10.12.2009 to 18.12.2009	14	01	14 days
22.05.2011 to 28.05.2011	14	01	14 days

The total days of work computed in column 4 of the table do not tally with the information at column 1 and 3, based on which the number of person days of work generated should be only  $(6+6+9+7) = 28$  days. MGNREGS guarantees 100 days work to every rural family in a year. From the figures mentioned above it should appear that during the six years from 2006 to 2011, the family got less than 5 days of work in a year.

The Collector mentioned that in the year 2011-12, Durbal Nag had applied for work only once. The other members of his extended family (his adopted son his wife and their children) ordinarily reside in Raipur and had never applied for work.

As regards PDS support, it has been claimed that the family had a BPL card and had received rice for three months from July 2011 to September 2011 on 17.09. 2011. It has been accepted that rice for the months of October and November 2011 was provided to the family only on 27.11.2011, the day after Durbal's death.

As has already been discussed in this report, the issue of rice for the months of July 2011 to September 2011 to the beneficiaries of Karanbahali panchayat was seriously disrupted due to large scale malpractices which came to light on 21.09.2011, with the detention of the PEO's associates by the villagers of Kuliadunguri, with 62 bags of rice, about to be diverted to the open market. The correctness of any entry regarding the issue of rice to the beneficiaries prior to 21.09.2011 is doubtful. It is also clear from the reports of the ACSO that in most cases *"although issue of BPL rice for the months of July, August and September 2011 have been shown in their card actually they have not issued the stock"*. In 34 of the 53 BPL cards he checked in Kuliadunguri, he found false entries in regard to the issue of rice for the months of July, August and September 2011. The issue of 105 kg of rice to Durbal's family on 17.09.2011, as might have been shown in the records, could hardly be confirmed without being corroborated by Durbal's wife or any member of his adopted family, none of whom was present in the village at the time of my visit.

According to the Collector, Durbal's family had 2.65 acres of land and 1 decimal of homestead land. Neither Durbal, nor any of his extended family figures in the list of farmers who were compensated for crop loss in the years 2010 and 2011, which indicates that the land of Durbal, if any, is either fallow or was not

cultivated. Though the family was otherwise eligible, no housing unit has been provided to him on the specious ground that the gram sabha did not approve of the same.

From what has been mentioned above, it is abundantly clear that Durbal was excluded from the benefits of Old Age Pension and IAY, to which he was eminently entitled. He was denied the benefit of PDS rice from July to September 2011, and again from October 2011 till his death on 26.11.2011. Both 2010 and 2011 were drought years. He did not receive any assistance for crop loss, nor was he provided with any wage employment. In any case, due to advance age, he was in no position to work. He was sick for over a year, and was given Rs. 750/- by the Gram Kalyan Samiti for his treatment. He does not appear to have taken any such treatment. He died on 26.11.2011 without proper treatment. In the absence of his wife and adopted family in Kuliadunguri, I could not verify, to what extent, if any, the disruption of the PDS had hastened his death. But I have no hesitation in observing that the local authorities, in spite of being posted with the news of his sickness and the disruptions in the supply of PDS rice to him, did very little for his sustenance or his treatment.

#### **6. Assistance extended to the families/dependants of the dead:**

As has been mentioned in course of this report, Bela, the wife of Laxman had left for her father's house with her daughter sometime in June/July 2011. After Laxman's death, she returned to Kuliadunguri and stayed there for 3/4 months. BDO Sinapalli claims that the following benefits have been reached to the family after the death of Jagat.

Rs. 48,500/ has been sanctioned in the name of Bela for construction of a housing unit under "Mo Kudia" scheme. She has been paid an advance of Rs. 5000/-.

**ii.** She has also been paid Rs. 10,000/- under NFBS on 18.01.2012.

**iii.** Rs. 5000/- has been shown paid to Jamuna Jagat, the mother of Laxman as immediate relief to the family. The date of payment has not been recorded. Jamuna's signature/thumb impression has not been taken in support of the payment. Jamuna denied having received any such money.

Sri Motilal Nihal and Khiradhar Sethi have been cited as witnesses to the transactions at sl. 6(i) and 6(iii) above.

During my interaction with Bela, she told me that the entire amount of Rs. 10,000/, paid to her by the BDO as NFBS assistance, was snatched away from her by Motilal Nihal and Bhajan Jagat. Motilal Nihal took away Rs. 5000/- on the plea that the amount has to be refunded to the BDO who had paid Rs. 5000/- to the family immediately after Laxman's death. Bhajan Jagat gave no such excuse for snatching away the remaining Rs. 5000/-. She had lodged a complaint with the local police over the incident. No action was taken against

either of them, Bhajan however returned Rs. 3800/- following the complaint. Motilal, on the other hand did not return the money to her. In effect, she got Rs. 3,800/- out of the Rs. 10,000/- sanctioned under NFBS.

On her part, Jamuna Jagat, the mother of Laxman stated that after the sanction of "Mo Kudia" in the name of her daughter-in-law, Motilal Nihal came to her and paid Rs. 1,000/- for purchase of construction implements like 'Gayinti', baskets and spades. But subsequently he (Motilal) 'misguided' her daughter-in-law and persuaded her to construct the 'Kudia' in her father's village. When Ghasiram Jagat, one of the sons of Jamuna, confronted Motilal over the matter, he was assaulted by Motilal and his henchmen. Ghasiram filed a complaint in the Court of JMFC, Khariar, who, as claimed by Ghasiram, sent the same to IIC, Sinapalli for investigation, under the provisions of section 156(3) of the CrPC. The police did not take any action in the matter.

IIC, Sinapalli denied having received the complaint. As regards the complaint of Bela, he claimed that the police helped in compromising the matter between the two parties.

From the above facts, it would be abundantly clear that middlemen appropriated a major share of the assistance sanctioned by the government to the bereaved family. These middlemen were well known to the BDO and other officers of the panchayat samiti. Part of the money (Rs. 5000/-) was taken on the plea that the amount will be paid to the BDO. One of the middlemen, Motilal was the husband of the panchayat samiti member. It appears to me, that taking advantage of his political connections, he was unlawfully intervening in the affairs of the block administration. The local officials were weary and afraid of him, as would appear from the incident dated 15.12.2011, the brief facts of which are as follows;

A team of officers headed by the Tahasildar, under orders from the Collector, visited Kuliadunguri to check PDS cards, to verify for how many days in the previous five months rice was issued to the beneficiaries of Kuliadunguri. They had hardly checked 15 cards, when Motilal Nihal appeared in the scene, protested against the verification and forced the team to beat a hasty retreat. The Tahasildar submitted a report to the Collector (copy enclosed at **Annexure - VII**), but no action has been taken against Motilal till now for preventing public servants from discharging their duties.

**iv.** Two Food Assistance Cards (nos. 4894 and 4895) have been issued to the family in the name of Jamuna Bewa and Ghasiram Jagat in July 2012. Ghasiram has collected 1½ qtls. of rice on the strength of this card for which he has paid Rs. 330/- (thirty rupees has been charged towards the cost of the bags). Jamuna could not collect her quota of rice on the strength of the FAC, as she did not have the required fund.

v. After Durbal's death, his widow has been enlisted as an EFP beneficiary. No other benefit has been given to her. Neither have the members of the extended family of Lochani given any additional assistance.

## **Part - 2**

### **7. Gist of information gathered in course of field visits:**

To verify the status of health services, school education, PDS etc and the implementation of various welfare schemes, launched by the government, I visited a few hospitals and health centres, primary schools, including an ashram school and an NCLP school, Anganwadis, one NREGS worksite and the activity centre of a Self Help Group. I also interacted with the local people, including farmers, sharecroppers and land less labourers working in the paddy fields. My observations on the status of the units visited by me, and the gist of information collected from the local people are summarized below.

#### **i. District H.Q Hospital:**

The district H.Q. hospital has a sanctioned strength of 31 MOs including specialists. Of these posts, 14 are lying vacant. These include the posts of ADMO FW, ADMO Medicine, Specialists in O&G, Paediatrics, Ophthalmology, Medicine, Radiology, Skin and VD, TB&CD. There is a sanction for 120 beds, against which 141 have been put in place. On the date of my visit, only 80 of these beds were occupied. Department wise bed strength and the status of their occupation is as follows;

<b>Bed Strength of DHH Nuapada</b>				
1	INDOOR			
		MEDICINE	MALE WARD	19
			FEMALE WARD	19
		PAEDIATRIC		12
		ORTHOPAEDIC		6
		SUNSTROKE		4
		SURGERY		12
		TOTAL		72
2	GYNAE/OBSTETRICE			20
3	EYE			20
4	CABINS			7
5	NRC			10
6	SNCU			12
	TOTAL SANCTIONED BED STRENGTH			120
	TOTAL BEDS IN FUNCTION			141

#### **Department Wise Bed Occupancy Report of DHH Nuapada on 25.07.2012**

1	INDOOR		
		Male Medicine Ward	14
		Female Medicine Ward	11
		Surgery Ward (Male)	6

		Surgery Ward (Female)	5
		Paediatric Ward (Male)	5
		Paediatric Ward (Female)	8
2	GYNAE/OBSTETRICE		20
3	NRC		2
4	SNCU		9
		TOTAL	80

The CDMO pleaded that in spite of the availability of beds they are not in a position to admit patients requiring indoor treatment due to absence of doctors. All the 20 beds in the eye ward are lying vacant in the absence of an eye specialist. In the absence of an ophthalmologist and an ENT Specialist, they are finding it difficult to hold Medical Boards for issuing disability certificates.

The hospital has a laboratory with facilities for testing Haemoglobin, DC, TLC, MP, QBC (Malaria), ITC (Malaria), ESR, BTCT, Fasting Sugar, Urea Creatine, Serum Bilurbin, Surface antigen, Lipid profile, Bile pigment, Bile Salt, Urine (routine microscopy) RE/ME and Stool (RM). Five Laboratory Technicians are posted including two provided by the RKS and one contractually engaged.

There are two OTs, one of which is for the gynaecology ward. In the general OT, only minor operations like hydrocele, hernia, small cysts and tumors are conducted. In the absence of an anesthetist, no major operation is possible. 2922 institutional deliveries were conducted in the hospital in the year 2011, of which there were 139 still births. 385 CS were conducted. In the year 2012, 2234 institutional deliveries have been effected so far, of which 142 ended in still birth. 238 CS were conducted. The figure of still births appears to be in the higher side. Majority of the pregnant mothers were accompanied by ASHA (2454 in 2011 and 1841 in 2012). During the year 2011, 42545 patients were treated in the outdoor and 11436 in indoor. In 2012 (up to June) 6894 indoor and 21759 outdoor patients have so far been treated in the hospital.

There is a rest shed for ASHA Workers. Two separate rest sheds are under construction for the accommodation of male and female attendants and relatives of the patients. Relatives of the patients cook food in an open shed, surrounded by filth and garbage. Relatives of patients admitted in the gynaecology ward were found cooking food in open air, close to the ward.

Supply of meals to the patients has been out sourced. While in the hospital, the relatives of Netra Majhi s/o Madhuban Majhi of village Bhella, PS Komna, told me how callous and indifferent the hospital staff, including the MO, have been towards the treatment of Netra's wife Smt. Bilas Majhi. Netra Majhi brought his wife to the hospital at 0600 hrs on 25.07.2012 in a private vehicle hired by him. His wife was in advance stage of pregnancy and was severely bleedings. Dr. Bijay Panigrahi, the attending MO, came to the hospital at 0800 hrs on call, and scribbled on an unmarked and unsigned piece of paper, the

names of a few pathological tests like HG, HIV, HB ASG and blood grouping to be conducted on her. Facilities for all these tests were available in the hospital, but Netra was advised to get the tests done from outside. These tests were done at Patel Pathology Laboratory for which Netra had to pay Rs. 540/-. Likewise, Dr. Panigrahi scribbled in another unsigned paper the list of medicines, injections and accessories like gloves, catgut with a traumatic needle, black silk with needle, and surgipad etc required to be purchased for the operation. Of the 10 items of medicines, injections and accessories prescribed by Dr. Panigrahi, 6 were available in the hospital store. Even so, Netra was made to purchase the medicines and other accessories from Piyush Pharma, a private chemist's shop, functioning from within the premises of the hospital. He had to pay Rs. 700/- for the same, for which no receipt was issued. As advised by the MO, Netra's relatives went to the blood bank (functioning inside the hospital) for a bottle of B+ blood. 20 bottles of blood (group B+) were in the stock, but the relatives of the patient were advised to approach an outsider (apparently a professional donor) with B+ group to donate blood for the purpose. The outsider (Biranchi Patel of Nuapada aged about 48 years), donated the blood but charged Rs. 1500/- for the same, which Netra had to pay from his own pocket. Netra belongs to a BPL family, and according to existing rules, is entitled to free treatment in the hospital. The test report was ready by 0900 hrs. Blood was available only at 1400 hrs. Till 1630 hrs, the patient was not taken to the operation table. The fetus, which was dead by that time, had to be surgically removed.

Between January 2011 and June 2012, 2464 patients admitted to the DHH for treatment died in the hospital for 'causes not known'. This does not speak well of the quality of diagnosis available in the hospital. 33 patients died of malaria, 47 of TB, 52 of Respiratory diseases other than TB. 16 persons, including children, died of Diarrhoea.

While in the DHH, I discussed with the CDMO the status of Health Services as are available in the district as a whole.

Like in other districts of KBK region, this district suffers from acute shortage of doctors. Of the 70 MOs (including specialists) sanctioned for the district, only 45 (including 5 engaged contractually) are in position. 25 posts are lying vacant.

14 MOs, shown posted to the district on paper, have either not joined or have deserted. The list of these doctors is as follows;

Sl. No.	Name of the Doctor & Designation	Sl. No.	Name of the Doctor & Designation
1	Dr. Sashi Singh, Sr. MO,	8	Dr. B. Simachalan, ADMO-FW
2	Dr. Bhanja Kishore Khandai, ADMO-Med.	9	Dr. C. Tripathy, Asst. Surgen
3	Dr. Prafulla Ku. Das, Radiology	10	Dr. Babita Ramani, O&G



4	Dr. Rajendra Pradhan, Surgery	11	Dr. Arun Kumar Das, Surgery
5	Dr. Prakash Pradhan, Paediatrics	12	Dr. Premapriya Jena, O&G
6	Dr. Prafulla Kumar Dash,	13	Dr. R.K. Pattnaik, Skin & VD
7	Dr. Leena Das, O&G	14	Dr. M. Pradhan, Asst. Surgeon

No departmental action has been taken against any of them.

The position of paramedical workers is however much better. All the posts of MPHWH (F) and MPHWH (M) have been filled up.

Of the 97 sub centres in the district, only 57 have accommodation. The remaining 40 have no accommodation. Taking advantage of this situation, some of the health workers (particularly the MHW) are remaining absent from duty.

10 MHUs (2 for each block) are functioning in the district, with a staff strength of 1 MO, 1 pharmacist, one ANM and one Attendant each. Of the 14 Ambulances of the district, 12 are functional.

Fluorosis is one of the major public health hazards, stalking a large area of the district. Fluorosis is a crippling disease caused by excessive intake of fluoride through drinking water, food, tooth paste etc. The most prevalent is water borne fluorosis (Hydra Fluorosis). Fluorosis can occur as Dental Fluorosis, Skeletal Fluorosis and non-skeletal Fluorosis. In course of my visit to the district, many persons, disabled by fluorosis, met me with requests for Pension. Parents appeared with their disabled children with similar requests.

#### **ii. CHC Komna:**

I visited Komna CHC on 25.07.2012. The MO in charge, Dr. Kailash Chandra, Pradhan, (Contractually appointed OG Specialist) was on CL.

Dr. S. K. Agarwal, MBBS was absent since 23<sup>rd</sup> June 2012 without leave or authority.

Dr. Dibakar Ojha, MBBS, who has been brought on deputation from CHC Bhella was the only allopathic doctor present in the hospital along with one AYUSH doctor i.e. Dr. Bhabana Nagpure.

I went round the wards of the hospital. In ward no. 1, all the 5 beds were lying vacant. Roofs were leaking, plasters were falling apart, fan blades were covered with black soot. Hospital wastes were dumped in one corner of the ward. In ward 2, two persons were found sleeping on two of the five beds. They were relatives of the patients. Hospital wastes were dumped on bed head racks. All the six beds in ward no. 3, were also lying vacant.

The OT was under lock and key. It was opened in my presence. It did not appear to have been put to use in recent times. The MO informed that except for sterilization operations in family planning camps no other operation is conducted in the OT.

I interacted with the relatives of the lone patient admitted as an Indoor patient during the day. He, Digamber Rout s/o late Tularam Rout had not been taken inside the ward yet. He was suffering from diarrhoea. The relatives of the patient were forced to purchase common medicines like meftalpas, Injection pnz, Zenflox-oz and Vomikind from the market (Sahoo Medical Store). They also had to purchase 2 disposable syringe from the market. In all, they had spent Rs. 330/- by then.

I visited the stores and found that as many as 1100 syringes were in the stock, which were stacked in one corner of the stores in 11 packets.

There is an ambulance with a driver. Cooked food is not being served to the patients. Sweepers engaged by the RKS have not been paid their wages for the last six months. One MO, the AYUSH doctor, 2 ANMs, 1 LHV, 3 staff nurses and one sweeper reside in residential quarters adjacent to the hospital. The local residents complained that doctors posted to the hospital rarely attend to their duties. They were vociferous in their complaint against Dr. Chandan Tripathy posted as MO to Sunabeda PHC. In the pretext of Maoist presence in the area, Dr. Tripathy, they alleged, is absenting from the PHC for the last two years. They further alleged that he is presently doing real estate business in Bhubaneswar but continues to draw his monthly salaries.

### **iii. CHC, Sinapalli:**

Against a sanction of 5 doctors (including specialists) only three are posted to the CHC at present. Against a sanction for 16 beds, only 6 are in place. On the date of my visit, only three beds were occupied. One of the three admitted patients was suffering from PF Malaria, one from Diarrhoea and the third from urine retention. From the local Block cluster of 9 quarters, two have been allotted to the CHC. One of these two quarters is occupied by one of the MOs and the other is utilized as an extension of the hospital's administrative office. There is an OT. Though there is an OG specialist, in the absence of an anesthetist, no operation, except for sterilization, is conducted in this OT.

There are three PHCs under this CHC. All these PHCs have their own accommodation. Two of these PHCs are running with AYUSH doctors. Of the 17 sub centres under the CHC, only 7 have accommodation.

It was to this PHC that the ASHA worker from Kuliadunguri had brought Laxman Jagat twice for treatment, first on 05.08.2011, followed by a second visit on 10.09.2011. The hospital authorities however maintained that Laxman had come to the hospital only once i.e. on 10.09.2011. On that date his sputum was examined, which tested negative for pulmonary TB. There is no record of Laxman's visit to the hospital on 10.09.2011 either in the indoor or outdoor register. In the register of RNTCP, it has been mentioned that the patient tested negative for pulmonary TB. There is no record of any treatment given to the patient at any stage in the hospital, nor there is any evidence of

the patient having been referred to the DHH for further diagnosis/treatment, as has been claimed in the report of the Collector. The hospital authorities maintained that as the patient was brought by the ASHA worker, it was not required to register his name in the outdoor register, and that in the body of the test report itself, Dr. Bijay Kumar Meher had recorded his advice. The test report was not traceable either in the victim's residence or in the hospital. Family members of the victim denied any knowledge about any advice given to the victim for his further treatment.

The hospital maintains a death register, in which the names of Durbal Nag, Lochani Bewa and Laxman Jagat were recorded at sl. no. 634, 635 and 636. The age of the victims were recorded as 66, 98 and 27 respectively.

**iv. Project U.P School, Bilaijanjar:**

This school is located in Komna Block. The school has eight classes (from class-I to class-VIII), four class rooms and four teachers. Of the 127 enrolled students, only 76 were present on the date of my visit to the school (25.07.2012). The class wise break up is as follows;

Class I – 03/06, Class II – 09/15, Class III – 07/16, Class IV – 07/12, Class V – 10/13, Class VI – 15/24, Class VII – 15/23, Class VIII – 10/18.

All the four teachers were present. They are;

Sl. No.	Status	Name	Qualification	Native district
1	Headmistress regular	Smt. Banajbasini Sahoo	Matric city	Cuttack
2	Regular	Mamatanjali Panda	Matric CT	Local from Komna
3	Sikhya Sahayak	Antarjami Rout	BSc Untrained	Nayagarh
4	Gana Sikhak	Dhananjay Nual	+2	Local from Bilai anjar

While sl. 1 and sl. 2 are regular teachers, drawing salaries in the prescribed pay scales, the Sikhya Sahayak and the Gana Sikhak get Rs. 3,500/- and Rs. 3,200/- respectively as their remuneration per month, which is considered too meagre.

A cook (Koda Nag) and her helper (Guna Nihal) are engaged for cooking MDM for the children. They complained that they have not received their wages for the last one year. The local SI of school and the headmistress mentioned that the wages for the period from September to December 2011 has not been received from the WCD department, which was earlier in charge of managing MDM. They however insisted that the wages of the cook and the helper for the months of January 2012 onwards must have been credited directly to their accounts. It is unfortunate that neither the headmistress nor the school SI has been able to guide them in comprehending the modalities of payment. The date

of my visit was the 'egg' day. Against the requirement of 76 eggs, only 37 were boiled. The headmistress pleaded that some girl students do not eat eggs and instead take their quota home for consumption by other members of their families. Some of the parents, present in the school campus vehemently disputed this claim. The purpose of providing MDM to school going children is to take care of their nutritional requirement. Depriving more than half of the children from the benefit of having an egg with their meal, that too only once a week, is indefensible.

I interacted with the students of class VII and class VIII. Of the 25 children present, 7 said that they had gone to Andhra Pradesh with their parents who migrated there to work in the brickfields. They also informed that some private teachers from Nuapada visit the brickfields to coach the children of migrant workers. I asked the children to draw a map of India and mark the cities of Bhubaneswar and New Delhi on the same. Only two of them could draw the map with some degree of accuracy. Most of them failed to write Bhubaneswar and Delhi correctly in Oriya. 10 of the 25 students knew that Odisha has 30 districts.

#### **v. Kusudahana Primary School:**

Of the 112 children enrolled in the school, 82 were present on the date of my visit. There are five classes (class I to class V) for which only two teachers have been provided. Sri Pannalal Majhi, the teacher in charge, hails from the same village, whereas the Gana Sikhak, Sri Rikhiram Mahananda comes from Chankapada, which is at a distance of 3 km from the school. While one of the two teachers takes care of two classes (class IV and class V) conjointly, the other teacher gives instructions to children in the other three classes (class I, II and III).

There are only two class rooms. Both are leaking from the roofs. Plasters are peeling off. The construction of two additional class rooms was completed in December 2011. But the quality of construction was so poor that both the rooms get flooded by water, leaking through the roof. Both the rooms have been abandoned. These rooms were constructed by contractor Jayagopal Panda, under the supervision of the local block office.

There is no evidence of any formal inspection of the school being held by the SI in recent years. One Inspection/Visit Register was opened on 16.06.2008. Not a single visit/inspection note has so far been posted in this register. The CRCC and the BRCC visit the school once/twice a month. During such visits they verify the attendance of teachers and students, fill up the performance monitoring format and leave.

MDM for the school and the two Anganwadis is cooked in a common kitchen. The cook and her helper complained that they have not received their wages since October 2011.

A number of families from Kusudahana have migrated to Gujarat, Mumbai and other places outside the state, in search of work. Many of them take their school-going children along with them. At present about 45 families are working outside the state.

Of the 134 children in the roles of the school, in the academic year 2011-12, 38 remained absent from school on all the working days from December to March. In all likelihood, they accompanied their parents to Chhattisgarh, Andhra Pradesh and other locations outside the state.

**vi. Anganwadi Kusudahana - 1:**

Of the 24 preschool children enrolled in the Anganwadi only 8 had turned up by 0907 hrs. The Anganwadi worker informed that most of the remaining children were down with viral fever and Diarrhoea. The Anganwadi provides Emergency Feeding to 10 beneficiaries and SNP to 37 others, including pregnant women, nursing mothers and children in the age group of 7 months to 3 years. It also takes special care of three under nourished children, two in the age group of 3 to 6 and one below 3 years of age. The AWW and her helper receive their wages once in three months. The Anganwadi has its own accommodation. It draws water from the tube well of the nearby school. There is no power connection to the Anganwadi. A table, two chairs, one dari, and a cot, for the examination of those requiring medical attention, have been issued to the Anganwadi. Poor attendance of preschool children is a matter for concern.

**vii. Anganwadi Kusudahana - 2:**

This Anganwadi has no accommodation. It functions from the cook house of the nearby school. Of the 20 preschool children, enrolled in the Anganwadi, only 10 were present at the time of my visit. The Anganwadi provides Emergency Feeding to 10 beneficiaries and SNP to 27 others, including pregnant women, nursing mothers and children in the age group of 7 months to 3 years. It also takes special care of 3 under nourished children, all in the age group of 3 to 6 years. The AWW and her helper get their wages once in three months. There is no toilet for the use of the children. Drinking water is drawn from the school tube well. Elementary furniture has been issued. Uniforms to the children are yet to be issued. Here again, the poor attendance of preschool children gives cause for concern. The Anganwadi is about to shift to Rentapada.

**viii. Kusudahana NCLP School:**

Of the 50 children enrolled in the school, only 18 were present at the time of my visit i.e. at 1018 hrs on 27.07.2012. 8 more reported late. Only 12 children had attended school on 26.07.12, and 26 the day before. None of the two teachers was present. One of them Sri Lavilal Pandey turned up at 1020 minutes. The other teacher Padeem Majhi did not reach before my departure

from the school. The clerk and cook of the school were also absent. The villagers complained that the teachers and other staff remain absent for most of the days. There is only one class room. As reported by Sri Lavilal Pandey, MDM is served to the children at 1300 hrs. I visited the kitchen in the backyard of the class room. The kitchen was dirty and appeared to have been abandoned. Two bags of rice were in the stock. I asked the teacher why there is no dal, vegetables or condiments in the stock, to which he replied that after the cook reaches, she will go to the market to purchase required ration for cooking the MDM. The school is meant to look after dropouts and other out of school children. All of them have been enrolled in one class (class III). The purpose of the school is to equip them to be readmitted to regular schools at the appropriate level. The poor attendance of children and members of the staff suggest that there is no supervision over the functioning of the school.

#### **ix. Panchanpur Ashram School:**

Of the 460 children enrolled in the school, only 370 were present on the date of my visit (27.07.2012). The class wise break up is as follow;

Class I – 59/81, Class II – 74/86, Class III – 83/83, Class IV – 49/70, Class V – 37/54, Class VI – 43/51, Class VII – 29/35.

Of the enrolled students, 276 boys and 150 girls are boarders. The girls' hostels are in awful state of repairs, leaking profusely through the roofs. Accommodation is inadequate. Girls sleep in double decked beds, which is quite inconvenient. As for the boys' hostels, these are used as class rooms in the day time, due to acute shortage of class rooms (there are only three for seven classes). The boys' hostels also leak.

The boys get a monthly stipend of Rs. 600/- towards expenses incurred for providing them food, health care, entertainment etc. The girls get a stipend of Rs. 630/- per month. The students are provided with uniforms, which are washed by them. There is no provision for issuing them soap, oil, toothpaste and tooth brush. Neither there is any provision for medicines. The boarders are provided with 500 gm of rice per day at BPL rates. Even so, Rs. 600/- per person per month (Rs. 20/- per day) is too inadequate to meet the nutritional and other requirements of children studying in these schools.

Of the three tube wells, only one is functional. Children bathe in local ponds. On the date of my visit, a number of them were suffering from viral fever. Of the 90 students absent from classes, the vast majority had left the hostel for their homes. There is no play ground for the children. Facilities for indoor games are available.

The school has six teachers. There is no residential quarters for any of them. Of the six teachers, four are locals and commute to the school from their homes. The other two, in rotation, reside in the students' hostels and look after the children. This is not a healthy arrangement.

While at the school, I dictated a passage to the students of class VII, from a chapter in their English textbook, which has already been covered in the class. The passage is reproduced below;

*“When the king heard about the rupees tree, he was astonished. He ordered his soldiers to uproot the tree and bring it to him. But the poor man did not let them touch the tree. He said, let the king himself come and take the tree if he wants”.*

I also asked them to draw a circle on the reverse of the page on which they had taken the dictation. While most of them could draw perfect circles using their instrument box, not one of them could reproduce the passage correctly. Some of their answer scripts are enclosed at **Annexure - VIII** to this report. During my interactions with the students, they told me that they find it extremely difficult to understand the language. The headmistress, who is herself the English teacher, mentioned that despite best of efforts on her part, the students are not able to fully comprehend the lessons in the language.

If this is the standard of education in a residential school with comparatively better infrastructural and staff support, the condition of ordinary schools could be well imagined.

#### **x. Komna Mandirpada Anganwadi:**

I visited the Anganwadi on 25.07.2012. It was 1230 hrs and the pre-school children had already left. The AWW reported that all the 30 enrolled children were present as it was ‘egg day’. On the previous day, attendance was 29 out of thirty. The Anganwadi provides SNP to 60 others including pregnant women, nursing mothers and children in the age group of 7 months to 3 years. It also provides Emergency Feeding to 22 persons. The Anganwadi is located in government accommodation. There is a toilet. Tube well and pipe water are available. The local people complained that ‘*chatua*’, supplied by the SHG Groups (Mahalaxmi and Utkal Laxmi SHGs) is of very poor quality. It was also alleged that they cheat in quantity as well. The local officers however informed that they have sent samples for test. Test reports are awaited.

#### **xi. Children of school going age:**

While driving across the district, I came across a number of children in the school going age herding cattle for grazing, They include Sangeeta Majhi (12) d/o Chandra Majhi, Banita Majhi (12) d/o Narayan Singh and Kaneswar Majhi (13) s/o Ganaram Majhi all of village Samarsingh. Most of them have remained out of school due to the poverty of their parents. Some have dropped out midway.

#### **xii. Maa Bhawani SHG, Kusdahana:**

This SHG was reportedly formed in the year 2005 (05.12.2005) with 10 members. Mrs. Kaya Majhi and Mrs. Kunti Majhi are the secretary and president respectively of the Group. A loan amounting to Rs. 3,42,400/- was

sanctioned to them on 02.01.2010, for preparing dry food and snacks. The first installment of Rs. 1,50,000/- was released on 03.01.2010, followed by another Rs. 1,50,000/- released on 15.02.2010. Out of the total loan amount, Rs. 42,400/- was to waived as subsidy, and the rest repaid with compound interest @ 13.5%. Even after the repayment of Rs. 1,44,500/- in the intervening months, Rs. 2,88,385/- is still shown outstanding against them. As gathered from the group members, they are also contributing their own labour to the activity and getting in return Rs. 320/- per month. It is not difficult to visualize that the SHG has almost fallen into a debt trap. In two and half years, the Group has been able to reduce the debt burden only by Rs. 12,000/-, even after repayment of Rs. 1,44,500/-.

**xiii.** At village Bhella, Block-Komna, I interacted with a sharecropper and three landless labourers working/going for work in the fields close to the Highway.

The sharecropper, Gurubari Rout s/o late Swarik Rout of Budhirajpada of village Bhella was landless. He cultivates 2 acres and 14 decimals of land belonging to one Durgacharan Mohanty. Last year he got 21 packets of paddy, each containing 40/45 kg, as share of the produce and gave 21 packets to the owner. As per the prevailing arrangement, he has to share the cost of fertilizers with the owner half and half. Expenses towards hired labour has to be fully borne by him. Seeds are however provided by the owner. The arrangement is clearly unjust. On the date of my visit, Gurubari was preparing the land of Durgacharan for paddy plantation. His wife Saja and daughters Sunita (4), and Purnami (2) were accompanying him. While the wife was to help him in the field, the two children had to be brought along, as there is no other adult member at home to take care of them. On other days, the children go to the local Anganwadi. Saja had brought with her some rice and half a *kotori* of dal for their mid day meal in the field. She had collected about 20 snails from the land, which she proposed to cook for lunch.

They had hired one Rama Majhi w/o – Tashil Majhi of the same village for helping them in the field, for which they have to pay her Rs. 60/- per day. Rama belongs to the Scheduled Tribe. Her family is also landless. 15 days back her husband Tashil has gone to Mumbai in search of work.

She has four children. Their details are as follows;

<b>Name</b>	<b>Relations</b>	<b>Age</b>	<b>Remarks</b>
Guna Majhi	Daughter	12/13 years	School dropout.
Nirakar Majhi	Son	10 years	Goes to school
Surendra Majhi	Son	6 years	Goes to school
Piladhar Majhi	Son	4 years	Goes to Anganwadi

His father-in-law Juna Majhi was given 1 acre of land by the government. Juna lives separately with his wife. Both get old age pensions as well. In her part, she has to work as a daily labourer to feed herself and her four children. She



has no job card. She approached the local panchayat functionaries twice for a job card but to no avail.

I also met two other landless labourers. They are Sindur Charan Sabar s/o late Jayanath Sabar and Laxman Jagat s/o late Subit Ram Jagat both of village Bhella Kushuna, GP Bhella in Komna Block. Both were going to work in the land of Litu Mohanty. They get Rs. 50/- to Rs. 60/- per day as their wages.

**xiv.** On 27.07.2012, I interacted with Cheduram Kuar, a marginal farmer working in his field close to Nuapada town. He owns 50 decimals of land, to cultivate which he has to hire six 'Hal' @ Rs. 250/- a day, pay for 18 person days of labour @ Rs. 90/- a day per person, purchase 1 packet of *gromore* at Rs. 1260/- and 1 bag of Urea at Rs. 450/-. He can grow only one crop in a year. He has a family of four including himself, his wife and two daughters. The elder daughter has been given in marriage. He has an APL card. There is no scope for any Rabi crop. He gets about 15 *boras* of paddy from his land, each weighing about 45 kg. After input cost, he is left with an annual income of about Rs. 2000/- from his land. To supplement his income, he works as a daily labourer in the town. The prevailing wage is Rs. 100/- a day. Work is however not available every day.

**xv.** I visited the project site of the *Excavation of Munsen Dangar Bandh* at Chandel taken up under the NREGS. The estimated cost of the project is Rs. 3,00,000/- of which Rs. 81,320/- has so far been spent. Chandel is a tribal hamlet with 40 households. At the worksite, I talked to some of the villagers. I also verified the job cards of two of the households i.e. Chaitu Majhi s/o Gurubari Majhi and Debananda Majhi s/o Sonuban Majhi.

Chaita Majhi holds job card no. 17538. Between 2006-07 and 2012-13, his family has been provided with 130 person days of work, which averages to 18 to 19 days per year. Not a single day's work was provided to him during the years 2009-10, 2010-11 and 2011-12.

Debananda Majhi holds card no. 17529. Between 2007-08 and 2012-13, his family has been provided 112 person days work @ 17 days per year. No work was offered to the family during the year 2009-10, 2010-11 and 2011-12.

Both have worked for full 7 weeks in the excavation project mentioned above, but have so far been paid for only 2 weeks. Work is presently under suspension due to rains. They further complained that though they have worked for all the 7 days every week, they have been paid for six days per week for the two weeks for which wages have been paid.

They further complained that 9 of them have worked for 7 days for laying Dangariguda - Chandel road, but have not been paid any wages for the work. The BDO informed that a local contractor had started working on this road without any work order, even before estimates for the work had been prepared. He further revealed that this road is one of the 31, sanctioned under the

Integrated Action Plan. Even before estimates have been prepared, strongmen of the area with political connections, have started working on 17 of these roads with the hope that they will get the contract.

**B.** During my visit to Kuliadunguri and Gambhariguda, the following persons met me and presented their grievances, the gist of which are as follow;

i. Akbal Herna, Jogendra Herna, Ghasiram Herna, Sobha Herna, Satya Herna and Ranjit Herna all from Sinapalli Block.

They were among the bonded labourers rescued by Tamilnadu government from a brick kiln in 2011. At the time of their rescue, they were paid Rs. 1000/- each as immediate relief. Though more than a year has passed since, no livelihood support has been provided to them. They were issued with release certificates with an assurance that each will be given Rs. 20,000/-, besides benefits under running social welfare schemes. In support of their claim, Akbal produced copies of the released certificates issued to him and his wife on 29.04.2011 (enclosed at **Annexure - IX** to this report).

They have come to know that required fund for the purpose has been received by the Collector five months back. They requested for payment of their dues early, besides their inclusion as beneficiaries of others welfare schemes.

ii. Kapurchan Harijan  
village - Gambhariguda  
PO - Gandabahali

Due to physical disability, he is not able to work for the last 10 years. He is landless. Does not have a homestead plot. Requests for livelihood support.

iii. Parameswar Harijan s/o - Ramdas Harijan  
village - Gambhariguda

He belongs to SC community. He has no homestead land. For the last 12 years, he has been living in a hut raised on govt. land. Requests for *patta* for 4 decimal of govt. land enabling him to construct a permanent house over it.

iv. Pitamber Bihari  
village - Gambhariguda

He belongs to SC community. His son Kunja Bihari has secured 61% marks in the High School Examination. He has no means to support his college education. He belongs to a BPL family. He has no land or property. Requests for govt. assistance for higher education of his son.

v. Satban Harijan s/o - Late Dhabala Harijan  
village - Gambhariguda

He is landless and homestead less. He is already 62 years old and his wife is sixty years old. Prays for a piece of homestead land, a dwelling unit and old age pension for himself and his wife.

vi. Jemini Harijan w/o – Ramnath Harijan of Gambhiriguda

Her ailing husband is unable to work. She is finding it extremely difficult to support her husband and three minor children. The family is landless and homestead less. The family had received *patta* for 4 decimal of govt. land, but the land is yet to be demarcated and handed over to them.

vii. Dipa Harijan w/o – Meghnath Harijan  
village – Gambhariguda

She is 65 years old. She has no land. She is issue less. Due to advanced age, she is in no position to work as a wage labourer. Prays for old age pension.

viii. Debananda Tandi

His son Parimal Tandi is being treated at Raipur for a malignant tumor. He has a medical insurance card no. 00042-76121-42310-1, issued to him in July 2011. In January 2012, Rs. 5000/- was paid to him as reimbursement of expenses for the treatment of his son. Further expenses are not being reimbursed on the plea that the card has lapsed. Requests for assistance for continuation of his son's treatment.

ix. Mithila Gual

She is not getting any pension though she has been declared 100% visually handicapped and a certificate to that effect has been issued to her on 18.11.2011.

x. Kuaful s/o Raiseg Gual

Pleaded that he has no BPL card. He has approached the Sarpanch and the ward member. The ward member is demanding Rs. 1000/- for recommending his case.

xi. Gomati Gual w/o – Belayas Gual

Complained that ward member Hiradhar Gual has taken Rs. 1000/- from her husband for arranging a BPL card.

xii. Rakindra Kharsel s/o – Dhanu Khakel

His hearing is impaired by 75%. He is getting pension. Requests for financial assistance to purchase hearing aids.

xiii. Dhanu Rout s/o – Late Bhudhinath Rout

Requests for old age pension.

xiv. Malkhan Gual of Kuliadunguri.

He is 71 years old. Had a BPL card. Requested for Old Age Pension.

xv. The women of Kuliadunguri, in a group, complained that as many as 5 illicit distilleries are running in the village and demanded that these should be dismantled.

xvi. While at Sinapalli, some representatives of the farmers of village Kusumjore PS-Sinapalli, met me and handed over a copy of the petition addressed to Collector Nuapada, in which it was alleged that in the year 2004/05, the government sanctioned money for land development, digging of ring well and supply of seed and fertilizers to the farmers through the 'Jala Bibhajika' Committee. The secretary of the committee has allegedly misappropriated the money. The Collector, they alleged, has taken no action in the matter.

xvii. At Sinapalli one Pitaraj Bhoi of village Kopia, GP Makhapadar submitted a petition in which he claimed that the following women, who lost their husbands, have not received widow pension.

Sl. No.	Name	Husband's Name	Age	No of surviving members in the family
1	Manjula Kharsel	Late Bidyadhar Kharsel	60 years	11
2	Gomati Meher	Late Sobharam Meher	45 years	5
3	Khame Meher	Late Supet Meher	62 years	5
4	Rai Majhi	Late Rukse Majhi	60 years	5

He also requested for the grant of old age pension to the following persons;

Sl. No.	Name	Father's Name	Age	No of surviving members in the family
1	Rudra Singh Bhoi	Late Baman Bhoi	62 years	5
2	Jagabandhu Kharsel	Ghana Kharsel	63 years	5

xviii. At Kusumhada, the villagers complained that though the contractor for rural electrification for Lengtapada has abandoned the project, completion report has been submitted and fictitious expenditure billed.

## **8. Status of Implementation the various Welfare and Developmental Schemes launched by the state and Central governments, in the district:**

### **A. Health Services:**

Like other districts of the KBK region, this district is suffering large-scale vacancies in the rank of doctors including specialists. 35% of the sanctioned posts of doctors are lying vacant. 3 PHCs are running without a single MO. 14 MOs, shown posted to this district, have either not joined or have deserted. No action seems to have been initiated against any of them. Most of the beds sanctioned for the CHCs are lying unused due to lack of doctors, and the required infrastructure. Patients including those from BPL families are being compelled to purchase medicines from private chemists' shops, and get pathological tests done in private clinics. 40 of the 97 Health Sub Centre have

no accommodation. TB, Malaria and Diarrhoea continue to claim a number of lives. Fluorosis is yet to be effectively tackled. It has caused permanent disability to a number of persons in the affected habitations.

**B. Education:**

The district authorities would like us to believe that the dropout rate in primary schools has fallen from 11.38 in 2009-10 to 4.97 in 2011-12 and in the upper primary schools from 16.45% in the year 2009-10 to 12.46 in 2011-12. This is not supported by the enrolment figures in higher classes. For example, 20265 children were enrolled in class I in the year 2011-12. Against the above number, 14175 were enrolled in class-VI and 11138 in class-VIII during same year. The number of students enrolled in class-I during 2009-10, 2010-11 and 2011-12 have remained more or less constant. The fact that the number of children enrolled in class-VI and class-VIII are only about 70 and 55% of the enrolment figures for class-I would suggest that as many as 30% of the students enrolled in class-I do not reach class-VI and that 20% of those enrolled in class-VI do not reach class-VIII which also means that 48% of the children enrolled in class-I do not reach class-VIII. In Sinapalli Block, the dropout rates are even higher as would appear from the following table;

Year of Enrollment	Class - I	Class - VI	Class - VIII
2009-10	3669	2247	1313
2010-11	3223	2215	1536
2011-12	3479	2537	1755

18 of the schools are still running with one teacher each. 9 of these schools fall within the jurisdiction of Sinapalli Block, which suggest that the Commission's recommendations for preferential filling up of vacancies in the remote areas have not been heeded to. As has been discussed above, a large number of children enrolled in schools, migrate with their parents to work places outside the state and consequently remain absent from schools for most of the dry months i.e. from November to June in the following year.

There is a proposal to open 57 seasonal hostels (for 6 months duration) to accommodate children for migrant families so that they could continue to study in local schools. The number of children to be benefited by the programme, is estimated by the local authorities at 2319.

**C. PDS:**

According to the officer-in-charge of the Civil Supply Wing of the district Collectorate, 150430 PDS cards (BPL - 83493, APL - 33282, AAY - 25870, AY - 961, Poor Left Out families - 6824) are in circulation in the district. According to 2011 census, there are about 1,27,022 households in the district. Thus the number of ration cards in circulation is about 23000 more than the number of

families. During my field visits, it came to light that many households are still outside the PDS net.

For example, in village Kusadahana, where I spent some time, the villagers complained that many of them do not have PDS cards. BDO Komna confirmed that of the 299 households in the village, 87 are still outside PDS cover. This leads to the irresistible inference that a large number of bogus cards are in circulation in the district.

According to the OIC Civil Supplies, Nuapada, the annual requirement of PDS rice in the district is 4,88,793 qtls. An additional quantity of about 70,000 qtls is required for MDM, SNP, EFP and SC/ST hostels.

According to the same report, 10,32,215.80 qtls. of paddy was procured by various public sector procurement agencies during the year 2011-12. The rice equivalent of the above quantity of paddy is 701906 qtls of which 4,43,783.89 qtls. has so far been delivered by the agencies. 2,58,122.86 qtls. are yet to be delivered. The quantity received from the mills is short of the total PDS requirements by about 100000 quintals. It therefore follows that in certain sectors beneficiaries must have been deprived of part of their PDS rice quota for the year 2011-12. The Collector and his officials claimed that the district produced enough rice in the years 2010-11 and 2011-12 to feed its population of 606000. In support of this, they produced estimates of marketable surplus of paddy and pulses for the years 2010-11 and 2011-12, prepared by the Deputy Director Agriculture, which are reproduced below;

#### A. Paddy

Year	Crop	Area in Ha.	Productivity (yield/Ha in qtl.)	Total production in MT	Total population (In 000 nos.)	Total adult population (88%) (In 000 nos.)	Total consumption @ 380 gm per adult (MTs)	Total requirement for seed (MTs)	Misc. Wastage by feeding domestic animals 3% (MTs)	Surplus for marketing and of 5-(8+9=10) MTs	Procured by OSCSC Ltd. (MTs)
2010-11	Paddy	94934	27.57	261733.03	6.06	5.3328	108587	3613	7852	141681.03	114621.47
2011-12	Paddy	93354	11.51 (Drought year)	239452.00	6.06	5.3328	108587	3547	3224	124094.00	103221.58

#### B. Pulses

Year	Crop	Area in Ha.	Productivity (yield/Ha in qtl.)	Total production in MT	Total population (In 000 nos.)	Total adult population (88%) (In 000 nos.)	Total consumption @ 40 gm per adult (MTs)	Total requirement for seed (MTs)	Misc. Wastage by feeding domestic animals 3% (MTs)	Surplus for marketing and of 6-(8+9=10) MTs	Procured by OSCSC Ltd. (MTs)
2010-11	Pulses	99929	2.85	2847	6.06	5.3328	7774	0	0	(-)4928	Nil
2011-12	Pulses	104781	2.95	3091	6.06	5.3328	7774	0	0	(-)4683	Nil

The above estimates, besides computational errors, suffer from certain erroneous presumptions discussed below;

i. At the rate of 11.5 qtls of paddy for hectare the total production in the year 2011-12 should be 107450.454 MTs and not 239452.00 MTs as has been reflected at column - 5 of the estimates.

ii. It has been assumed that in a drought year the consumption requirement of domestic animals as well as the requirement of seed for the next year will come down.

ii. The per capita consumption of rice by an adult per day has been projected at 380 grams only, whereas according to the recommendations of the Indian Council of Medical Research (ICMR), for a balance diet, food items in the following scale should be required.

Food Items	Adult Man			Adult Women		
	Sedentary	Moderate at work	Heavy work	Sedentary	Moderate at work	Heavy work
Cereals	460	520	670	410	440	575
Pulses	40	50	60	40	45	50
Leafy Vegetables	40	40	40	100	100	100
Other-do-	60	70	80	40	40	100
Roots & Tubers	50	60	80	50	50	60
Milk	150	200	250	100	150	200
Oils & Fats	40	45	65	20	25	40
Sugar & Jaggery	30	35	55	20	20	40

It is worth mentioning here that the government of Odisha have themselves approved the supply of 615 gm of cereals per day to the inmates in the state's prisons and 500 gms of cereal to school children residing in government run hostels. The requirement of cereals for an average working adult should be at least 500 gm per day.

At my request, the DAO submitted a revised statement correcting the arithmetical errors mentioned above.

The revised estimates are reproduced below;

**Estimates of Marketable Surplus of Paddy and Pulses in Nuapada District from 2010 -11 to 2011-12.**

**A. Paddy**

Year	Crop	Area in Ha.	Productivity (yield /Ha in Qtl.)	Total production in MT	Total population (In 000 Nos.)	Total adult population (88%) (In 000 Nos.)	Total consumption @ 380 gm per Adult (MTs)	Total requirement for seed (MTs)	Misc. Wastage by Rat and feeding of domestic animals @ 3% (MTs)	Surplus for marketing 5-(8+9+10) (MTs)	Procured by OSCSC Ltd. (MTs)
1	2	3	4	5	6	7	8	9	10	11	12
2010-11	Paddy	94934	27.57	261733.03	6.06	5.3328	108587	3613	7852	141681.03	114621.47

2011-12	Paddy	93354	25.64 ( Partial drought year)	239452.00	6.06	5.3328	108587	3547	3224	124094.00	103221.58
---------	-------	-------	----------------------------------	-----------	------	--------	--------	------	------	-----------	-----------

## B. Pulses

Year	Crop	Area in Ha.	Productivity (yield /Ha in Qtl.)	Total production in MT	Total population (In 000 Nos.)	Total adult population (88%) (In 000 Nos.)	Total consumption @ 40 gm per Adult (MTs)	Total requirement for seed (MTs)	Misc. Wastage by Rat and feeding of domestic animals @ 3% (MTs)	Surplus for marketing 5-(8+9+10) ( MTs)	Procured by OSCSC Ltd. ( MTs)
2010-11	Pulses	99929	2.85	2847	6.06	5.3328	7774	0	0	(-)4928	Nil
2011-12	Pulses	104781	2.95	3091	6.06	5.3328	7774	0	0	(-)4683	Nil

In explaining the errors, he wrote that productivity for the year 2011-12 was initially assessed at 11.51 quintals per hectare based on the survey report submitted by the field staff of Director of Economics and Statistics. Subsequently, based on another survey held by the field staff of the Agriculture Department, productivity was re-fixed at 25.64 qtls. per hectare.

A copy of the explanatory letter received from the DAO is enclosed at **Annexure - X** for ready reference. As has been already explained, both 2010 and 2011 were drought years for the district. In some parts of the district, crop loss was as high as 90% in 2011-12.

In the circumstances, it is difficult to accept that productivity remained as high as 27 qtls. in 2010-11 and 25 qtls. in 2011-12.

The survey report received from the Directorate of Economics and Statistics therefore appears to be more reliable. In that case, there will be a net deficit of 7908 MT for the year 2011-12. If we set aside additional 120 grams of rice per person per day as additional consumption requirement, and the requirements for seed and domestic animals, the deficit will rise further. The quantity shown procured during 2011-12 could perhaps be part of the produce of previous years sold in early 2011 before the advent of the drought.

It may also be appreciated that PDS rice meets only about half of the requirement of an average family. The household has to purchase the balance from the open market for which it has to have the required purchasing power. As has been demonstrated in the case of Jamuna Jagat (who could not lift 1.5 qtls. of rice allocated to her for lack of Rs. 300/-), for a section of Nuapada's poverty stricken population it may not be possible to buy additional requirement of rice from the open market. This will inevitably lead to the diversion of marketable surplus to other areas of the state and outside. With the growth of the urban population of the state and the absence of any regulation over the movement of food grains across the district and state borders, the overall shortage of food grains in the poorer regions is likely to increase. It may not therefore be safe to presume that once the total production



in a district is more than arithmetically computed requirement of its population, cases of starvation and under nourishment will cease to occur.

#### D. Social Welfare Schemes:

In his report, the Collector claimed that 82411 pensioners have been given pension under various pension schemes like MBPY, IGNOAP, IGNWP and IGNDP, details of which are reproduced below;

##### 1. Madhu Babu Pension Yojna (MBPY)

Sl. No.	Name of the Block	Target		Total Target	Achievement	Short fall
		OAP/WP	ODP			
1	Nuapada	4212	1804	6016	5629	387
2	Komna	4433	1899	6332	5797	535
3	Khariar	4711	2019	6730	6352	378
4	Boden	3542	1517	5059	4517	542
5	Sinapalli	3295	1338	4633	4633	0
6	NAC, Khariar	684	293	977	977	0
7	NAC, Kharia Road	569	317	886	886	0
<b>Total</b>		<b>21446</b>	<b>9187</b>	<b>30633</b>	<b>28791</b>	<b>1842</b>

##### 2. National Social Assistance Programme (NSAP)

Sl. No.	Name of the Block	IGNOAP		IGNWP		IGNDP		Total	
		Target	Achieve	Target	Achieve	Target	Achieve	Target	Achieve
1	Nuapada	10706	10706	639	639	322	322	11677	11677
2	Komna	12878	12878	802	802	423	423	14103	14103
3	Khariar	7863	7863	461	461	234	234	8558	8558
4	Boden	7019	7019	422	422	213	213	7654	7654
5	Sinapalli	8761	8761	521	521	267	267	9549	9549
6	NAC, Khariar	962	962	51	51	19	19	1032	1032
7	NAC, Kharia Road	980	980	48	48	19	19	1047	1047
<b>Total</b>		<b>49169</b>	<b>49169</b>	<b>2944</b>	<b>2944</b>	<b>1507</b>	<b>1507</b>	<b>53620</b>	<b>53620</b>

As has further been reported, 449 persons have been given benefits under the National Family Benefit Scheme (NFBS), during the year 2011-12 and 2012-13. The area wise break up is as follows;

Sl. No.	Name of the Block	Achievement during 2011-12	Achievement during 2012-13
1	Nuapada	0	36
2	Komna	26	34
3	Khariar	62	36
4	Boden	57	0
5	Sinapalli	146	0
6	NAC, Khariar	27	0
7	NAC, Kharia Road	16	9
<b>Total</b>		<b>334</b>	<b>115</b>

As would appear from the above table, of the 334 persons awarded benefits in the year 2011-12, 146 are from Sinapalli alone, which suggests that the rate of death of the principal bread earners of the Block's households could be higher

in this block compared to other blocks. Alternatively, it could be due to late award of the benefits, accrued in previous years.

In another report, the Collector has stated that there are in all 78763 pensioners in the district under various pension schemes. There are still 2506 vacancies under MBPY (Madhu Babu Pension Yojna) which could not be distributed due to delay in submission of application by the BDOs. The number of pensioners sanctioned for the district is close to the number of BPL families in the district.

One eighth of the district's population has been granted pension of one nature of the other. Two third of the 1,27,000 households of the district, have been granted pension. Even so, wherever I went, people thronged on to me with request for pension. At my request, BDO Sinapalli detailed one of his officers to list the persons from the three villages of the block I visited, who though prima facie eligible, have not been granted pension of any kind. He prepared a list of 116 such persons (34 from Kuliadunguri in Karanbahali GP, 21 from village Karanbahali in Karanbahali GP, and 61 from Gambhariguda village in Gandabahali GP). A copy of the list received from BDO Sinapalli is enclosed at **Annexure - XI** to this report.

This would mean that either the figures given by the Collector are inflated or that pension has not been judiciously distributed.

According to the reports received from the BDO, there are 12513 BPL families in Sinapalli Block to which the alleged starvation deaths relate. The BDO claims that 14183 persons have been granted pension in his block, which would mean that there are more pension holders in the block than the number of BPL families. Prima facie, it would appear that a large number of beneficiaries have been covered by various pension scheme. This was however not supported by information received from the field. I spent considerable time in three separate villages of Sinapalli Block. Everywhere old men and women, widows and persons with visible signs of disability thronged on to me with grievances that they have not been granted pension under any of the schemes announced by the State and the Central Government. Some of the disabled possessed disability certificates. There were cases where persons with 100% disability have not received pension. As has been already discussed, Fluorosis has disabled a large number persons in the district. Parents met me with their children, disabled by Fluorosis with requests for pension. Many complained that they have paid various sums to middlemen, who have promised to get them pension but to no effect.

## **ii. ICDS:**

According to the report filed by the Collector, of the 80064 surveyed beneficiaries in the district (pregnant women-6772, Nursing Mother-8234, 6 months to 3 year-33996, 3 year to 6 year-31062) 75145 (pregnant women-

6702, Nursing Mother-8141, 6 months to 3 year-33569, 3 year to 6 year-26733) have enrolled for availing SNP. As further reported by the Collector, all the 75145 enrolled beneficiaries have received SNP. This may not be quite correct. In some of the Anganwadis I had visited, attendance of enrolled children in the age group of 3 to 6 year was as low as 50%. In one Anganwadi it was only about 33%. It has been claimed that EFP has been provided to 21000 beneficiaries (12323 old, 5260 infirm and 3417 destitutes).

Of the 1232 AWCs in the district, only 517 have their own buildings. 234 are functioning from local schools, 130 from other community buildings and 351 in rented houses. 203 of the anganwadi buildings are unsafe, 264 others require repairs. The percentage of anganwadis functioning from own accommodations are the lowest in Sinapalli (31%) and Boden (37%), the two most under developed panchayat samities in the district.

### iii. Provision of homestead land and housing units to the homeless:

According to the information received from the sub collector, there were 4847 homestead less households in the district, of whom 1388 have been settled in govt. land. The community wise break up of these figures are given in the following table. The majority of the homestead less families belong to the ST communities.

HOMESTEADLESS SURVEY REPORT INRESPECT OF NUAPADA DISTRICT												
Sl. No.	Name of the Tahasil	No. of Homesteadless families identified										
		ST	Settled	Balance	SC	Settled	Balance	Others	Settled	Balance	Total	
1	Nuapada	130	119	11	76	69	7	86	86	0	292	274
2	Khariar	84	16	68	112	23	89	128	46	82	324	85
3	Komna	611	0	611	483	0	483	575	3	572	1569	3
4	Boden	704	234	470	316	46	270	730	122	608	1750	402
5	Sinapalli	351	265	86	183	115	68	278	244	34	812	624
<b>Grand Total</b>		<b>1880</b>	<b>634</b>	<b>1246</b>	<b>1170</b>	<b>253</b>	<b>917</b>	<b>1797</b>	<b>501</b>	<b>1296</b>	<b>4847</b>	<b>1388</b>

The problem is acute in Sinapalli Block to which the deaths under report relate. What is worse, in many cases, in which govt. land has been shown allocated to homestead less families on paper, the land was not demarcated nor was possession formally made over to the beneficiaries. For example, in Gambhariguda village, where the widow of Laxman Jagat presently resides, a number of homestead less persons represented to me that though pattas have been issued to them six/seven years back, and they have been paying rent for the homestead land shown allotted to them for all these years, the local revenue officers are yet to identify, demarcate and make over possession of the plots to them.

It is however gratifying to note that the local Tahasildar, who was one of the officers accompanying me to Gambhariguda, ensured that the very next day,

homestead plots allocated in the name of 28 beneficiaries were demarcated and made over to the beneficiaries in presence of the village elders and the beneficiaries themselves. He has assured that the land of other beneficiaries, who were not present at the time of the RI's visit to the village, will be demarcated in the next few days.

### **E. Employment Generation:**

There is hardly any industry in the district except for a few rice mills. Wages for farm labour varies from Rs. 30/35 in Sinapalli Block to Rs. 90/- in Nuapada. Most of the cultivable land falls within one crop zone. Work in the farm sector is available for hardly three months in a year.

ii. Most landless labourers migrate to Andhra Pradesh and Raipur in Chhattisgarh to work in brickfields, as rickshaw pullers or for other sundry works. Some migrate to Maharashtra, Karnataka, Tamilnadu and J&K in search of work. According to the District Labour Officer, they have issued 35 licenses to 24 labour contractors under the Inter State Migrant Workmen (Regulation of Employment and Condition of Service) Act 1979 in respect of the recruitment of 1540 workers in the year 2011-12. During the year, 20 complaints have been received against agents and middlemen resorting to illegal recruitment. 13 of these complaints have been filed, while in 7 cases, prosecution reports have been submitted against the defaulting agents. 217 members of the families of migrant labourers (including the labourers themselves) have been repatriated to their native villages with the help of the govt. of Tamilnadu, Andhra Pradesh and Karnataka.

Taken together, these figures do not add up to 2000, for the whole of the district. The district has no information regarding the number of labourers who have been taken by contractors outside the state without license. Nor do they have any reliable estimate regarding the number of persons who have left the district on their own. As reported by the DLO himself, middlemen pay Rs. 10,000/- to Rs. 15,000/- per head as advance to the workers before their departure. In every village I visited, I was told that a large section of the workforce migrates to other states in October-November and returns home in next June. This was confirmed from the school attendance registers which revealed that between November to June attendance of a large number of students in primary schools drops to as low as zero. For example in Kuliadunguri Primary School, between November 2010 and June 2011, 32 students did not attend school even for a single day as most of them accompanied their parents to work places in other states. Between January 2011 and April 2012, 25 such students remained continuously absent.

iii. According to the DLO, after March 2011, 266 workers have been released under the provision of the Bonded Labour Act. (42 by the government of Andhra Pradesh and the rest by the government of Tamilnadu). It is not clear from his report if all of them have been rehabilitated.

According to the DRDA, 190 bonded labourers (72 male, 71 female and 47 children) have been released during the period from Jan-June 2012. 143 of them have been released with certificates, and 47 (all children) without certificates. Not one of them has so far been paid the rehabilitation grant, or has been otherwise rehabilitated. According to the same report, 1525 bonded labourers were released during previous years. It has not been clarified in the report if all of them have since been rehabilitated. During my field visits, I received complaints to the effect that some bonded labourers, released in April 2011, are yet to receive rehabilitation grants.

**iv.** The district officers claimed that their achievement for self-employment of women under Mission Shakti has been more than the target. Against a target of 6340 WSHGs, they have been able to create 6364 WSHGs during the year 2012-13, with a total membership of 74063 beneficiaries. Between them, the SHGs have a total saving of 1369.94 lakhs, which averages to less than Rs. 2000/- per SHG. The representatives of the Leading Bank did not know what percentage of the SHGs are repaying the loan installments. As discussed in paragraph 7 (xii) above, the experience of the one SHG they wanted to show case to me was not found quite encouraging.

**v.** DRDA Nuapada furnished a tabular statement giving details of employment generated under the NREGS during the year 2011-12 and 2012-13 (upto July 2012). The statement is enclosed at **Annexure - XII** to this report. There are some clerical errors in the statement. On 27.07.2012, he submitted two handwritten statements in which he had summarized the performances of NREGS in the district for the year 2011-12 and 2012-13 (upto July 2012). These statements are enclosed at **Annexure - XIII** to this report.

From these statements, it would appear that in all, 27224 households of the district applied for employment in the year 2011-12. Of them 27113 were provided work. In all 1112218 person days of work were generated. Based on these figures the DRDA claimed that in an average, each of the families, which applied for work, was provided 41 days of work. As reported by the DRDA, 115512 households of the district have registered themselves for work under the NREGS. The district has generated only 1112218 person days of work during the year. In an average less than 10 days of work was generated for each of the registered families.

The DRDA further reports that during the current year 24813 households have so far demanded for work. Of them 24580 have been provided work. In all 6,84,462 person days of work has been generated which averages to less than 28 person days of work for each of the families which demanded work.

If one takes into account the total number of registered families, it follows that only 5.92 person days of work has been generated against each of these families.

The claims of the DRDA that only 27224 out of the 115512 registered households demanded for work in the year 2011-12 and only 24813 households have so far demanded work during the current financial year are not supported by the statements of the beneficiaries with whom I interacted. Most of them claimed that they were willing to work but no work was available. Even if we accept the version of the DRDA, it is not explained why 111 households in the year 2011-12 and 233 households in the year 2012-13, who had demanded work were not provided with any work and why no unemployment allowance was given to them. It is also not explained why 100 days of work could not be provided to households, which on their demand were provided work.

As far as Sinapalli Block is concerned of the 22341 households, which have been issued job cards, only 4817 households demanded for work, of whom 4796 were provided with work. In all 156817 person days of work was generated i.e. 32.7 days per family. If we take the numbers of households with job cards into consideration, the person days of work generated per family works out to only 7 days.

In Kuliadunguri village, to which the alleged starvation deaths relate, only 516 person days of work was generated for 165 registered families i.e. at the rate of 3 days per family in 2011-12 in which there was near total failure of crop. If the BDO is to be believed, only 12 households in Kuliadunguri demanded employment under NREGS in the year 2010-11. 334 person days of work were provided to them, which averages to 27 person days of work per family. During the year 2011-12, 30 such households demanded employment. In all 516 person days of work was generated for them, which averages to 17 days work per household. No one from the village has been provided with any work during the year 2012-13 on the specious ground that the village does not figure in the five year action plan for work under NREGS. The BDO further mentioned that three projects have been sanctioned under NREGS in the current financial year 2012-13 in Karanbahali GP in which the villagers of Kuliadunguri could work if they so like. The details of the work are as follows;

Sl. No.	Name of the village	Name of the Project	E/C of Project	Expenditure	Status of the Project
1	Badibahal	Excavation of Jhariabahali Mahabandha at Badibahal	2,00,000/-	1,75,789/-	On going
2	Chandel	Excavation of Munsen Dangar Bandh at Chandel	3,00,000/-	81,320/-	On going
3	Dangariguda	Renovation of Dangariguda Mahabandh at Dangariguda	3,00,000/-	1,54,018/-	On going

As has been explained in paragraph 7(xv) above, the projects mentioned at Sl. 2 above does not provide adequate work for the card holders of Chandel. It is absurd to suggest that card holder from other villages will either be interested or be permitted to work in projects outside the vicinity of their village.

## F. Agriculture, Irrigation Potential and Land Reforms:

Land Reforms and Irrigation are the keys to the growth in agricultural production. In both counts, the district's performances are less than satisfactory.

### ii. Irrigation Potential of Nuapada district during Kharif-2012:

The district has a total irrigation potential of 24.93% of its cultivable area. Detail breakup of the potential has been furnished in the following table;

Sl. No.	Name of the source	Nos. of projects	Area programmed for irrigation in Ha.	% of irrigation
1	Med. I.P	4	16073	24.93
2	Minor I.Ps	30	7224	
3	LIPs (Govt.)	292	5250	
4	LIPs (Pvt.)	69	595	
5	Dug-wells	8375	4187	
6	Bore-wells	1850	3700	
7	Cluster Bore-well	99	990	
8	Farm Pond	1074	222	
9	Others	-	8850	
Total			47091	

The percentage of cultivable land under irrigation cover has remained more or less static for the last 5 years. In the year 2007 and 2008, the percentage of irrigated land was 22.5 and 23.94 respectively.

### iii. Land Reforms:

As would appear from the Gail Omvedt Report, there were 9779 landless families in the district, as on 31.12.2006. At that time 33861.02 acres of wasteland/ ceiling surplus land fit for agricultural purpose was available for settlement in favour of the landless. Besides 1505.37 acres, out of the 7943.92 acres received from donors during the Bhoodan Movement was also available for settlement.

According to the sub collector's report, the survey to identify landless families in the district is yet to be completed. In the three blocks in which the exercise has been completed, 2327 landless families have been identified of whom only 22 have been provided with some land.

LAND LESS PERSON SURVEY REPORT INRESPECT OF NUAPADA DISTRICT											
Sl. No.	Name of the	No. of land less families identified									
		ST	Settled	Balance	SC	Settled	Balance	Others	Settled	Balance	Total
1	Nuapada	Enumeration for this Tahasil is under process									
2	Khariar	211	0	211	166	0	166	332	0	332	709
3	Komna	304	16	288	249	1	248	402	5	397	955
4	Boden	388	0	388	64	0	64	211	0	311	663
5	Sinapali	Enumeration for this Tahasil is under process									
<b>Grand Total</b>		<b>903</b>	<b>16</b>	<b>887</b>	<b>479</b>	<b>1</b>	<b>479</b>	<b>945</b>	<b>5</b>	<b>940</b>	<b>2327</b>

According to another report filed by the Tahasildar, Sinapalli, on 05.04.2012, there were 652 landless families in 111 villages of the Tahasil for which survey work has been completed. 247 of these families belong to ST, 170 to SC and 235 to OBC communities. Survey is yet to be completed for the remaining 14 villages. In Kuliadunguri, from where the alleged starvation deaths were reported, 10 such families were identified.

Nuapada has a total of 1.9 lakh hectares of cultivable land of which only about 50% is under paddy cultivation. There are about 95000 farming families in the district from which it follows that in an average 1 HA of paddy land is available to each farming family. In reality, land available to the vast majority of farming families is much less thanks to its skewed distribution.

The break up of farm families furnished by the DDA are as follows;

1	No. of farm families	65134
2	No. of big farmers	14845
3	No. of SF	32448
4	No. of MF	42321
5	No. of Agriculture Labours	29363

The above figures are not even arithmetically consistent. Besides, by definition, a big farmer holds a minimum of 10 HA of land, a medium farmer 4 HA and a small farmer 1 HA of land. If we accept the figures provided by the DDA, it would follow that between them the big, medium and small farmers hold at least 350182 hectares of land, which is about double the total cultivable land, which is clearly absurd. The state government must compile reliable data on the landholding pattern in Nuapada, which is one of the major pre requisites of land reform in the district.

The sharecroppers are definitely in a disadvantageous position. Even after sharing half of the input cost, they have to share half of the produce with the land owner instead of one fourth, which should have been proper in the given conditions. Compensation for crop loss is being paid to the land owners, without verifying if the land is actually under share cropping. It is time the state government by legislation recognizes the rights of the sharecropper and fixes his share in the produce as also the relief received from the government in case of crop loss.

This is not to suggest in the least that the condition of small and marginal farmers in the district is any better. The average income from a hectare of paddy cultivation minus input cost is about Rs. 10,000/- per year, which is much less than the wages the farmer would earn by wage labour. In recent years many farming families have switched over to maize and cotton cultivation. This may help in augmenting their income but is sure to affect the overall production of paddy in the district, which in turn may strain the PDS.



## **G. SC/ST Welfare:**

### **i. Restoration of alienated land:**

The status of proceedings initiated during the last 3 years for the restoration of alienated ST land is given in the following tables, from which it will appear that the rate of execution of restoration orders has improved over the years. Even so, 28 cases are still pending for physical restoration. It is not known if all cases of land alienation have actually been detected. Though the legislation banning transfer of SC/ST land is more than 50 years old, the process to identify and restore such land to their rightful owners received serious attention only after the Chief Secretary's circular no. 29491 dated 24.07.2009, in which it was stipulated that within 10 months of the issue of the circular, cancellation of all illegal transfers and restoration of the land to their previous owners shall be effected. The process will take at least another year for completion.

#### **Year-2009-10**

	Pending as on 01.04.09	Order for restoration from 1.4.09 to 31.03.10	Total	Physically restored	Balance for restoration as on 31.03.10
No	05	02	07	02	05
Area	Ac. 3.08	Ac. 0.86	Ac. 3.94	Ac. 0.25	Ac. 3.69

#### **Year-2010-11**

	Pending as on 01.04.10	Order for restoration from 1.4.10 to 31.03.11	Total	Physically restored	Balance for restoration as on 31.03.11
No	05	23	28	09	19
Area	Ac. 3.69	Ac. 12.35	Ac. 16.04	Ac. 6.53	Ac. 9.51

#### **Year-2011-12**

	Pending as on 01.04.11	Order for restoration from 1.4.11 to 31.03.12	Total	Physically restored	Balance for restoration as on 31.03.12
No	19	20	39	13	26
Area	Ac. 9.51	Ac. 12.87	Ac. 22.38	Ac. 3.58	Ac. 18.80

#### **Year-2012-13 (as on 26.07.2012)**

	Pending as on 01.04.12	Order for restoration from 1.4.12 to 26.07.12	Total	Physically restored	Balance for restoration as on 26.07.12
No	26	10	36	08	28
Area	Ac. 18.80	Ac. 10.04	Ac. 28.84	Ac. 8.78	Ac. 20.06

### **ii. Provision of Homestead and Agricultural land:**

As would appear from the tables at paragraph D(iii) above, of the 1880 identified ST families in the district only 634 have so far been provided with

homestead land. Likewise, against 1170 identified SC families without homestead only 253 have so far been provided with such land. The survey for identifying landless families in the district is still not over. In the three blocks in which survey has been completed, 903 ST and 479 SC families have been identified as landless. It is a pity that only 17 of them (16 ST and 1 SC) have so far been provided with some land.

### **iii. Status of Implementation of the Forest Right Act:**

10383 families have so far been identified by the Gram Sabha, who are eligible to get pattas over forest land measuring 24435.00 acres in all. The Sub Divisional Level Committee has so far approved 5439 claims and forwarded 4944 claims to the gram sabha for additional information. Of the 5439 claims approved by the SDLC, 5054 claims, involving 13210.67 acres have been cleared by the DLC. Certificate of titles has been issued to all the claimants in respect of land measuring 602.48 acres. Of the 35 community claims approved by the gram sabha, the SDLC has cleared 20. The balance 15 claims have been referred back to the Gram Sabhas. All the 20 claims approved by the SDLC have been cleared by the DLC. But so far certificates of rights have been distributed only in respect of 5 claims. As regards PTG (CBDA Sunabeda) of the 519 claims, 250 have been approved by the Gram Sabha of which 217 were cleared by both the SDLC and DLC. Certificate of titles have been distributed to 204 claimants so far.

Of the 5054 claimants, to whom certificates of title have been distributed, 95 have been awarded housing units under IAY and Mo Kudia Schemes, 157 have been covered under Mo Pokhari, 1675 have been sanctioned funds under MGNREGA for land development.

### **iv. Development of Ashram Schools for SC/ST students:**

There are 47 SSD institutes in Nuapada district (Higher Secondary School 1, High School 04, Girls' High School 01, Ashram School 23, Sevashram School 17 and EMRS 1). There are 36 forty seated girls' hostel and 39 hundred seated Girls' hostels for ST girls. Another 49 hundred seated Girls' hostels are under construction There are 27 ST & SC Boys' Hostels in the district with a capacity for 5677 boys.

The infrastructure available in the above institutions are less than adequate. It appears a review meeting was held at the Directorate level on 10.04.12, to assess the requirement of additional hostel accommodation, up-gradation of Sevashrams to Ashram Schools, and Ashram Schools to High Schools, provision of smokeless Chulla, repairs of hostel buildings, boundary walls, installation of transformers, provision of toilets, construction of staff quarters and additional class rooms. Nuapada district had projected its requirements for;

1. 15 new hostels with a total capacity of about 4000.

2. Up-gradation of 21 Sevashrams and Ashram Schools.
3. Provision of smokeless chulla for 15 schools.
4. Repairs to 43 school and hostel buildings.
6. Construction of boundary wall of 14 girls hostels and raising the height of two other.
7. Installation of transformers in three hostels and charging of transformers.
8. Construction of 762 additional toilets.
9. Construction of 200 additional staff quarters.
10. Construction of 117 more class rooms.

So far, fund (Rs. 135 lakhs) has been released for the construction of 18 quarters and 26 classrooms. At this rate, it will take decades for providing proper infrastructure to residential schools for SC/ST students. Surprisingly not one quarter has been sanctioned for Panchanpur Ashram School.

**v. Investigation of cases under SC/ST (Prevention of Atrocities) Act 1989:**

AS reported by the SP, 9 cases of atrocities were reported in the year 2009, of which in 7 cases charge sheets were submitted. 2 cases ended in FR False. Of the 18 cases registered in 2010, 14 ended in charge sheet and 4 in FR false. Of the 5 cases registered in 2011, 3 ended in charge sheet and 2 in FR false. Of the seven cases registered in 2012, one has been returned in charge sheet. The remaining 6 cases are pending investigation.

As reported by the Collector, during the year 2011-12, a total sum of Rs. 33,000/- has been paid to victims in three cases of atrocities, based on the recommendations of the joint enquiry team.

**vi. Reservation of jobs:**

The district could not furnish the details and percentage of posts to which members of the SC/ST communities have been appointed in recent years on the strength of the Orissa Reservation of Vacancies Act. It was however claimed that DWO Nuapada is a member of all recruitment Boards and DPCs to ensure that vacancies reserved for the SC/ST communities are filled by members of the respective communities only.

**vii. PDS status of residents of Forest villages/habitats:**

The DFO insisted that there are no forest villages in the district. He may not be quite correct. According to information available in the public domain, in the year 2007 there were as many as 52 forest villages within the proposed Sunabeda Tiger Sanctuary area alone. According to a report filed by NGO Basundhara in July 2007, 22 of these villages were about to be displaced. Most forest villages in Orissa were left out from BPL survey 1997, and consequently deprived of PDS cover. It is therefore necessary that an independent survey is

held to verify the claim of the DFO that there are no forest villages in the district.

## **9. Miscellaneous:**

The collection, collation, and maintenance of reliable data is extremely important for the purpose of monitoring the status of implementation of the schemes discussed above. As has been discussed in course of this report, data and documents filed by different wings of the district administration conflicted with each other. In some case, they clashed with data published in the Economic Survey Report for the state. The following few examples will drive home the point.

**i.** In the information sheet furnished by the district administration, the population of the district has been shown as 606490, whereas in the report sheet highlighting the performances of the ICDS, it has been shown as 691568.

**ii.** In the report from the Deputy Director Agriculture, the total land under paddy cultivation in the year 2010-11 has been shown as 94934 hectare, where as in the Economic Survey Report for the same year, the total area under paddy cultivation in the district has been shown as 105000 hectare.

**iii.** In the report received from the DDA the number of big farmers in the district has been shown as 14845, the number of small farmers as 32448 and the number of medium farmers at 42321. A big farmer, according to definition, holds more than 10 hectares of land, the small farmer more than 1 hectare, and a medium farmer more than 4 hectares. These figures cannot be true as the district just does not have as much land. In another report, down loaded from the official website of the district, the number of large farmers has been shown to be 590 and small farmers at 25,770. The number of medium farmers has been shown as 19240.

**iv.** Discrepancies in the estimates of marketable surplus of paddy received from the DAO have already been discussed at paragraph 8.C of this report.

These examples are only illustrative and not exhaustive.

## **10. Summary and Recommendations:**

From the circumstances of the death of Laxman Jagat, discussed at paragraph 5 above and the postmortem report, it is apparent that Laxman died of severe malnutrition. It is also apparent that though taken twice to Sinapalli CHC for treatment, no treatment was provided to him. Laxman did not have a BPL card. His mother, Jamuna was sharing part of the rice, she was drawing on the strength of the BPL card issued to her eldest son, with Laxman and his wife. The supply of PDS rice from the local panchayat outlet was disrupted from July 2011 to November 2011. If Jamuna is to be believed, she had not drawn any rice since March 2011, as the card issued in the name of her son, which she

had deposited in the GP, got lost and was reissued only in October 2011. Actual issue of rice started only after the death of Laxman.

As has been discussed in course of this report, the PEO of Karanbahali panchayat, who was in charge of issuing PDS rice, had been misappropriating stocks by fudging the records. In all, 124 bags of rice, on the process of diversion to the open market by him, was seized in September 2011. A case was registered and he was arrested. Even after the irregularities came to light, the local administration failed to issue either arrear or current dues to the beneficiaries till 27.11.2011, two days after Laxman's death. In the light of the lapses discussed above, the Commission may ask the state government to pay suitable compensation to the bereaved family. The victim was young and has left behind his wife, an infant daughter and an old mother who require support for survival. A compensation of Rs. 3 lakh, to be shared by the wife and the mother in the ratio of 2:1 may be considered appropriate.

**ii.** The death of Durbal Nag on 26.11.2011, as discussed in paragraph 5 (iii) of this report, appears to be the combined result of prolonged illness, which remained untreated till his death, and lack of care and nourishment, compounded by the near total breakdown of the PDS in his village from July 2011 to November 2011. He is survived by his widow, who too requires livelihood support. A monthly Old Age Pension, to which she was eligible even before the death of her husband, should be immediately sanctioned in her favour. The Commission may also consider recommending a lump sum grant of Rs. 50,000/- to her.

Lochani Bewa, who was also deprived of PDS benefits for long 5 months prior to her death, has not left behind any dependant. Her extended family was comparatively better off than the families of the other two victims. Even so, a token sum of Rs. 10,000/- maybe sanctioned in favour of her youngest son Sradhakar, with whose family she spent her last days, if only to uphold her right to food.

**iii.** Such large scale misappropriation of PDS rice by the PEO could not have been possible without the knowledge and connivance of the Sarpanch and the local Supply Inspector. The complicity of the storage agent is also palpable. As has been mentioned in the supervision note of the SDPO, 62 bags of rice, which were shown on paper to have been issued to the PDS outlet on 09.09.2011, were retained in his godown till 22.09.2011. On that day, the same was seized by the police while being transported to Karanbahali by the PEO in an attempt to reequip the shortage of rice seized on the previous day. The Supply Inspector has merely been suspended. No action has been taken against the Sarpanch who has since been unseated in the last Panchayat Election. No action appears to have been taken against the storage agent. The case has been returned in charge sheet. Even at this stage further investigation

and submission of supplementary charge sheet is possible. The superintendent of police of the district may personally supervise the case.

**iv.** It is absolutely improbable that the local BDO was ignorant of the fact that such a large section of beneficiaries were being continuously deprived of PDS rice for long three months. The state government may consider initiating appropriate disciplinary action against him.

**v.** Against 1,27,000 families, 1,50,000 PDS cards are in circulation in the district. This goes to suggest that a large number of ghost cards are in existence. Even so, many deserving families have been left out. The district has so far identified 6824 of them. The number may be higher. The state government, besides identifying and cancelling the bogus cards, and initiating disciplinary proceedings against the public officials responsible for generating such bogus cards, should also identify the families who are still outside PDS cover. The state government may also verify if all the residents of the so called *forest villages*, who were earlier excluded from BPL surveys on the ground that they did not belong to revenue villages, have since been identified and brought under PDS cover. In particular, they should find out if the inhabitants of the areas reserved for the proposed Sunabeda tiger sanctuary have been properly rehabilitated.

**vi.** Performances under the NREGS has been worse than dismal. According to reports received from the district, in the year 2011-12, 1112218 person days of work has been generated for 114868 registered households, which would mean that in an average, less than 10 days of work was generated for every registered family. The administration attempts to camouflage its failure by maintaining that only 27224 of these families had demanded work, suggesting thereby that approximately 41 days work was provided to each of the household that demanded work.

For the financial year 2012-13, against 115512 job cards, 684462 person days of work i.e. at the rate of 6 days work, against each registered family, has so far been generated.

During my field visits, I had enquired of the job card holders why they have not been demanding work. Most of them replied that they are more than willing to work but how could they demand for any work when no project is launched in their neighborhood.

As has been mentioned in course of this report, thousands of families from Nuapada migrate to Chhattisgarh, Andhra Pradesh, Gujarat and other states in search of work every year. Most of them take their families and minor children with them. The work environment in brick kilns and other sites are miserable to say the least. Many of them contract deadly diseases like TB, AIDs in their work places and return home to die. It is difficult to digest the argument that they spurn employment under the NREGS and prefer to work away from homes in such despicable environment. The truth is that the government is unable to

generate adequate work required for providing 100 days work for all registered families. The Commission may insist that the government pays compensatory allowances to all the registered families, who, though willing, were not provided work or were provided work in short of 100 days, as is provided in section 7 of the Act.

Section 4 of the Act on the one hand, requires that the state government should by notification make a scheme for providing not less than one hundred days of guaranteed employment in a financial year to every rural household but on the other links the scheme to the submission of applications by the adult members of the households volunteering to provide unskilled manual work. It should only be fair to prepare the scheme with the assumption that all rural households who have applied and obtained job cards are willing to work. The projects proposed to be implemented in a particular area should be widely announced to the card holders calling for their willingness.

The actual implementation of the scheme may however be linked to the number of card holders volunteering to work. It may be appreciated that most cardholders, particularly in the backward areas, do not have the awareness to comprehend the nuances of the Scheme. In a situation where many of them consider that benefits granted to them under various welfare schemes are charities available only at the pleasure of public officials and intermediaries, it is unkind to expect that they are capable of *demanding and getting work under NREGS as a matter of right*.

**vii.** The state government does not appear to be serious about land reforms. As explained at paragraph 8.F(iii), and paragraph 9 of this report, the district administration does not have reliable data/information regarding the break up of farming families coming under the categories of big, medium, small and marginal farmers and the extent of land held by the respective categories of farmers.

As estimated by the Department of Revenue, there were 9779 landless families in the district as on 31.12.2006. 33861.02 acres of waste land/ceiling surplus land, fit for cultivation, was available in the district at the time. 1505.37 acres of land donated during the Bhoodan Movement was also available for distribution.

In the present round of survey, so far 2977 landless families have been identified. The number may be much higher. If the DDA is to be believed, there are about 30000 agricultural labourers in the district. Presuming that each of the landless family contributes two/three farm labourers, the number of landless families should be anything between 10000 to 15000.

The state government, besides ensuring the early completion of the survey, may start distributing the ceiling surplus land to landless households, already identified as such. The state government should also ensure that homestead land be immediately provided to the homestead less families of the district. It

is a pity that after 65 years of independence, about 3% of the district's total households are still going without homestead land. As has been discussed in course of this report, in many cases, beneficiaries who have been given *pattas* over homestead plots in the past, are yet to get possession of the same. Physical possession must be handed over to them after identification and demarcation of these plots on ground.

**viii.** The sharecroppers are definitely in a disadvantageous position. Even after sharing half of the input cost, they have to share half of the produce with the landowner, instead of one fourth, which should have been proper in the given conditions. Compensation for crop loss is being paid to the landowners without verifying if the land is actually under sharecropping. It is time the state government, by legislation, recognizes the rights of the sharecropper and fixes his share in the produce as also the relief received from the government in case of crop loss.

**ix.** The state government must do more to increase irrigation potential of the district, which has remained more or less static for the last few years.

**x.** The posts of MOs, now lying vacant in the district should be filled up early. Disciplinary action must be initiated against those MOs who have deserted their posts/failed to join their posts. Immediate action should be taken for the construction/hiring of suitable accommodation for the 40 sub centres, which have no accommodation at present. Stern action should be taken against MOs and paramedical staff responsible for compelling patients to purchase medicine from private chemists even when medicines are available in the stock. Likewise, those responsible for sending patients to private clinics for tests, when laboratories and LTs are available in the hospitals, should be severely dealt with.

The state government's response to the problem of Fluorosis has been largely confined to the sealing of tube wells discharging fluoride rich water. Constant monitoring of water quality, creation of awareness in the public about the dreadful consequences of Fluorosis, and providing alternative source of drinking water should help in saving the residents of the affected habitations (According to one estimate, there are about 400 of such habitations in Nuapada districts) from the scourge of Fluorosis. Harvesting of rain water as an alternative source of drinking water is one of the measures towards this end.

**xi.** The Collector pleaded that gaping vacancies in the ranks of officers and field workers has been affecting the quality of supervision over the working of various welfare and development schemes in the district. In support of his claim he produced a copy of his letter no. 889 dated 23.08.2011, addressed to the Secretary, State Election Commission in which he has informed that 4 of the 5 sanctioned posts of BDO, 3 of the 5 sanctioned posts of ABDO, 2 of the 5 GPEO and 11 of the 109 sanctioned posts of panchayat executive officers were



lying vacant, at the time of the writing of the letter. Both the posts of BDO and ABDO Sinapalli Block, (from where the alleged starvation deaths were reported) were lying vacant. The vacancy in the rank of PEOs has worsened to 15 in the intervening months. The state government must ensure that vacancies in the supervising ranks are filled up on priority basis.

**xii.** The state government must make conscious efforts for removing middlemen from the operation of various welfare schemes, particularly the grant of pension, one time grant under the NFBS, homestead land and housing units under IAY and Mo Kudia schemes. The allegations against Motilal Nihal, Bhajan Jagat & Khiradhar Sethi, regarding misappropriation of part of the benefits granted to Laxman's widow should be investigated by a supervising officer not below the rank of a Dy. SP.

**xiii.** Appropriate disciplinary action should be initiated against the JEE of Komna Block for failing to supervise the construction of the two new class rooms in Kusudahana primary school. The concerned contractor should also be penalized for the lapse.

**xiv.** Supervision over NCLP schools should improve.

**xv.** The allegations regarding the running of illicit distilleries in the vicinity of Kuliadunguri should be verified by the district administration. If found true, the *bhattis* should be dismantled, followed by criminal proceedings against the bootleggers.

**xvi.** The claims of the 116 persons of village Kuliadunguri, Karanbahali and Gambhariguda listed at **Annexure - XI** to this report, for pension should be verified and pension granted to them, if they are found otherwise eligible.

**xvii.** The state government must place required funds with the Collector for the rehabilitation of the released bonded labourers who are still awaiting such rehabilitation, including the 190 released between Jan-June 2012.

**xviii.** There is a strong case for enhancement of the monthly stipend for boarders in SC/ST hostels to Rs.1000/-.

**xix.** The state government may review the syllabus and teaching methodology for instructions to primary school children in the English language.

**xx.** Chaita Majhi, Debananda Majhi and others like them, who have worked in the Chandel Excavation project should be paid their arrear wages immediately. They should also be paid for work they were made to perform on Sundays. Action should be initiated against the contractor who made 9 persons from Chandel, including Chaita and Debananda to work for 7 days on Dangariguda-Chandel road without wages. Persons forcibly grabbing work under IAP, should be disqualified from bidding for the work.

**xxi.** The proposal for opening seasonal hostels for children of migrant labourers may be cleared at the earliest.

**xxii.** Individual grievances listed at paragraph 7 of this report should be verified for providing appropriate redress. In particular, allegations against panchayat functionaries for demanding bribe from potential beneficiaries of various welfare programmes should be looked into.

**xxiii.** Nuapada is part of the KBK region of Odisha. The Commission has been monitoring the implementation of the Revised Long Term Action Plan, devised by it for the development of the region, in their case files nos. 504/18/2004-05-FC, LF-542/18/2004-05 & 37/3/97-LD. As directed by the Commission, I had reviewed the status of implementation of the RLTA in nearby Nabarangpur district in June & July 2009. The Commission has also reviewed the status of various services like Health Care, Education, custodial justice, PDS and the welfare of SC/ST communities in Kalahandi (another KBK district) in a workshop organized by it at Bhabanipatna on 26<sup>th</sup> February 2010. I have submitted a comprehensive report on the status of implementation of the recommendations formulated on the basis of the deliberation in the workshop, to the Commission in my memo no. DS/ Spl. Rptr. / NHRC - 01/07-12 dated 01.07.2012.

As directed by the Commission, I had met the Chief Secretary and other senior officers of the state government on 10.10.2011 at the State Secretariat to identify programmes, which could be taken up on priority basis for amelioration of the conditions of people living in KBK district.

On 01.12.2011, I had another meeting in the State Secretariat with the Principal Secretaries of the Departments of Agriculture, Health & Family Welfare, School & Mass Education, Food Supplies & Consumer Welfare, Women & Child Development, and the Officer on Special Duty Department of Planning and Coordination. The Development Commissioner of the state, Sri R.N. Senapati, presided over the meeting. After prolonged discussions, it was agreed to focus attention on the following key areas of human development, for monitoring and preparation of periodical compliance reports.

- i. Social Security Schemes including the PDS
- ii. Health Services
- iii. School and Mass Education
- iv. Agriculture
- v. SC/ST Development
- vi. Employment Generation

Based on the discussions in the above meeting, I had submitted a detail report to the Commission in my memo DS/Spl. Rptr./NHRC-03/12-11 dated 16.12.2011 outlining the status of ongoing programmes/activities in the above fields and steps required to be taken in the further for the improvement of

these services. These recommendations are reproduced below for ready reference.

**Social Security Schemes including the PDS:**

*It was decided that without waiting for the completion of the ongoing BPL survey, PDS cards should be issued to all identified poor families of KBK districts, (including those residing in forest villages/ hamlets), left out from the households lists prepared in 1997, within the next six months.*

*ii. Additional mini anganwadis should be opened to cover the beneficiaries residing in all outlying villages/ hamlets, especially those located in forest areas. The requirement of such anganwadis should be assessed and proposal for their opening submitted to Government of India early.*

*iii. Awareness campaigns shall be taken up for informing the people regarding the various social welfare schemes launched by the state and the central government, and their entitlements to the benefits included in these schemes. The AWCs should be entrusted with the task of coordination between the block office and the beneficiaries in regard to the entitlement of NFBS benefits.*

**Health Services:**

*Besides increasing the number of seats in the existing government medical colleges, action should also be initiated for opening three government medical colleges in the KBK districts (At present there is not a single medical college in the region). One of these three proposed colleges may be opened at Koraput under the Central University. The other two may be opened at Kalahandi and Balangir respectively. It was also agreed that the NHRC may be requested to make an appropriate recommendation in this regard to Government of India for required financial assistance.*

*ii. A list of all sanctioned PHCs and Health Sub Centres in KBK districts which have no accommodation (departmental or hired) should be immediately drawn up and necessary proposals initiated for construction/ hire of such accommodation within a definite time frame.*

*iii. Construction and repairs of staff quarters for MOs and the paramedical staff should receive immediate attention. Adequate funds for the purpose may be provided in the next budget (for the year 2012-13).*

*iv. For the optimum utilization of the MHUs it is necessary that road and telecommunication links should be extended to the interior areas of KBK districts. The state government has already requested BSNL for erecting additional Towers in the area.*

**Education:**

*To improve literacy rates, the government has taken up a programme named Sakhar Bharat. The programme has already been launched in two*

of the eight KBK districts i.e. Kalahandi and Balangir. The Secretary, School Education has promised to extend the programme to the remaining six districts within the next three months.

ii. The Secretary also informed that the state government has already appointed 20,000 additional teachers and is about to recruit 17000 more teachers soon. 5000 of these teachers are earmarked for the KBK districts. She promised that all single teacher schools in KBK districts will be provided with at least one additional teacher within the next three months. It was agreed that while filling up the vacant posts schools in the remote areas should be given the first priority.

iii. The secretary informed that school SIs have already been relieved of other duties in the Block Office to concentrate on School Inspection. They should now concentrate on their basic duty. While inspecting schools, they should interact extensively with the students and the teachers to verify the quality of instructions being imparted, and the capacity of the students to understand and absorb the same. They should be able to identify what additional attention a student or a group of students would require, and leave written instructions to that effect, for periodically monitoring if these instructions have been complied with and the intended result has been achieved.

iv. She also informed that training programmes for SMC (School management committee) members have been launched to sensitize them to their duties and responsibilities.

v. The issue of attendance of children in schools is inextricably linked with the socio-economic status of their parents. It is therefore imperative that to improve attendance and for reducing dropout rates, utmost attention should be given to the economic development of the area. Employment generation in the neighborhood, as suggested at paragraph F below, will help in discouraging seasonal migration to neighboring states. This will improve the school attendance rates of their children, who would otherwise have migrated with them.

#### **Agriculture:**

The issues relating to land reforms in the area should be seriously addressed. Information should be collected regarding the present status of ceiling surplus land, land received in course of the Bhoodan movements, and wasteland available with the government (More than 60% of the total land in the region is government land), so that the same could be distributed to the landless.

ii. Irrigation potential in the KBK districts must be enhanced. The Suktel project in Balangir should be completed without further delay. In districts like Nabarangpur, where further scope of harnessing surface water is

limited, lift irrigation projects should be taken up.

### **SC/ST Welfare:**

Land Reforms and enhancement of Irrigation potential, suggested at paragraph - D above will benefit all communities including those belonging to the SC/ST.

The following additional programmes may be taken up for improving the conditions of the SC/ST communities.

i. The Forest Right Act must be effectively implemented individual as well as community rights, as guaranteed in the Act must be quickly reached to the beneficiaries. The entitlement of other communities including those belonging to the Scheduled Castes to the rights guaranteed in the Act should also be examined.

ii. Families residing in forest villages/hamlets should be quickly identified. District wise lists of such families shall be drawn up and the benefits of various welfare schemes including the PDS reached to them.

iii. The number of residential schools and hostels for SC/ST students must increase. Emphasis should be given for tribal female literacy.

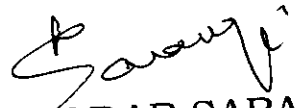
iv. Restoration of alienated SC/ST land should be expedited.

v. In the matter of public appointments, the provision of the Odisha Reservation of Vacancies in Posts and Services (for Scheduled Castes and Scheduled Tribes) Act 1975 should be strictly complied with.

### **Employment Generation:**

Land reforms and augmentation of the irrigation potential in the area will help in the generation of employment in the agricultural sector. The implementation of the NREGS should be closely monitored. Families demanding employment under the scheme and not getting 100 days work in a year, should be given proportionate unemployment allowance as guaranteed in the Act. Micro plans for the villages which are prone to migration, should be prepared for providing employment nearer home with a view to discouraging migration.

The Commission may separately call for the present status of implementation of these recommendations.

  
28.08.2012  
DAMODAR SARANGI