

ଓଡ଼ିଶା ମାନବ ଅଧିକାର ଆୟୋଗ
Odisha Human Rights Commission
Bhubaneswar, Odisha

ବାର୍ଷିକ ବିବରଣୀ
ANNUAL REPORT
2010 - 11



ଓଡ଼ିଶା ମାନବ ଅଧିକାର ଆୟୋଗ
Odisha Human Rights Commission
Bhubaneswar, Odisha

**CONTENTS**

1. CHAPTER - 1	1
Introduction	
2. CHAPTER - 2	3
Organogram	
3. CHAPTER - 3	4
Registration & disposal of Cases	
4. CHAPTER - 4	4
Orders issued by the Commission in illustrative cases	
5. CHAPTER - 5	25
Compensation / relief awarded to victims	
6. CHAPTER - 6	26
Commission observes World Human Rights Day	
7. CHAPTER - 7	29
Orissa Human Rights Commission Award	
8. CHAPTER - 8	33
Information, Education & Communication (IEC) Activities	
9. CHAPTER - 9	40
Recommendations made by OHRC	
10. CHAPTER - 10	45
Budget & Finances of Orissa Human Rights Commission	
11. CHAPTER - 11	46
Right to Information Act 2005	
ANNEXURE - I	47
Staffing Pattern of Human Rights Commission	
ANNEXURE - II	47
Classification of cases filed during 2010-11	
ANNEXURE - III	48
Classification of cases filed Suo-motu during 2010-11	
ANNEXURE - IV	48
Classification of cases entertained during 2010-11.	
ANNEXURE - V	49
Statement showing unit wise provision made under Demand No. 4-2014 - Non-Plan	
ANNEXURE - VI	50
Statement showing unit wise provision made under Demand No. 4 - 2014 - State Plan	



CHAPTER - I

Introduction

1. The Orissa Human Rights Commission (OHRC) constituted under Sub-Section (1) (2) & (4) of Section 21 of the Protection of Human Rights Act, 1993 in its eighth year of existence sustained its sincere efforts for proper implementation and enforcement of the Protection of Human Rights Act, 1993 in the state. With Commission's intervention, proactive steps have been taken by Government in various areas. A foolproof procedure has been evolved by the State Government to mitigate starvation death. A detailed scheme has been prepared by the Health Department for medical treatment of the destitute and indigent persons. A clear policy guideline has been evolved as regards rehabilitation of AIDS affected persons and all assistance under Madhusudan Pension Yojana, and various other welfare schemes have been extended to them. Ragging in colleges has been minimized. A policy guideline has been framed by Government in Industries Department and instructions have been given to all the Technical Colleges for prevention of ragging.
2. While Justice Shri Radhakrishna Patra continued as the Chairperson O.H.R.C. during the year under report, Dr. R.N. Bohidar continued as the Member. Shri Biswajit Mishra, IAS and Shri Chittaranjan Mohapatra, OSJS, functioned as the Secretary to the Commission & Registrar respectively.
3. During the year 2010-11, the State Commission continued its efforts to sensitize the people about the provisions of the Protection of Human Rights Act, 1993 and other regulations by organizing different workshops and seminars in many districts of the State through different NGOs and public institutions.
4. Commission observed the World Human Rights Day on the 10th December, 2010 under the stewardship of its Chairperson, Hon'ble Shri Justice R.K. Patra. Hon'ble Chief Minister Shri Naveen Patnaik was the Chief Guest who inaugurated the function and presented the Human Rights Award to four persons from different parts of the state for their outstanding contribution to the cause of Human Rights. A workshop was organized on the occasion in which professor and Law students of various Law Colleges participated and interacted with the Chairperson and the Member of OHRC on various aspects and issues related to Protection of Human Rights.
5. In comparison to the previous years, there was a spurt of increase in the registration of cases concerning violation of human rights. Against the receipt of 1905 cases in 2009-10, 2421 no. of cases were received during the period under report.
6. On various topical issues - The State Commission sent recommendations to the State Government for better appreciation of the issues concerning the welfare of society as a whole and for better implementation of the Protection of Human Rights Act, 1993 in the State. An illustrative list of such recommendations is indicated in this report at Chapter - 9.



7. As mandated u/s 18 (a) of the Protection of Human Rights Act, 1993, the Commission recommended compensation/relief to the victims or members on his/her behalf, the details of which during 2010-11 are indicated at Annexure-V.
8. CMS Package - During the year 2009-10, the official portal of OHRC (www.ohrc.ori.nic.in) was developed and hosted. It was further felt necessary to computerize the basic data regarding institution, progress & disposal of the cases from inception of the Commission,

which would facilitate storing of information in a structured manner, minimize duplication in the registration of cases, reduction of paper work, retrieval of information, transparency of actions, removal of redundancies, printing of orders, automated reminders, inbuilt case file tracking system etc. For the same in the month of July, 2010 CMS (Complaint Management System) package in line with NHRC was installed at OHRC in collaboration with & expert guidance and advice from training experts of NHRC.



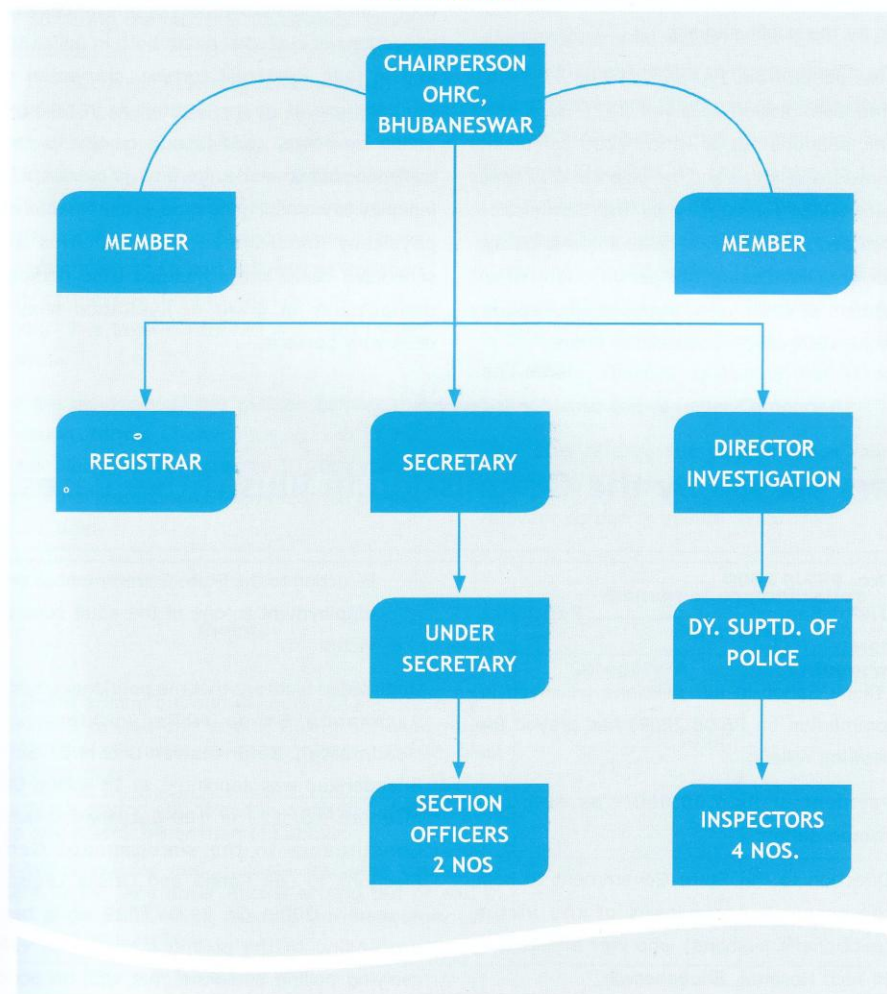
CHAPTER - 2

COMPOSITION OF THE COMMISSION 2010-11

		Date of Joining	Date of retirement
Justice R.K. Patra	Chairperson	02.01.2008	Continuing
Dr. R.N. Bohidar	Member	17.11.2008	Continuing

The staffing pattern of the State Human Rights Commission during the period under report is furnished in the Annexure-1.

ORGANOGRAM





CHAPTER - 3 REGISTRATION AND DISPOSAL OF CASES

Since its inception, the Commission has been receiving complaints alleging violation of human rights from all districts on a variety of subjects. Besides, newspaper reports published in leading newspapers are being scrutinized on regular basis and the Commission has been enquiring suo-motu of reports which prima facie disclose violation of human rights or negligence in the prevention of such violation by the public servant.

During the period from 1st April 2010 till 31st March 2011, the Commission received 2421 number of complaint petitions out of which 1209 complaints were dismissed in limine and the balance 1212 cases were entertained for enquiry by the Commission, which included 118 number of cases entertained suo-motu for enquiry. During the period under report 685 numbers of cases were disposed after enquiry besides the 1209 cases dismissed in limine.

The statement indicating subject-wise classification of cases filed during 2010-11 is furnished in Annexure-II. Suo-motu cases filed during the period under report is furnished vide Annexure-III. Classification of cases entertained during 2010-11 is furnished in Annexure-IV.

Complaints in which Commission has taken cognizance related to variety of grievances including allegations of custodial death both in police stations and in jails, custodial torture, starvation death, arbitrary use of power and failure in taking lawful action by police, child labour, cruelty to children, trafficking in human beings, environmental pollution, indignity to women, gang rape, discrimination against physically handicapped, discrimination against scheduled caste and scheduled tribe persons and denial/delay in grant of livelihood support to deserving persons.

CHAPTER - 4

Orders passed by the Commission in illustrative cases.

Case No. 987 / 2009**Smt. Tikina Sahoo Petitioner**
3rd March, 2011

Smt. Tikina Sahoo in her petitione (received in the Commission on 06.08.2009) has prayed for the following reliefs:

- i. Payment of Rs.5,00,000/- as ex-gratia compensation.
- ii. Direction to the State Government to bear the treatment expenses of the victim (petitioner's husband) who was admitted in Hi-Tech Hospital, Bhubaneswar.

- iii. Direction to the State Government to provide employment to one of the adult sons of the victim.

Undisputed facts are that the petitioner's husband Rasananda Sahoo while working as the Headmaster, Balunkeswar U.G.M.E. School, Bhandarikud was appointed as 1st Polling Officer in Booth No. 123 of 109-Satyabadi Assembly Constituency in the simultaneous General Elections to Lok Sabha and Orissa Legislative Assembly, 2009. On 21.04.2009 while he was proceeding to the polling station, the vehicle carrying polling personnel met with an accident



in which he was severely injured and hospitalized. Since then he had been lying in a state of coma and expired on 06.10.2009 in his house.

Relying on Government of Orissa, Home (Election) Department Order No. VII(E) 08/2009 – 3760/Elec. Dated 06.04.2009 the petitioner claims ex-gratia compensation of Rs. 5,00,000.00.

On being noticed the Chief Electoral Officer and ex-officio Commissioner-cum-Secretary to Government, Home (Election) Department in Letter No. 9548/Elec. dated 20.11.2009 submitted factual report admitting the fact that Rasananda Sahoo, was appointed as 1st Polling Officer in Booth No. 123 of 109-Satyabadi Assembly Constituency in the simultaneous General Elections to Lok Sabha and the Orissa Legislative Assembly, 2009 and while he was proceeding to the booth by a pick-up van, the vehicle met with an accident at Biranarasinghpur on 21.04.2009 and he sustained injuries. Taking into consideration the report and recommendation of District Election Officer, Puri a sum of Rs. 1,00,000/- has been sanctioned and paid to the petitioner.

During the pendency of this petition before the Commission, Nirmal Chandra Sahoo, son of the petitioner filed a petition dated 19.10.2009 stating that his father Rasananda Sahoo breathed his last on 06.10.2009.

Further two reports vide letter no. 3023/Elec dated 06.07.2010 and letter no. 5837 dated 21.10.2010 have been received from the Chief Electoral Officer. In the last letter the Chief Electoral Officer has enclosed a copy of the petition dated 31.10.2010 submitted by the petitioner to the Deputy Collector, Election, Puri.

Government of Odisha in Home (Election) Department Order no. VII(E)- 08/2009- 3760/Elec dated 06.04.2009 has decided for payment of ex-gratia compensation to the families of person on election duty who die or to the personnel who sustain injuries leading to incapacitation whether by accident or any other means arising out of and in course of election duty during simultaneous General Elections to Lok Sabha and Orissa Legislative Assembly, 2009. All the election related personnel have been divided into two categories: Category A and Category B. Category – B consists of Central Police Force and Category – A consists of polling and counting personnel, Micro-observers and others. There is no dispute that Rasananda Sahoo's case comes under Category-A.

The rates of ex-gratia compensation has been prescribed as per the scales given below. Its relevant portion is quoted hereunder:

Events	Amount of compensation (Rs in Lakh)	
	Category-A	Category-B
1. On death arising out and in course of election duty, if the death is caused due to any violent act of extremist or antisocial elements in road mines, bomb blast armed attacks etc.	10.00	5.00
2. On death arising out of and in course of election duty due to any reason other than (1) above.	5.00	2.50
6. Grievous injuries and multiple fractures caused by accident or by any other means arising out of and in course of election duty leading to temporary and prolonged incapacitation.	1.00	0.50



The petitioner has been paid Rs.1,00,000/- as per Col. 6 above. At the time of the said payment, Rasananda Sahoo was alive.

The petitioner in her petition states that from the date of accident her husband was lying in the state of coma. In her petition dated 31.10.2010 addressed to the Dy. Collector, Election Puri (Annex – 2 to the letter of CEO dated 21.10.2010) she states that her husband was referred to the SCB Medical College and Hospital, Cuttack and continued there as indoor patient and since there was no improvement, he was admitted in Hi-Tech Medical College and Hospital, Bhubaneswar and he continued there in coma stage. As the family had no money to incur medical expenses further, he had to be brought back home on 28.08.2009 in coma stage and remained as such till his death on 06.10.2009.

In the enquiry report dated 19.09.2009 the Project Director, DRDA, Puri (Annex-2 of the petition of Nirmal Chandra Sahoo) has stated that physically Rasananda Sahoo was lying unconscious on the bed. He had bed sores on his body and was surviving on nasal feedings. He could not appear before the District Medical Board due to the fact that he had undergone operation and was in immovable condition.

The Chief Electoral Officer in letter no. 3023/Elec dated 06.07.2010 has stated as follows:

"..... It can not be established if the death had occurred due to lack of medical treatment as the patient was discharged on request though definitely there is casual connection between multiple injuries and election duty in the instant case"

The Commission is of the view that it is wholly immaterial as to whether the patient was discharged on request. It is also irrelevant as to whether he died in his home or would have died in the hospital. The fact however remains undisputed that he continued to be in coma stage right from the day of accident till his death.

Considering all the facts stated aforesaid, the Commission has no hesitation to hold that Rasananda Sahoo met with vehicular accident while he was going on election duty and his death arose out of and in course of election duty. The accident and its consequences resulting in the death are so connected that they are not too remote but are proximate. Therefore, taking his case out of para – 2 of the said

Govt. order amounts to deprivation of the legitimate entitlement of ex-gratia compensation. The Commission accordingly holds that Rasananda Sahoo's case is squarely covered under para-2 of the Government order and his next of kins are entitled to receive ex-gratia compensation of rupees five lakh as prescribed in para-2 of the Government order.

In view of what has been stated above, the Commission hereby calls upon the Chief Electoral Office and Ex-Officio Principal Secretary to Government, Home (Election) Department to pay the balance amount of Rs. 4,00,000/- to the next of kins of the deceased Rasananda Sahoo under para-2 of the Government order mentioned above.

The petitioner has also prayed for direction to the State Government to bear the expenses for the treatment of her husband in the Hi-Tech Medical College. The injuries and ultimate death of Rasananda Sahoo were caused by accident when he was in course of election duty. The accident was not voluntary. He was a Government servant. Therefore, the Department has to bear the medical expenses incurred by the family for the treatment in the Hi-Tech Medical College on production of proof of treatment expenses. The Government shall on examination of documents pay the admissible dues.

The last prayer of the petitioner is to provide employment to the dependant of the deceased Rasananda Sahoo. If any such application is made under the Rehabilitation Assistance Scheme, the appropriate authority shall consider the same who shall communicate its decision to the applicant within four months of receipt of the application.

Compliance by Public Authorities

In compliance to the order of the Commission dated 03.03.2011, a report has been received from the Chief Electoral Officer & Ex-Officio Principal Secretary to Government, Home (Election) Department vide his letter No. 2964/Elec dated 29-3-2011. It is stated in the report that the balance amount of Rs. 4,00,000/- has been sanctioned and disbursed to the next of kin of late Rasananda Sahoo on 26.03.2011. It is further stated that the School & Mass Education Department (the Administrative Department) has been requested for taking appropriate action in the matter of the medical reimbursement and employment to the dependant of the deceased Rasananda Sahoo.

**Case No. 1128/2009**

P.Purusottam of village Palur under the Golanthara PS of Ganjam district in his petition dated 01.09.2009 alleged that his wife P.Devi (32) died due to wrong surgical operation of her rectum by the treating surgeon.

On being noticed, a joint enquiry report was sent by the Superintendent, MKCG Medical College & Hospital, Berhampur vide his letter No. 14510 dated 17.12.2009. On perusal of the report, the Commission vide its order dated 05.01.2010 observed that it was inconclusive about the exact cause of death that occurred following a simple and common operation like Tubectomy and does not clearly indicate if there was any negligence on the part of the surgeon.

In compliance, the State Government in the Health & Family Welfare Department vide its letter No. 7663/H dated 26.03.2010 submitted a report in which it was opined that the injury caused to the deceased was accidental during the surgical procedure of Tubectomy operation which later aggravated. Probably the surgeon could not have noticed the injury during the surgical procedure of Tubectomy operation which later aggravated. Probably the surgeon could not have noticed the injury during the surgical procedure and negligence as such cannot be attributed. It was also stated that, though the death of the victim was quite painful and mind blowing, with all efforts and expert treatment in the Medical College she was kept alive for 106 days after the sterilization operation and steps should be taken to provide her death compensation from the Insurance Company, ICICI Lombard in this case.

In the subsequent reports, the State Government, However, stated that as per the insurance scheme the victim is insured for Rs.2 lakhs in case of death following sterilization within seven days from the date of discharge and, therefore, the Insurance Company has declined the claim. It is further

reported that the Directorate of Family Welfare, Orissa requested the Government of India to issue necessary direction to the Insurance Company (ICICI Lombard) to settle the death claim of the victim, but the Government of India agreed with the decision of the concerned Insurance Company and intimated that the death claim cannot be considered.

On perusal of the recommendation of the Directorate of Family Welfare made to the Insurance Company, it is seen that if all major steps of treatment had not been provided to the victim in time, she must have died within two or three days from the date of her Tubectomy operation and the very fact that she survived for 106 days should not be held against her in getting the compensation.

The Commission agrees with this contention of the Directorate of Family Welfare and feels that the case of the victim from human rights point of view does not become less deserving for the very fact that death occurred after 106 days and not within seven days.

Notwithstanding the fact that negligence on the part of the treating surgeon has not been established, in view of the very fact that the victim lost her life by consenting to undergo a highly promoted family planning programme of the State Government, the Commission hereby awards a compensation of Rs.1,00,000/- (one lakh) in favour of the victim under section 18 (a)(i) of the Protection of Human Rights Act, 1993. The amount should be drawn and paid to the next of kin of the deceased within six weeks of receipt of this order.

Compliance by Public Authorities

In compliance to the order of the Commission, the Special Secretary to Government (Technical), Health & Family Welfare Department vide his letter No. 12147/H dated 04.06.2011 has reported that the compensation amount of Rs. 1,00,000/- has been paid to the legal heirs of the deceased P.Devi.

**Case No. 1620/2009**

The facts of this case speak about negligence of police at Khandagiri Chhak in apprehending an offending Tata-Sumo vehicle which dashed against the motor cycle resulting in the death of Durga Prasad Sahu, a student of Arya School of Management, Aiginia, Bhubaneswar. As a result of failure to trace the offending vehicle as well as its driver the deceased boy is deprived of the right to claim compensation.

Pursuant to the Commission's order, the IIC, Khandagiri PS appeared before the Commission on 17.12.2009 and submitted a factual report narrating the incident that took place on 25.11.2009 at 12.45 p.m. This relates to Khandagiri p.s. case no. 407 dated 25.11.2009 under sections 279/337/338/304(A) IPC.

There is no doubt that at about 12.15 p.m. of the date of occurrence, Traffic Constable 1799 Kali Charan Hansada, Traffic Constable 1840 Sobhgya Gumun and Home Guard 241 Sudhir Parida were on traffic duty at Khandagiri traffic post. At that time, Durga Prasad Sahu (son of Krishna Ch. Sahu) and Debasis Jena students of Arya School of Management were proceeding from Baramunda towards Aiginia side on a Hero Honda Motor Cycle bearing Regn. NO. OR.02.AV. 3324. During passing of vehicular traffic, one Tata-Sumo (white colour) came from same direction and dashed against the back side of Motor cycle as a result of which both the rider and a pillion rider fell down on the NH-5 road along with the Motor Cycle. The Tata-Sumo speedily drove away and its registration number could not be noticed. Traffic Constable C/1840 Sobhagya Gumun chased the Tata-Sumo by availing auto rickshaw upto Talkheta Chhak but failed to ascertain the number of the Tata-Sumo. The other Constable and Home-Guard with the help of local people and passers-by sent both the injured persons to Sum Hospital for treatment.

Injured Durga Prasad Sahu was shifted to Capital Hospital and the Medical Officer of the Capital Hospital declared him received dead.

Soon after the occurrence, VHF intimation was sent to Khurda p.s., Jatani p.s. and Janla Out-post to trace the offending vehicle; but it yielded no result.

The investigation conducted so far has failed to locate the offending vehicle. From the response received so far, the Commission is unable to see that further investigation would yield any fruitful result.

It is surprising to find that the Constables and Home-Guard who were on traffic duty at the time of occurrence failed to note the number of the offending vehicle. It is also equally astonishing the endeavour of Constable to chase a speeding Tata-Sumo vehicle in auto rickshaw. Be that as it may, the facts are tell-telling exhibiting negligence of the police in apprehending the offending vehicle which caused accident leading to the death of a student.

The Commission by giving anxious consideration is of the opinion that the parents of the deceased boy Durga Prasad Sahu should be compensated under section 18 (a)(i) of the Protection of Human Rights Act, 1993 which is determined at Rs. 1,00,000/-. This is due to negligence of the police in apprehending the offending driver and the vehicle. The parents of the deceased boy could have got compensation under law from the owner or the insurer of the offending vehicle but it is practically not possible for the reasons indicated above.

A copy of this order be communicated to the Principal Secretary to Government, Home Department requesting him to take necessary steps for payment of compensation of Rs. 1,00,000/- to the next of kin of the deceased within six weeks and report compliance.



Compliance by the Public Authority

In compliance to the order of the Commission, the State Government in the Home Department vide its letter No. 52716 dated 23.11.2010 have confirmed disbursement of compensation amount

of Rs. 1,00,000/- to the next of kin of the deceased Durga Prasad Sahoo of Arya School of Management and IT, Khandagiri and have enclosed a copy of the stamped money receipt as proof of payment in this regard.

Case No. 1365/2010

WT message dated 04.08.2010 received from the Senior Superintendent, Circle Jail, Choudwar disclosed that an UTP named Madan Kalundia, who was lodged in Jajpur Road Sub-Jail and was sent to SCB Medical College & Hospital, Cuttack for treatment expired on 04.08.2010.

As it was a case of custodial death, the Commission in its order dated 23.08.2010 took cognizance of the matter suo-motu calling upon the IG of Prisons & DCS, Orissa to submit a detailed factual report in the matter.

In compliance, the IG of Prisons & DCS, Orissa submitted a report vide his letter No. 24378 dated 06.09.2010. It was stated in the report that the UTP Madan Kalundia (29) was admitted in Jajpur Road Sub-Jail on 15.09.2009. According to his treatment record, he was sent to District Headquarters Hospital, Jajpur on 15.05.2010 for treatment of mental depression and returned back to the jail on the same day when his condition improved. Due to his mental illness, he was shifted to Circle Jail, Choudwar on 26.07.2010 and was treated by the Psychiatric Specialist of Choudwar Jail Hospital. On 03.08.2010 at about 11 a.m. the said UTP fell down and sustained trauma on the back of his head and complained of mild dizziness. He was referred to SCB Medical College & Hospital, Cuttack on the same day after primary treatment and was admitted in the Neurology Department of SCB Medical College & Hospital, where he expired on 04.08.2010.

In a subsequent report vide his letter No. 407 dated 06.01.2011, the I.G. of Prisons & D.C.S., Orissa

submitted copies of the post-mortem report and medical opinion on the cause of death of the deceased UTP. On perusal of the report, it is seen that the cause of death was due to complications of a long standing kidney disease which is a natural disease process.

While, prima facie, there is no foul play in the matter, the Commission observes that in the treatment record of the deceased UTP, there is no mention of any treatment regarding kidney disease. Evidently, the disease was not diagnosed in time until it got aggravated and took away his life. The UTP was only 29 year old and was kept in custody on not very serious offences.

In view of the failure on the part of the State in proper diagnosis of his disease and treatment thereon, the Commission is inclined to hold that there was negligence in the medical care of the deceased and would, therefore, award a compensation of Rs.1,00,000/- (One lakh) only under section 18(a)(i) of the Protection of Human Rights Act, 1993 to be paid to the next of kin of the deceased UTP.

A copy of this order be sent to the Principal Secretary to Government, Home Department with a request to arrange payment of above compensation amount within a period four weeks of receipt of this order and report compliance to the Commission.

Put up the case on 15.03.2011 awaiting compliance from the Principal Secretary to Government, Home Department.

**Compliance by the Public Authority**

In compliance to the order of the Commission, the Addl. I.G. of Prisons, Orissa vide his letter No. 14487 dated 17.05.2011 has reported that the compensation amount of Rs. 1,00,000/- (rupees

one lakh) has been deposited in shape of fixed deposit in favour of Priyanka Kalundia, daughter of the deceased Madan Kalundia for a period of 8 years at Bank of India, Ragadi Branch, Jajpur Road on 13.05.2011

Case no.1460/2010

The news item captioned "BONGIYA PARJYATAKANKU NISTUKA MADA, JANE GIRAF" published in the daily 'SAMAJ' in its issue dated 23-8-2010 drew the attention of the Commission. The news item stated that one Utkal Paramanik, Dipak Paramanik and Prasant Kumar Karmakar of West Bengal had come to Puri for visit and went to Chilka in an auto for site seeing. While they were about to board a boat of Keshab Mallick at Sipakuda, one photographer Naru Naik insisted to go with them in the boat and take their photographs. As the visitors had their own camera, they refused to accept his proposal and asked him to get down from the boat. Naru Naik got down, but became agitated and threatened them that he would see them. While the visitors were returning after visiting Chilka and were about to take auto (bearing registration No.OR-02-BC-6041) at Sipakuda square, Naru Naik was waiting for them and assaulted Utkal Paramanik severely injuring his nose. Although the Brahmagiri police have registered a case against the owner of boat Keshab Mallick and the photographer Naru Naik, and arrested Keshab Mallick, they have not been able to arrest Naru Naik, who has absconded. As the news report revealed ugly violation of human rights of visitors to the State, the Commission took cognizance of the matter suo-

motu observing that our Constitution guarantees all citizens, the right to move freely throughout the territory of India and, if tourists are dealt with in the manner as published in the newspaper, it would not only affect their fundamental rights, but also puts slur on the State and the State administration.

On being noticed, the Superintendent of Police, Puri has submitted a report vide his letter No.2839/HRPC dated 27-8-2010. It is stated in the report that on the report of one Pravat Kumar Behera, Brahmagiri PS case No.140 dated 21-8-2010 was registered u/s 341/323/325/379/506/34 IPC. During investigation, the accused Keshab Mallick was arrested on 22-8-2010 and forwarded to the court. Subsequently on 23-8-2010 the main accused Naru @ Narayana Naik was apprehended and forwarded to the court. The case is likely to be charge-sheeted within a short span of time. In view of the fact that appropriate action has already been taken by the SP, Puri, the Commission does not consider it necessary to continue further with the enquiry. The case is accordingly closed.

The Superintendent of Police, Puri be advised to keep Utkal Paramanik, Dipak Paramanik and Prasant Kumar Karmakar, the visitors informed about the action taken in the matter.

Case No. 1627/2010

The petitioner Arunodaya Swain is a retired IAS Officer. He filed this petition alleging that the G.A. Department sanctioned only provisional pension

of Rs. 8,570/- (with net payment of Rs. 5,142/- after deduction of commuted value of pension) on the plea of initiating a judicial proceeding against him. He claims that following the



recommendations of the 6th Pay Commission, his provisional pension needs to be revised at Rs. 19,622/-.

On being noticed, the Additional Secretary to Govt. in G.A. Department vide letter No. AIS/VI (Pen) – 22895/AIS. I., Dt. 30th November, 2010 has reported that the petitioner's provisional pension

payable after commutation has been fixed at Rs. 19,622/- + DR as per the recommendation of the 6th Pay Commission effecting from 01.01.2006.

The claim of the petitioner having been rightly accepted by the Government, his grievance no more survives.

This petition is accordingly closed.

Case No. 1261/06

The allegation of the petitioner Gundicha Mallick of Ghodapalli is that on 12.11.2006 at about 8.00 P.M. His co-villagers came in a body, hurled obscene words and abused him suspecting him to be a witch. The further allegation of the petitioner is that the accused persons assaulted him and his family members and attempted to uproot his front teeth and forced human excreta into his mouth. The accused persons also imposed penalty of Rs. 20,000/- on him.

From the reports received from the Superintendent of Police, Ganjam including the latest report contained in Letter No. 1810 dated 29.09.2010, it appears that on the report of the petitioner, Badagada PS Case No. 112/08, 114/09 and 3/2010 were registered and after completion of investigation, charge sheets have been filed in all the cases against Sugrib Mallick and others under different provisions of IPC.

Since charge sheets have been filed and the cases are subjudice, the Commission is precluded from making further probe. The case is hereby closed.

11

Case No.1439/2010

P.K. Mohapatra, retired Senior Assistant, Sambalpur Municipality stated in his petition dated 18-8-2010 that he retired from the Municipality w.e.f. 28-2-2005 and is receiving provisional pension @ Rs.1055/- only per month whereas others similarly placed are drawing @ more than Rs.3200/- per month. He prayed in his petition to allow pension to him at enhanced rate in accordance with the recommendation of the Fifth Pay Commission.

On being noticed, the Executive Officer, Sambalpur Municipality vide his letter No.4964/M dated 24-11-2010 has reported that the

provisional pension of the petitioner has been increased to Rs.4092/- from Rs.1055/- vide their order dated 19-11-2010 and the petitioner has been asked to submit the pension papers and vacate Government quarters occupied by him.

In view of the fact that appropriate action in the matter has already been taken by the Sambalpur Municipality, the Commission does not consider it necessary to continue further with the enquiry. The case is accordingly closed.

A copy of the order along with a copy of the report of Executive Officer, Sambalpur Municipality be sent to the petitioner for his information and necessary action on the matter.

**Case No.1155/2010**

A petition of Radhakant Tripathy, Advocate dated 30-4-2010 was received by this Commission from the National Human Rights Commission on transfer under section 13(6) of the Protection of Human Rights Act, 1993 for disposal by this Commission. In the petition, complaint is that seven (7) old and infirm persons named in the petition are being deprived of BPL card and related benefits by the local administration in Nischintkoili Block.

On being noticed, the Collector & District Magistrate, Cuttack furnished a report vide his letter No.2299/SW dated 2-8-2010 stating that out of seven, four namely (1) Gajendra Malla, (2) Suka Malla, (3) Bhaskar Mallick and (4) Rupakar Malla were found ineligible to be covered under the Madhu Babu Pension Yojana (MBPY) as they had higher income than the prescribed limit of Rs.12,000/- per annum. However, the remaining

three, namely (1) Shanti Mallick, (2) Gagan Swain and (3) Shantilata Mallick were found to be eligible and the pension under the MBPY has been sanctioned in their favour vide order of the Sub-Collector, Sadar, Cuttack dated 26-7-2010.

A copy of the report as above was sent to the petitioner vide order of the Commission dated 1-10-2010 for his information and response, if any. No response has been received from the petitioner despite adequate time having been allowed for the purpose.

Accepting the uncontroverted content in the report of the Collector & District Magistrate, Cuttack, the Commission observes that appropriate action as mentioned above has already been taken by the District Administration on the petition and no further enquiry is felt necessary. The case is accordingly closed.

12

Case no.1414/2009

Ms. Sakuntala Sahu of Biranchipur in the district of Ganjam, who is working as a computer teacher in the People's High School, Buguda vide her petition dated 21-10-2009, alleged that the Headmaster of the school (Subash Chandra Moharana) with ulterior motive has been harassing her and does not allow her to enter inside the premises of the school. On 16-2-09 the aforesaid Headmaster along with the clerk of the school (Sudarsan Naik) tried to outrage her modesty and she reported the matter at Chatrapur PS, but the police, without making proper investigation, has been telling her that it is a false case and they have accordingly reported it to the Collectorate.

On being noticed, the Superintendent of Police, Ganjam furnished a report vide his letter No.561/HRPC dated 6-4-2010. It is stated in the report that on complaint of the petitioner, Chatrapur PS

case No.20 dated 16-2-09 was registered u/s 341/323/354/506/379/34 IPC against the accused Subash Moharana (Headmaster) and Sudarsan Nayak (Clerk). In course of investigation, both the accused persons were arrested and released on bail as per the order of Hon'ble High Court. The case has been supervised by the IIC, Chatrapur who opined it to be a true case against the accused persons. The case is under investigation.

In a further report vide his letter No.1326/HRPC dated 27-7-2010, the Superintendent of Police, Ganjam has stated that after completion of investigation in Chatrapur PS case No.20/2009, charge-sheet has been submitted vide CS No.54 dated 19-7-2010 u/s 341/323/354/506/34 IPC against the accused persons Subash Chandra Moharana and Sudarsan Nayak. He has also enclosed a copy of the final form.



In view of the fact that the case has already been charge-sheeted and is now before a judicial authority, the Commission does not consider it necessary to proceed further with the enquiry in keeping with Regulation 10(i) of the Orissa Human

Rights Commission (Procedure) Regulations, 2003. The case is accordingly closed.

Copies of this order and reports of SP, Ganjam dated 6-4-2010 and 27-7-2010 be sent to the petitioner for her information.

Case No.1298/2010

The news item captioned "GHAROI ENGINEERING COLLEGE RE RAGGING" published in the daily 'SAMAJ' in its issue dated 8-8-2010 drew the attention of the Commission. The news item revealed that Saubhagya Kumar Mishra, a 2nd year student of Architecture in a local Engineering College, namely Ajay-Binay Engineering College, Cuttack was subjected to ragging by senior students who physically tortured him and cut a portion of his throat and the college authorities are trying to suppress the incident.

As the news item raised issues relating to violation of human rights, the Commission took cognizance of the matter suo-motu calling upon the Director, Technical Education & Training, Orissa, Collector & District Magistrate, Cuttack and Deputy Commissioner of Police, Cuttack to submit reports to the Commission.

In compliance, the DCP, Cuttack furnished a report vide his letter No.2274/DHRPC dated 24-8-2010 stating that on complaint of Saubhagya Kumar Mishra, Markatnagar PS case No.70 dated 8-8-2010 was registered u/s 341/324/294/506/34 IPC and four students have been immediately arrested and forwarded to the court of SDJM, Cuttack.

In compliance to the same order of the Commission, a report has been received from the Addl. District Magistrate, Cuttack vide his letter No.711/Judl dated 30-8-2010 enclosing a copy of the Sadar Sub-Collector who enquired into the matter. In his report, he has stated that it was a case of fight/clash between Saubhagya Mishra and

some students of 4th year initiated after a small altercation and no form of foul play of ragging was there.

In compliance to the above order of the Commission, the Director, Technical Education & Training, Orissa furnished a detailed report vide his letter No.15238 dated 3-9-2010. In this report, it is stated that on 27-7-2010 Saubhagya Kumar Mishra had complained of an incident alleging that one Ms. Pabitra Sahoo of 7th Semester (4th year), B. Arch. slapped him hard on his face and abused him. However, there was compromise at the initiative of the college authorities and cooperation of the parents. On 7-8-2010 at about 11 a.m. while returning back from water cooler, a 4th Semester B. Arch. student collided with him and then in a coordinated way about 20 other students of the 4th year physically assaulted him by hitting him with fist blows, kicked him hurling slangs at him and one of them cut a portion of his neck with a penknife. Their charge is that Saubhagya Mishra made an obscene gesture at them and on protest, started beating them which is said to be not believable in the enquiry report.

While the case is already under investigation by the police and law will take its own course, the Commission is concerned at the latter part of the report of the DTE&T, Orissa which states that the college has not taken due preventive steps for curbing ragging as directed by the Hon'ble Supreme Court of India and has not formed anti-ragging committee where members from district administration and local police are co-opted. They



could not produce any documentary evidence regarding conduct of this anti-ragging committee nor formation and functioning of the anti-ragging squad. Even they have not taken any pro-active steps to display the anti-ragging messages either in the notice board or in the premises of the academic building.

The Director, Technical Education & Training, Orissa be advised to issue a strong notice to the college authorities giving them a deadline to make good all deficiencies/omissions in this regard. This

college should be under special vigilance of the DTE&T who would inspect the premises every year for the coming three years and ensure that all prescribed anti-ragging measures are taken. In case the college authorities fail to extend necessary cooperation and compliance in this regard, there should be no hesitation to withdraw State recommendation and intimate the same to the AICTE.

With observation as above, the Commission hereby concludes its enquiry.

Case No.1483/2010

News item under the caption "PENSION TANKARU MEDHABRUTI DEUCHHANTI SIKHYAKA" as published in the daily 'DHARITRI' in its issue dated 6-9-2010 revealed that one Gokulananda Pauley, retired primary school teacher, Khinda under the Jharsuguda Education District, who has settled in his village after his retirement in July 2001 and has only one acre of cultivable land, has been giving scholarship to students out of his pension amount for their encouragement every year since 2002.

The content of the news item, prima facie, revealed not only generosity, but also human consideration and determination to contribute to the cause of education even at the cost of one's own livelihood and accordingly the Collector of the district was requested to get the content of the news item verified.

In compliance, a report has been received from the District Project Coordinator, SSA, Sambalpur vide his letter No.88 dated 12-1-2011 stating that Gokulananda Pauley (67) receives pension @ Rs.7701/- per month and possesses Ac.1.30 of

agricultural land, out of which he gets about two quintals of paddy in a year, besides earning something out of his lemon orchard. Sri Pauley awards Veer Surendra Sai Medha Brutti to 30 meritorious students of 30 districts who secure highest marks in their respective districts @ Rs.500/- per student. He started this philanthropic activity in the year 2002 out of his pension fund. It is further stated that this apart he has saved a sum of Rs.1,00,000/- in shape of NSC in the Head Post Office, Sambalpur to sustain this activity even after his death.

From the content of the report as above, it is found that the word of appreciation that was mentioned in the news item is by and large true. The case is accordingly closed.

A copy of this order be sent to the Secretary, OHRC with a request to consider Sri Gokulananda Pauley as a potential candidate for the human rights award in the coming year.

Compliance

Sri Gokulanand Pauley was awarded Odisha Human Rights award on 10.12.2011

Case No.1031/2010

The complaint in this case was about inhuman treatment meted out to a widow named Sukasini Tirkey by her co-sisters-in-law in their attempt to grab her land patta and BPL card. The culprits came

to the house of the victim on 23-6-2010, kept her confined in one room, stripped her naked, cut down her hair and assaulted her while accusing her of illicit relationship and adopting witchcraft. On getting a written complaint on the same day, the



IIC, Rajgangpur PS registered a case and directed the SI Babuli Naik to take up investigation. On investigation, it was found to be true case under sections 452/294/342/323/354/ 355/379/506/34 IPC against the accused persons.

The Commission vide its order dated 15-11-2010 observed with concern that when the FIR was lodged on the very day of the incident, the offenders were not arrested until 25-10-2010.

Keeping in view the loss of dignity undergone by the victim and the delay in taking stern action by the local police against the offenders, the Commission awarded a compensation of Rs.30,000/- in favour of the victim under section 18 (a) (i) of the Protection of Human Rights Act, 1993. In the said order, the Superintendent of Police, Sundargarh was called upon to obtain explanation of the Investigating Officer for such lapse.

In compliance, a report has been received from the Superintendent of Police, Sundargarh vide his letter no.236/HRPC dated 4-3-2011. After going through the contents of the letter and its enclosures, which consists of so-called explanation of IO Babuli Naik, the Commission does not see any explanation for the delay in taking action against the accused persons. There is no mention of this omission in the report of the Superintendent of Police, Sundargarh which only shows that such lapses are taken rather lightly.

A copy of this order be sent to the Superintendent of Police, Sundargarh with a note of displeasure of the Commission expressed as above. Officers must be taken to task for laxity in taking stern action in cases of such ugly violation of human rights.

With observation as above, the case stands closed.

Case No.949/2009

The news item under the caption "KANYASHRAM STUDENT DIES OF STRANGE DISEASE" published in the daily 'TIMES OF INDIA' (Bhubaneswar-National) in its issue dated 30-7-2009 reported that one Gitanjali Netam, a 14 year old girl student of Dolabeda Kanyashram in the district of Nabarangpur complained of fever and vomiting and was admitted to Chandahandi hospital where she died while under treatment. The Member of Parliament representing the area alleged negligence in treatment of Gitanjali resulting in her death. The news item also reported that the students in the Kanyashram are residing in most unhygienic conditions suffering from diseases and they go untreated because of lapses on the part of the District Welfare Officer.

Since the news item revealed a case of gross mismanagement of school resulting in death of a tribal girl, the Commission took cognizance of the news report suo-motu vide its order dated 30-7-

2009 calling upon the Principal Secretary to Government, ST & SC Development Department to furnish a detailed factual report to the Commission.

In compliance, the Principal Secretary to Government, ST & SC Development Department vide his letter No.32245/SSD dated 9-9-09 furnished a report enclosing a report of the Collector, Nabarangpur in the matter. From the report, the Commission noted the following:

- On 28-7-09 by 8 a.m. the deceased girl felt uneasy with headache, head reeling and vomiting and the Headmaster of the concerned school admitted her to the Chandahandi CHC at 11:15 a.m. where she was administered with injection MC, RL and other drugs. The blood smear for malaria as per microscopic and rapid test was found negative. The condition of the child deteriorated in close succession by 2 p.m. with delirium, breathlessness and she expired at 2:30 p.m. as the treatment of the attending doctor did



not respond. The probable cause of death has been indicated to be viral encephalitis.

- On 30-7-09 a medical team examined 179 students and found 55 suffering from different symptoms; five cases for fever (malaria negative), six cases of pain in abdomen, three cases of scabies, five from dysentery and 36 cases of other symptoms.
- There are 20 attached bathroom/latrines for use of the students, but are only casually used owing to scarcity of water supply.
- On 1-8-09 a meeting was held by the Collector, Nabarangpur to address the varied problems of SSD schools and to revamp the school management in an effective manner and a review was taken on all deficient sectors. She assured that a monthly review meeting shall be held at district level regularly to take stock of the situations and to make good the short-comings.

The Commission observed that since as many as 55 students (out of 179) were found suffering from various diseases, the level of hygiene and medical care needs improvement and, therefore, the medical team must repeat their visit every month. It also observed that the water supply position must be improved so that the 20 attached bathrooms/latrines are made functional and the same should be reported to the Commission by the Collector, Nabarangpur. The Principal Secretary to Government, ST & SC Development Department was also requested vide order of the Commission dated 28-5-2010 to follow up the matter and ensure implementation of the above observation.

Compliance by the Public Authorities

Reports in the matter have been received from the Director (ST/SC), ST & SC Development

Department vide his memo No.26705/SSD dated 6-7-2010 and ADM, Nabarangpur vide his letter No.1504 dated 27-7-2010. On perusal of these reports, it seems that a number of measures, as given below, have in the meanwhile been taken to ensure that such happenings do not occur again.

- The Mobile Health Units are visiting all the residential institutions once in a fortnight under their jurisdiction to check the health of the inmates and to take remedial measures to combat malaria and other diseases.
- One ANM has been attached to the girls hostels for health check up of girl boarders and health worker for boy boarders at least twice every week.
- Instructions have been issued for use of halogen tablets to prevent diarrhoea and supply of mosquito nets to prevent malaria. They have also been requested to maintain a log book of treatment of the ailing boarders.
- Quality food is being provided to the boarder to improve their diet.
- 20 numbers of attached bathrooms/latrines in respect of Dalabeda Girls High School has been made fully functional.
- All senior officers like ADM, PD, DRDA, PA, ITDA, Sub-Collector, APD, DWO and all BDOs of the district have been ordered to act as adopted officers to specific institutions and given responsibility of frequent supervision. They have been asked to visit the schools once in a week.
- The 5th day of every month is observed as "welfare day" in all SSD schools of Nabarangpur district where daily use quality items are distributed and other orientation programmes are conducted for their health care.

**Case No.307/2010 Date : 25-6-2010**

The news item captioned "ANGANWADI KENDRA RE 3 BARSARA SISHU KU NISTUK MADA" published in the daily 'SAMBAD' in its issue dated 18-2-2010 drew the attention of the Commission. The news item revealed that one Likuna (3), son of Tukuna Dehury of village Belpada under the Odapada PS of Dhenkanal district had been to the local Anganwadi centre where he started crying and the Anganwadi worker Dharitri Swain, instead of consoling, started beating him heavily resulting in injuries on his body for which he had to be taken to DHH, Dhenkanal for treatment.

On being noticed, the Collector, Dhenkanal has furnished a report vide his letter No.1473/SW dated 11-5-2010. It is stated in the report that one the matter is true. On the basis of enquiry report of CDPO, Odapada, the Sub-Collector, Dhenkanal was requested to disengage the Anganwadi Worker of Belapada AWC by observing necessary formalities as she was the real culprit in the matter. The Sub-Collector, Dhenkanal has already disengaged Dharitri Swain, Anganwadi Worker.

In view of the fact that adequate action has already been taken in the matter against the delinquent Anganwadi Worker, the Commission does not consider it necessary to proceed further with the enquiry. Likuna, a minor boy was assaulted by the Anganwadi Worker without any rhyme and reason. Ends of justice will be met if he is paid some compensation. The Commission accordingly recommends payment of Rs.5000/- to him under section 18 (a) (i) of the Protection of Human Rights Act, 1993. The Collector, Dhenkanal is hereby called upon to pay the amount of Rs.5000/- to the father of Likuna (who is a minor) within six weeks of receipt of this order and report compliance to the Commission.

Compliance by the Public Authorities

In compliance to the order of the Commission dated 25-6-2010, the District Social Welfare Officer, Dhenkanal has furnished a report vide his memo No.2541/SW dated 26-8-2010 stating that stamp receipt from the victim towards receipt of Canara Bank Cheque No.810578 dated 4-8-2010 amounting to Rs.5000/- has already been sent to the District Red Cross Branch, Dhenkanal.

17

Case No.735/2009

Sri A. Suryanarayan, retired Head Clerk from the office of DFO (KL) Division, Jeypore since 30-6-2002 complained in his petition dated 5-6-2009 that his pension papers have not been prepared and his service book was lying with the Principal Chief Conservator of Forests, Bhubaneswar for sanction of his deputation to Corporations for a long time.

On being noticed, the Asst. Principal Chief Conservator of Forests, Bhubaneswar furnished

a report vide his letter No.16712 dated 6-11-2009.

On perusal of the report, the Commission vide its order dated 28-1-2010 noted with concern the delay being caused in finalisation of the issue of sanction of deputation beyond five years and a departmental proceeding initiated against him which was the main reason for delay in processing his pension papers and called for a report from the Department of Forest & Environment.

In compliance, the State Government in the Forest & Environment Department furnished a report vide



their letter no.18262/F&E dated 6-8-2010 stating that in the meanwhile the deputation for the entire period has been sanctioned and the departmental proceeding drawn up against the petitioner has been dropped and the period of his absence from duty has been treated as leave admissible. It was also confirmed that his pension papers has been transmitted to AG (A&E), Orissa, Bhubaneswar on 3-8-2010.

The petitioner in his response to the report of the State Government as above further indicated that he has not got some of his dues like TBA, deputation allowance for a certain period, interest on unpaid retirement gratuity and release of Rs.20,020/- ordered for recovery from his salary bills. He has not, however, contradicted any of the facts reported by the State Government in their letter dated 6-8-2010.

In absence of any factual contradiction, the Commission accepts the content in the report of the State Government dated 6-8-2010 and notes with satisfaction that the State Government has finalised the disciplinary proceeding against the petitioner, sanctioned his deputation beyond five years, sent his pension papers to the AG (A&E), Orissa and, therefore, is not inclined to continue the enquiry any further.

A copy of the response received from the petitioner indicating the dues receivable from the Government be sent to the Principal Secretary to Government, Forest & Environment Department for disposal at his level in three months' time.

With observation as above, the case stands concluded.

Case No.602/2009

Smt. Sarojini Mund, w/o Chhedi Prasad Mund in her petition dated 30-4-2009 stated that her husband retired from the post of Deputy District Inspector of Schools on 30-4-2008, but has not got any retiral dues like pension, gratuity etc. because of non-finalisation of his pay after promotion since 2-5-2007.

On being noticed, the Deputy Director (Planning) in the Directorate of Elementary Education, Orissa submitted a report vide his letter No.14181 dated 17-11-2009 stating that by now orders have been issued for fixing up the pay of the petitioner on his promotion to the post since 2-5-2007. However, the report was silent on the action taken for sanction of his retiral dues.

On being further noticed, the Deputy Director (PI) vide his letter No.4825 dated 18-3-2010 stated that the pay re-fixation and sanction of minimum provisional pension has already been made in

favour of the petitioner. He was asked vide order of the Commission dated 5-4-2010 to submit further report about sanction of other retiral benefits and regular pension.

In compliance, the Directorate of Elementary Education vide their letter No.8393 dated 24-6-2010 and letter No.12542 dated 16-10-2010 reported that the petitioner has been sanctioned with cash payment in lieu of unutilised earned leave and that proposal for sanction of final pension in his favour has in the meanwhile been submitted to the Accountant General (A&E), Orissa on 20-9-2010.

In view of the fact that the petitioner has got the retiral benefits and his case has already been recommended to the AG (A&E), Orissa for final pension, the Commission does not consider it further necessary to continue with the enquiry. The case is accordingly closed.

A copy of this order along with the reports of the Directorate as above be sent to the petitioner for his information.

**Case No. 751/2009****Order dated 20.04.2010**

One of the questions that arises for consideration in this case is whether the petitioner Shri J.P.Dash is entitled to revision of his pension w.e.f. 01.01.2006 as per recommendations of the 6th Central Pay Commission.

The petitioner retired from Government service on 31.07.2004. On the day of his retirement disciplinary proceeding has been initiated against him in G.A. Department memo No. AIS/V-06/04-19095/AIS.I. Admittedly, provisional pension has been sanctioned in his favour w.e.f. 01.08.2004 and after commutation it comes to rupees 5775- + TI.

Pension payable to an employee of the government is not a charity or bounty dependent on the sweet will of the employer. It is a deferred portion of compensation for past service of the employee. As it appears, because of initiation of disciplinary proceeding on the very day of his retirement, provisional pension at the rate of rupees 5775/- is being paid to him on the basis of pre-revised scale. As per the recommendation of the 6th Central Pay Commission, the residuary pension (provisional) after commutation comes to rupees 19,850 + DR as per the calculation sheet furnished to the Commission by the Addl. Secretary to Government, G.A. Department in his letter dated 29.03.2010. If a pensioner is entitled to the revised pension w.e.f. 01.01.2006 pursuant to the recommendation of the 6th CPC, there is no reason as to why he is not entitled to get revised provisional pension of rupees 19,850+DR in absence of any prohibition in law.

Deprivation of this legitimate due clearly amounts to violation of human right. Right to live with human dignity includes a right to receive pension as per the revised scales of pay.

In view of the above, we call upon the State Government in the G.A. Department to go on paying provisional pension as per the existing revised scale (which comes to rupees 19,850+DR per month) to the petitioner from the succeeding month of receipt of this order until further orders.

Communicate this order by FAX besides usual mode.

Order dated 29.06.10

The petitioner J.P. Dash in this petition dated 21-6-2010 has prayed for a direction to the State Government to pay his arrear pension as per the Sixth Central Pay Commission.

The petitioner is a retired IAS officer. On 31-7-04 he retired from Government service on attaining superannuation. On the very day of his retirement, he was served with a show-cause notice in a departmental proceeding. In view of the pendency of the departmental proceeding, he was given provisional pension. The Sixth Central Pay Commission made revision of salary and other related matters including pension w.e.f. 1-1-06, but the petitioner was paid provisional pension on the basis of pre-revised scale. Contending that payment @ pre-revised scale is not legal which amounts to violation of human rights, he filed this case for necessary relief.

The Commission after considering the reports of the GA Department by order dated 20-4-2010 held that "if a pensioner is entitled to the revised pension w.e.f. 1-1-06 pursuant to the recommendation of the Sixth Pay Commission, there is no reason as to why he (petitioner) would not be entitled to get revised provisional pension of Rs.19,850/- + DR in absence of any prohibition in law". Pursuant to this order, the State Government in the GA Department vide letter No.11881 dated 8-6-2010 has sanctioned



payment of provisional pension to the petitioner @ Rs.19,850/- + DR w.e.f.1-6-2010.

It is an admitted fact that pension has been revised by the Sixth Central Pay Commission w.e.f. 1-1-06. Since the provisional pension of the petitioner has not been revised by the State Government as per the recommendation of the Sixth CPC, he cannot be deprived of the same w.e.f. 1-1-06. The State Government in the GA Department is hereby called upon to calculate the arrears of revised provisional pension of the petitioner and pay the differential amount (after deducting the amount already received by him as per the pre-revised

scale) and pay the same and furnish an action taken report in two months' time.

Compliance by the Public Authority

In compliance to the order of the Commission dated 29-6-2010, a copy of the GA Department order has been received vide their memo No.16145/AIS.I dated 17-8-2010. In this order, the GA Department have accorded their sanction for payment of provisional pension @ Rs.19,850/- + DR w.e.f. 1-1-2006 in favour of the petitioner in super session to their earlier order No.11881 dated 8-6-2010.

Case No.1014/2010 Date : 29-11-2010

Smt. Jayanti Sahu of Kapila in the district of Jajpur in her petition dated 25-5-2010 stated that she has been deserted by her husband and is taking care of her 14 year old son named Janmejaya Sahu who is mentally retarded. She prayed that her son should be sanctioned with disability pension under the Madhu Babu Pension Yojana.

On being noticed, a report has been received from the Collector, Jajpur vide his letter No.1882 dated 1-11-2010. It is stated in the report that disability pension under the Madhu Babu Pension Yojana

(MBPY) has been sanctioned in favour of the son of the petitioner w.e.f. 1-9-2010 and the BDO, Binjharpur has been instructed to ensure payment of monthly pension @ Rs.200/- per month forthwith observing all formalities.

In view of the fact that appropriate action has already been taken by the Collector, Jajpur to sanction disability pension under the MBPY in favour of the son of the petitioner, the Commission feels that the grievance of the petitioner stands adequately addressed. The case is accordingly closed.

Case No.669/2009

The news item under caption "FAMILY SHUNS WIDOW WITH AIDS" published in the daily 'Times of India' in its issue dated 31-5-2009 revealed that one Sabitri Pati and her daughter Lipina Pati (9) have tested HIV positive and, therefore, thrown out of the house by her in-laws and are being denied food. It was also reported that she has appealed to the district administration for financial help for treatment, but there has been

no response though a kind hearted neighbour has given them shelter.

On being noticed, the Orissa State AIDS Control Society, Bhubaneswar submitted a detailed factual report vide their letter no.5118/OSACS dated 10-7-2009 stating the following:

1. DPM & ICTC Counsellor, Soro had undertaken an on-the-spot enquiry and found that the victim Sabitri Pati who had married against



the will of her in-laws was allowed to reside with the in-laws even after the death of her husband. However, her in-laws separated them after Sabitri and her younger daughter Lipina (9) tested HIV positive (fortunately the elder daughter Babysmita tested negative). Now she is staying with her children in a house provided by a neighbour with some support and sympathy from villagers. She is earning something as a daily labourer.

2. In course of the discussion with the Sarapanch, they gave an assurance to provide a pucca house under the Indira Awas Yojana.
3. She is getting 33 Kgs. of rice per month under the AAY.
4. District administration has paid an ex-gratia of Rs.1400/- out of District Red Cross fund.
5. Her case has been recommended to Collector, Balasore for sanction of pension under the Madhubabu Pension Yojana on 17-7-08.
6. Both the patients have been registered in the ART centre SCB Medical, Cuttack. CD4 count of Sabitri Pati was found to be 194, while that of Lipina Pati was 1111. They last visited the ART centre on 14-5-09. Regular health check up and ART with free medicines are being provided.
7. Their sputum was examined but no tuberculosis symptom was found.
8. Both mother and daughter are found to be in good health without any opportunistic

infections. Both the girls are going to school regularly having no problems with friends and teachers.

On being noticed, the Collector, Balasore appeared before the Commission on 9-3-2010 and confirmed that regular medical care and all possible assistance including Madhu Babu Pension and house under "Mo Kudia" scheme have been extended to the victim family. The Collector, Balasore vide his letter No.2280/SW dated 27-8-2010 reconfirmed the position by stating that the victim Sabitri Pati is taking ART medicine regularly from Cuttack and has been provided with Rs.1000/- from District Red Cross Fund for transfer of registration from Cuttack to Balasore.

As regards the benevolent neighbour, the Collector, Balasore reported that he is one Chakradhar Behera who provided them shelter in his house by sparing one of the rooms for seven months until August 2009 when she constructed a shed for her family and has been staying there since then.

Since the problems of Sabitri Pati and her daughter have already been taken care of, the Commission does not consider it any more necessary to continue with the enquiry. The case is accordingly closed.

A copy of the order be given to the Secretary, OHRC with a request to collect further details of Chakradhar Behera, the benevolent neighbour to be considered as a prospective candidate for the ensuing human rights award.

Case No.2159/2008 Date : 12-11-2010

The news item captioned "AIDS RE AKRANTA BAPA-MAA O DUI PILA" published in the daily 'SAMAJ' in its issue dated 29-12-2008 revealed that one Ramesh Mohanty of village Guliha in

Dungura Panchayat of Khaira Block, who went to Calcutta and Haryana for a living, returned with AIDS and now his wife, son and daughter are all tested HIV positive and the entire family is in a bad situation because of poor help and lack of means to live with the problem.



On being noticed, the Orissa State AIDS Control Society, Bhubaneswar furnished a report vide his letter No.1922/OSACS dated 27-3-2009 stating that the actual name of the person is Rabindra Mohanty (not Ramesh Mohanty) and his family members tested HIV positive in the last week of October 2008 at MKCG Medical College & Hospital, Berhampur and their CD4 count were found to be as follows:

- Rabindra Mohanty (32) : CD4-133
- Kamala Mohanty (28) : CD4-281
- Soubhagya Mohanty (9) : CD4-456
- Manisha Mohanty (7) : CD4-133

Rabindra Mohanty and Manisha, having found low level of CD4 count, have been advised to take ART medicines and the Collector, Balasore has agreed to provide financial assistance from the District Red Cross fund to meet the travel cost for the purpose. The victim family has been brought to the Community Health Centre at Jyoti Hospital, Balasore for treatment which includes nutrition, medicine and counselling. It was also stated that towards treatment the family has sold away all their properties. They do not have a BPL card and the family is not a beneficiary of any social welfare schemes.

On perusal of the report as above, the Commission vide its order dated 13-5-2009 requested the Collector, Balasore to furnish report to the Commission on the state of inclusion of the victim family in the BPL list and sanction of Madhu Babu Pension Yojana (MBPY) in their favour. He was also requested to issue instructions to the local Anganwadi worker and village level functionaries to advise the villagers against the usual stigma and discrimination. Vide the same order, the CDMO, Balasore was requested to instruct the ICTC Counsellors of DHH, Balasore and LT, CHC, Soro

to follow up the cases and report to the ADMO (PH) on regular basis.

From a subsequent report received from the District Social Welfare Officer, Balasore vide his letter No.2786/DW dated 8-12-2009, the Commission noted with concern that the victim Rabindra Mohanty and Manisha Mohanty are already dead and the family has not even included in the list of BPL. Moreover, the pension under the MBPY, though reported to be sanctioned w.e.f. 1-4-2008, the date of first disbursement of the same has not been indicated.

In response to the concern of the Commission as above, the Collector, Balasore vide his letter no.813/SW dated 11-3-2010 reported that the pension under the MBPY sanctioned w.e.f. 1-4-2008 and has been disbursed to the family on 28-5-2009 and afterwards they are getting the payment every month regularly. The surviving victims Kamala Mohanty and Soubhagya Mohanty are in good health with better CD4 counts and do not require administration of ART medicines.

However, as regards inclusion of family in the BPL list, the Collector, Balasore stated in the report that inclusion into this list is done as a result of the BPL survey which is held once in five years and since this family was not selected in the last survey, it is not possible to include them in the BPL list. On this report of the Collector, Balasore, the Commission vide its order dated 16-3-2010 observed that because of this deadly disease, the family has already been pushed to the wall and out of four, there are only two survivors now who have been victims of this disaster without any fault on their part. The Secretary to Government, Panchayati Raj Department was requested to examine if there could be a way to consider this family as a BPL family.



In compliance, the Director, Special Project & Additional Secretary to Government, Panchayati Raj Department vide his memo No.11182/PR dated 17-4-2010 informed that Collector, Balasore has been advised to include the victim family in the list of BPL family as a special case and provide all benefits entitled to a BPL family.

The Collector, Balasore in a subsequent report vide his letter no.498 dated 11-10-2010 confirmed that Kamala Mohanty and her son Soubhagya have been included in the BPL list and being given all benefits under the same. They have also been

provided with a house under "Mo Kudia" scheme and sanctioned with pension under the MBPY w.e.f.1-10-2008.

In view of the above facts, the Commission notes that the surviving members of the victim family have been given all possible assistance and no necessity of continuing further with the enquiry.

With a note of advice to the Collector, Balasore and Chief District Medical Officer, Balasore to keep a watch on the living condition of Kamala Mohanty and her son Soubhagya Mohanty, the Commission hereby concludes the case.

Case No.614/2010

Ajay Kumar Mohanty of Dera under the Talcher PS in his petition dated 7-4-2010 alleged of pollution because of dust and firing of coal in Talcher area and that no action was taken by the Central Government/State Government/Industry to stop the pollution.

Despite the fact that the content of the petition was a bit too general, a copy of the petition was sent vide order of the Commission dated 21-4-2010 to the Member Secretary, State Pollution Control Board, Orissa for a report on the actual situation. In compliance, the Member Secretary, State Pollution Control Board, Orissa furnished a report vide his letter No.9999 dated 17-6-2010.

It was stated in the report that M/s. Mahanadi Coalfields Ltd. (MCL) are operating 8 numbers of open cast coal mines and two underground mines in Talcher Coalfield area and the dust nuisance in the ambient air of peripheral villages and in Talcher area is observed to be due to inadequate systems in controlling dusts, bad road conditions, inadequate facilities to evacuate the products, insincerity towards operating of existing pollution control system for which a number of directions in this regard have already issued from time to time.

The report listed the following mitigation measures:

- Use of mobile water sprinklers for suppression of dust on haul road and coal transportation roads.
- Use of fixed sprinklers for suppression of dust in CHP, Railway siding and Coal Transportation Roads etc.
- Covering coal trucks going on public transport road to avoid dust pollution in residential and public areas.
- Use of mechanical road sweepers for blacktopped roads.
- Use of eco-friendly surface miners.
- Rapid loading system at Bharatpur.

The report also indicated a set of proposed measures which could further reduce the level of pollution in this area.

A copy of the report as above was sent to the petitioner vide order of the Commission dated 18-6-2010 for his information, pursuant to which a response has been received from him vide his letter dated 5-7-2010 disputing the report of the Member Secretary, State Pollution Control Board.



It is stated that the information given by MCL to the State Pollution Control Board is impractical and not operational.

The contradiction attempted in the response as above is not very factual as no specific violation has been indicated. Therefore, the Commission is not inclined to accept these contradictions to the report of the State Pollution Control Board. However, the Pollution Control Board has admitted in its report that despite a number of directions already issued from time to time, very little has

been responded by MCL authorities so far. Moreover, it has also given a set of proposed measures which would reduce the incident of pollution to a considerable extent. The State Pollution Control Board is advised to continue with its efforts with the MCL authorities through regular interactions both at local level as well as State level and see that the dust pollution in this area is kept to the minimum.

With the observation as above, the case stands concluded.



CHAPTER - 5 COMPENSATION / RELIEF AWARDED TO VICTIMS

Under Section 18 of the Protection of Human Rights Act, 1993, "The Commission may take any of the following steps during or upon the completion of an inquiry held under the Act, namely:-

(a) Where the inquiry discloses the Commission of violation of human rights or negligence in the prevention of violation of human rights or abetment thereof by a public servant, it may recommend to the concerned, Government or authority - (i) to make

payment of compensation or damages to the complainant or to the victim or the members of his family as the Commission may consider necessary;

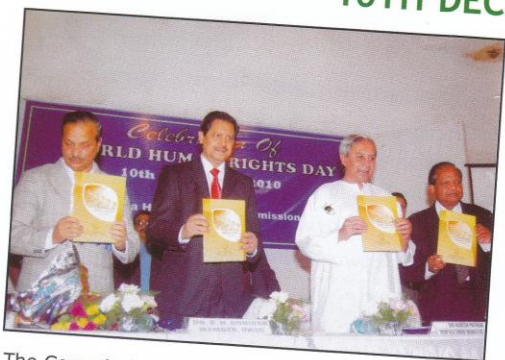
As mandated under Section 18(a)(i), the Commission recommended compensations / relief to the victim or the members of his family to be paid by different Government authorities. The details of the compensation / relief awarded during 2010-11 are indicated below.

LIST OF CASES IN WHICH HON'BLE COMMISSION HAS RECOMMENDED AWARD DURING THE YEAR 01-04-2010 TO 31-03-2011

Sl. No.	Case No.	Date of Award Suo-motu	name of the Petitioner / Suo-motu	award	Violation taken Cognizance
1	2	3	4	5	6
1	365/2007	30.04.2010	Smt. Pratima Hial	Rs. 20,000/-	Avoidable hardship
2	307/2010	25.06.2010	Suo-Motu	Rs. 5000/-	Assault on a child
3	1620/2009	15.07.2010	Faisal Khan & Others	Rs. 1,00,000/-	Police inaction
4	584/2009	09.09.2010	Suo-Motu	Rs. 56,000/-	Injury by Police
5	1031/2010	15.11.2010	Suo-Motu	Rs. 30,000/-	Atrocity on suspicion of witchcraft
6	1128/2009	06.01.2011	P.Purusottam	Rs. 1,00,000/-	Compensation for faulty operation
7	1030/2009	20.01.2011	Ramesh Sahu	Rs.15,000/-	Abuse of Power (police)
8	881/2009	21.01.2011	Baikuntha Pradhan	Rs.50,000/-	Torture on superstitious belief (Khat Bidya)
9	1467/2010	24.01.2011	Suo-Motu	Rs. 1,00,000/-	Suspicion to practicing witchcraft.
10	195/2009	27.01.2011	Suo-Motu	Rs. 50,000/-	Misconduct with casteist attitude
11	2074/2010	11.02.2011	Suo-Motu	Rs. 35,000/-	Negligence of Medical professional
12	1365/2010	14.02.2011	Suo-Motu	Rs. 1,00,000/-	Custodial Death caused by negligence in medical case.
13	960/2005	15.02.2011	Urmila Mallick	Rs. 30,000/-	Injury during Police encounter.
14	1773/2009	15.02.2011	Sahadev Nayak	Rs.1,00,000/-	Atrocity caused by a Sarpanch
15	1938/2008	01.03.2011	Ishak Badaraita	Rs.4,00,000/-	Indiscriminate firing by police.
16	987/2009	03.03.2011	Tikina Sahoo	Rs. 4,00,000/-	Inaction of public authority
17	1230/2010	04.03.2011	Gadadhar Sahoo	Rs. 30,000/-	Unlawful detention
18	1749/2010	17.03.2011	Suo-Motu	Rs.3,50,000/-	Custodial Death



CHAPTER-6 COMMISSION OBSERVES WORLD HUMAN RIGHTS DAY ON 10TH DECEMBER 2010



26

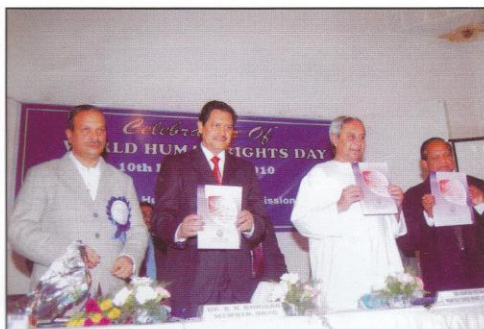
The Commission observed the World Human Rights Day on the 10th day of December (2010) under the stewardship of its Chairperson, Hon'ble Shri Justice R.K. Patra. On this day in the year, 1948, the United Nations adopted the Universal Declaration of Human Rights. Every year since then, people around the globe celebrate this day as a reminder that all human beings are born with certain fundamental freedoms and inalienable rights. Our country is a firm believer in this concept and an eager participant in the worldwide movement to protect such rights. Following the coming into force of the Protection of Human Rights Act, 1993, the National Human Rights Commission at the Centre and State Human Rights Commissions in various States including in our own State have been constituted.

In his opening remarks, Hon'ble Member Dr. R.N.Bohidar, said that in Orissa, the State Human Rights Commission came into being in 2003 and has since endeavoured to discharge the responsibility cast on it and fulfill the aspirations with which it was created. With the passing of every year, the conviction has grown in the Commission on the right to life with dignity and it has tried to address the issues that are responsible for the deprivation of these attention on protecting those who cannot help

themselves; whether children, women in distress, people in custody or under treatment, the elderly and infirm, the physically handicapped, the mentally challenged, the socially disadvantaged or those living with deadly diseases.

Shri Naveen Patnaik, Hon'ble Chief Minister, Odisha, who firmly and deeply believes in the value of human life and dignity, and under whose initiative this Commission was formed, was the Chief Guest who inaugurated the function. Welcoming him, the Commission observed that even through a period of unprecedented industrial development, he made some of the most tangible and enduring contributions to the cause of education, employment generation, rehabilitation, livelihood support and welfare measures for the underprivileged.

In his inaugural address, Hon'ble Chief Guest Shri Naveen Patnaik stated that in the aftermath of World War II, with its immense loss of human life, the world acutely felt the need to set forth and highlight the sanctity of human life and freedom. The result of the combined efforts of learned and passionate human rights advocates from all over the globe to enumerate the rights of all humans was the declaration that we celebrate today. Since then, this declaration has been adopted in national



Constitutions and continues to serve as a foundation for the ever-growing number of international treaties, national and regional laws, institutions, and protocol which protect and advance the cause of human rights.

He affirmed that in Odisha the State strives to fully and properly capture the spirit of the Universal Declaration and to follow a broad interpretation of the meaning of human rights. Beyond the protection of life, liberty, equality and dignity, the fundamental tenets of human rights as set forth in our statute, the State has emphasized provision of basic amenities such as food, water, shelter, healthcare, education and employment. It believes that the role of human rights is necessary not only for the protection of the individual but also to ensure proper accountability for state officials and public institutions. Therefore, the State has endeavoured to see that the Human Rights Commission has all the requisites in order to function as an independent and effective body. He further stated that there is still more that remains to be done in our State. Even as we enter a new phase of economic growth and prosperity, we must take care to ensure that the fruits of such growth are enjoyed by each and every member of our society; those of us who live in poverty, those of us who struggle with disease, and those of us who suffer from oppression or prejudice. Any light which emanates from the more fortunate members of our State must also shine on these individuals. Quoting from the recent speech of



President of the United States, Barack Obama, he said "For all the cruelty and hardship of our world, we are not mere prisoners of fate. Our actions matter and can bend history in the direction of justice."

He recalled that our State has a special place in the history of human rights and brought forward the fierce and noble effort of the people of Kalinga to protect their freedom. The legacy of the Kalinga War and its role in producing one of the earliest and most important advocates of peace and human dignity in the Emperor Asoka, stands as a lasting stepstone in our march towards universal recognition of human rights. He exhorted that we should continue our effort to live up to this legacy; and each year on this day, as we toll the bells that remind us of the fundamental place of human rights in our world, we will look back and see that we have come a bit closer to our goal of universal human rights.

Shri Justice R.K. Patra, Hon'ble Chairperson in his presidential address while briefly narrating the history of growth and development of human rights stated that the development of the concept of Human Rights can be noticed from the fact that now particularly in developing countries more and more stress is being given on the Right to Development. Recognizing that human person is the central subject of the development process and that development policy should therefore make the human being, the main participant and beneficiary of development. The



General Assembly of the United Nations made another pronouncement in the year 1986, which is known as the 'Declaration on the Right to Development', 1986.

Hon'ble Chairperson emphasized that everyone needs to appreciate that Human Rights Commission is meant to facilitate governance. It is there for the help of the administration and people to achieve their social, economic and cultural rights. People are gradually coming to realize that violation of Human Right is a matter which can be inquired into by the Human Rights Commission. This can be known from the fact that this year till today about 2100 complaints have been filed before the Commission.

He also stated that it is not that Human Rights have no enemy. He pointed out that poverty, hunger, disease, imbalance in the environment, terrorism and other allied matters are of great concern for all of us. Disputes often arise centering around religion,

caste, regionalism which takes aggravating forms. They are to be met effectively in order to make Human Right real, effective and purposeful.

The Chief Minister also made cash of award of Rs. 10,000/- and citation each to Shri Chakradhar Behera of Khaira Block, Balasore, Shri Ganganarayan Barik of Balasore, Shri Kanhucharan Mishra of Kantabanji Block, Bolangir and Shri Ramakrupa Patnaik, Retd. DSP, Nayagarh for their outstanding contribution to the cause of Human Rights. After the inaugural function presentations were made by Shri Prafulla Kumar Mishra on various aspects of human rights vis-à-vis the constitutional provision, by Shri P.K. Patnaik about theoretical Development of Human Rights, by Prof. N.K. Chakrabarti, on Human Rights of the children and by Secretary, OHRC about powers and function of the OHRC. The law student of various colleges also interacted with Chairman and Member and about various issues on human rights.



CHAPTER - 7

Celebration of World Human Rights Day

10th December, 2010





Dignitaries, attending the celebration of World Human Rights Day



Participants attending the Celebration of World Human Rights Day



ODISHA HUMAN RIGHTS COMMISSION AWARD

FOR OUTSTANDING CONTRIBUTION TO THE CAUSE OF HUMAN RIGHTS

Odisha Human Rights Commission made a cash award of Rs.1 0,0001- (Rupees ten thousand) and a citation to the following persons for their outstanding contribution to the cause of Human Rights on the occasion of World Human Rights Day on 10th December, 2010.

Chakradhar Behera

Khaira Block, Balasore.

One Sabitri Pati of Chandagochhi village under Khaira Block in the District of Balasore, found herself and her daughter infected with HIV a couple of years back and she was shunned by her in-laws. But he provided her and her family shelter in his house for seven months.



31

Ganga Narayan Barik

Balasore

He has taken upon himself the voluntary service of providing warm water to the patients of the District Headquarters Hospital, Balasore and has been attending to them whenever needed for the last 10 years. Even at the age of 72 years he wakes up at 3.00 a.m. in the morning and meets the need of warm water for the patients.





Kahnu Charan Mishra,
Kantabanjhi Block, Bolangir

He has taken up social service particularly in case of road accidents by rushing to the spot with Ambulance and treating the victims as well as disposal of dead bodies. A large number of severely injured persons have been saved because of his sincere and dedicated work.



Ramakrupa Patnaik,
Nayagarh

As a senior police officer, he has investigated the case of violation of Human Rights diligently and dispassionately. He had impartially pointed out violation of Human Rights without fear or favour.





CHAPTER - 8

1. Information, Education and Communication Activities in the State

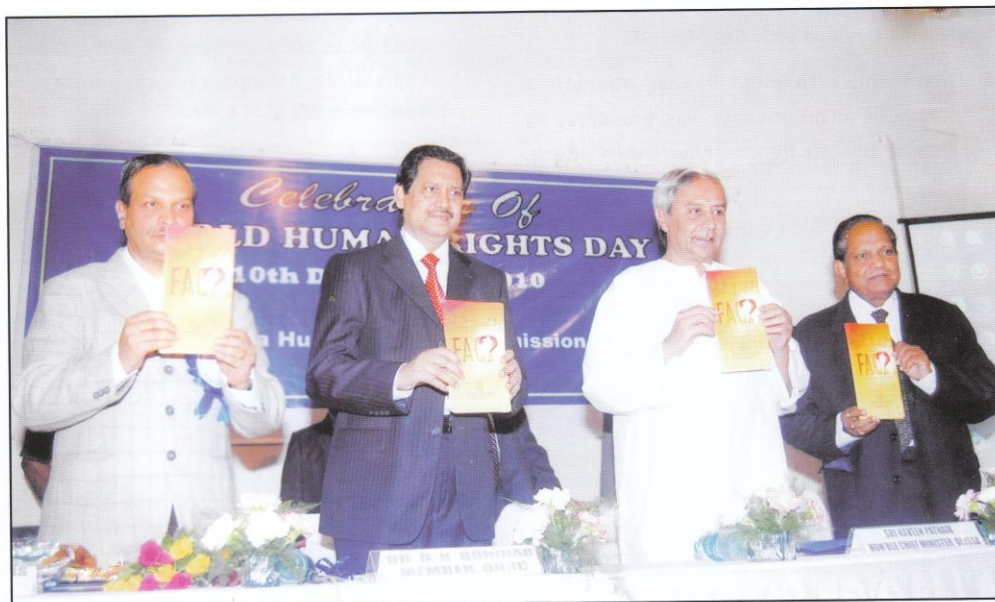
During the year 2010-11, Odisha Human Rights Commission, Bhubaneswar had taken initiative of create awareness about human right issues and subjects among the NGOs, PRGs, Institutions, Civil Society and the General Public at large. Commission observed World Human Rights Day on the 10th December, 2010, where a one day basic training programme and seminar was held with eminent speakers. Training was imparted to 350 students of different Law Colleges like the KIIT Law School, P.G. Deptt. of Utkal University, Vani Vihar, Bhubaneswar, M.S. Law College, Cuttack, Eleven NGOs and members of the Civil Society. Subjects relating to various issues on Human Rights as indicated below were discussed including

facilitating assessment of enforcement of Human Rights.

- (i) Theoretical development of Human Rights.
- (ii) Human rights with reference to Constitution and rights to education.
- (iii) Human Rights of the children, implementation of convention on Rights of children in India.
- (iv) Power and functions of OHRC.

2. Publications:

- (a) The OHRC published an English brochure on "Frequently Asked Question" on Protection of Human Rights Act, 1993 and OHRC Procedure Regulation, 2003 for creating awareness amongst different institutions, NGOs, Civil Society and masses. 2000 copies of the same were printed for free distribution aiming at massive spread of awareness.





- (b) The state commission also printed 1000 copies of 'The Protection of Human Rights Act, 1993 (as - amended by the Protection of Human Rights (Amendment) Act, 2006 - No. 43 of 2006)'. OHRC Procedure Regulations 2003 and other relevant Rules and Notification for distribution amongst the officials, NGOs and general public.
- (c) **Printing of Souvenir:** The State Human Rights Commission, Odisha was established on 11th of July, 2003, and Seven years have passed in the meanwhile. With the passage of time filing of complaints under the Protection of Human Rights Act, 1993 has substantially increased. On 10th December, 2010, the Commission celebrated the International Human Rights Day. The Hon'ble Chief Minister of Orissa, Shri Naveen Patnaik was the Chief Guest. A symposium on Human Rights was organized on the occasion to commemorate the event. A souvenir was published highlighting the observance of the Human Rights Day and activities of OHRC.
- (d) **Awareness through Prasar Bharati:** A phone - in programme was broadcast by Prasar Bharati for one hour over Cuttack,

Sambalpur, Jeypore, Berhmapur, Bolangir, Baripada, Bhawanipatna & Keonjhar District on 11.12.2010 for a duration of one hour. A panel of two experts i.e. Dr. P.C. Mishra (Retd.) Professor and Prof (Dr.) P.K. Patnaik, HOD, PG Deptt. Of Law, Utkal University, Vani Vihar alongwith Shri Biswajit Mishra, IAS, Secretary to the Commission answered to the quires raised by the participants on human rights issues over telephone.

Other Important Activities of the State Commission

1. Annual Report of the State Commission.

The State Commission prepared the Annual Reports for the year 2005-06, 2006-07, 2007-08, 2008-09 & 2009-10 as required under section 28 of the Protection of Human Rights Act, 1993 and forwarded them to Law Department for laying of the same in the Assembly as required under sub-section (2) of the section 28 of the Protection of Human Rights Act, 1993. The Annual Report from 2003-04 to 2009-10 were laid in the Odisha Legislative Assembly in the month of November, 2010.



**Interactive workshop by NGOs / Institutions During the year 2010-11/
The following NGOs, have conducted workshop highlighting the
Human Right issues at grassroot level**

Sl. No.	Name of the NGO	amount released in Rs.
1.	CENTER FOR INTEGRATED SOCIAL DEVELOPMENT. At- Upulai, Jajpur	20000
2.	SEVEN DIAMOND WORLD WELFARE ELDORADO BOARD ORGANISATION. Dangarapada, Po – Goda, Khordha	20000
3.	YUGA BHARATI SEVA YOUTH & SOCIAL DEVELOPMENT At – Chhaliapada, Jajpur	20000
4.	UTSHARGA At – Biribati, Jagatsinghpur	20000
5.	DEVELOPMENT AGENCY IN NEGLECTED AREAS (DANA) Baripada, Mayurbhanj	15000
6.	MARCH OF YOUTH FOR HEALTH, EDUCATION & ACTION FOR RURAL TRUST (MY HEART) At – Pandav Nagar, Tankapani Road, Bhubaneswar	20000
7.	REGIONAL COLLEGE OF MANAGEMENT – (AUTONOMOUS) C.S.Pur, Bhubaneswar	20000
8.	SOCIETY OF MASS INITIATIVES FOR CHILDRENS LIBERATION & EMPOWERMENT (SMILE) At – Lokanathpur, Dhenkanal	20000
9.	CITIZENS' FORUM FOR HUMAN RIGHTS, Saheed Nagar, Bhubaneswar	25000
10.	SRIMA AUROVINDA SEVA SANSTHA At – Raitundi, Kendrapada	15000
11.	RAMA KRISHNA SEVASHRAM At / Po – Kulana, Bhadrak	20000
12.	UTKALIKA Bidanasi, Cuttack	20000
13.	INDIAN ENVIRONMENTAL AND HUMAN RIGHT ORGANISATION Bidanasi, Cuttack	20000
14.	BIJU PATNAIK STATE POLICE ACADEMY, BHUBANESWAR	54000
	TOTAL (Three Lakh Nine Thousand) only	309000

**Awareness Generation camp on Exploitation of women, conducted by “UTKALIKA”,
Cuttack on 29.03.11**





Human Rights awareness programme on Human Rights & social justice organised by 'Citizens' Forum for Human Rights on 10.12.10 Bhubaneswar



Human Rights Awareness Programme conducted by Development Agency in Neglected Areas, Baripada, Mayurbhanj on 12.02.11



Workshop on Human Rights Awareness for fisher-women conducted by "UTSHARG", Jagatsinghpur on 13.03.11





Legal Awareness Programme on Human Rights conducted by “Yuga Bharati Seba Youth & Social Development” Jajpur on 17.01.11



Legal Awareness camp on Human Rights conducted by “Srima Arovinda Seva Sanstha, Kendrapara on 05.03.11



37

Awareness Programme on Human Rights organised by “MY HEART”, Bhubaneswar on 28.03.11 and 30.03.11

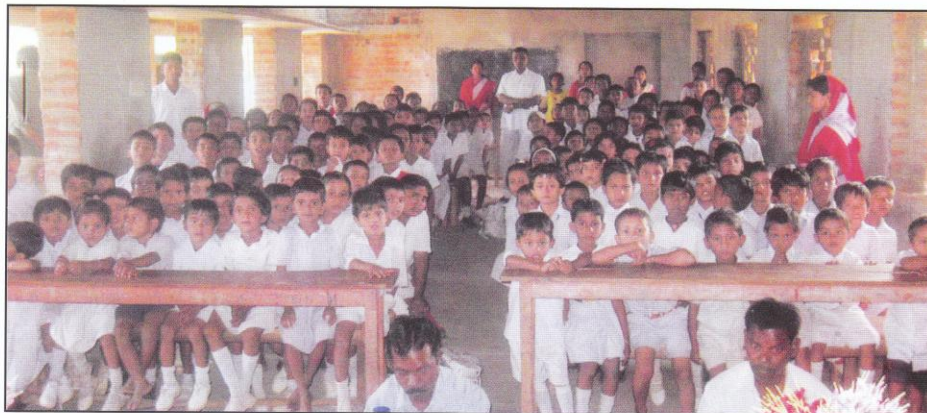




Human Rights campaign against child labour organised by Society of Mass Initiative for childrens liberation & Empowerment (SMILE), Dhenkanal, for 2010-11



Workshop on 'Child Labour its problem & solution' organised by Ramakrishna Sevashrama, Bhadrak for the year-2010-11





Workshop on Protection of Human Rights on Sexual Harassment of Working Women at Work place organised by “Seven Diamond World Welfare El-Dorado Board organisation, Khurda for the year 2010-2011

Human Rights Awareness Programme organised by Centre for Integrated Social Development, Jajpur





CHAPTER - 9

TOPICAL ISSUES & RECOMMENDATIONS THEREON MADE BY OHRC

As per direction of Odisha Human Rights Commission various departments of the State Government made presentations highlighting the efforts and measures being undertaken by Government for successful implementation of different ongoing schemes, touching the area of Protection of Human Rights. Some major recommendations of the Commission made thereon are listed below:

1. Case No. 1482 of 2010

The Director, Health Services, Odisha was requested to arrange for a presentation indicating the present position and various measures taken to enhance eye donation activities both by Government as well as by the institutes authorized to carry out eye transplantation.

On 29.12.2010, Dr. S.K. Sahoo, Joint Director of Ophthalmology made presentation.

Recommendation of the Commission.

- Eye Bank at SCB MCH, Cuttack has not been functioning since last 2-3 years and not a single case of corneal transplantation has been done although necessary instruments are available. The grant for the purpose is not being released due to non-functioning of the Eye Bank which is highly deplorable. This is mainly due to non-availability of the technical persons for conducting operation. The Secretary, Health Department is advised to ensure that trained doctors are available at all the three Government Medical College and Hospitals, to take up corneal transplantation.
- At present, tenders have been floated for procurement of Phaco Machine for corneal surgery. It is necessary that more doctors should be trained to carry out surgery with this machine, with special incentives, subject

of course of such operation being proved successful.

- Training should be given to doctors for Laser surgery.
- Adequate number of Ophthalmic Assistants should be posted in tribal districts.
- All the post operative complicated cases must be treated with utmost urgency and care at LVPI, Bhubaneswar or nearest Medical Colleges.
- In case of such complication in eye-camp organized by NGO(s), the concerned NGO(s) must own responsibility for further treatment of such patients and participate in meeting subsequent expenditure incurred for rectifying the post cataract complication. The State Government should formulate a suitable draft agreement for the purpose in consultation with some leading NGOs.
- NGOs conducting the eye camps must allow their specialists to stay in camp site for at least 7 days for proper follow up.

Action Taken

Action taken report has been submitted by Dr.B.K.Mishra, Special Secretary to Government (Tech.) Health & F.W.Deptt., vide its letter No. 13658, dtd. 28.06.2011, which indicates that as per order of the Hon'ble Commission necessary Guideline / instructions have been issued to all concerned for follow up, while conducting eye operation camps by voluntary organizations. They should follow up NPCB guidelines scrupulously regarding selection of cases and standards of surgical and post-operative care records should be kept regarding pre-operative visual status and associated medical condition. Any complications detected must be treated by



ophthalmologist at Community Health Centres / Sub-divisional Hospitals / District Headquarters Hospitals. Any case requiring further referral treatment should be referred to SCB Medical College Hospital, Cuttack / L.V. Prasad Eye Institute, Bhubaneswar, VSS Medical College Hospital and MKCG Medical College Hospital for the Central, Western and Southern Division Districts respectively. The NGOs concerned should arrange vehicle (s) for transportation and escort of such patients from Eye Camps / Hospitals to the nearest Referral - Institution / Medical College / L.V. Prasad Eye Institute, Bhubaneswar. The expenses for the same can be met from DBCS (District Blindness Control Society) contingent fund, or from R.K.S. (Rogi Kalyan Samiti) of the concerned District Headquarters Hospitals from where the NGO has obtained permission for eye surgery.

2. Case No. 1067 (A) of 2006

The director, Culture was requested to make a presentation about payment of pension to Indigent Artists.

On 19.01.2011, the Director, Culture made the presentation before the Commission.

Recommendation made by the Commission.

- The Selection Committee constituted for selecting the Artists for pension has to be more broad-based and should include Secretary, Sangita Natak Academy, Secretary, Lalitakala Academy and Director Handicrafts among others.
- The income criteria of Rs. 12,000/- per annum appears low and is likely to exclude many deserving artists for pension. As per the guidelines in the Government of India scheme, personal income of applicant (including income of the spouse) must not exceed Rs. 48,000/- per annum. The income criteria in the state scheme should accordingly be revised by the State Government.

- At present an artist /artisan convicted of criminal offences is not eligible for pension. The Commission feels that since such Artists are already awarded due punishment by judicial court, they need not be further penalized by making them ineligible for pension.
- Besides, income of sons and daughters should not be a factor for considering the eligibility for pension. An artist of repute should be allowed an independent livelihood support to enable him to live with dignity.
- The "Odisha Pension to Indigent Artists Rules 1976" be accordingly amended.
- At present 1500 indigents Artists / Artisans are getting pension. The Commission feels that the number of artists / artisans for pension is very less and it should be enhanced. The proposal of the Culture Department to include 1875 fresh cases for pension should be approved.
- The position regarding eligibility criteria, number of pensioners, procedure of selection etc. should be collected from other States and submitted to the Commission in three months time.

Action Taken

Action taken report has been submitted by the Director, Culture (I/C), Shri B.K.Nayak vide Letter No. NIL dated 02.05.2011, which indicates that proposals have been submitted to Govt. for reconstitution of the Selection Committee for selection of Artists eligible to get pension, to revise the annual income criteria from Rs. 12,000/- to Rs. 24,000/- with due concurrence of Finance Department, and for amendment of the Rule - 4 (IV) to include relaxation for acquittal in criminal cases / offences. As regards allowing independent livelihood support dignity to an artist of repute,



revision of the Orissa Pension to Indigent Artists with Rules – 1976 has been proposed.

In the meantime Government approval has been obtained for increasing 1500 more cases thus making a total of 3000 artists eligible for getting pension @ Rs. 1000/- per month.

As per instruction of Hon'ble Commission report from other states are also being collected for making a comparative study of the scheme with that of Orissa.

3. Case No. 1901 (A)/10

The State Leprosy Officer, Odisha was requested to make a presentation before the Commission on Medical rehabilitation activities and implementation of reconstructive surgery in the State.

ON 23.02.2011, Dr. P.K.B.Patnaik, State Leprosy Officer, Odisha made a presentation before the Hon'ble Commission.

Recommendation of the Commission.

- Reconstructive Surgery is a good initiative taken up in the State for correction of deformities of cured Leprosy persons. Government should see the Reconstructive Surgery (RCS) on Persons Affected with Leprosy (PAL) should be carried out regularly in all three Government Medical College Hospitals. Particularly V.S.S. Medical College, Burla should conduct RCS on leprosy cured patient on regular basis as more number of cases are waiting for operation in the western zone of State and prevalence of leprosy is comparatively high in Western zone of the State.
- Government should take up immediate steps to fill up vacant posts of leprosy Para-medical workers as there are 153 such posts which are vacant out of 404 posts sanctioned. Government has already abolished 1156 posts of NLEP in 2004-05. Without technical man

power, particularly leprosy Para-medical workers at PHCs, it will be difficult to carry out disability prevention and medical rehabilitation activities to provide services to nearly 30,000 PAL having disabilities. Hence Government should take proactive steps to fill up the vacant posts of Para-medical workers.

- Leprosy Home and Hospitals at Cuttack and Hatibari near Sambalpur, gradually may be converted to referral centers for management of complicated leprosy cases and treatment of related problems of leprosy cases. In future, these centers should be converted into general hospitals.
- Government should take immediate steps to amend the Section 38 of the Odisha Municipal Act, 1950 in relation to persons affected by leprosy. As per this Act, people with leprosy are not allowed to contest Civil Elections or hold Municipal Office in Odisha. It is a serious example of Human Right Violation. Hon'ble Supreme Court in their para 22 of order passed on 19th September, 2008, clearly recommended bringing amendment to the Acts, which are discriminatory to the leprosy patients.

Action Taken

Action taken reports have been submitted by Dr. B.K.Mishra, Special Secretary to Government (T), Health & Family Welfare Department vide Letter No. 11419 dated 26.05.2011 and by Shri S.K. Mishra, Joint Secretary to Government, H & U.D. Department vide Letter No. 22790, dated 09.08.2011.

As per recommendation of the Hon'ble Commission, Director, Medical Education & Training have issued instruction to the Supdt. Of VSS Medical College and Hospital, Burla, MKCG Medical College and Hospital, Berhampur and SCB Medical College and Hospital, Cuttack vide their letter No. 6074 dated 18.05.2011



to follow the observation of Hon'ble OHRC with special emphasis on western zone of Orissa which is more vulnerable.

Govt. have asked DHS (O) to furnish proposals to fill up the vacant post of PMW (Leprosy). Accordingly DHS (O) has sought for permission of Govt. (Health & F.W. Deptt.) to allow CDMOs to fill up the vacant posts of paramedical workers (Leprosy).

As per recommendation of the Hon'ble Commission Leprosy Home and Hospital, Nuabazar, Cuttack has already been converted into Apex referral centre for management of complicated Leprosy cases and Conduction of Reconstructive Surgery (RCS). Hatibari Health Home Sambalpur will be converted into rehabilitation centre with PPP mode as decided in the Executive Committee meeting of Hind Kustha Nivaran Sangh (HKNS), Orissa Branch on 04.05.2011.

Joint Secretary to Govt. in the H&U.D. Development Deptt. has intimated vide their progress report that necessary steps are being taken to amend suitably the provisions of the Orissa Municipal Act, 1950 and the Orissa Municipal Corporation Act, 2003 debarring the Leprosy affected persons to be qualified for the election of councillor and corporator respectively.

4. Case No. 708-A of 2009.

The Commissioner-cum-Secretary to Government, Health & Family Welfare Department was requested for a presentation on the strategy for reduction of MMR in Odisha & the NRHM initiatives in this regard.

On 1st December, 2010, Dr. Prasant Kumar Senapati, Sr. Programme Manager, Maternal Health & Dr. R.K.Ghosh, Director, Family Welfare, Odisha made the presentation before the Commission.

- The Maternal Mortality Rate can be reduced if early diagnosis of complications and prompt treatment can be instituted. This needs increased number of trained manpower, both

doctors and paramedics like midwives, nurses, exclusive health worker (female) for Maternal Health. Sanctioning adequate number of posts and creating more posts with definite job responsibilities and accountability is needed.

- Excessive bleeding during abortion, both spontaneous and induced is a major cause of MMR. So adequate number of blood storage units to be opened. Abortion drugs unless prescribed by competent doctors should not be sold over the counter by the chemists.
- Training centres in Nursing Schools and Medical Colleges need to be increased / strengthened for training of more number of professionals. Relaxation of certain norms stipulated in the in-service training of doctors and paramedics needed for multi-skilling the staff. Some form of incentive should be awarded to make these trainings attractive for the doctors.
- Infrastructure development for providing medical services and residential accommodation of the service providers near the institution is to be ensured.
- Electrification, road communication and safe running water supply are also essential for the health care centres and must be provided on priority.
- Transportation of patients to reach the FRUs must be ensured through Janani Express and other convenient modes. Administrative arrangements may be made where a local doctor can requisition a Government vehicle of the locality to transport patients in emergency to the FRUs.
- The concept of Maternity Waiting Home as set up in Malkangiri and Gajapati sound excellent. These two Waiting Homes should be managed well to function effectively and this facility should be extended to other needy areas.



Action Taken

Minutes containing the recommendation sent to the concerned public authority for compliance.

5. Case No. 399 of 2010.

The Commissioner-cum-Secretary to Government, Health & Family Welfare Department was requested for a presentation on the implementation of the National Mental Health Programme (NMHP) in Odisha.

On 1st December, 2010 Dr. Nilamadhav Rath, Prof., HOD, Psychiatry and Medical Superintendent, Mental Health Institute, SCB Medical College and Hospital, Cuttack and Dr. B.K.Panda, Joint Director, Health Services, Biomedical Waste Management & Mental Health made a brief presentation.

Recommendation of the Commission

- Keeping in mind the increasing trend of the psychiatric illness and lack of understanding on psychiatric illness with doctors working at primary health care, it was seriously considered that they should undergo a week long training early in their service, so that they can identify the need of the patients for a psychiatry consultation, as, early intervention at the start of illness is effective secondary prevention.
- The involvement of NGOs in the psychiatry care, geriatric care and rehabilitation of the orphans should be given emphasis. Community mobilization needs to be encouraged and fostered.

Action Taken

Minutes containing the recommendation sent to concerned public authority for compliance.

6. Case No. 1001 of 2010

The Director, Medical Education & Training, Odisha was requested to make a presentation on the demand & importance of organ transplantation in the State.

On 22.12.2010, Dr. Datteswar Hota, Professor and HOD, Department of Urology, SCB Medical College, Cuttack made a presentation regarding Human Organ Transplantation, the procedure involved, level of demand of organ transplantation and volume of unsatisfied demand.

- The IEC activities be stepped up to dispel the fear about the ill effects of the kidney donation by relatives or other donors. The State Government shall select a suitable institution / agency for the required IEC activities and allot funds for the purpose in the respective budget.
- Each District Headquarters Hospital should have the facility of dialysis with medical specialist and necessary technicians available.
- In case shortage of professionals like urologists / nephrologists is found as a constraint in providing the facility at the district level, services of refined professionals could be suitably utilized.
- Manpower shortage at the level of technicians should be overcome through condensed courses given to fresh science graduates.

Action Taken

Minutes containing the recommendation sent to concerned public authorities for compliance.



CHAPTER - 10

BUDGET & FINANCE OF THE ODISHA HUMAN RIGHTS COMMISSION

- (i) (a) Government of Odisha provided a sum of Rs. 1,21,06,000/- in the State Budget under "Demand NO. 4 - 2014 - Administration of Justice - Non Plan - 103 - Special Court - 1348 - State Human Rights Commission Establishment" to meet the expenditure of Odisha Human Rights Commission for the financial year 2010-2011. Additional provision of Rs. 25,92,000/- was made by way of supplementary grant increasing the total provision to Rs. 1,46,98,000/-.
- (b) Government of Odisha provided a sum of Rs. 55,83,000/- in the State Plan Budget under "Demand No. - 4 - 2014 - Administration of Justice - State Plan - State Sector - 103 - Special Court - 1348 - State Human Rights Commission Establishment" to meet the expenditure of Odisha Human Rights Commission for the financial year 2010-2011.
- (c) Government of Odisha also provided Rs. 47,17,000/- in the State plan Budget under "Demand No. 7 - 4059 - Capital Outlay on Public Works - State Plan - State Sector - 01 - Office Buildings - 051 - Constructions - 2212 - Construction of Building of Law Department to meet the expenditure of improvement of the office of Odisha Human Rights Commission for the financial year 2010-2011.
- (ii) (a) The savings available under some units of expenditure under Non Plan was utilized by way of re-appropriation with the concurrence of Finance Department of the State Government to meet the requirement on other units of expenditure. A total expenditure of Rs. 1,45,07,000/- was made which was 98.7% of the Budgetary provision of the year.
- (b) Out of provision of Rs. 55,83,000/- under State Plan an amount of Rs. 43,83,000/- was incurred towards expenditure and the balance of Rs. 12,00,000/- was surrendered for non concurrence of Finance Department for purchase of two new vehicles.
- (iii) Unit wise provision made in the State Budget, amount augmented by way of re-appropriation, the expenditure made and amount surrendered are indicated in the statement at Annexure - V & VI.



CHAPTER - 11

Right to Information Act, 2005.

Smt. Shyamali Mohapatra, Under Secretary and Shri Manoj Kumar Behera, Section Officer are working as the Public Information Officer and Asst. Public Information Officer respectively of the Commission to take care of the applications received from the public, furnish the requisite information to them under the Right to Information Act, 2005.

Shri Chitta Ranjan Mohapatra, Secretary (I/C) is working as the Appellate Authority of this Commission in this regard.

The details of applications and appeals received under the Act during the year 2010-2011 are indicated below:

Details of RTI Applications

1.	No. of Application Received	61
2.	No. of Application disposed off within 30 days	61
3.	No. of Application pending but disposed off beyond one month	NIL
4.	No. of Application pending but are within one month	NIL
5.	No. of Application transferred to other Departments / organization	3

Details of 1st Appeals

1.	No. of Appeal received by the Appellate Authority	1
2.	No. of such Appeal disposed off within one month	1
3.	No. of Appeal pending	NIL

Details of 2nd Appeal with S.I.C.

1.	No. of notices received from S.I.C.	6
2.	No. of hearing attended by PIO / Appellate Authority	6
3.	No. of hearings in respect of which compliance submitted to SIC	6
4.	No. of hearings in respect of which compliance not submitted to SIC	NIL



ANNEXURE – I

Staff Position of OHRC during the year 2010-11

1.	Chairperson	1
2.	Member	2
3.	Secretary	1
4.	Director, Investigation	1
5.	Registrar	1
6.	Joint Secretary	1
7.	Dy. S.P.	1
8.	Under Secretary	1
9.	P.S. to Chairperson	2
10.	Inspector of Police	4
11.	Section Officer	2
12.	Personal Assistant	6
13.	Sr. Assistant	1
14.	Accountant-cum-Cashier	1
15.	Stenographer	5
16.	Constable	3
17.	Driver	4
18.	Computer Operator	1
19.	Despatcher-cum-Typist	2
20.	Jr. Assistant	2
21.	Peon / Class - IV	8

47

ANNEXURE – II

Subject wise classification of cases registered & disposed off during year 2010-11

Sl.	Classification of cases	No. of cases
1.	Children	27
2.	Health	83
3.	Jail	54
4.	Anti Social Activities	27
5.	Labour	95
6.	Minorities ST/SC	63
7.	Physically handicapped	09
8.	Police, paramilitary force	834
9.	pollution	16
10.	Religion / community	73
11.	Service matter	247
12.	Women	311
13.	Misc.	582
14.	Total no. of cases received during the year	2421
15.	Dismissed in limine	1209
16.	Entertained during the year	1212
17.	Cases pending from previous year	4737
18.	Total no. of cases	5949
19.	Disposed of on hearing	685
20.	Total no. of cases pending of the year	5264

**ANNEXURE – III****Total number of Suo-Motu cases instituted - 118**

Sl.No.	Classification of cases	No. of cases
1.	Children	8
2.	Health	12
3.	Jail	31
4.	Anti Social Activities	7
5.	Labour	6
6.	Minorities ST/SC	8
7.	Physically handicapped	2
8.	Police, paramilitary force	19
9.	pollution	1
10.	Religion / community	0
11.	Service matter	9
12.	Women	7
13.	Misc.	8
	Total	118

ANNEXURE – IV**Subject-wise classification of cases entertained during the year 2010-11**

Sl.No.	Classification of cases	No. of cases
1	Children	9
2	Health	5
3	Jail	71
4	Anti social Activities	107
5	Labour	35
6	Minorities ST/SC	139
7	Physically handicapped	3
8	Police, paramilitary force	517
9	Pollution	4
10	Religion / community	6
11	Service matter	12
12	Women	88
13	Misc.	216
	Total	1212



ANNEXURE - V

STATEMENT SHOWING UNITWISE PROVISION MADE UNDER DEMAND NO. 4 - 2014 – Administration of Justice – Non Plan - 103 - Special Court – 1348 - STATE HUMAN RIGHTS COMMISSION ESTABLISHMENT FOR THE YEAR 2010-2011.

Sl No.	Unit of Expenditure	Budget Provision	Supplementary Grant	Augmented by way of re-appropriation	Re-appropriation of other units	Final Grant	Expenditure	Amount Surrendered
1	2	3	4	5	6	7	8	9
1	Pay	55,00,000	11,60,000	-	1,20,000	67,80,000	67,74,000	6,000
2	Arrear pay	6,00,000	8,00,000	-	-	14,00,000	13,97,000	3,000
3	D.P.	1,05,000	-	-	-	1,05,000	1,02,000	3,000
4	D.A.	23,65,000	6,32,000	-	50,000	30,47,000	29,92,000	55,000
5	H.R.A	7,00,000	-	-	(-4,70,000)	2,30,000	2,00,000	30,000
6	R.C.M	1,50,000	-	-	1,00,000	2,50,000	2,49,000	1,000
7	O.A.	5,20,000	-	-	-	5,20,000	4,28,000	92,000
8	T.E.	1,80,000	-	-	-	1,80,000	1,80,000	-
9	LTC	1,50,000	-	-	2,00,000	3,50,000	3,50,000	-
10	Electricity Dues	1,70,000	-	-	92,000	2,62,000	2,62,000	-
11	Water charge	1,000	-	-	-	1,000	-	1,000
12	Tel. charge	2,50,000	-	-	1,00,000	3,50,000	3,50,000	-
13	Motor Vehicle	6,00,000	-	-	-	6,00,000	6,00,000	-
14	Other Contingencies	5,00,000	-	-	(-) 1,52,000	3,48,000	3,48,000	-
15	Up-gradation of computer facility	1,00,000	-	-	-	1,00,000	1,00,000	-
16	Computer consumables	30,000	-	-	-	30,000	30,000	-
17	Spare & services	30,000	-	-	-	30,000	30,000	-
18	Consulting charges	5,000	-	-	-	5,000	5,000	-
19	Payment for Professional & Special Services	50,000	-	-	(-) 40,000	10,000	10,000	-
20	Grants	1,00,000	-	-	-	1,00,000	1,00,000	-
21	Total	1,21,06,000	25,92,000	-	-	1,46,98,000	1,45,07,000	1,91,000

