Visit to Area of Civil Unrest, Inspection of School opened by Naxals in Jharkhand:

VISIT REPORT OF DR. YOGESH DUBE

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New Delhi – 110001
2012
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<tr>
<td>ATR</td>
<td>Action Taken Report</td>
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<tr>
<td>CWC</td>
<td>Child Welfare Committee</td>
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<tr>
<td>DC</td>
<td>Deputy Commissioner</td>
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<tr>
<td>ICDS</td>
<td>Integrated Child Development Scheme</td>
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<td>ICPS</td>
<td>Integrated Child Protection of Scheme</td>
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<tr>
<td>JJ Act</td>
<td>The Juvenile Justice (Care and Protection of Children) Act, 2000</td>
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<tr>
<td>NCPCR</td>
<td>National Commission for Protection of Child Rights</td>
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<tr>
<td>NGO</td>
<td>Non-Governmental Organisation</td>
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<td>RTE</td>
<td>Right to Education</td>
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<td>SCPCR</td>
<td>State Commission for Protection of Child Rights</td>
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<td>SJPU</td>
<td>Special Juvenile Police Unit</td>
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<td>SMC</td>
<td>School Management Committee</td>
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1. Team Composition

Dr. Yogesh Dube, Member- National Commission for Protection of Child Rights (NCPCR) led a team to Palamu, Jharkhand from 17th April to 19th April, 2012. He was accompanied by Mr. Divyakar Pathak (Consultant).

2. Brief Description of the Visit

The District of Palamu lies between 23 degree 50’ and 24 degree 8’ north latitude and between 83 degree 55’ and 84 degree 30’ east longitude. It contains an area of 5043.8 square Kms. The administrative headquarter is Daltonganj situated on koel river in 24 degree 3’ north and 84 degree 4’ east. Daltonganj has taken its name after colonel Dalton, commissioner of Chhotangapur in 1861. The distance between Daltonganj and Ranchi is 165 Km. Old Palamu District is divided in three Districts.

(1) Palamau
(2) Garhwa
(3) Latehar

The purpose of the visit was to discuss the situation of children in distress with various stakeholders including Government officials of Palamu district, NGOs working in the area for the protection of child rights, Child Welfare Committee and Juvenile Justice Board. Dr. Yogesh Dube visited the area to get the ground situation and review the situation of children in the district. The purpose was
to enhance democracy through community participation and action and renew hope in harmonizing the society and stabilizing their lives while a child’s well-being becomes the focus of all action in the area.

3. The Tour Itinerary

Sub: Visit programme of Dr. Yogesh Dube, Member, NCPCR to Jharkhand, from 17.04.2012 to 19.04.2012.

Travel Itinerary

<table>
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<tr>
<th>Date</th>
<th>Travel Plan/Activity</th>
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| 17.04.2012   | • Departure from New Delhi at 01.05 p.m. (AI-809)  
• Arrival at Ranchi Airport at 02.45 p.m.  
• Reception, transportation * and security to be arranged by the District collector Govt. of Jharkhand.  
• 03.00 p.m. Departure for Palamu by road.  
• 07.30 p.m. Arrival at Palamu. Night stay at Palamu. |
| 18.04.2012   | • 09.30 a.m. Visit of civil unrest area, ICDC centres, NCLP schools, Hospitals, NRC Centres, SC and ST girls hostels etc.  
• 05.00 p.m. Meeting with the CWC Members and human rights organizations and other NGOs working on child rights issues.  
• 06.00 p.m. Meeting with the District Magistrate and other senior officers of WCD, Labour, ICDS, Home, Health and Education Departments. |
| 19.04.2012   | • 09.00 a.m.- Departure for Ranchi.  
• 1:00 P.M – Meeting with Governor of Jharkhand.  
• 03.25 p.m.- Departure for Delhi by (AI-810)  
• 05.10 p.m.- Arrival Delhi. |
The team led by Dr. Yogesh Dube visited the school opened due to Naxals intervention in Salathua village in Chainpur block. (Also see cover photograph) The villagers informed that this is the first time any government officials had visited the school and reviewed the situation. He interacted with the villagers and inquired about the reasons due to which the school had not been opened by the government. The villagers told that due to some minor construction problem the school had not been dedicated to public and had been closed. It is after the naxals intervention the government had opened the school. While inspecting the school premise the team didn’t find major fault in the construction due to which the school could not be started. The team directed the administration to give a detail report in this regard.
The NCPCR team visited the Angandwadi centre and the primary school of Chainpur block in Palamu. Two buildings meant for the angandwadi centre and the primary school. At the time of visit only 22 children were present in the Anganwadi center against the total number of 40 enrollments. The attendance of the children for the last one week was not available. The growth chart and other records about children was not available, nor was menu card maintained. There was no toilet facility in the centre.

After observing the dismal condition of the Anganwadi Centre, Dr. Dube instructed the Officers of Social Welfare and ICDS to ensure the minimum standard and norms prescribed by the government.

The primary school has three teachers in position against the enrollment of total 104 children out of which 62 were present. All three teachers were present in the class, though the attendance was low. The team did a thorough checking of the attendance register of all classes. Mata Samiti is responsible for the preparation of Mid-day meal. The team also found that there were no toilets.
6. Visit to Panchayat Bhawan and Primary Health Center, Interaction with the Villagers, Salathua, Palamu

The visiting team inspected the Gram Panchayat Bhawan in Salathua village and interacted with the Panchayat members and villagers present there. The villagers complained about the poor functioning of the aganwadi centre in the village. They told that aganwadi centre of the village is not functional since four years although the ANM working there is getting salary. Dr. Dube then visited the aganwadi centre and found that the complaint of the villagers is genuine. He directed CDPO of the block to give a detailed report in this regard and immediately took action against the erring ANMs. He inspected the aganwadi and found that no services was existing there. Villagers also told that they had complained about this issue to the official many times but it was in vain. No steps had been taken by the officials. Even the sarpanch of the village had given written complaints to the block officials. The villagers told that the other aganwadi situation is not also good. They distribute nutritious food in months.
7. Visit to Kasturba Gandhi Balika Vidyalaya, Palamu

The team visited the Kasturba Gandhi Balika Vidyalaya in Chainpur block of Palamu district. The team surprised to find that this KGBV is running in a remand home. There is no separate classroom for the girls. The classes are held in the same room which is also for their accommodations. The total capacity of the school is 300. The rooms are made to keep the juvenile in conflict with law and they give the feeling of jail. The girls get cooked food. But there are no benches or table for the classroom. The books are also not available to them in proper numbers. Dr. Dube directed the education department to shift KGBV as soon as possible in a new place. The officials told that the new building is under construction and within two months it will be shifted to that building. Dr. Dube also instructed to provide books, dresses and other facilities to these girls. Proper security arrangements must be made available to these girls as this school premise is besides the district jail.
8. Visit to Malnutrition Treatment Centre in Palamu

The team made a visit to the Malnutrition Treatment Centre. It is equipped with all the modern facilities. At the time of visit 2 children were admitted in the MTC and are at different stages of recovery from malnutrition. Dr. Dube asked about the reports and case study of two children who were admitted there for last 10 days. Usually after two weeks the children get discharged once they reach to normal nutrition level. It was surprising to see that only two children were admitted there. Being one of the backward district of the State the malnutrition cases are quite high. Still there are only two children in MTC. Dr. Dube interacted with the doctors and inquired about the less number of children in MTC. He directed the health officials to encourage people to bring more and more children to MTC.

9. Visit to Aganwadi centre and Schedule Caste Hostel in Shahpur, Palamu
NCPCR team inspected the aganwadi centre in Shahpur village. The total enrollment is 40. The situation in this aganwadi is not different from others. The administration version is that it is a model aganwadi but most of the facilities are unavailable at the centre. Dr. Dube instructed the District Social Welfare officer to take stern action against the CDPO incharge of this block. There no fans and electricity at the centre and the environment of centre is suffocating. NCPCR team directed to make arrangements of fan and electricity. The centre was running in a rented building. The sevika at the centre told that the growth chart is being stolen. The sanitation situation of the premises unhygienic. The CDPO wasn’t able to explain the irregularities at the centre when asked. There were no toilets or water facilities at the aganwadi centre.

The team also visited the SC Balika Awasiya Vidyala run by social welfare department just adjacent to the aganwadi centre. Total strength of the hostel was 172. The most important lacking was there is no boundary for the protection of the girls. The girls had to clean their utensils. The toilets and bathroom are in unhygienic condition. Dr. Dube instructed to immediately make arrangement to clean the toilets and make proper sanitation facilities at the hostel. There were male staff working in the hostel. The team asked the administration to remove these staff and make other arrangement for the security and safety of the girls in the hostel. The girls also complained about the non availability of health facilities as no doctors visit the hostel. The team directed that proper medical facilities must be provided and arrangement must be done so that fortnightly a doctor visit the hostel for medical check up.
This hostel is also run by social welfare department. Against the capacity of 100 inmates 150 were residing in the hostel. There are altogether 30 rooms in the hostel but 6 rooms were occupied by either keeping social welfare department materials like cycles, utensils etc, it had turned into a godown and two rooms are occupied illegally by the relatives of the watchman. There is also no proper arrangements made by the department for preparation of food for the hostel inmates. The children have to cook there food by their own although staffs have been placed for this purpose but they are absent most of the time. The girls told that there is serious shortage of water and no proper arrangements had been made till date inspite of repeated request by the inmates.

Dr. Dube instructed to immediately clear the occupied room and stern action must be taken against the warden. The team also directed to give a detailed report of the action taken. The girls also complained about not getting the scholarship on timely basis. Dr. Dube promised to take up this issue with higher officials of State Government.
The NCPCR team led by its Member Dr. Yogesh Dube visited the District Hospital, Palamu and interacted with the senior officers over there. The visiting team found gross mis-management in the hospital. The hospital premise was unhygienic and no sanitation facilities are available. The patients complained about the rivalry between nurses which is badly affecting the working of the hospitals, menace of the touts, money being asked for providing necessary services at the hospital and non functional ultrasound and X-ray machines. During the discussion it was brought to the knowledge of the visiting team that the hospital lacks manpower in terms of doctors, technical as well as administrative levels. Recruitment has not been done to address the problem of inadequate staff/manpower in the hospital. The District Hospital lacks infrastructure. Dr. Dube recommended for the quick recruitment for filling up of the vacancies and felt the need for improvement of infrastructure. He strongly felt that the District Hospital should initiate nutrition rehabilitation centre as the cases of malnutrition in the District is quite rampant.
2. Meeting with JJB, CWC and NGOs in Palamu

NCPCR team had meeting with the representatives of NGOs working on child rights issues and Child Welfare Committee and Juvenile Justice Board members at the circuit House. The Commission inquired the issues related to child rights and interventions of CWC, JJB and NGOs. Dr. Yogesh Dube, Member, NCPCR thanked all the representatives of the civil society groups for flagging off the issues and concerns on child rights issues in the District. He urged them to keep on informing the Commission on issues relating to child rights violations and promised that Commission would take it to its logical conclusion for ensuring the betterment of the children in the region. He assured that the issues raised by them would be brought to the attention of the State Government. CWC members told that there is no shelter home, children home or special home in the district. Also there are no proper arrangements for regular sitting of CWC. No proper infrastructure is available and they have to work in lots of constraints. Juvenile Justice Board members told that as there is no observation home in the district so they are facing immense difficulties in sending Juvenile in conflict with law for proper care. They also told that the one observation home which had been constructed is being used as Kasturba Gandhi Balika Vidyalaya. Dr. Dube instructed CWC and JJB members to send a detailed report on the situation of child rights in the district.

3. Meeting with District Administration, Palamu

Meeting with the District Administration in the Conference Room at Circuit House in Palamu on 18.05.2012 at 18:00 Hrs.

After a day of intensive visits to anganwadi centres, primary schools, Kasturba Gandhi Balika Vidyalaya, school opened on the initiative of naxals, SC girls Hostel, ST girls hostel, Malnutrion treatment centre, primary and community health centre and district hospital, the visiting team held a meeting with the District administration to share their observation and also to assess the situation of children in Palamu district.
The meeting with the District administration was chaired by Dr. Yogesh Dube in which Ms. Pooja Singhal, District Magistrate along with Mr. Chandrakant, Deputy Development Commissioner, Palamu were present among others. The Superintendent of Police did not turned up for the meeting and neither had he deputed any officers from his department which enables the Commission to review the working of Police Department.

The introduction and purpose of the meeting was briefed by Ms. Pooja Singhal. Initially the Social Welfare department briefed about the steps taken by them to ensure entitlements of the children in the district.

Dr. Dube stated that NCPCR is seriously concerned about the situation of children in the district. He told that after intensive visit in the district he found the situation of children not up to the satisfaction. He informed that there is no children home and observation home or shelter home in the district and Kasturba Gandhi Balika Vidyalaya is running in a remand home, which reveals that the situation of children is serious cause of concern and gross violation of child rights in the district.

The CWC and JJB is also not well oriented about its role and responsibilities. Dr. Dube instructed District Social Welfare officer undertake regular inspections to assess the situation of children in the district. He instructed the District Magistrate to develop a proper rehabilitation plan for the children when they got rescued from child labour. He told that there is serious need to improve the infrastructure of Anganwadi centres and primary schools.

As per the Government report more than 5000 children are malnourished in the district. Dr. Dube instructed for undertaking special drive to provide nutrition to these categories of children, initiate and operationalise the NRCs and also conduct a survey to find out the exact number of children in different grade of Malnutrition as per the latest WHO guideline. He also instructed to
develop a proper plan to bring the malnourished children to the Malnutrition Treatment Center.

The District Labour Officer was not able to explain the status of child labour survey and implementation of CLPR Act in the district. Dr. Dube also directed to take up the child labour survey of all the brick kilns and the quarries and mines take actions to close down the same immediately, if found illegal. In this he told that inter-departmental convergence must be established for quick action. He also instructed the Pollution Control Board officials to regularly check the pollution created by the quarries, mines and brick kilns and takes necessary action if it was found that they are violating the environmental laws. The District administration should issue guidelines in this regard to curb the pollution and illegal running of brick kilns to revenue department. Observing lack of coordination between various departments/authorities and the childline.NCPCR was highly dissatisfied with the situation of ICDS programme in the district. The Commission directed to take immediate steps to ensure the ICDS benefits must reach to each and every children. CDPOs must regularly inspect the centres and take action against the erring ANMs or workers. Dr. Dube instructed the education department to implement the RTE Act in its spirit and words. He directed to complete the drop out survey. He also directed to properly handover the school buildings to the public so in future no school must be opened on the Naxals interventions.

**Meeting with H.E Governor of Jharkhand**

Dr. Dube on his third day of visit met H.E. Governor of Jharkhand at Raj Bhawan in Ranchi and briefed him about the working of NCPCR, purpose of his visit and situation of child rights in the State of Jharkhand. He told H.E about the absence of shelter home, observation home and children home in many district. He also briefed him about the situation at the school opened by the intervention of naxals. He also briefed H.e about the situation of girls living in SC and ST girls hostel. Dr.Dube requested H.E to do the needful to ensure child rights in the State.
नाख़ अफेक्टेड आर्या पालम (Jarakphan)

और बदल दिया खाल्तुआ स्कूल का माहिल

विभागों के बीच समन्वय नहीं

अधिकारियों को निर्देश
- खाल्तुआ के दो पंखों की दौड़ को अन्वर डिझाइनर को निर्देश
- अधिकारियों की आजमगढ़ अधिकारियों का समन्वय करना दिखा दिया
- अधिकारियों को असलियत दिखा दिया

पहलेः दो पंखों की दौड़ की निर्देशन करने के लिए अधिकारियों को निर्देश करके दिखा दिया। पहले दो पंखों की दौड़ को असलियत करने का प्रयास किया जा रहा है। अधिकारियों को आजमगढ़ अधिकारियों का समन्वय करना दिखा दिया। पहले दो पंखों की दौड़ की निर्देशन करके दिखा दिया।
जिले के 5000 बच्चे कुपोषण के शिकार

राज्यीय बाल अधिकार
संस्थान आयोग की बैठक में कई सामने आयी। ड्रॉप आउट बच्चों की संख्या 6000

19/14/2012 से 38 नं 12 (2012) वतिता वाम

Palamu schools sans basic amenities: NCPER

Palmu's schools lack basic amenities as per NCPER.
चुरालानों की कुप्रवस्था देश भरके अधिकारी
सिस्टम दुरुस्त करें: डॉ दुबे

PRABHAT KABIR
Palamau

NCPCR team visits Naxal-hit areas of State

PHS | RANCHI

The National Commission for Protection of Child Rights (NCPCR) team is on a visit to Naxal-affected areas of Palamu District in the State between 17 and 19 April.

The team led by Dr. Yogesh Dubey, member, NCPCR, and a consultant, Partab Pathak, will be visiting the areas affected by civil unrest, IDPS, CWC, schools, institutional care homes, nutrition centres. They will interact with Panchayats, CWC members, Government officials of the District Women & Child Development, Labour, CWC, Health & Education, Departments, regarding various Child rights issues.

We will be visiting the areas to study and probe into child rights violations, Dr. Yogesh Dubey said.

Naval Affected area: Palamu (J Ramkash)

मेदिनीनगर जागरण
जवाबदेही तय करेगा आयोग
बाल संरक्षण आयोग ने किया स्कूल व आग्नेयाल्प में का निरीक्षण

Naxal Affected area: Palamu (J Ramkash)
आयोग को दिखी हर और अव्यवस्था

सदर अस्पताल की स्वास्थ्य व्यवस्था चाकूशायी है: डा. योगेश
विभागों के बीच समझौता नहीं

अधिकारियों को निर्देश
- अधिकारी के स्थान पर कोई भी नौकरी नहीं करने का दावा
- अधिकारी के आदेश का किसी भी कार्य करने का अनुरोध
- अधिकारी के स्थान पर कोई भी कार्य करने का अनुरोध
- अधिकारी के स्थान पर कोई भी कार्य करने का अनुरोध

शिक्षा व आँगनबाड़ी केंद्रों की स्थिति बदहाल: डॉ दुबे
Recommendations

6. The Recommendations to the State Government as follows:

Child Labour (Concern Department: Department of Labour)

a) The Labour Department should carry out a fresh survey for identification of children involved as child labour in various sectors including the hazardous occupation and process, (e.g. Mines and quarries, Dhaba and restaurant and domestic help etc) and send a report to NCPCR within 3 months.

b) Furnish a report on the number of arrest and prosecution done in last 3 years in violation of Child Labour (Prohibition and Regulation) Act, 1986.

c) Constitute State level and District level task force for rescue of child labour under chairpersonship of DM. Member of CWC,SJPU and NGO would be part of the task force along with other member.

d) Training and Orientation of officials with regard to child rights issues with special focus on child labour on regular basis.

e) A detail status report of NCLP schools of the district (child-wise details from last 1 years) should be sent to NCPCR at the earliest

f) A monitoring committee must be formed at the District level in all the Districts to monitor child rights comprising the representative of civil society, media persons, local bodies representatives, Child Welfare Committee and concerned Government departments.

g) Conduct a survey of all the illegal brick kilns and quarries in the state and child labour therein. Give the report in 3 months to the commission.

h) Closure of all the illegal brick kilns, quarries and mines in the State at the earliest and furnish Action Taken Report to the Commission.

i) Give a detailed report on the number of child labour rescued from brick kilns, quarries and mines in last 3 years and number of children rehabilitated in the same period.

j) The State government shall rescue and rehabilitate all the child labourers working at restaurants, tourist places etc.
**Children Home and Observation Home: (Concern Department: Department of Social Welfare)**

a) The Commission during its visit to Palamu found that there is no Children Home, Observation Home, Special Home and Shelter Home in the District. So, notification must be issued to open Children Home, Observation Home, Special Home and Shelter Homes in various Districts of the State where there are no such Homes and a copy of notifications must be sent to the Commission.

b) No male staff shall be posted in any children home for girls.

c) Child Welfare Committees must be strengthened and training of the Members shall be arranged.

**Department of Women and Child Development and Department of Health and Family Welfare**

a) During our visit to ICDS centres of Chainpur block of Palamu District, the team found that growth chart, attendance register, etc. were missing. So all the ICDS centers must properly maintain all the records and make it available at the ICDS centers only.

b) In view of limited space, poor lighting, overcrowding, need to have own AW building as per norms. Will ensure appropriate food storage area, for utensils, clean cooking area.

c) Repair of unsafe structures in the AWC, like broken doors, which is a safety hazard.

d) Refresher training for Supervisors and CDPOs to interpret growth charts

e) Responsibility of monitoring Severely Acute Malnourished (SAM) children to be with Supervisors with the help of AWW.

f) Supervisor to visit AWC fortnightly, weigh the SAM children, children discharged from hospital after management of malnutrition, in front of her, and sign the chart.

g) Need to maintain separate register for SAM children, indicating their weight, date, action taken including referral and diet given. Children referred back to AWC also need to be detailed here.
h) All SAM children and children between 0-6 months need to be examined by PHC/CHC doctor within 15 days of identification, so that an appropriate plan of management can be formulated.

i) Doctor responsible for visiting and managing SAM children need to be designated, along with an alternate doctor. Both of them need to be provided with the guidelines on management and follow up of SAM and MAM. The same guidelines also need to be provided to the pediatrician responsible for managing SAM children in the Taluka/District Hospital to ensure uniformity of management.

j) Doctor should provide the treatment plan on the SAM register, and sign legibly. If a referral to a pediatrician is required, it must be done within a week. If parents are unwilling to take the child to a pediatrician despite counseling by AWW, Supervisor, doctor, then the administration needs to seek help from Panchayat/provide transport. This must be recorded in the SAM register.

k) As there is NRC in the District, proper arrangement must be done to make it more accessible to the public.

l) Practice of prescribing protein powder instead of nutrition for catch up growth, needs to be reviewed urgently.

m) Department of Health must take full responsibility of managing children with SAM till the time they move out of SAM and they can be managed at home.

n) Infant and young child feeding IYCF training needs to be scaled up from the current levels to improve health workers capacity to advice on early initiation and exclusive breast feeding and replacement feeding.

o) Nutritional surveillance system may be developed in the state.

p) Special Action Plan shall be developed for all the Tribal Districts of the State in this regard.

q) The condition of District Civil Hospital, Palamu must be improved and proper arrangements must be done for care of children in the hospital.

r) All the vacant posts must be filled on priority basis and a special unit must be developed dedicated to children.

s) A committee under an officer of the rank of Director shall be constituted to inquire into the mis-management at the district hospital and send a report to the Commission within a month.
Education: (Concern Department: Department of Education)

a) The Kasturba Gandhi Balika Vidyalaya which is running in a remand home in the district of Palamu must be shifted to another building as soon as possible and a report in this regard shall be sent to the Commission within 3 months.

b) More Kasturba Gandhi Balika Vidyalaya shall be opened in the tribal dominated areas.

c) The State Government must ensure that all the schools must have working toilets separately for boys and girls. The State will give the report in this regard to the Commission within 3 months.

d) State government shall develop funds to provide sufficient staff to maintain sanitation and hygiene in the schools.

e) There must be neighbourhood school facilities as per the norms of the RTE Act, 2009. The report related to all new schools constructed during last one year shall be send to the Commission.

f) Conduct survey of all the Tribal School and give a report of drop out and the admission done in last 3 years.

g) Scholarships shall be given to all the eligible students without any delay.

Police Department:

a) Constitute Special Juvenile Police Unit as required under the Section 63 of Juvenile Justice Act, 2000 a report will send to NCPCR within one month.

b) Ensure constitution of Special Juvenile Police Units (SJPUs) under the railway police through necessary directions to the Railway Division Manager. IG(GRP) shall ensure constitution of SJPU at the earliest in GRP.

c) Director General of Police (Jharkhand) shall provide the data related to number of Schools, aganwadi centres, Panchayat Bhawan and Health centres either occupied or demolished by the naxal in last 3 years. Also give details of the schools occupied by Security forces if any.

d) Training and Orientation of police officials with regard to child rights issues on regular basis.
e) Provide details of number of children orphaned or children of the naxals killed in police operations and what steps had been taken to rehabilitate their children.

f) Survey shall be conducted in all the Jails of the State and give details of number of Children languishing in the Jails.

Miscellaneous:

a) Fill all the vacant post in the department at the earliest in all the concern department dealing with children issues to remove the staff shortage.

b) District administration of Palamu shall comply on all the directions given to them in the meeting held on 18th April, 2012 and send Action Taken Report to the Commission in a month.

c) Officers sensitized about the issues related to child rights shall be posted to the districts affected by naxalism.

d) Jharkhand Pollution Control Board shall inspect all the brick kilns, quarries and mines in the state and check that they are not violating the norms prescribed by the government. A brief report must be shared with the Commission.