

KARNATAKA STATE HUMAN RIGHTS COMMISSION

PRESENT

Justice D.H. Waghela
Chairperson

H.R.C No: 4628/10/20/2018

Date: 15-01-2021

Complainant: Siddalingegowda
President of Vishwa Manava
Hakkugala Seva Kendra
Mavinakere – 572221
Turuvekere Taluk, Tumkuru Dist.

V.

Respondents: 1. Deputy Commissioner,
Tumkuru
2. D.D.P.I.,
Madhugiri
3. Block Education Officer,
Madhugiri

ORDER

The complaint herein is about inadequate infrastructure and facility for the children studying at the Primary School in Badavanahalli, Indiranagara, Madugiri Taluk, Tumkuru District.

Upon issuance of notice to the Deputy Commissioner, Tumkuru District, report dated 23-01-2019 was received from Deputy Director(Scheme), Department of Public Instructions, Madhugiri, stating that a request had been made to Deputy Director Department of Public Instruction (Scheme), Bengaluru to release funds for constructing two extra classrooms for the academic year 2018-2019.

A copy of report dated 23-01-2019 was sent to the complainant for his comments, but no comments were received inspite of service of notice therefor. Later on, reports dated 15-03-2019 and 27-03-2019 of Deputy Commissioner, Tumkuru and D.D.P.I., Zilla Panchayath, Madhugiri were received, wherein it was stated that a proposal for release of funds for construction of two extra rooms for the academic year 2019-2020 has been submitted to the Commissioner of Public Instruction and D.D.P.I (Scheme), Bengaluru and hence, it was requested to close the case.

Upon perusal of aforementioned reports, it appeared that the reports were about future construction of two extra class rooms and that does not satisfy the immediate requirements and basic human rights of the students to have properly covered area for their education, and other amenities like drinking water, toilets, mid-day meals and sufficient number of qualified teachers. Therefore, in order to hold proper enquiry and make necessary order with recommendations, the Deputy Commissioner was directed to remain personally present on next date and also to submit a proper and full report about the aforesaid amenities and explain as to why they were not provided.

Thereafter, reports dated 20-08-2019 and 01-08-2019 were received from D.D.P.I., Madhugiri, and Deputy Commissioner, Tumkuru and also Shri R. Rangappa, Block Education Officer, Madhugiri was personally present on 20-08-2019. According to the aforementioned reports, 79 children were being educated at the school in question with 2 rooms with RCC roof and there was necessity for one more classroom. A group of 46 children with 3 voluntary teachers were in L.K.G and U.K.G classes under Makkala Mane Scheme. The existing premises was not having sufficient and adequate facilities to accommodate all the children attending the school and the area was

likely to be further curtailed because of widening of the road. Therefore, the B.E.O. had, by his letter dated 22-07-2019 requested the Tahsildar, Madhugiri for allotment of site. The Deputy Director (Planning), Directorate of Public Instruction, Bengaluru had also been requested to release grants for the year 2019-2020 to put up two more rooms. Shri R. Rangappa orally stated that he would personally pursue the matter of providing proper school with all the requisite facilities, staff and accommodation in accordance with law. However, it required proper and prompt response and execution by the Tahsildar, Assistant Commissioner and the C.E.O of Zilla Panchayath as also the co-operation of local residents and their leaders. If the necessary formalities could be finished at the earliest, a proper school can come up within 07 months and be run in accordance with requirements of The Right of Children to Free and Compulsory Education Act, 2009 and the human rights of children could be fully protected and enforced. In the above facts, it was expected that while continuing the existing facilities under a pakka roof, teaching material, adequate number of teachers, proper toilets, water and playground facilities with proper mid-day meal and uniform, the authorities shall allow and facilitate the construction and furnishing of new proper school with adequate area, accommodation and facilities for the growing number of children who would continuously grow up and enter the upper classes. Hence, it was expected and recommended that the authorities and officials concerned, including the Tahsildar, Assistant Commissioner, Deputy Commissioner and the C.E.O. of Zilla Panchayath concerned and the Deputy Director of Public Instruction shall extend their positive help in carrying out all the formalities for allocation of land and funds and execution of the works so as to ensure that a proper full-fledged new school with all the requisite facilities in accordance with law may start functioning from the next

academic year. Accordingly, the proceeding was adjourned for Shri R. Rangappa to report the progress made and action taken pursuant to this order.

Thereafter, report dated 28-10-2019 of D.D.P.I., Madhugiri, Tumkuru was received enclosing the copy of report dated 28-10-2019 of Block Education Officer, Madhugiri, which it reads as under:

- *“The school in question is a lower primary school with 1st to 5th standard student. In all there are 74 students and the classes are running in two RCC class room.*
- *With the co-operation of the village community and the fund under ‘Makkala Mane Programme’, LKG and UKG classes are being run. There are two classes wherein 46 students are studying. The class rooms are of cooling zink sheets and each class has a toilet.*

Besides, it is reported that the school building is located adjacent to the highway; the Highway Authorities for the purpose of widening the road, have earmarked some extent of land belonging to the school and there are possibilities of demolishing a portion of the school building at any point of time. He has also reported that the Principal Secretary who visited the school has issued oral instructions to address a letter to the Deputy Commissioner requesting for grant of forest land of AmruthMahalKaval for the school building. A copy of the letter addressed to the D.C., Tumakuru Districtis also enclosed.

He has finally opined that there are no problems for the students from 1st to 5th standard, but, there are no class rooms for the LKG and UKG students.”

Upon perusal of reports dated 01-08-2019 and 09-07-2019 of Deputy Commissioner, Tumkuru and Block Education Officer, Madhugiri, Tumkuru and photographs annexed thereto, it appears that the authorities concerned have partly addressed and redressed the grievance of the complainant. However, the complainant is at liberty to make a fresh representation on the basis of current situation, if it is required, and to file a fresh complaint if a fresh representation is not properly attended by the department concerned. On the observation made above, the compliant is disposed and proceeding is closed without any recommendation.

Sd/-
(Justice D.H. Waghela)
Chairperson

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