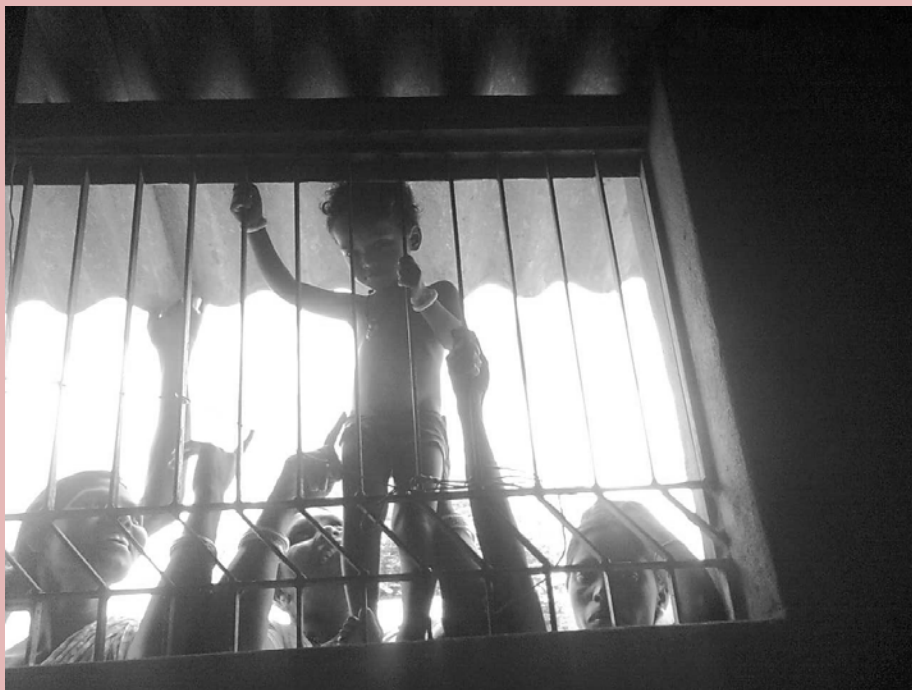


KANDHAMAL' S FORGOTTEN CHILDREN A STATUS REPORT



A STUDY BY
HAQ: CENTRE FOR CHILD RIGHTS
NEW DELHI
ON BEHALF OF
NATIONAL SOLIDARITY FORUM

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FOREWORD

Who is it that suffers the most and bears the brunt of the violent games that adults play? Adults indulge in violence based on prejudice and politics, but it is the hapless children who have no role in this that pay the cost—through death, injuries, homelessness, loss of basic rights, and long-term trauma. This is exactly what we see once again in the children of Kandhamal district.

At HAQ: Centre for Child Rights, we decided to go to Kandhamal and see how the children were faring two years after their homes were plundered and burnt and they had to flee. The stories we heard were no different from the ones we hear when we visit conflict areas across the country. The child's mind does not see difference of religion, caste or ethnicity. It is adult actions that put these differences and prejudices into their minds. What are we doing to our children? It is a question that as a nation we must ask ourselves. Witness to so much violence and exploitation--can we blame them when they grow up to be perpetrators themselves?

Denial or miscarriage of justice will make children lose faith in the justice system and we can already see that happening with the children of Kandhamal. Through this report we have raised these questions yet once again.

The field research for this study was undertaken by Madhumita Purkayastha and Shahbaz Khan Sherwani under the guidance of Paromita Shastri. The final report is authored by all three of them. They did this in an inordinately short time.

We hope this report will lead to some concrete actions that will touch the lives of the children in Kandhamal and change it for the better. We hope it will lead to restoration of their rights and dignity. We also hope, against hope, that it will help some adults see the complete senselessness behind such violence.

We dedicate this report to all children affected by conflict.

Enakshi Ganguly Thukral
Co-Director

Bharti Ali
Co-Director

WE THANK

Jan Vikas for all the cooperation and help to us in carrying out the study in Kandhamal, especially Father Manoj and Chinmay Kumar Singh for planning and co-ordinating our visits and field staff Bibhuti Das, Priyadarsi Singh and Jyotirmaya Nayak for accompanying us to the villages and helping us with the translation.

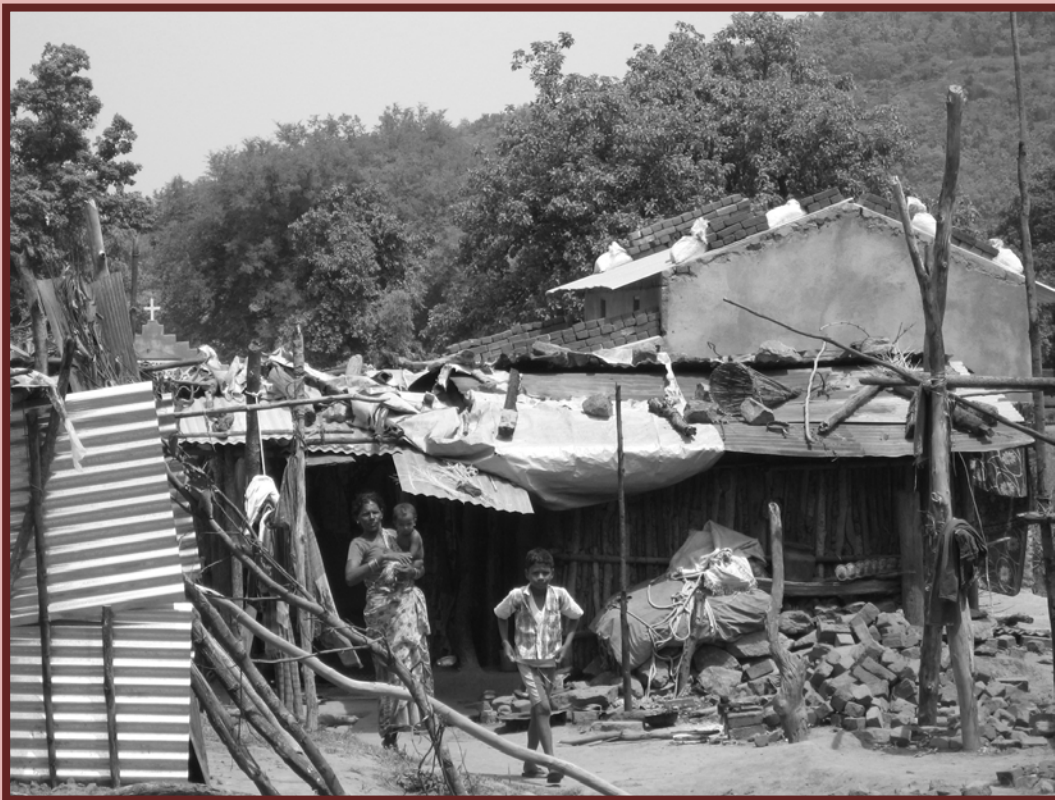
The Affected Families who opened their homes to us and shared their problems.

The Government Officials for meeting us and patiently answering our queries in spite of their busy schedule,

And

The Children of Kandhamal who spoke unafraid and gave to us so freely.

The people of Kandhamal, Orissa, and neighbouring areas bore the brunt of two violent anti-Christian communal attacks within the span of 12 months over 2007 - 2008, leaving over 55,000 people displaced and several injured with no shelter, security or livelihood. Today, after two years, the situation shows little improvement, although the administration claims it is peaceful and has returned to normal. Children, as always is the case in such situations, are the most vulnerable and voiceless. To create pressure on the Government of India and to secure justice and all other human rights for the affected people of Kandhamal, 56 civil society organisations have come together under the National Solidarity Forum. The Forum has three major objectives: making an assessment of the situation on the ground; organising a People's Tribunal over 22-24 August 2010 in New Delhi to hear testimonies of survivors, witnesses, victims, human rights activists, civil society organisations, experts, government representatives and local organisations; and finally, demanding immediate action from the government. This report by HAQ: Centre for Child Rights seeks to put the spotlight on the status of the children in the affected areas, highlighting their trauma over the violent past, worries over an uncertain present, and concerns of a hopeless future.



People still staying in tents in Nandagiri

Why This Report

The United Nations Convention on the Rights of the Child (CRC), ratified in 1992 in India, ensures every child in the world has the basic rights to Survival, Development, Protection and Participation—all of which are threatened in the event of violence, forced displacement, and eviction. Children also have the right to adequate housing which has been interpreted by the UN in several of its documents and instruments¹, to include much more than just a roof over a head--protection from elements, suitable living space for all inhabitants, access to basic services and infrastructure, and social opportunities for all and economic opportunities for adults. This is closely linked to civil, cultural, economic, political and social rights of all children and their families.

Yet, policies in India invariably lack both a “rights” perspective as well as a child-centred approach that would place the protection, survival and development of every child at the centre of any action. These policies still do not indicate the need for ensuring improvement in the conditions that the children must live in, which would necessarily mean education, health care and protection from labour or any work that is damaging to their physical, mental, social, emotional and spiritual development. This policy deficit becomes even more apparent in actions that address the situation of children in distress.

The current status of the children in the areas affected by a series of communal incidents in Kandhamal district, Orissa, from December 2007 to December 2008 bring more evidence of the lack of a child perspective and a holistic vision in the efforts made towards healing, restoration and rehabilitation so far by the governments of India and Orissa and the local administration.

¹ The right to adequate housing is founded and recognized under international law. Enunciated under article 25(1) of the Universal Declaration of Human Rights, the right to adequate housing has been codified in other major international human rights treaties. Article 11(1) of the International Covenant on Economic Social and Cultural Rights (ICESCR) provides that "States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate . . . housing, and to the continuous improvement of living conditions. Also see General Comment no.7 (1997) to Article 11 of the ICESCR

The National Plan of Action for Children 2005

- Includes children affected by man-made and natural disasters; affected by/in armed conflict (11.2.2)
- Says “Respond to children in emergency situations by expanding child help-lines and providing necessary support service infrastructure for referral (11.3.6).....ensure children affected by disasters (natural or man-made) receive timely and effective humanitarian assistance through a commitment to improve contingency planning and emergency preparedness, and that they are given all possible assistance and protection to help them resume a normal life as soon as possible” (11.3.13)

In the tsunami of 2004, one-third of the affected in India were children. In the 2001 Gujarat earthquake, 2.5 million children lost their homes and schools, says Unicef. But there is a somewhat greater acceptance of a natural disaster, while armed conflict, ethnic or religious violence is created by humans and involves decisions that are forced upon those who bear the impact. When families lose their homes or livelihood, ineffective rehabilitation and restoration of justice can



Children playing next to the tent in Nandagiri

result in trafficking of a child or forced labour, affect their health and education, and prolong their trauma of witnessing or being victims of the conflict. It perpetuates or enhances prejudices, affecting the ability of a child to make choices. It results in trauma that may result in deep-seated consequences long after the event is over.²

² Ganguly Thukral, Enakshi. “Displacement and Protecting the Rights of Children’ in Lyla Mehta ed. *Displaced by Development: Confronting Marginalisation and Gender Injustice*. Sage Publications, New Delhi, January 2009

In such situations, children need to be immediately protected from:

- Hunger and destitution
- Living without a shelter
- Physical harm—hurt, pain or injury
- Abuse and violence, especially sexual
- Exploitation
- Trafficking for adoption, labour, and sex trade.
- Recruitment as perpetrator of violence in the case of conflicts (child soldiers)
- Psychological harm and trauma

They also need long term rehabilitation, including

- A home
- Education and other developmental facilities
- Long-term care and protection
- Psychological and emotional healing

Was all this done in Kandhamal? Have the victims got justice, restoration and rehabilitation? Are their survival, development, education and protection needs being met? And finally, are the children there living a life of dignity and peace with hope for the future?

In June-July 2010, two years after the violence, HAQ: Centre for Child Rights, New Delhi, sent out a study team to the affected villages to:

- Record the status of the children on the ground as well as the long-term impact of the violence on their health, education, development and protection needs
- Assess the services, government and non-government, available in the affected areas/relief camps to the children and the gaps and deficiencies in the system
- Examine the rehabilitation process and the compensation given and examine if it has helped in healing and restitution, and finally,
- Identify the deficiencies and the lacunas in policy and administration and evaluate if the State has failed as guardian and protector.

The Kandhamal Violence: A Short History

Kandhamal is made up of 2,415 villages in a hilly, forested region of Orissa. It is one of the most backward regions of India, with a total population of 648,201 of whom almost 75 per cent live below the poverty line.³ It has a low literacy rate of 43.15 per cent (according to the 2001 census)—even lower for women despite a surprisingly high sex ratio. The dominant population--51.96 per cent--is of the Hindu Kondh tribe. The Scheduled Caste (SC) Pana community makes up 16.89 per cent of the population and is predominantly Christian. While the SCs who converted to Christianity lost their rights to reservation benefits under the Indian Constitution, the Scheduled Tribes continue to enjoy land rights and reservations.

To put this in the context of the violence that broke out in Kandhamal, it was the religious identity of the people that made them the victims. It was the homes of the Christians that were attacked as were the churches and the buildings that housed the nuns and priests.

In the last bout of violence during August-December 2008, in Kandhamal district alone, more than 600 villages were ransacked, 5,600 houses looted and burnt, and 54,000 people left homeless.⁴ Although as per official accounts 38 people were murdered, human rights groups estimate that over 100 people, including women, children, disabled, adivasis and dalits (lowest rung of the Hindu caste system), were killed. Three women were gang-raped and many injured. Close to 300 churches, big and small, were destroyed; 13 schools and colleges and the offices of five NGOs damaged. About 30,000 people had to live in relief camps for months. About 2,000 people were forced to convert to Hinduism. More than 10,000 children had their right to education snatched away because of displacement, fear and severe disruption.

The social dynamics are at the root of the festering trouble in the area, marked by two violent anti-Christian communal attacks over 2007 and 2008. Two things are important to remember here. Although the Catholic Church has been responsible for establishing 8 schools, 5 dispensaries, 2 hospitals, 13 hostels for orphans and displaced children, 4 study homes and 7 vocational training centres in

³ Orissa Human Development Report 2004 www.churchnewssite.com/portal/p=391

⁴ Jan Vikas, Orissa. This and all other statistics used below are from the backgrounder for the National People's Tribunal

Kandhamal district, there is a general feeling that Christians are in a better position than the Hindus or non-Christian STs.

And yet the truth is that almost 96 per cent of the victims of the violence were illiterate⁵ and there is no evidence that they gained any economic advantage from conversion compared to their Hindu neighbours. Secondly, according to *Communalism in Orissa, the September 2006 Report of the Indian Peoples Tribunal*⁶, the Vishwa Hindu Parishad have carried out forced conversions to Hinduism in the area in 2008, a fact that the VHP itself does not deny.

About This Report

The HAQ team, comprising Madhumita Purkayastha and Shahbaz Khan Sherwani, visited 18 villages for about 15 days over two different time periods in June and July. This included two resettlement areas of Anandagar (Tikabali block) and Nandagiri (G. Udaygiri block), where people have been given alternative land as they were unable to go back to their villages. Many of the people are still staying in tents as their houses are not yet built or are being constructed. They spoke to several children, often in groups, families, government officials, missionary staff, school teachers and NGOs.

Table 1: Areas visited by the study team			
	Village	Gram Panchayat	Block
1	Sindrigaon	Sindrigaon	Balliguda
2	Barakhama	Barakhama	Balliguda
3	Budrukia	Budrukia	Balliguda
4	Mediakia	Mediakia	Balliguda
5	Badabanga	Sikaketa	Daringbadi
6	Rudangiya	Gadaguda	G.Udayagiri
7	Katingia	Katingia	G.Udaygiri
8	Tiangia	Katingia	G.Udaygiri
9	Gunjibadi	Gunjibadi	K.Nuagaon

⁵ Human Rights Law Network. Genocide in Kandhamal. December 2008
http://www.idsn.org/uploads/media/Orissa_report_-_Human_Rights_Law_Network.pdf

⁶ <http://www.iptindia.org/2006/09/communalism-in-orissa/>

10	Kanjamendi	Kanjamendi	K.Nuagaon
11	Kudupakia	Sirtiguda	K.Nuagaon
12	Pirigada	Gunjibadi	K.Nuagaon
13	Bakingia	Mandakia	Raikia
14	Bedaguba	Gumamaha	Raikia
15	Paburia	Paburia	Tikabali
16	Sartaguda	Burbinaju	Tikabali
17	Nandagiri (resettlement)		G.Udayagiri
18	Anand Nagar (resettlement)		Tikabali

Since the time was short and insufficient for conducting an in-depth survey-based study, information gathered through personal interviews and discussions with the victims' families, especially children, as well as government officials and administrators, priests and nuns at Christian missions, churches, schools and hostels, and NGO workers form the mainstay of this report. The team's inability to speak the local languages, namely Oriya and Kui, also hampered analysis to the extent that interpreter had to be used on many occasions. Despite these shortcomings, the report is enriched by on-the-spot assessments of the situation as well as of the daily lives of the victims, especially the frank and candid discussions with Kandhamal's children. Their feelings and opinions have been recorded in detail for the first time here.



The team interacts with the children in Bakingia Village



The team meeting with the people of Pirigada Village

The team used drawing, writing and open discussions to capture the feelings of the children. A big positive among the children was that most of them used their religious belief and faith as a means to cope and forgive, a fact that showed up in their repeated use of the cross in drawings. Yet, this heightened sense of religious

identity, fanned by the violence, may be counter-productive in the long run and may also keep them from letting up and discussing their deep feelings.

Kandhamal: The Present Scene

The people of Kandhamal were poor even before the violence, with most families working as farm wage labourers, and a few as farmers growing paddy on tiny bits of land. Like all people of the forests, they collected minor forest produce, such as firewood and sal and sial leaves to make plates, either for their own use or to sell for a pittance. In this, they were helped by the children. Even such meagre livelihoods were badly affected by the riots, partly because many had to stay for days in relief camps. Displaced from lands and homes, they are now even unable to collect forest produce because of threats and fear.

The much-touted Mahatma Gandhi National Rural Employment Guarantee Programme has not been of much use to the people. Villagers said MNREGA neither gave hundred days' work nor was the payment on time - usually delayed by 15 days to four months. Even the wages in the district were low--only Rs 90 a

day for unskilled workers, Rs 103 for semi-skilled, Rs 116 for skilled and Rs 129 for highly skilled. Many have also lost their old job cards in the fire.



A Woman making leaf plates with sial leaves

because the work is now being given on the basis of people's religious affiliations. The Sub-Collector of Balliguda block admitted that payments were indeed delayed, usually by a month, due to the lack of capacity and inefficiency of the postal department.

Villagers also complained that the MNREGA grants to the Panchayat were being mainly siphoned off by the secretary and members, with only a small portion being used to generate work. Post-violence, the

situation has become worse

The local administration started two major peace initiatives to help the healing process but none of them were a success. The Antaranga scheme involved the

young people in building trust by forming clubs and organising programmes, games, libraries, etc. NGOs were also involved in this. The HAQ team visited some of the clubs run by Banabasi Seva Samiti in Balliguda block and interacted with club members in Jakikia (Bataguda GP) and Mediakia (GP Mediakia). Some of them seemed to have resolved the conflicts but most clubs are now inactive and aimless. One club member in Mediakia said twice, they managed to stop major trouble from brewing among tribals and the OBCs. The young people said they were interested but there were none to guide them. They also said NGO representatives came for the initial meetings when the groups were being up but they hardly visited later to monitor the functioning of the club.

The second initiative is of the Peace Committees, which were formed with wide representation, to facilitate the return of the people from the relief camps and iron out the process of rehabilitation and resettlement. A few meetings were held but they did not succeed in removing the fear from the minds of the people and failed to convince them to return to their villages. This was also because the rioters who are yet to be punished disrupted these meetings and threatened the people.

In such a situation, it is easy to imagine the plight of the children of these poverty-stricken families. The study team found widespread hopelessness and fear among the children caught involuntarily in a time warp with no sense of where their lives are and what could be the road ahead.

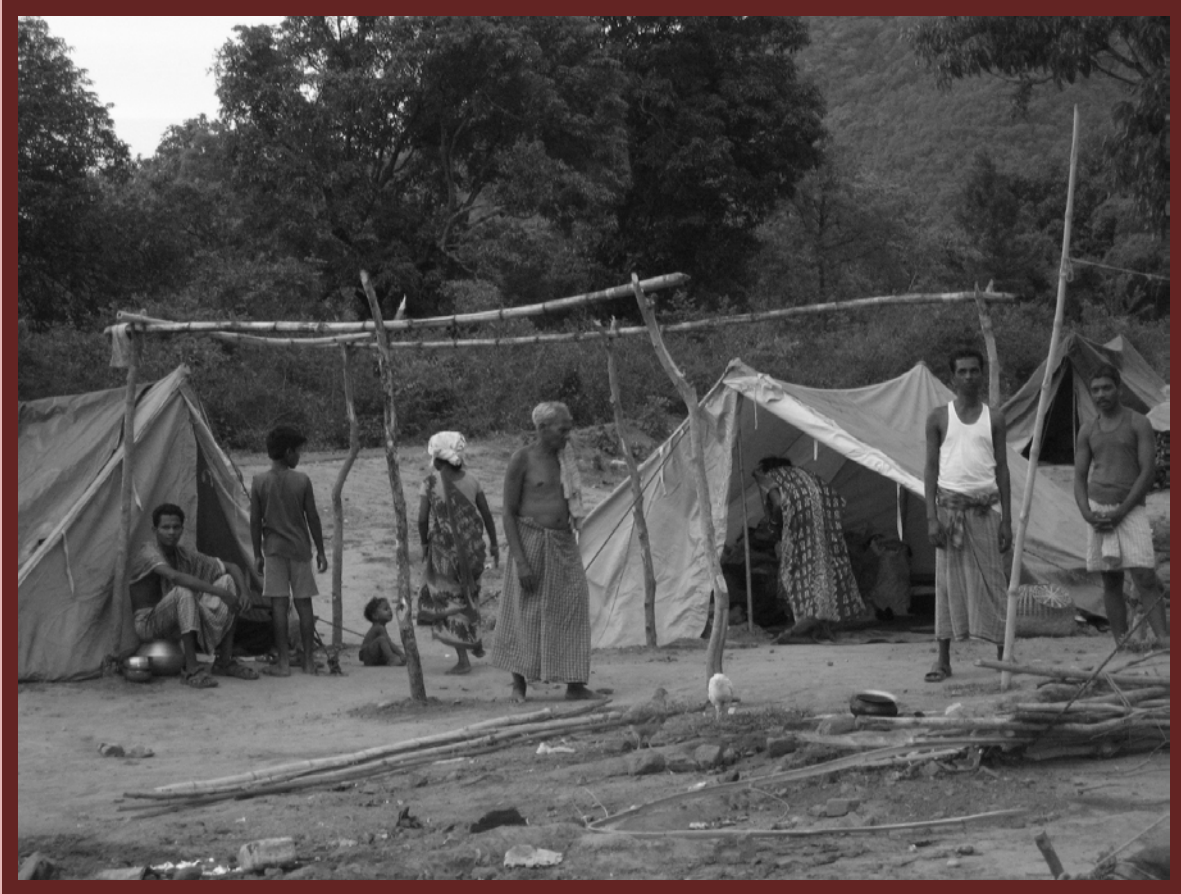
“There has been as such no massive violence in Kandhamal. It was only a hype created by media and NGOs. There has always been ethnic conflict in the region between the *kondhs* and *panas*. This was an ethnic conflict and not communal violence as portrayed in the media.”

Praveen Kumar, Superintendent of Police, Kandhamal

A Continuing Saga of Insecurity, Rootlessness and Fear

Even two years later, the security of the people remains the main concern, along with a sense of miscarriage of justice. Witnesses are coerced, threatened, cajoled and sought to be bribed by the people facing trial for murder and arson. Matters have been made worse by inadequate police investigation and a silent administration.

Needless to say, the most important finding of the study team is the sense of injustice, discrimination and fear prevailing among children, threatening to severely impact their growth and development.



A scene from Anandnagar, even after two years people have no place to stay

The second major finding is the lacunas in relief and rehabilitation of the victim families, which is keeping them, especially the children, from leading a normal life and returning to their carefree, school-going days. Not a single Christian place of worship or NGO has been compensated for their loss and nor have the poor victims received an adequate compensation.⁷

The confusion exists in three areas: First, identifying the houses as fully or partially damaged; several houses not enumerated by the government surveyors; and a compensation of Rs 50,000 in place of an actual cost of Rs 85,000. Also, some 225 poor families, victims of the 2007 arson, are still not covered by compensation and spending shelter-less lives.

⁷ National Solidarity Forum backgrounder

Second, there is no sure source of livelihood for these 2,500 families, and education has been hampered in most cases.

Third is the general lack of a protective umbrella for these children, keeping them vulnerable and an easy prey to trade and trafficking. Some of these children have been already forced into adulthood by migrating to work outside the state, and human trafficking cases, especially in young girls, are emerging everyday.

Last, but not the least, are the serious health and nutrition problems that have surfaced among young children. This has caused significant loss of lives already and has the potential to create long-term damage such as delinquency and serious mental and physical handicaps among children.

Mental Trauma and Other Psycho-Social Problems

Any disruption in children's lives, especially those that have long-term consequences, are bound to impact mental health. Quoting the World Mental Health Report, 1995, Good points out, "Poverty and profound inequities are clearly key risk factors for nearly all forms of social and psychiatric morbidity."⁸ Violence, displacement and rehabilitation involve uprooting



A child in Kandhamal wonders about his future

from what has been "home", inherent within which is a sense of security and permanency. What the children in Kandhamal are confronted with is their own sense of loss as well as the impact of what the adults around them feel.

Children who have experienced violence often develop a view of the environment that is hostile and dangerous, which is what has happened in the area. Exposure to violence has resulted in distrust of adults and fear of the other

⁸ Byron J Good. 1996. Mental Health Consequences of Displacement and Resettlement. EPW 15 June 1996

community among children. Also, they are usually anxious, worrying, fearful and withdrawn. Some even have a desire to show they are strong and powerful and may learn to use violence as a means to control others in future. The anxiety of the children is vivid in the statements they made during the interactions.

- We have lost all hope!
- Now, we don't have any aim in life!
- Our future is tarnished by this violence!
- We have no peace; even now we are staying with fear.
- We are going to school but don't have interest in studying.
- When we see the rioters, we feel like revenge.
- Earlier we used to go to church for prayer, now we pray in the tent.
- We are depressed because of discrimination among classmates. We don't play, because they (from the other community) are not keen to play with us.

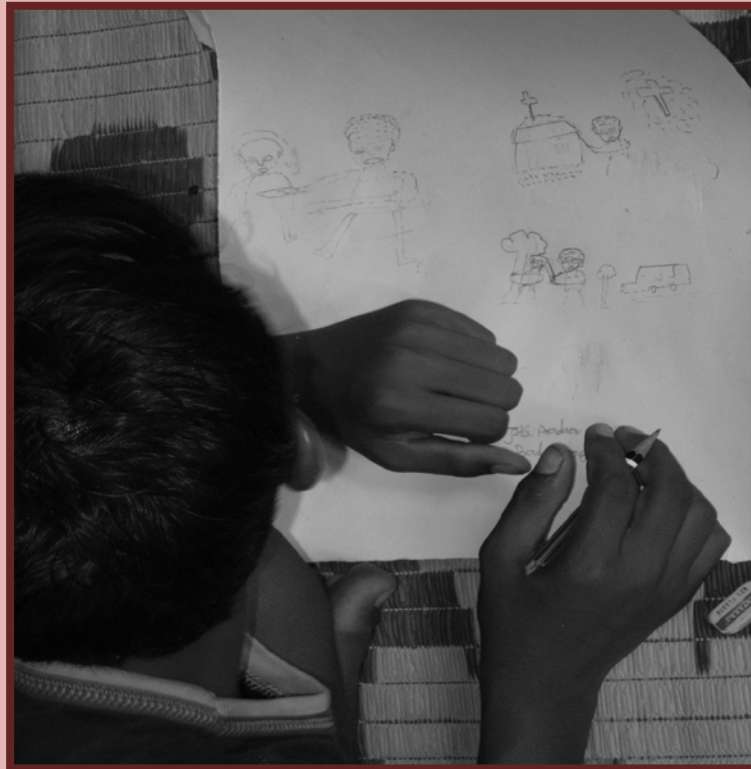
There has been no trauma counselling for the affected here, not even children and adolescents. Even today they have nightmares of running in the jungle, with killers in pursuit, are scared of any loud sound, and are afraid of people walking in groups or talking loudly. Most of them said they felt sad remembering what they went through and sometimes they just sat and cried quietly.

The children showed several signs of Post Traumatic Stress Disorder (PTSD) in their interactions such as:

- ❖ Intense horror, fear or helplessness, inability and unwillingness to move around freely.
- ❖ Repeated intrusive, distressing thoughts and recollection of images.
- ❖ Repeated, distressing dreams and nightmares.
- ❖ Flashbacks, as it were, of events and of fear of recurring attack.
- ❖ Physiological reactions (such as rapid heart beat) in response to voices, fear of fire, or people standing in groups
- ❖ Avoiding activities, people or places that remind: Many children don't want to talk about these incidents and even want to leave their own villages to remove themselves from these memories.
- ❖ Withdrawal, detachment and isolation: Many children have started keeping to themselves. They don't mingle with other children or want to go out to play. They keep themselves busy with a hobby or a crossword, or by simply working hard.
- ❖ Poor concentration, impulsive behaviour: Too much involvement in worrisome family discussions is jeopardising the cognitive

development of the children. Many of them have failed their examinations.

- ❖ Exaggerated, startled response: Immediate reactions of children woken up suddenly range from flight to fight or submit pattern.
- ❖ Feeling of Anger and Revenge: Many children during discussions shared that they wanted to kill the people who had burnt their houses and ruined their lives but were still moving freely in the village.



A boy putting his thoughts on paper

- ❖ Children deal with the pain of their feelings by trying to feel nothing at all-- becoming emotionally numb and communicating less with other people.

The children also said they never got a chance to talk about their feelings and worries in detail. Some of them had witnessed gruesome incidents.

As one boy said, he saw a dead body being eaten by a dog which left him deeply disturbed and unable to concentrate in his studies and his examination scores dropped from 50 per cent to 30 per cent. Some children said police had been mute bystanders when the arson and looting was going on and did not act against the rioters.

Children also talked about their anger and feeling of revenge.

For instance, one boy who is studying in a residential school asked his uncle to give him a bomb so that he could drop it on a Hindu-dominated village. Another small girl wanted to become a collector when she grew up so that she could punish the offenders.

These traumatised children now have fewer resources to deal with the new development challenges, such as performing well in school or making and keeping friends. Children have difficulty concentrating on the 'here and now' because their emotional energy is devoted to avoiding the past and fighting the negative memories.

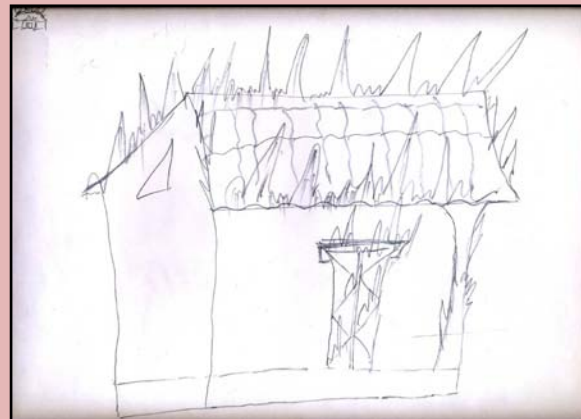
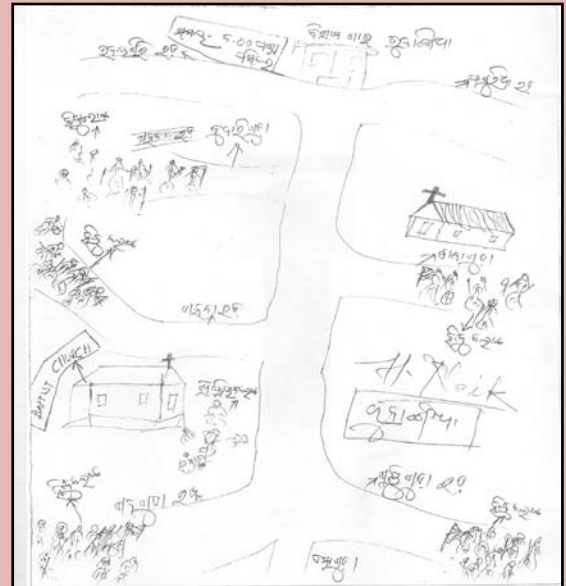
Clearly, counselling needs have been totally ignored in the region and there is still no move to undertake this as a healing and restoration measure. In fact, it is not too late even now because many children may not have developed post-traumatic stress symptoms and might develop them with the passage of time.

According to a study on Post-Traumatic Stress Disorder (PTSD) in children and adolescents affected by the communal violence of Gujarat in 2002, conducted in February 2006 by mental health professionals of the Psychiatry Department of B J Medical College and Civil Hospital, Ahmedabad, close to five per cent of the 255 interviewed showed signs of the disorder even four years after the riots, while 9.4 per cent were found to suffer from depression⁹.

The major lack of confidence and sense of uncertainty among Kandhamal's children is mainly due to the inter-community communication gap created after the violence as well as their rootlessness—the lack of a proper shelter and the inability to return to their former homes and lifestyle, especially to a time when they hadn't learnt to fear their neighbours.

⁹ Deepa A: Gujarat Riots and Children, Still suffering, five years after, 17 January 2007. <http://www.indiatogether.org/2007/jan/hlt-gujriots.htm>

Children Capture Kandhamal Violence in their Drawings



School, Interrupted

Many of Kandhamal's children, who were in secondary school during the violence, had to take an involuntary break from education. Many others have still not gone back to school. Take the case of Santoshini Nayak from Pirigoda village, in the tenth standard when the violence took place. She was staying in a relief camp and came to know about the date of filling up forms for the board examinations a little late. But when she went to school to submit her forms, the Headmaster refused to accept them as the last date was over. Despite fervent requests, the headmaster refused to consider her case on humanitarian ground. She was also verbally abused and told to shift to a missionary school. She then tried to take the help of an NGO for a transfer certificate but even after running from pillar to post, she did not get it in time. She finally sat for her finals the next year through a correspondence course.

In Mondasore village, a Christian boy was refused admission in Gurudev High School in Phiringia and was instead advised to approach a missionary school. This boy is not studying now.

If we draw from circumstances which are totally different in cause but similar in consequences, we find that in their study on children displaced by the Salandi Project, when schools were built a decade after the rehabilitation had taken place, the tradition of sending children to school had died out. (Fernandes and Raj, 1992:158). An empirical study undertaken by ISED in a cluster of villages in Orissa too found neglect of children and devaluation of schooling, increase in dropouts and higher incidence of child labour in the initial years of rehabilitation. (Pandey, 1996: 82). A similar story is unfolding in Kandhamal and could assume serious proportions if the administration does not wake up promptly.

The administration's dilly-dallying with restoration of justice and normalcy in the area and delay in settling compensation has also contributed greatly to this heightened sense of insecurity.

Incomplete and Broken Education



Kandhamal has 1,772 schools, primary and upper primary, with total student enrolment of 1.46 lakh. In 2010, 89 new schools are expected to be constructed, covering all the habitations. At present, 1,100 posts of teachers are vacant in the district, out of which 499 posts have been advertised for by the Orissa government (a total of 17,000 posts are to be filled up across the state). In

2009-10, the district had 6,418 child dropouts, with higher dropouts at upper primary level than primary. According to the District Project Coordinator, this will reduce now that a decision has been taken to upgrade all primary schools. As per information given by the Department of Social Welfare (DSW), which is administering the Midday Meal scheme, 1,476 schools are covered by MDM. Children and their parents agreed that MDM was being provided even at the upper primary level.

Many children were forced to change school and many of them opted for residential schools in other states

After the attacks, many parents, concerned about the safety of their children, put them in residential schools run by missionaries in Kandhamal as well as other areas in the state and some were even sent outside the state. Some children found it difficult to continue in their old school out of fear or due to “ill-treatment” by school authorities and even classmates. On average, 10 children from each of the villages visited by the team were found to have shifted to residential schools after the violence.

The children themselves were ambivalent about the shift. While some said they were happy in the residential schools as it wouldn’t have been possible for them to continue in their old schools, some others behaved very maturely for their age and said that this had to be done for their own good, so the question of being happy was irrelevant.

Severe Impact of Violence on Children's Education

- ❖ Children have missed their final class/board examinations and forced to repeat class because of inability to pay fees, or lack of receiving communication from school, or simply due to lack of secure residential arrangements. Some NGOs started a few residential schools to coach children of classes VII–X, especially those who were to appear for the board examinations. This caused resentment among some teachers, who showed their displeasure to those children when they finally went back to their old schools after they had reopened.
- ❖ Post-violence, many children have been put in residential schools within the state and even outside it, with assistance from the missionaries. But some parents shared they were finding it difficult to pay the additional charges for the hostel/ school.
- ❖ Although children have been sent to residential schools in Kerala, Karnataka, Chennai and Andhra Pradesh to save their lives and career, they are finding it tough to adjust to the new language, culture, etc. The forced removal from the protective and nurturing environment of their family has increased their loneliness and contributed to their alienation. For instance, one small girl who went to a hostel in Chennai has forgotten her own mother tongue in two years.
- ❖ Many children who were studying in missionary schools have completed school and are now studying for their Bachelor in Theology (BTh) degree, which probably restricts their career choice.
- ❖ A large number of children have dropped out of school due to financial and social insecurity, and many of them have gone out to work.

As mentioned before, while tribal people continue to enjoy the benefits that they are entitled to, the Panas do not enjoy any benefits of reservations under the Constitution as they have converted from Hinduism. For example, they cannot avail themselves of the post matric and pre matric scholarship schemes for SCs and STs, the central scheme of Ashram schools, tribal schools being run by the Department of Tribal Welfare, and hostels for SC/ST. So they are forced to send their children to private or missionary schools—the latter has only one merit scholarship scheme for children who have secured at least 50 per cent marks in the primary school finals.

Some children who went out of the state are now working, not studying

Many boys from Kandhamal left the area to look for work in Kerala and Gujarat.

Right to Education the Biggest Victim, says SSA Worker

Children's right to primary education was the biggest victim of the communal violence in Kandhamal, says Mr Atulya Kumar Champatire, District Project Coordinator, Sarva Shiksha Abhiyan (SSA), Kandhamal. Several relief camps were opened in the primary school buildings, effectively shutting down school indefinitely. According to him, around 40,000 victims were sheltered in nearly 40 schools, which were converted into a relief camps or as camps for the central reserve police force (CRPF). In Raikia block, for instance, 10,000 people were sheltered in relief camps set up in St Catherine Girls' School and Vijay High School. Also, he mentioned, the violence continued for more than one month, and children as well as teachers were afraid to attend school and resume the academic session. So even though schools opened after the initial period of closure of 10-15 days, they did not function properly. The SSA office staff, he claimed, had provided counselling services to the students and arranged for teachers, who too were staying in the camps, to take care of the studies of the children in the camp itself.

They are now either working in stone quarries as truck loaders or at breaking stones at construction sites. Once they found work, some other boys left to join them. There is now no news of some of them while a few have kept in touch with their parents. Some villages, such as Barakhama, have been more affected than the rest as even girls have gone out to work.

From interviews with the people, it was learnt that 50 children (40 boys and 10 girls) studying in classes 9-12 had to drop out of school because of inability to pay their school fees. Of them, around 40 children over 17 years' old have gone out of Orissa to work, though not all parents are clear about what kind of work.

The boys have gone to Andhra Pradesh, Kerala and Gujarat and are working in plastic factories, cotton mills, etc. Ten to fifteen girls over 17 years are working

In their own voice

“I want to study and become a doctor”

WE are seven siblings. Our house was burnt by some people. We were hiding in the jungle when people attacked our house. My father fell down and hurt himself very badly. His legs are not working anymore. Our father is a skilled mason and used to take care of our studies. Now due to his illness, we are facing difficulties. My education was stopped. I cried a lot due to this and my father’s sickness. After a few months, we received government money for construction of the house. Most of it was spent on my father’s treatment but he still has not recovered.

My elder brother was forced to drop out of school and went to Kerala to look for work. He had studied up to class 10. He sends Rs 2000 or so sometimes. Now I am also in class 10 in this residential school. I got some help from government and continue my studies. My other siblings are also studying, one is in class 10 and another in fifth, while the third has completed school.

Now I am fine but financial problems are still there because I am staying in hostel and have to pay fees and for books. I am happy to be able to study in school. My goal is to be a good citizen and a good doctor. I am working hard for that.

Susana Digal, Class 10, Raikia Convent School

even in the coffee plantations in Udhagamandalam, Tamil Nadu. The families of the girls who went out said they had been sent with the Sisters and were now working as kitchen helper in the convent, babysitter in orphanages, or as *ayah* in old age homes run by the missionaries.

Asked why they had sent their children out of the district/state, parents put up a brave face. Many kept quiet. One father said, “Yes, we have sent our children outside for work and using the money sent by them for food. We have no other choice. We didn’t receive any compensation from the government. We were also unable to pay examination and admission fees of our children.”

Many parents were also unable to answer clearly when we asked details of the sisters and missionaries who had helped them. Clearly, people in Kandhamal run the risk of their children being trafficked, especially by people posing as

missionaries. Only a few of them are in touch with their children and seem resigned to their family being broken up.

Table 1: Children who left Kandhamal after the violence (all figures are approximations)		
Name of Village	Children out for work	Children in hostels
Nandagiri Resettlement	10-12	Several
Bakingia	11 girls, no number for boys	120
Gunjibadi	25 boys	10-15
Pirigada	1	11
Badabanga	1	5
Budrukia	-	14
Bedaguba	6	3
Mediakia	1	1
Barakhama	18	-
Sartaguda	10	5
Tiangia (Budedipada)	10	20
Note: Blank spaces mean nobody was able to give a definite number		

Table 2: Total number of Out of School Children (6-14 years) in Kandhamal									
	Total Children			Out Of School Children			Percentage of Out of School Children		
Year	Boys	Girls	Total	Boys	Girls	Total	Boys	Girls	Total
2008	80,860	73,173	154,033	3,660	3,954	7,614	4,526	5,404	4,943
2009	75,425	69,693	145,118	2,326	2,578	4,904	3,084	3,699	3,379
Source: http://www.opepa.in/ChildCensus/framepage.aspx?fname=StateOutofSchoolChildren.aspx&ReportType=3									

Difficulties in commuting to school

Although the upper primary schools are located centrally in all the villages visited, children going to high school have to travel more than 3 km for the high school. These children have been affected as local buses have become irregular after the violence and they are forced to walk or cycle which makes it not only very strenuous but is also fraught with tension and worry because of the fear-charged atmosphere. Some boys now go to school in a group because they are scared, whereas earlier, they used to cycle.

According to Mr Balwant Singh, Sub-collector, Balliguda Sub-division, Kandhamal, some bus service has started as a public-private partnership

In their own voice

“Nobody has ever asked us how we feel”

I am 14 years old. I stay in the hostel. I too stayed in the jungle along with other boys. I feel angry and sad both. I also feel like revenge. I don't feel anything has changed in two years and our life is still revolving around the violence. Earlier, everything in the hostel was very good and well-organised but then, everything was damaged. The church is destroyed, so I can't do my prayers. They took away the windows and doors. No mosquito net now, no fans. Furniture, toilet, water motor, they broke everything. There is no dispensary so we don't get treatment for malaria. We don't play football or volleyball like before. We have even stopped going out of the hostel.

My mother used to go out and work but then she stopped because some people were creating problems for her. I don't feel like going back to the village. I have gone there only once after my mother asked me and even then, I didn't spend my entire vacation there.

No one came to the relief camp to teach. I couldn't study at first but I had to appear for my examinations from the relief camp. Many of my classmates got very bad marks in the examination. But now I have realised that I have to work hard and study hard.

I am saying all this for the first time and I am feeling relieved. Nobody has asked us before how we feel.

James Dhighal, Class 7, St Vincent ME School, Mondasore

initiative, but the people seemed unaware of this. He also said the administration has sanctioned the construction of 100-seater hostels for SC and ST girls in the district.

St. Vincent ME School, Mondasur, limps back to normal

Even two years after that fateful day in 2008, St Vincent ME School, an aided missionary school up to class 7, bears indelible signs of violence. This is not a residential school but provides hostel facilities for students, both boys and girls, up to class 10, some of whom may and actually go to different schools in the neighbourhood. The current strength of the school is 450 -- 190 girls and 260 boys.

During the attacks, some 150 boys, along with two teachers, hid in the jungle from 25 August to 2 September. So did four nuns along with 95 girls for four days. Another four nuns and two priests took ten children and went off to Ganjam district around 80 km away. Children were in extreme shock and clung to their teachers.

None of the buildings escaped mob fury. They were damaged, ransacked of all furniture and goods, essential as well as valuable, and then set fire to. Furniture and food stores, including dry rations for MDM, were looted from the hostels. Some ten doors and 28-30 windows were broken in these buildings.

Construction and repairs of the school and the boys' hostel, including roofing and electrification, are still not complete. Basic infrastructure such as table, chair, beds, cupboards, and computers are absent. Desks are enough for just about the students of class 6 and 7, while the rest have to sit on the floor. The common room is being used as the office room. Since the water pump was damaged, children have to use the well for everything.

The school also does not yet have enough teaching aid material, all of which was burnt. Even books, globes, maps, are in short supply. The government finally installed a hand pump in the school only two months ago. It also provided some textbooks, seven chairs and one computer. The compensation money was a laughable Rs 1 lakh, while clearly the damage is much greater. The school was also turned into a relief camp where around 3,000 people took shelter. It was closed for five months but the government has not shown them any special consideration for that.

Of the nine teachers in the school, only three are getting salaries from the government. Salaries of the rest are being provided by the school authorities, who have also applied for the regularisation of these posts under minority school. Post-violence, all government help has stopped.

As there are no doors and windows and mosquito nets, as many as 20 boys in the past six months have contracted malaria. They also have diarrhoea and stomach pain. The small dispensary inside the hostel was damaged and restarted on 13 June with only sisters for nursing and giving medicine. There are still no doctors. For treatment, children have to go 16-18 km to Raikia.

All such daily struggles and the lack of basic infrastructure, said a teacher, "are keeping the children from coping with the trauma and moving on with life."

Post-violence, there have been some dropouts as well as school transfers by the children of the Hindu community. In place of 15 Hindu girls, only two stay in the hostel now. The school results were very poor in 2009 but improved a lot in 2010. All students passed with good averages.

Child Protection Ignored



Right to protection gives a child the assurance of being protected from all kinds of situations that imply an extent of violence to the child directly or indirectly and hamper his/her physical and mental growth. Children who are already victims or in difficult circumstances, are more vulnerable and need extra care and a place of safety to allow them to enjoy their rights.

Kandhamal's record in child protection is very disappointing. There is still no system in place that ensures a protective environment for the affected children. If there was a system before, there is no evidence of its functioning. The environment reeks of the complete failure of the administration in giving a sense of security and positivity to the children.

The following developments conclusively show how the unprotected children in the district are falling prey to lure of work, trafficking, and other kind of abuse and exploitation.

Trafficking and migration for work

What needs immediate attention is the rising incidence of trafficking of children, mainly for labour, sexual exploitation and abuse. Manorama Mohapatra, the District Social Welfare officer, is aware of two incidents of trafficking of girl children. One case came from the Tikabali block, where a girl was lured away by a boy on the promise of marriage and was finally rescued from Jharkhand. In another case, four girls from the Daringbadi block were trafficked to Delhi to work as domestic labour.

There were worse cases. In Gumamaha panchayat, 15 girls were rescued from Bhubaneswar railway station, from a person who described himself as a supervisor with L&T. Two other girls studying in class 7 were taken to Noida and sexually abused and forced into prostitution. They managed to escape after two months and finally sent back home by an NGO.

Such incidents, disclosed to the team during interactions, are still the tip of the iceberg. According to some NGO activists, organised racketeers are working the district now. The local people of the district generally act as middlemen and lure the family members with job offers.

Migration too has increased after the violence. According to Mr Kumud Ranjan Das, District Labour Officer, Child Labour, post-violence, families are migrating to other districts and states for work, making migrant labour of children. In Balliguda sub-division (nine blocks), many have migrated to states such as Kerala where wages are high and they are earning Rs 250 per day. Although he maintained that migration by women was not yet high, except in Darngbadi Block, he added that many girls were moving willingly to cities such as Delhi to work as domestic labour.

Most importantly, he said, while migration for work has always been present and the state administration in Kerala and other places had been supportive so far, post-riots, there has been a sharp spurt in the number that wants to move out, which has made even the state wary and the local police uncooperative. Last year, the Kerala government forced 49 migrant labourers from Kandhamal to return, while the Sub-Collector has rescued 73 migrant workers from other states. Children become the worst victim of such circumstances, tossed around and dumped like baggage, without any concern for their present or future. In

Kandhamal, 17 contractors have been provided the licence for employing 340 labourers in other states, Mr Das said.

Labour officer feels sorry for employer, not child workers

District Labour Officer Kumud Ranjan Das feels the situation of child labour is not alarming in Kandhamal as there are not many establishments or factories in the district where a child can be employed. But, he said, some children were working in hotels. Many buses ply through Kandhamal at night and all of them stop at Balliguda for dinner. That's the time when children are seen working in the roadside hotels. Das said they often worked there till the wee hours of the morning but it was tough to take action against the hotel owners as they themselves were earning very little.

According to Das, rescuing the child would just be an “unnecessary harassment for the employer”. So he has not taken any action against these hotels or employers. Since he began his tenure in Kandhamal, he has filed only one case against an employer-- in 2007—which is still pending in court. In the last four or five years, two children were rescued and one employer was prosecuted (the case is sub-judice in G Udyagiri).

Working Children

Since there is no National Child Labour Programme running in the district, there is little scope for rehabilitating a working child. According to Das, the lack of infrastructure and institutions for rehabilitation hampered his efforts to be more proactive on this front.



A 1997 survey in Kandhamal detected 6,482 child labourers in non-hazardous occupations, of whom 6,440 were enrolled in non-formal education centres managed by government and NGOs. No other survey has been carried out after this to record the status of child workers. Till date, the Labour Department has not carried out any field visit or survey to find out if there has been a change in the situation

post-violence, when all indicators point to a rise in the number of working children.

In Kandhamal, children work as helping hands in agricultural work, collecting forest produce, and even directly as agricultural labour in the field. These, however, are not in the list of hazardous occupations as per Indian law, so they are not considered child labour. In May, when the schools are closed for summer, children are also employed to pluck the leaves and then dry them in the sun.

A District Level Task force was formed before the riots, with the District Collector as chair, the District Labour Officer as Convenor and the Superintendent of Police, the District Social Welfare Officer, two advocates, two

In their own voice

“I will become a collector and put all rioters in jail”

I saw bad people burning down my house in 2007. I also saw them attacking my grandmother and father. We are Hindus and my father is a journalist and works as correspondent of two local newspapers. My father had questioned the people when they attacked the church and destroyed it and written about it. So they burnt his house. My father knows these people. When I grow up, I will become a collector and put all of them in jail.

Police have taken my statements two or three times, at home and also at the police station. I was only four years old, so the Magistrate did not take my statement even though we all went to court. He said I was too small.

Jyoti (name changed), 6 years, class 1, Saraswati Shishu Mandir, Phiringia

NGO representatives, and the Sub-Collector of the sub-division as members, and it has never met.

No Protection for Child Witnesses

The 2008 riots were sudden and violent and took place in full view of the children, so many of them ended up being used by police to testify in court. This put all these children in an extremely vulnerable position, even putting their lives in danger.

As per UN guidelines and various judgements,¹⁰ specific guidelines need to be followed strictly to protect the rights of children when s/he is testifying in front of law enforcement agencies or the judiciary. These say clearly that no child should be questioned in a hostile environment and police should not be in uniform while talking to the child.

The team had the opportunity to meet a child witness involved in one of the cases (see box for more details), who was questioned several times by police as if she was an adult and in whose case clearly, no guidelines were followed.

On one instance, this child (we call her Jyoti) was called to the police station and taken to a separate room where her father was not allowed. Police also cross-questioned her and repeatedly tried to confirm if she was speaking the truth or if she had been tutored by her father or other family member. Police also remained in uniform while questioning her and asked pointed questions that involved disclosure of names. They did not adopt any child-friendly technique in the questioning. Even while recording her statement, they did not call her father to sit beside her. Unfortunately, it seems the girl was harassed so long for nothing because the judge ultimately did not record her statement in court as she was too small.

No Data and Status Survey

Even two years after the riots, there is no centralised data on children in need of care of protection with any of the government departments—education, social welfare or health--or police. There are no figures on how many children were affected by violence, how many orphaned, how many dropped out of school, how many children are working in the district and how many have gone out, how many have migrated to other places, and how many cases of suspected trafficking have come up. There seems to be a dead end as far as children are concerned.

The social welfare department, the nodal agency to monitor the implementation of Juvenile Justice (Care and Protection) Act 2000, does not have full information about the functioning of the Child Welfare Committee (CWC) or its members and the Juvenile Justice Board in the district, institutions that implement the law.

¹⁰

<http://lawcommissionofindia.nic.in/Summary%20of%20the%20Consultation%20paper%20on%20Witness%20protection%20AND%20Questionnaire.pdf>

Police officers draw a blank when asked about the CWC, which is the authority to look after children in need and care of protection. She however tells us that the JJB consists of one magistrate and four members, which shows up her ignorance of the Juvenile Justice (Care and Protection of Children) Act provisions. She was also not aware how many homes for children existed in the district and passed on the responsibility to other officers. While one DSW staff said the CWC met once a month, another said it met once in three months.

The same ignorance extends to the CWC. One CWC member, who is working in an NGO which runs several institutions and schools in the district, was

Law not followed in adoption

Banabasi Seva Ashram, an NGO in Kandhamal, has an in-country adoption home but the procedures followed by them for adoption are not very clear. A representative of the NGO said they gave the custody of the child to the adoptive parents initially as foster parents while the court procedure was on and the final order had not been passed. This goes against the JJ Act as the child is given in custody to the foster parents without involving the Child Welfare Committee in the district, which should ideally be the main custodian. He did not seem to be aware of the JJ Act provision in adoption cases. One person from this NGO is a member of the CWC and another, a member of the JJB.

appointed in 2010 for the second term. Admitting that CWC members were not aware of their roles and responsibilities, he said the committee sat on the 8th of every month and earned Rs 250 per sitting (recently increased from Rs 100). Asked if there were any “fit institutions” registered as children homes under the JJ Act, he seemed unaware of the provision. Nor did he have any idea about the number of orphanages in the district and any other facilities available for them. Another member from the same organisation is a member of JJB. He shared that the Board sat once in a month at the Phulbani District headquarters but he was unable to attend those meetings as he was suffering from Parkinson’s disease. Clearly, there is not much happening on the implementation of the JJ Act in Kandhamal.

Various NGOs and Christian missionaries run 29 orphanages in the district. Seven of these receive grants-in-aid from the Orissa State Council for Child Welfare and house 585 children. That is about all the State does for these homes. It definitely does not monitor how these homes are run. Nor is there an in-built monitoring mechanism to ensure a minimum standard for the services available to the children. Kandhamal has one Short Stay home and a Swadhar home for

girls, which are already cramped for space, but no children's home or observation home. Children meant for these homes are sent to Ganjam district. At times, girls in need of care and protection are kept in these homes which are already cramped for space. "Today, if a girl is rescued, we do not have room to keep her," says Mohapatra, which is a tragedy because even the parents don't usually take a girl back because of social stigma.

Orissa was the first state to set up 'Mahila and Shishu Desks' in each police station, but in Kandhamal, all those desks are now dysfunctional. Either the roles have not been assigned to the officers or the officers are yet to take charge. Even the 'Shishu' part was missing from the desk, as they were more concerned with general family issues. According to a Sub Inspector, many cases did not even reach the police station and were settled at the village level. Rarely did people go in for judicial trial.

Health and Nutrition Neglected

The people of Kandhamal, a cerebral malaria-prone area, have never enjoyed good health. The high poverty level and lack of livelihood opportunities also ensure that malnutrition remains high, especially among women and children. The district also lacks in health infrastructure and most health centres are far off the villages. After the riots, the government is believed to have started a mobile health van service but, barring one village 5 km away from the sub-division, no village seems to have got much service out of these vans. Some villagers complained that the doctors used the vans as personal vehicles.

Post-violence, as jobs and resources got scarcer, families were left with no option but to neglect the health of their children and women. This made them more vulnerable to illness and diseases. In the case of a malnourished child, even minor fever and illnesses can turn fatal. According to the district officials of the Child Health Project, Orissa State Health Mission, malnutrition has also been the root cause of an increasing number of mentally challenged children being born.

Table 3 gives a snapshot of the health status of the children while table 4 and table 5 sum up the malnutrition and infant mortality status in the district, showing up a clear rise in the incidence of infant mortality and the number of malnourished children in the past two years. Although figures say 95 per cent of the estimated children received services under the Supplementary Nutrition



A dog find its way to the open kitchen

Programme (SNP) till March 2010, officials admit malnutrition levels remain high. For instance, table 4 shows how the number of children in grade III and grade IV, the worst health conditions, has consistently risen in the last three years and has been the highest in this period. More importantly, in 2009, there was a sharp drop in the number of children in the 0-3 years' age group being covered under SNP from what it was in 2008.

Niranjan Panda, District Project Manager, Orissa State Health Mission, said it was difficult to get the exact figures of death due to malnutrition as these records were maintained by anganwadi workers. On their part, often, there was a tendency to hide such deaths as this reflects badly on their performance. Balwinder Singh, Sub-Collector, Balliguda sub division, said he was working on a mechanism where there would be a proper reporting and monitoring mechanism involving the Child Development Project officers, supervisors and anganwadi workers, so that accountability of each actor could be fixed and underreporting or misreporting could be avoided.

Both child and infant deaths are on the rise. The cumulative figure of death of children less than one year old in March 2009 is 261, up from March 2008, while the cumulative figure of infant deaths went up from 61 in 2008 to 70 in 2009, after which it came down to 53 in 2010. The sharp deterioration in child health in 2009 is more in the blocks of G Udayagiri, K Nuagaon, Kotagarh, Phiringia, Phulbani, Raikia and Tumadibandha, those worse affected by violence.

Table 3: Child Health Indicators in Kandhamal District in 2007-10

1. Status of routine immunisation:

	2007-08	2008-09	2009-10
Polio	87.97	91.92	93.16
Full Immunisation	89.94	83.53	86.12

2. Children benefited by Janani Suraksha Yojana

	2007-08	2008-09	2009-10
	9,688	9,692	11,273

3. Infant deaths

	2007-08	2008-09	2009-10
	603	837	750

4. Maternal deaths

	2007-08	2008-09	2009-10
	63	39	30

5. Health centres: CHC: 8

PHC: 4

PHC(N): 34

Area Hospitals: 5

6. Pediatric specialists available: 2

7. Pediatric wards: 6

8. Malnourished children treated on Pustikar Divas (nutrition day):

Grade II: 1,097 Grade III: 1,355 Grade IV: 232

Source: Office of the District Project Manager, Orissa State Health Mission, Kandhamal District

Also, in Kandhamal district, there had been no still births till March 2008, but in the next 12 months to March 2009, there were 109 still births. The trend continued with 85 still births till March 2010. Even in K Nuagaon block, the IMR increased from 37 in 2007 to 88 in 2008 and then dropped to 61 in the next year.

Although the information on the causes leading to death is not available, most of the children die of malaria which breaks down their immune system. As of April 2010, there were 1,933 reported malaria cases among children of 0-5 years in Phulbani, the district headquarter with comparatively better health facilities, so it is easy to imagine the state of other blocks and villages more affected by the riots.

Table 4: Information on Review of Growth Monitoring of Children in Kandhamal District

Year	No. of children in the project (0-3 years)	Children weighed during month		Normal children		Grade I		Grade II		Grade III		Grade IV	
		Number	Per cent	Number	Per cent	Number	Per cent	Number	Per cent	Number	Per cent	Number	Per cent
2008, March	93,233	89,761	96.28	40,821	45.48	33,982	37.86	14,574	16.24	341	0.38	43	0.05
2009, March	53,088	51,742	97.46	23,894	46.18	18,453	35.66	8,930	17.26	419	0.81	46	0.09
2010, March	53,036	50,932	96.03	23,556	46.25	18,636	36.59	8,082	15.87	599	1.18	59	0.12

Source: Office of the District Social Welfare Department, Phulbani

Table 5: IMR in Kandhamal District

Block	Total Population	Live Birth		Death Below 1 year		IMR at Project level		Still Birth	
		During the month	Cumulative	During the month	Cumulative	During the month	Cumulative	During the month	Cumulative
Kandhamal District									
2008, March	702413	1419	3428	87	209	61.31	60.97	NA	NA
2009, March	706857	1281	3730	76	261	59.33	69.97	45	109
2010, March	73362	1688	4693	63	249	37.32	53.06	38	85

Source: District Social Welfare Officer, Phulbani, Kandhamal District

Under the Navajyoti scheme launched in April 2005 in 14 mortality-endemic districts including Kandhamal, where the IMR is above the state average (as 60 per cent of deaths occur in the neonatal period), training of traditional birth attendants has been taken up on an intensified scale¹¹. Yet, only two pediatricians attend to the children in the entire district. Medicines are rarely available at the health centres and usually have to be bought from the market. As villagers said, *“aspatal mein kya hota hai, paise de ke ghar mein dikhate hain, tabhi sahi medicine dete hain”* meaning that treatment is effective only when they visit the doctors in their residential clinics and pay fees.

Performance under ICDS

On average, people were satisfied with the continuation of the Integrated Child Development Scheme services after the riots and even in some of the relief camps. According to the District Social Welfare Officer, as of April 2010, 1,264 anganwadi centres were being run under 12 ICDS projects in Kandhamal, benefiting a total of 102,132 people, including 98,339 persons who received SNP services. The reason for the difference in these two numbers is some beneficiaries belonging to APL families do not come to the centre for SNP. In 2009, 172 new anganwadi centres were opened to cover all the uncovered habitations as well as the new habitations created after the violence.

All the anganwadi workers agreed that the violence had badly impacted child health and nutrition and more children were turning up weak and frail. A few anganwadi centres too were attacked and many of the workers, threatened. According to Ms Salila Pradhan, Sector Supervisor, ICDS, K Nuagoan, three anganwadi workers, who were Christian, were also threatened by the rioters.

Despite this, most centres continued to be run by the helpers and mothers and provisions were also made for distribution of SNP as well as dry ration in several relief camps. In some blocks, temporary centres were set up in the camps. In the relief camps in Tikabali, G Udayagiri and Raikia blocks, AWC services continued for more than a year. However, some villagers said they were not satisfied with the services provided under ICDS at the camp. The food was mostly biscuits or Cerelac (tinned baby food) and that too rare. In Raikia and Daringbadi blocks, people seemed happy with the services. Even pre- school education was given to 3-6 year olds, they said.

¹¹ Government of Orissa Report on Activities of Health and Family Welfare Department, 2007-08, Orissa, Bhubaneswar

Hiccups continue, though. Dry rations for Supplementary Nutrition Programme (SNP) are still not received on time. There is no fixed amount of the ration; sometimes it is

Table 6: Anganwadi Centres Visited by Team

Name of the Village	Block	Beneficiaries				Nutrition Grade					
		0-3 years	3-6 years	Pregnant mothers	Lactating mothers	Normal	Grade I	Grade	Grade III	Grade IV	Borderline
Pirigada (May)	K Nuagaon	24	13	NA	NA	25	13	3	2	NA	1
Dharampur (May)	K Nuagaon	37	69	NA	NA	44	51	10	1	No	No
Sindrigaon (June 2010)	Balliguda	60	60	11	18	58	43	18	1	0	No
Tiangia (June)	Raikia	20	15	3	4	7	20	8	3	0	No
Sartaguda		34	13	4	6	15	14	15	2	1	No
Total		175	170	18 (Data on 2 villages not available)	28 (Data on 2 villages not available)	149	141	54	9	1 (Data on 2 villages not available)	1

Source: Information collected from the anganwadi workers of different centres.

given for one quarter, sometimes for a month, putting the worker in great trouble as he or she has to buy the stuff with own money or borrow it from local shops.

The centres are given money for incidental expenses towards fuel, cooking oil or kerosene but this is not regular. One worker said that after spending for two years, she had received only six months' cost of Rs 3,200. Another said a zero-balance account had been opened in her name so that money towards morning snacks (usually flattened rice and jaggery) could be deposited directly but till date she had not been able to use her account. "Every time we go, the bank asks for some document or other from the block office," she said.

Some anganwadi centres are also hard to access, like the one in Sindrigaon village, where one has to cross a river to reach it. Transporting dry rations becomes impossible during the rains when the river swells. To carry the sacks of food, people have to be bribed in the form of SNP rations, which cuts into the share of the children and pregnant mothers.

Table 5: Status of Supplementary Nutrition Programme on March 2010																
Name of the Project	Eligible Beneficiaries	Target	Beneficiaries Covered												Total	Short fall
			0-3 years			3-6 years			Pregnant Mothers			Lactating Mothers				
			SC	ST	Other	SC	ST	Other	SC	ST	Other	SC	ST	Other		
2008 (March)	101079	100012	1101	2384	1039	3908	8011	2907	273	628	217	302	584	244	21598	78414
2009 (March)	102440	105142	10275	22399	7570	9192	19760	6317	2033	4045	1551	2592	3753	1430	90917	14225
2010 (March)	102290	NA	11286	24277	8306	9552	19316	7295	2176	5067	1605	2478	4179	1569	97106	NA

Needed: Restoration and Protection

Over two years of the entire process of relief and rehabilitation after riots, Kandhamal's children remained silent spectators. They were totally left out of administrative or judicial decisions. Nobody asked their views; nor was their voice heard. No mental health services or programme were conducted for the children on the lines of the Antaranga programme, launched by the state government for the youth.

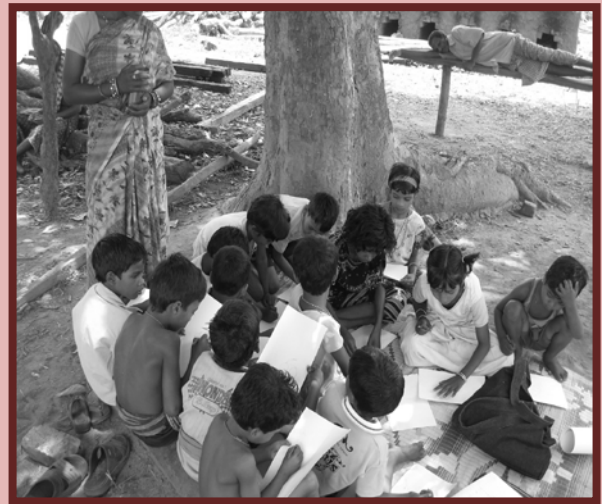
The administration must immediately zero in on the situation of the children in Kandhamal and take steps urgently to do the following:

- All relief and rehabilitation plans must meet national and international human rights standards in general, and the rights to life, livelihood, health, food, information, dignity, equality, freedom of association and movement, and adequate housing in particular.
- The policy on relief and rehabilitation should have a separate section on children conforming to UN standards. Article 3 of the CRC, which signifies the best interest of the child, should be the guiding principle for all relief and rehabilitation work.
- There should be a monitoring body for the whole process of relief and rehabilitation, which should take cognizance of children and also ensure that the rights of the children are not violated in the process.
- Children voices are important to be heard, especially in the case of mass violence where they are unwilling victims. Government should ensure the participation of children in the rehabilitation and post rehabilitation process of normalising the situation.
- As indicated by UN guidelines and various judgements, standard procedure must be followed strictly to protect the rights of children when s/he is testifying in front of law enforcement agencies or the judiciary.
- In any manmade disaster situation such as communal or ethnic riots, children's education and health are the first areas to get affected. The administration must ensure adequate access to food and nutrition, clothing, shelter and education facilities.
- There should be education facilities in relief camps for school-going children as well as a separate place or tent in the camp to be used as a study hall by those who are appearing for examinations. Children should be helped in every way so that they don't have to drop a year or miss out on examinations.

- Special measures to address children's needs, especially of those who have lost one or both parents, should be incorporated in all relief and rehabilitation plans. A special compensation package for such children to help them continue their studies till the age of 18 is a must.
- Children should be provided trauma counselling services as well as other playful and creative activities to help them cope effectively, especially when they also lack family support. Without these, children may develop all kinds of psychological and behavioural problems, lose interest in education, suffer from depression, drug addiction, or other kinds of problem.
- Hygiene needs, especially of girls, are always found to be neglected in relief camps. Sanitary napkins and toilet soaps for girls are a must.
- Regular, on-site health checkups are essential to prevent any major disease outbreak in the camp. Such checkups should continue at least for three months after the families have returned from the camp.
- Special attention should be paid to the nutrition needs of children in the age group of 0-6 years and of adolescents.



A child reading out the demands in
Kudpakia Village



Little ones want to show their talents,
Gunjibari Village

What the Children Want

What should have been/can be done?

- ❖ There should not be too many people in a relief camp.
- ❖ Compensation or relief should reach people on time without causing undue harassment.
- ❖ The government should carry out a survey of the affected homes and victims so that everyone gets the benefit of the compensation.
- ❖ At least two pairs of dresses should be given to each member of a family.
- ❖ CRPF or police protection should be provided to the victims.
- ❖ There should be proper facilities for toilets and bath, especially for girls and women.
- ❖ Education facilities should be provided to school children in the camp itself, so that the studies are not discontinued.
- ❖ Water in the relief camp should be tested before supplying for drinking or for other use. The water tank should be cleaned regularly to keep it germ-free and also ensure that it is not being contaminated by any miscreant.
- ❖ School/examination fee concessions should be given to the affected children. Cost of education of those whose parents (earning family members) are seriously injured and unable to work must be reimbursed by the government. The government should also create conditions so that children who have lost their parents or have severely injured parents can continue their studies.

What should be done to prevent such violence?

- ❖ The government as well as police and the CRPF should play an effective and unbiased role during incidents of mass violence.
- ❖ The government should take all precautions and preventive measures to ensure that the current hate environment is never recreated.
- ❖ It should work towards spreading brotherhood in the community, irrespective of all religions. There should not be any discrimination on the basis of religion, caste and creed.
- ❖ It should find out the root cause behind the violence and work towards the elimination of these causes. It should punish the offenders.

Children from Raikia and Balliguda blocks

- All children, irrespective of caste, community and religion, should be entitled to protection from any kind of exploitation in difficult situations.

- There should be a proper mechanism to create a database of the affected children, which can be used to develop care plans for children of different age groups. The government should make and give out a list of services that can be availed by the children during or after the violence.
- Helpline services should be set up for children to address the immediate needs of the children during and after the violence.
- The juvenile justice mechanism in Kandhamal is in shambles, whereas the need of the hour is to actually strictly implement the provisions of the JJ Act to check proliferation of illegal activities involving children, such as trafficking for child labour, sexual abuse and adoption. An action force to check such incidence and track people who are involved in such activities must be formed, which should continue to work for the medium term and also try and provide a feeling of security to the children and families.
- Special provisions for orphaned boys and girls are needed so as to recognise them as separate and independent units and enable them to receive entitlements to land and compensation money. They should not be merely absorbed into the family units that have temporary guardianship.
- The government should specially beef up the services and provisions already existing in the system and laws.
- Instead of trying to suppress facts and misleading the media, the local administration should ensure that the media in general and the electronic media in particular, strictly follow an ethical reporting code during any communal or ethnic violence. It should appeal to them not to repeat telecast live incidents of violence, which usually create tension among the people and aggravate the sense of fear, especially among children, and cause lasting damage.

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Annexure

Names of officials and other people interviewed by the team

Government officials

1. District Project Coordinator, Sarva Shiksha Abhiyan, Mr Atulya Kumar Champatiray
2. District Social Welfare Officer (DSWO): Mrs. Manorama Mahapatra
3. Official in DSW Office: Mr. Adipati Kanha
4. District Labour Officer: Mr. Kumud Ranjan Das
5. Personal Assistant to Special Administrator: P.S. Chaudhary
6. Sub Collector, Balliguda Sub-Collector: Mr. Balwant Singh
7. District Project Manager, Orissa State Health Mission, National Rural Health Mission (NRHM): Mr. Niranjan Panda
8. Superintendent of Police: Mr. Praveen Kumar
9. Assistant District Collector: Mr. A. Das
10. Block Development Officer, Raikia: Mr. Debabrata Jena
11. Assistant Block Development Officer, K. Nuagaon
12. Inspector In-charge, Raikia Police Station: Mr. R. N. Barik
13. Sub-Inspector, Balliguda Police Station: Ms. Rupa Lakra
14. Child Development Project Officer: Mrs. Dev Kumari Pradhan
15. Sector Supervisor, Integrated Child Development Scheme, K. Nuagaon Block: Ms. Salila Pradhan

NGOs/Schools/Institution Visited:

1. Banabasi Seva Samiti, NGO
2. Home for Destitutes & Orphans for Girls and Boys and Shishu Greha for In-country Adoption run by Banbasi Seva Samiti.
3. Mr. Ravindra Nath Panda, a member of Child Welfare Committee (CWC)
4. Mr. Utsav Chandra Jena, a member of Juvenile Justice Board (JJB)
5. Mr. Benudar Pradhan, Incharge, St. Paul Boys Hostel, Block, Balliguda
6. Girls High School, Tribal Welfare, Block, K. Nuagaon
7. Kasturba Gandhi Balika Vidyalaya, Block, K. Nuagaon
8. St. Cathrine Girls High School, Block, Raikia
9. St. Catherine hostel for orphan & destitute girls, Raikia Block
10. St. Catharine Creche, Block, Raikia
11. St. Catherine Health Centre, Block, Raikia
12. Mondasore Missionary Hostel for Girls & Boys, Gumamaha, Block, Raikia
13. Antaranga Club (Banbasi), Jakikia, GP Bataguda, Block, Balliguda
14. Antaranga Club (Banbasi), Midiakia, GP Midiakia, Block, Balliguda

Anganwadi Centres

Pirigada, K. Nuagaon Block
Dharampur, K. Nuagaon Block
Sindrigaon, Balliguda Block
Sartaguda, Tikabali Block
Tiangia, G. Udaigiri Block

HAQ: Centre for Child Rights works towards the recognition, promotion and protection of rights of all children. It aims to contribute to the building of an environment where every child's rights are recognised and promoted without discrimination, in an integrated manner. HAQ believes that child rights and children's concerns have to be mainstreamed into all developmental planning and action, and must also become a core development indicator.

To carry forward this mandate, HAQ undertakes research and documentation and is actively engaged in public education and advocacy.

HAQ works on children and governance, violence and abuse of children, child trafficking and juvenile justice. It provides legal support to children in need, particularly those who are victims of abuse and exploitation or are in conflict with law.

Publications:

- Children and Mining---India's Childhood in the "Pits". (2010)
- Still Out of Focus: Status of India's Children (2008)
- Handbook on Children's Right to Adequate Housing
- Combating Child Trafficking (A User's Handbook)
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- Child Protection (A Handbook for Panchayat Members in English and Hindi)
- Status of Children in India Inc. (2005)
- Says a child...Who Speaks for My Rights? (A series of booklets analysing parliamentary questions and debates from 2003 to 2007 in English and Hindi)
- My God is a Juvenile Delinquent (This book is not a HAQ publication but available in HAQ)
- Stop Child Trafficking (A Handbook for Parliamentarians)
- Children in Globalising India: Challenging our Conscience (2003)
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