

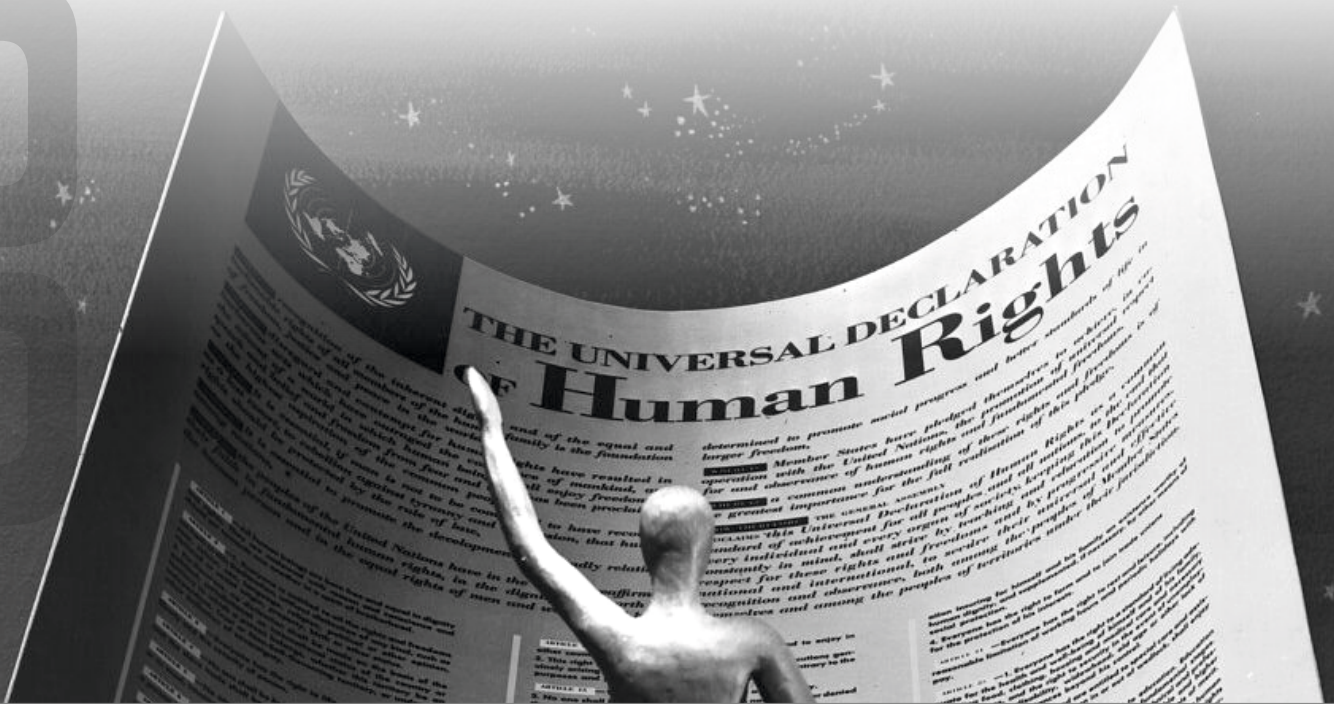


NAGALAND STATE HUMAN  
RIGHTS COMMISSION

# ANNUAL REPORT 2024-25

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# PREFACE

*“To deny people their human rights is to challenge their very humanity.”  
Nelson Mandela.*

The Nagaland State Human Rights Commission (NSHRC) is pleased to present its 2nd Annual Report for the period 01.04.2024 to 31.03.2025. The NSHRC is a statutory authority established under the Protection of Human Rights Act, 1993 (PHRA), with a mandate to promote and protect human rights in the State of Nagaland and to ensure greater accountability and stronger human rights regime in conformity with India's commitment to the Paris Principles that set out the minimum standards of Human Rights Institutions to function effectively. In the last two years of its existence, the Commission has tirelessly endeavored to promote and protect human rights, i.e the right to life, liberty, equality and dignity of the individual, especially of the vulnerable sections of the society, as guaranteed by Indian Constitution or embodied in the International Covenants and enforceable by the Courts in India.

The Commission has been addressing significant number of issues pertaining to human rights, either on a complaint filed before it or by way of suo-moto cognizance, of cases that violates human rights. Acting, as a watchdog against violation of human rights, the Commission has also identified certain focus areas including right to health, food, education, welfare programs for elderly and differently abled persons, rights of the prisoners and, environment and human rights. The members of the Commission during our tour to various Districts and Villages in the State conducted meetings and discussions with the stakeholders on these focus areas and has made recommendations and advisories to the concern public authorities from time to time.

As commonly understood, Human rights are the inalienable and inherent rights of all human beings regardless of nations, locations, language, religion, ethnic origin, sex, caste, creed etc. and are universal in nature. As per the United Nations Conventions and the Universal Declaration of Human Rights, it is the duty of the State to promote and protect all Human Rights regardless of the political, economic and cultural system prevalent in the State. It is in this conduct that, the Protection of Human Rights Act, 1993 came into existence in India.

In this Annual Report, some of the initiatives undertaken by the Commission in its journey to strengthen and safeguard human rights in the State have been given in brief with summaries of principal cases dealt during the period.

With the limited resources and infrastructures in place, the Commission has been attending to the grievances and complaints regarding human rights violations in the State effectively. The Commission's endeavor is to improve the status of human rights in the State and promote the culture of Human rights protection for the welfare of the society at large.

This 2<sup>nd</sup> Annual Report of the Commission, is hereby submitted for preparing the Memorandum of Action Taken and placing the same before the Legislative Assembly in accordance with the procedure laid down under Section 20 of the "Protection of Human Rights Act (PHRA), 1993" and its subsequent amendments.

It is the hope of the Commission that the present Annual Report will not only serve to inform its readers of the important initiatives undertaken by the Commission during the last year, but also to encourage both, government and civil society, to ponder and act more closely on the challenges pertaining to promotion and protection of human rights, so that we collectively face as a State these challenges and chart ways to address the same in inclusive and holistic manner.

**Sd/-**  
**(Adv. R. Nzanbemo Lotha)**  
Member

**Sd/-**  
**(Justice Songkhupchung serto)**  
Chairperson



# LOGO OF THE COMMISSION AND ITS SIGNIFICANCE



1. **THE SPEAR AND THE SHIELD REPRESENTS THE CULTURE AND CUSTOM OF THE PEOPLE OF THE STATE.**
2. **THE FLOWER AND THE BIRD WHICH ARE THE STATE FLOWER (RHODODENDRON) AND STATE BIRD (TRAGOPAN) RESPECTIVELY REPRESENTS THE PEOPLE OF THE STATE.**
3. **THE SUN REPRESENTS THE COMMISSION PROTECTING THE HUMAN RIGHTS OF THE PEOPLE OF THE STATE.**

# INTRODUCTION

*“Human rights are not a privilege granted by the few, they are a liberty entitled to all, and human rights, by definition, include the rights of all humans, those in the dawn of life, the dusk of life, or the shadows of life”.*

*Kay Granger*

The Protection of Human Rights Act, 1993 was enacted to provide for the constitution of a National Human Rights Commission, State Human Rights Commissions and Human Rights Courts in States for better protection of human rights and matters connected therewith or incidental thereto. Section 2(1)(d) defines human rights as follows; “human rights” means the rights relating to life, liberty, equality and dignity of the individual guaranteed by the Constitution or embodied in the International Covenants and enforceable by Courts in India”.

## 1. Composition of the State Human Rights Commission:

As per the provisions of Section 21 (a),(b) and (c) of the Act, the State Commission is to be constituted of a Chairperson who has been a Chief Justice or a Judge of a High Court and two members out of which one should be a person who has been a Judge of a High Court or District Judge in the State with a minimum of seven years' experience as District Judge and the other should be a person who has knowledge of or practical experience in matters relating to human rights. For smooth and efficient functioning of the Commission section 21 (3) and section 27(1) (a) of the act provides that the State Commission shall have a Secretary who is not below the rank of a Secretary in the State Government and Section 27 (4)(b) provides that the State Government shall make available to the Commission such police and investigation staff headed by an officer not below the rank of an Inspector General of Police and Judicial wing headed by a Registrar.

At present the Administrative Wing is headed by a Secretary, in the rank of a Joint Secretary in the State Government, who is holding a dual charge with Minority Affairs Department but the Investigating Wing and Law/Judicial Wing are yet to be constituted.

## 2. Functions of the Commission:

Section 12 of the Act lays down the functions of the National Commission and the State Commissions as follows; “The Commission shall perform all or any of the following functions, namely: -

- (a) inquire, Suo motu or on a petition presented to it by a victim or any person on his behalf [or on a direction or order of any Court], into complaint of-
  - (i) violation of human rights or abetment thereof; or
  - (ii) negligence in the prevention of such violation by a public servant;
- (b) Intervene in any proceeding involving any allegation of violation of human rights pending before a Court with the approval of such Court;
- (C) Visit, notwithstanding anything contained in any other law for the time being in force, any jail or other institution under the control of the State Government, where persons are detained or lodged for purposes of treatment, reformation or protection, for the study of the living condition of the inmates thereof and make recommendations thereon to the Government;]

- (d) review the safeguards provided by or under the Constitution or any law for the time being in force for the protection of human rights and recommend measures for their effective implementation;
- (e) review the factors, including acts of terrorism, that inhibit the enjoyment of human rights and recommend appropriate remedial measures;
- (f) study treaties and other international instruments on human rights and make recommendations for their effective implementation;
- (g) undertake and promote research in the field of human rights;
- (h) spread human rights literacy among various sections of society and promote awareness of the safeguards available for the protection of these rights through publication, the media, seminars and other available means;
- (i) encourage the efforts of non-governmental organizations and institutions working in the field of human rights;
- (j) such other functions as it may consider necessary for the promotion of human rights.

### **3. Commission is empowered with powers of Civil Court and every proceeding before it shall be deemed a judicial proceeding:**

Under section 13 of 'The Protection of Human Rights Act, 1993', the Commission is empowered with all the powers of a Civil Court while enquiring into complaints and it also provides that every proceeding before the Commission shall be deemed a judicial proceeding.

#### **Commission's Powers relating to inquiries- Sec.13: -**

- (1) The Commission shall, while inquiring into complaints under this Act, have all the powers of a civil Court trying a suit under the Code of Civil Procedure, 1908 (5 of 1908), and in particular in respect of the following matters, namely: -
  - (a) Summoning and enforcing the attendance of witness and examining them on oath;
  - (b) Discovery and production of any document;
  - (c) Receiving evidence on affidavits;
  - (d) Requisitioning any public record or copy thereof from any Court or office;
  - (e) Issuing commissions for the examination of witnesses or documents;
  - (f) Any other matter which may be prescribed.
- (2) The Commission shall have power to require any person, subject to any privilege which may be claimed by that person under any law for the time being in force, to furnish information on such points or matters as, in the opinion of the Commission, may be useful for, or relevant to, the subject-matter of the inquiry and any person so required shall be deemed to be legally bound to furnish such information within the meaning of section 176 and section 177 of the Indian Penal Code (45 of 1860).
- (3) The Commission or any other officer, not below the rank of a Gazette Officer, specially authorized in this behalf by the Commission may enter any building or place where the Commission has reason to believe that any document relating to the subject-matter of the inquiry may be found, and may seize any such document or take extracts or copies there from subject to the provisions of section 100 of the Code of Criminal Procedure, 1973 (2 of 1974), insofar as it may be applicable.
- (4) The Commission shall be deemed to be a civil Court and when any offence as described in section 175, section 178, section 179, section 180 or section 228 of the Indian Penal Code (45 of 1860) is committed in the view or presence of the Commission, the Commission may after recording the facts constituting the offence

and the statement of the accused as provided for in the Code of Criminal Procedure, 1973 (2 of 1974) forward the case to a Magistrate having jurisdiction to try the same and the Magistrate to whom any such case is forwarded shall proceed to hear the complaint against the accused as if the case has been forwarded to him under section 346 of the Code of Criminal Procedure, 1973 (2 of 1974).

- (5) Every Proceeding before the Commission shall be deemed to be a judicial proceeding within the meaning of sections 193 and 228, and for the purpose of section 196, of the Indian Penal Code, and the Commission shall be deemed to be a civil Court for all the purposes of section 195 and Chapter XXVI of the Code of Criminal Procedure, 1973 (2 of 1974).

### **1. The Commission's Procedure:**

As mandated in Section 41(2) of the Protection of Human Rights Act, 1993 the Nagaland State Human Rights Commission has laid down its own procedure and the same has been published in the State's Gazette published on 14<sup>th</sup> August, 2023.

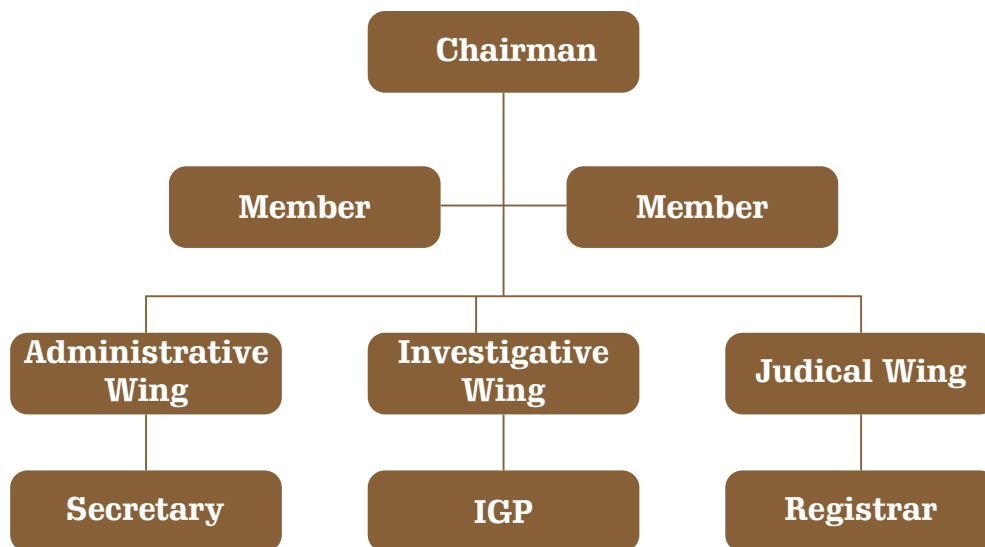
### **2. Finance:**

Section 33 of the Protection of Human Rights Act 1993 provides that the State Government shall after due appropriation made by the Legislature by law in this behalf, pay to the State Commission by way of grants such sums of money as the State Government may think fit for being utilized for the purposes of the Act. It further provides that the State Commission may spend such sum as it thinks fit for performing the functions under Chapter V of the Act and such sums shall be treated as expenditure payable out of the grants.

The State Government gave a grant of Rs. 215.21 lakhs for the financial year 2024-2025 under the following heads:

SL NO	HEADS	AMOUNT IN LAKHS
1.	SALARY FOR MTS, DRIVERS AND LDA.	34.29
2.	GRANT IN AID WHICH INCLUDES SALARY FOR CHAIRPERSON, MEMBER AND OTHER OFFICE EXPENSES.	121.96
3.	GRANT IN AID FOR RENOVATION OF QUARTER NO AH/70.	58.96
<b>TOTAL</b>		<b>215.21</b>

## COMPOSITION OF THE COMMISSION



## PRESENT COMPOSITION OF THE COMMISSION

**Justice Songkhupchung Serto**, Chairperson, NSHRC

**R Nzanbemo Lotha, Advocate**, Member, NSHRC

1 (One) Member Vacant.

## ADMINISTRATIVE ESTABLISHMENT

**Shashank Pratap Singh IAS**, Secretary, NSHRC.

**Pemei Konyak, NSS** Junior Section Officer.

**Nengkhovah Hangsing** Asst. Superintendent.

**H. Manan Phom, NSS** Secretariat Assistant.

**Medosieno**, L.D.A.

6 (six) MTS

3 (three) Drivers

1(one) Cook



# COMPLAINT/MATTERS WHICH MAY BE DEALT BY THE COMMISSION

## LIST SHOWING SUBJECT-WISE CLASSIFICATION OF INCIDENTS LEADING TO COMPLAINTS/ SUO MOTU ACTION

Code Number	MAJOR HEADS	Sub-Code Number	SUB-HEADS
10	CHILDREN	10.01 10.02 10.03 10.04 10.05	Child Labour Child Marriage Child Prostitution and Sexual Abuse Exploitation of Children Others
20	EDUCATION	20.01 20.02 20.03 20.04 20.05 20.06 20.07	Denial of schooling facilities Mid-day meal Scholarships and incentives to girls and other weaker sections School buildings and library Non-availability of books and other reading materials Education loan Others
30	HEALTH	30.01 30.02 30.03	Public health hazards Malfunctioning of public health institutions Others
40	JAIL	40.01 40.02 40.03 40.04 40.05 40.06 40.07 40.08 40.09 40.10	Custodial death Custodial rape (in jails) Exploitation of child prisoners. Denial of legal aid. Harassment of prisoners Conditions in jail. Solitary confinement of prisoners. Remuneration of convicts Premature release Others
50	JUDICIARY	50.01 50.02	Delay in trial Double Jeopardy

		50.03	Others
60	MAFIAS/ UNDERWORLD	60.01 60.02 60.03 60.04	Nuisance by notorious gangs/mafias Nuisance by local ruffians and anti-social elements. Ransom Other
70	LABOUR	70.01 70.02 70.03 70.04 70.05 70.06 70.07	Bonded Labour Exploitation of Labour Forced Labour Hazardous employments Slavery Traffic of human labour Others
80	Minorities/SC/ ST	80.01 80.02 80.03 80.04	Discrimination against minorities Discrimination against SC/STs Atrocities on SC/STs Others
90	POLICE/ ARMED FORCES	90.01 90.02 90.03 90.04 90.05 90.06 90.07 90.08 90.09 90.10 90.11 90.12 90.13 90.14 90.15 90.16 90.17 90.18 90.19	Abuse of power Abduction/ Kidnapping Abduction/ rape Attempted murder Custodial death Custodial rape (at Police Stations) Custodial torture Custodial violence Death in police firing Death in police encounter Fake encounters Failure in taking lawful action False implications (by private individuals) False implications (by police) Unlawful detention and arrest Police motivated incidents Victimisation Failure to register case and investigate Delay and prolongation of investigation Others
100	POLLUTION/ ECOLOGY/ ENVIRONMENT	100.01 100.02 100.03 100.04	Ecological disturbances Environmental (air) pollution Water Pollution Noise pollution

		100.05	Others
110	Poverty Alleviation/ Social Welfare	110.01 110.02 110.03 110.04 110.05 110.06	NREGP B.P.L./ A.P.L./ Antyodaya Programmes Indira Awas Yojna Old age pension Loan schemes Other social welfare schemes
120	RELIGION/ COMMUNITY/ RACE	120.01 120.02 120.03 120.04 120.05 120.06 120.07	Communal violence Ethnic conflict Group clashes Racial discrimination Religious discrimination Religious intolerance Others
130	Remand Homes	130.01 130.02 130.03 130.04	Condition in remand homes including food & hygiene Exploitation and sexual harassment of inmates Rehabilitation of lost and destitute Others
140	SERVICES MATTERS	140.01 140.02 140.03 140.04 140.05	Disparities in Employment Opportunities/ Non-payment of Salary Pension/Compensation Appointment matters Other service disputes Others
150	WOMEN	150.01 150.02 150.03 150.04 150.05 150.06 150.07 150.08 150.09 150.10 150.11 150.12 150.13 150.14	Abduction, rape and murder Commission of sati Discrimination against women Dowry death including attempt Dowry demand Exploitation of women Gang rape Indecent representation of women Indignity of women Immoral trafficking on women Domestic violence Sexual harassment at workplace Neglect by family members Others

160	MISCELLANEO US	160.01 160.02 160.03 160.04 160.05 160.06 160.07	Disappearance Land disputes Hunger strikes Family disputes Natural Calamities Starvation Others
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### PROCEDURE OF DEALING WITH COMPLAINTS OR SUO-MOTO ACTION

- 1 The complaint must be written in English language by any victim of Human Rights violation or any other person on his/her behalf, to be presented in person or by Post or online.
- 2 No fee is charged on the complainant. No court fee stamps are required. No need to engage the lawyer.
- 3 The complaint against any Public Servant required is to be addressed to the Chairperson of the Commission and should mention the following information:
  - a. The Complainant's full name, Postal address of the complainant, Telephone Number/Email Address, Date and Place of incident, Time of incident, Specify details of violation of Human Rights.
  - b. Complaint against which Public Servant/Government/ Department/Government Organization/ Government Authority.
  - c. Whether the matter is pending in any Courts, National Human Rights Commission, New Delhi, Tribunals or any other Statutory forums.
  - d. The relief prayed for.

### ADVANTAGES OF APPROACHING THE COMMISSION

Institutional Autonomy and Independence, Easy Approachability, No fees charged, less cumbersome procedure, Speedy Justice, No assistance of professional lawyer required.

# VISITS OF GOVT. INSTITUTIONS BY THE COMMISSION

As per the Protection of Human Rights Act, 1993, one of the functions of the Commission is to visit Jails and Other Institutions, under the control of the State Governments where persons are detained or lodged for purposes of treatment, reformation or protection, so as to assess the living conditions prevalent therein and make recommendations as maybe required to the State Government (Sec.12(c) of the Act). Right to life as protected under Article 21 of the Constitution of India has been interpreted by the Apex Court as 'life with dignity' and not mere human existence. Taking a cue from there, Education which is a basic need for improving life of an individual to a respectable and a dignified one, has been made a fundamental right by Article 21A of the Constitution by the Parliament. The Indian Constitution also includes several provisions which establishes the basis for recognizing the right to health as one of the human rights despite of not being referred to explicitly under part III. Article 21 of the Constitution serves as the main legal basis for establishing right to health and it has received continuous Supreme Court expansion which established that living with human dignity requires basic healthcare access to ensures these rights. Further, invariable right to food with proper nutrition and maintaining living condition that supports general wellness for its citizen are also essential ingredients of right to life with human dignity.

In its continued mission, the Commission continues to visit Government run Schools, Hospitals, Health care centers and public distribution centers etc., to see and understand how they are functioning, the challenges and difficulties, if any, faced by them so that they can be brought to the notice of the authorities concern for timely redressal. Furthermore, the Commission also visits Jails and Police Stations to see and understand how they are functioning, whether they have the infrastructures required to function effectively and, whether they have adequate strength and resources and also to see how the inmates/arrestee are being treated in Jails and Lock-ups. Some of the Institutions which the Commission has visited from 01.04.2024 to 31.03.2025 and the observations, advisories and recommendations made are briefly given below:

## 1. Wokha District:

### (a) Jails and Police Station

- (i) District Jail, Wokha
- (ii) Wokha Police Station

## DISTRICT JAIL WOKHA

At the District Jail, the Commission observed that no medical personnel were posted except for a visiting doctor. So, problems arise during medical emergencies and more often so because, most of the inmates are substance abusers who are prone to withdrawal symptoms. So, the Commission has recommended for posting of at least a pharmacist or a nurse at the earliest and on priority. Segregation of inmates (especially those with contagious diseases) is required but it is not possible at the moment due to shortage of wards. Therefore, the Commission recommended for providing of at least one additional ward for the purpose at the earliest. The Commission was also made to understand that only one Prison Maruti van is available, therefore it was recommended that the department provides an ambulance or one



more vehicle. Further, the road leading to jail is in pathetic condition, not motor able during monsoon season and in need of minimum repairing at the earliest. The Commission recommended that the authorities of jail administration in consultation with the departments concerned take a concerted action in this regard. There is also a need for a Clinical Psychiatrist or a trained counselor.

## **WOKHA POLICE STATION**

### **Police Station: Wokha**

There is need for separate Lock-Up for Women Police Station so it was recommended that a separate lock up is provided at the earliest and on top priority. Without a vehicle the police station would not be able to discharge its duties effectively if not impossible. Therefore, the Commission strongly recommended that at least one vehicle be provided to the Women PS at the earliest and on top priority. There is also a need for a Duty Room for personnel who spend the night at the PS for duty. We were informed that proposal for the same has been submitted earlier. The Commission, accordingly recommended that the same be considered and the required action be also taken at the earliest.

With regard to the Police Stations, the Commission observed that the Lock ups lacked basic facilities such as bench/cot, exhaust fan, proper lighting, clean toilet, etc. Lack of manpower and limited custodial feeding funds were other issues the Commission came across at all the Police Stations. The issues have been flagged by the Commission during its meeting with Home Commissioner and the DGP (represented by the ADGP) for taking necessary action.

### **(b) Health Centers**

#### **1. DISTRICT HOSPITAL WOKHA**

##### **Some of the facts observed by the Commission are: -**

- 15 Doctors posted, all specialist and no general practitioner (MBBS).
- The only surgeon posted is on paternity leave with no one in his place.
- 100 bedded hospital but functional with only 50 due to space constraint.
- Patients attending OPD per day - 80 average. Peak months 150+.
- Ultrasound available, gynaecologist operates ultrasound.
- 8 X ray machines available but no technician.
- No Lab technician.

#### **Observations and Recommendations:**

- (1) The CMO has been advised to send a proposal to the State Govt. to either renovate the old building which is lying unused or to build a new building in the same location in order to make 100 bedded hospital functional. The State Government may consider the same and take appropriate action deemed necessary in the public interest.
- (2) An X-ray technician and a Lab technician are the most urgent needs of the hospital since it is the premier health facility of the district. Therefore, the Commission recommended that the State Government address these issues at the earliest; first by making temporary arrangement and in the meanwhile by making regular appointments within a year.
- (3) Recommended that one general practitioner be provided.
- (4) It has been recommended that an order be issued so that a Surgeon and an Anaesthetist of the District hospital visits the CHC, Bhandari once in a week as per our earlier recommendation and the assurance given by the Principal Director.

**Action Taken by the Department:**

1. An X-Ray Technician has been posted to the Hospital VIDE LETTER No.DHFW-3/135/X-Ray/2023 dated 5<sup>th</sup> July 2024.
2. As per our earlier recommendation and the assurance given by the Principal Director, an order has been issued for the Surgeon and the Anaesthetist of the District hospital to visit the CHC, Bhandari once in a week.
3. As far as manpower is concerned, the Commission has been informed that recruitment process by competent authority-NPSC & NSSB is going on.

**2. PHC, ENGLAN :****Some of the issues observed by the Commission are: -**

- COVID building not yet completed and not handed over.
- Water source is available but water pump and reservoir are required for meeting the requirement of water in the hospital.
- New PHC Building completed but yet to be inaugurated.
- Department allotted Ambulance in a very bad shape. Ambulance donated by the Dy. CM cannot be used effectively for non sanction of POL and maintenance fund against it.
- One more MO required – Allopathic or Ayush.
- Labour room non-functional due to lack of water supply.

**Observations and Recommendations:**

- (1) The Covid building is almost completed and if completed it can serve as patients' room both during any pandemic situation and in normal times. Therefore, we recommended that the State Government take steps for its completion within the coming 6 (Six) Months.
- (2) Without water supply it is difficult for a hospital to function effectively, if not impossible. Since the water source is already available, we recommended that the government take necessary steps immediately so that the required reservoir is constructed and the water pump is made available to the hospital in the coming 6 to 7 months.
- (3) The old health centre building is small and congested and it is no longer suitable for running a health facility. Therefore, we recommended that the new building be inaugurated within the coming 6 months after fitting all the required facilities in the interest of the public.
- (4) Ambulance is an essential service especially in the rural areas. Taking this into account we recommended that the Ambulance allotted by the department be repaired properly so that it serves its purpose. We also recommended that the required sanction for POL and maintenance be made against the Ambulance donated by the Hon'ble Deputy Chief Minister so that the same can be put to use for the public.
- (5) We also recommend that the State Government, after making proper assessment of the overall need of doctors in the State consider posting of at least one more MO either Allopathic or AYUSH.

**Action Taken by the Department:**

1. A 6-bedded prefab structure was approved under ECRP-II for PHC Englan. Civil works have been completed however, the supply of furniture and rectification of the damaged structure are still pending. The Commission has been informed that the

- concerned firm has assured to address the issue at the earliest.
2. With regard to water supply, the matter to be taken up with the PHED and the CMO Wokha has also been directed to approach DPDB for allocation of funds under LAPD.
  3. As far as manpower is concerned, the Commission has been informed that recruitment process by competent authority-NPSC & NSSB is going on.

### **3. H&WC, YIKHUM:**

#### **Some of the issues observed by the Commission are:**

- Shortage of Manpower.
- No 4<sup>th</sup> Grade staff.
- Limited testing facilities due to non availability of reagents.

#### **Observations and Recommendations:**

- 1) Since assets had been created and the health centre is functioning daily, a Grade-IV staff is needed to look after the same and to assist the nursing staff. Therefore, we recommended that a grade-IV staff be appointed on temporary basis till a regular appointment is made.
- 2) The saying "Prevention is better than cure" cannot be truer and more appropriate than in health sector so we recommend that our health centers be equipped with testing facilities so that people don't have to suffer from preventable diseases or health issues. We also recommended that the government take appropriate action so that all the health centers where testing facilities are in place the required equipments, manpower and reagents are made available at all times and monitored regularly.

#### **Action Taken by the Department:**

1. Since there is no sanctioned Gr-IV post for PHC Yikhum, staffs to be redeployed from Health Units having excess Gr-IV staffs.
2. The Commission has also been informed that reagents shall be supplied through the 15<sup>th</sup> Finance Commission.

### **4. PHC, CHUKITONG:**

#### **The Commission during its visit to PHC Chukitong observed that:**

- No Dark Room and Technician are available though there is an X-Ray machine.
- Supposed to be 12 bedded but only 4 are in place.
- No room for on-duty nurses.
- Regents for CBC Machines has expired so replacements needed.
- No ultrasound machine.
- Only one Ambulance and is in need of major repairing.
- One more MO needed.

#### **The following Recommendations were made:**

- 1) Since an X-Ray machine is already in place as per the need, the required dark room and the Technician should be also made available within the coming 6 to 7 months, so that the X-Ray machine is made operational.
- 2) We found that the hospital is a very busy one because of the large area it covers and the place where it is situated being near the highway. Therefore, the Commission was of the view that it should be made fully functional by providing all the requirements. Accordingly, we recommended that the State Government take the necessary steps so that the building is extended in order to accommodate the required number of beds,

- and also to provide all the required number of rooms.
- 3) Without Reagents, the CBC machines would be of no use. Therefore, in order to make the testing facility fully functional, we recommended that the State Government take appropriate actions so that the reagents are made available on regular basis.
  - 4) The use of Ultrasound is no longer a luxury but a basic necessity nowadays. It has become even more necessary because of the GOI's policy to encourage Institutional deliveries. Therefore, we recommended that the State Government provides an Ultrasound to the health center before the end of this year.
  - 5) As already observed, Ambulance is a necessity in the rural areas, but the one that is made available to this hospital is an old one made out of a Gypsy vehicle that too needing a major repairing. The Center requires a good Ambulance since they are made to do VVIP duties very frequently and since the areas under its coverage are far flung rural areas. Taking all these into account, we recommended that the State Government cause repairing of the Ambulance expeditiously within the coming 2 to 3 months and provide a new one in the coming year.
  - 6) Looking at the need of the health center, it was recommended that the State Government after taking into consideration the overall picture of the State provides another medical officer on priority.

#### Educational institutions

#### **1. GHSS WOKHA**

##### **The Commission during its visit to GHSS Wokha observed the following:**

- A composite school with 70 teachers.
- Offer humanities & science stream.
- Total enrolment of 510 students with class 11 & 12 Arts students making up the substantial number.
- School building in a dilapidated state.
- Inadequate facilities in science lab including lack of supply of chemicals.
- No separate toilet for teachers and inadequate number of toilets for students.
- Inadequate supply of water for the toilets

#### **Recommendations made by the Commission**

The Higher Secondary school is the premier educational institution of the district but the building which was built many years ago is in a dilapidated condition. It requires proper renovation and furnishing befitting an institution of that level. If education in the state has to be taken forward institutions like this needs to be improved and given top priority. Therefore, we recommended that the building be renovated and furnished properly by adding facilities like separate toilets for teaching and non-teaching staff, more toilets for students with running water facility. A functioning laboratory is a must for science students; therefore, we also recommended that this facility is provided without delay.

#### **2. GHS ENGLAN**

##### **The Commission during its visit to GHS Englan observed the following:**

- Only 25 students enrolled with 25 teachers.
- No Hindi teacher posted.
- New sets of Computer needed.
- New building is incomplete.
- 4 Govt. Primary Schools under Englan range has almost nil enrolment thus no feeder

- school for the High School.
- LDA, Computer Teacher and IV Grade employee on contractual fixed pay.

### **Observations and recommendations made by the Commission**

During the course of the Commission's interaction with the teachers and the school committee, it was learnt that the reason for having small number of students in this High school is because the four primary schools situated in and around the village which would have been the feeder schools no longer functions as they cannot compete with private schools existing in that area and, because the High school itself has also not been able to attract students on their own. This appears to be a common problem across the state. Teachers appointed in the government schools these days are well qualified as their eligibility criterias are adequately high and well defined and they are appointed through competitive examinations. But it is an irony that their services are not being availed of. If no serious thinking takes place and appropriate actions taken, many of the government schools will continue to make less contribution to the society. On the other hand, if the schools don't function properly, many children who are from economically disadvantaged families would be deprived of having good educational institutions which will result in the state having large number of school drop-outs. Therefore, the Commission strongly recommended that the department should delve deeper into the problems facing the schools and come out with solutions which will make the schools not only alive but vibrant. If need be the department may even outsource the service of experts in the field. This needs urgent action on the part of the department.

As for the request for completion of the new building and new sets of computers, it was recommended that the needful be done by the department so that the building is completed within the time stipulated in the contract agreement and new computers as per needs are provided. It was also recommended that the Department work out modalities for regularization of those employees serving on contractual fixed pay for more than 18-19 years at the earliest.

### **3. GHSS, CHUKITONG**

**The Commission during its visit to GHSS Chukitong observed the following:**

- A composite school with only 123 students and with very few enrolment in Hr.Sec section.
- Offers only humanities stream in class 11 and 12.
- Covers 6 villages.
- Shortage of English, Sociology and Education Teachers for Hr.sec section.
- At least 1 Science, English and IT Teacher required for the High School.
- Hostel facility is the need of the hour as there are no rental facilities available for students coming from outside the town. It is even more difficult for those who don't have relatives at Chukitong. This is stated to be the primary reason for low enrolment.
- School building in a dilapidated condition and no room for Lab, E-classroom and Library.

### **Observations and recommendations**



The reasons for low enrolment of students could be the unresolved issues and challenges faced by the school. It is quite obvious that parents would be unwilling to send their children to a school which lacks basic requirements. After having interacted with the teachers and the school committee, the Commission found that the school has a lot of potential to grow in terms of giving quality education to the children of the sub-division particularly the six villages under its coverage. Therefore, it was recommended that the department look into the problems faced by the school some of which have been noted above so that the school runs in its full potential for the good of the children of the sub-division. Further, the Commission was also of the view that a Higher Secondary situated in such place should also have Science stream so that children of that area are not deprived of opting for such subjects which will only enable them to choose careers like medical doctor, engineering, etc. Therefore, it was also strongly recommended that Science stream be opened in the 11 and 12 classes at the earliest.

### **OBSERVATION HOME, WOKHA:**

**The Commission during its visit to Observation Home, Wokha observed the following:**

- Observation home for both boys and girls.
- New building with basic facilities available.
- Salaries of staffs not released in time.
- Funds need to be released timely to meet the needs of children inmates.
- No security fencing.
- Requires separate staff quarters for the residential staff.
- No vehicle provided for running the home.

### **Observations and recommendations:**

Observation home is one institution which must be handled with care and sensitivity because of the very purpose for which it is established. This is a place where children who are in conflict with law are kept and the emphasis is given on rebuilding their lives. Therefore care must be taken so that the home does not lack in anything. Accordingly, the Commission recommended that the Department of Social Welfare and all other stake holders take appropriate action in consultation with one another and see to it that the issues mentioned above are resolved for efficient running of the home.

### **Doyang Meeting with NEEPCO**

The Commission during its Wokha District tour held a meeting with the NEEPCO Officials headed by Director (Personnel) Major General Rajesh Kumar Jha to deliberate on further extension of CSR in and around Doyang Hydro Project and recommended the following during the meeting. The officers of NEEPCO assured the Commission that the company would give the recommendations its earnest consideration.

1. Upgradation of the High School (Swami Vivekanda Kendriya Vidyalaya) to Higher Secondary offering both Arts and Science Stream with proper renovation of the existing infrastructure and addition of some more facilities including hostel (both for boys and girls) will go a long way in helping the children of the villages around the dam particularly, of the affected people in the long run.
2. Further, since the area covered by the project does not have a hospital, the

Commission is of the view that if the existing PHC at the project site is strengthened by adding at least 2 (two) more Doctors, the basic needs of the people in health-related issues would be met to great extend.

3. Lastly, the people of the project area being predominantly farmers by profession, the Commission felt that it would be of great help to them if a marketplace with a cold storage facility can be constructed by NEEPCO within its own land preferably near the highway.



NSHRC with the NEEPCO Officials at Doyang Hydel Electric Project

### **Mokokchung District:**

**The Commission during its visit to GHSS MOKOKCHUNG (Mayangnokcha Govt. Hr. Sec School) observed the following:**

- Class VII to XII with a total of 1060 Students.
- Offers all streams i.e. humanities, commerce and science stream.
- Building in a very poor state.
- Need 1 more PGT English.
- Need a vice principal since the vice principal posted there has been attached in the Directorate.
- No post of PGT MIL Ao so far. Need for creation of post as there are many students opting for Ao at Hr. Sec Level.

### **Observations and recommendations**

The school was established in 1941 and has the credit of having produced a lot of alumni who have served the state at various capacities. True to its name it still enjoys the confidence of many parents and children which can be seen from the number of students admitted every year. The old school building though in dilapidated condition still shows the glorious past of the school. It would be a joy and pride for the people of the district if the old building is either, renovated or a new building retaining the architecture look of the school is constructed. Allowing the school to continue running in such condition may be dangerous for

the students and the staff. Therefore, the Commission strongly recommended that the department take appropriate action at the earliest in this regard.

The Commission also inspected the new building and found that the floors are not tiled. It would make the school clean and tidy if it is tiled. A school of such history and fame deserves a good infrastructure so that it remains to be a model for government schools in the state.

The need for early posting of a vice principal and other subject teachers as indicated above needs to be addressed at the earliest so that the school can run more efficiently. Therefore, the Commission also recommended that the department take appropriate action expeditiously. The Commission was impressed by the dedicated and efficient service rendered by the teachers led by the Principal.

### **GHS KUBOLONG**

#### **The Commission during its visit to GHS Kubolong observed the following:**

- Very pro-active participation from the community. An old Primary School Building has been converted into a hostel where 15 students are provided free food and lodging-sponsored by the community (including teachers).
- Montessori teacher fully sponsored by the community.
- Constructed as High School but converted to Composite School in 2018 but no expansion in infrastructure. Urgent need for additional classrooms – at least 2 classrooms.
- Building very old and dilapidated.

### **Observations and recommendations of the Commission**

The Commission observed that this is a school where one can see good cooperation between the staff (both teaching and non-teaching) and the public for the children's education. Contributions of the public are easily visible and we feel that this is what others also should emulate. But the needs mentioned above are which the villagers and the staff cannot do alone. If the government takes up the issues faced by the school immediately, it would be a big encouragement to both the teaching staff and the public. Therefore, it was strongly recommended that the two most needed classrooms be constructed and the school building which is already very old and dilapidated be also renovated at the earliest on priority.

### **GHS CHANGTONGYA 'B'**

#### **The Commission during its visit to GHS Changtongya B observed the following:**

- A Composite school with 85 students.
- There is a pressing need for upgradation to Hr. Sec School as many students from weaker sections from that area cannot afford private schools. DPDB has approved but not much progress thereafter. No GHSS in the sub-division.
- One of the very few schools where Mid-Day Meal is provided every day with contribution from the community. Kitchen destroyed by natural calamities, so Village Council Building is used for the purpose.

- With the support and sponsorship from the community and teachers, every year, the school runs a hostel in the old GPS for class X students, from October till matric exam, to assist the students focus in their studies.
- Residential hostel needed as many students are from Eastern area and does not have place to stay and cannot afford rent.
- School uniforms are not according to the size of the students, but with the contribution of the teachers and the community the problems are resolved every year.
- LDA-cum-Computer Assistant needed.
- No Maths teacher for elementary section since 2014.
- Enough classrooms available for Hr. Sec if upgraded and also enough teachers meeting the criterion for PGT (to teach in Hr.Sec) are available at least for stop gap arrangement till regular PGTs are posted.

### **Observations and recommendations made by the Commission**

Changtongya being a sub-division headquarter and with no government Higher Secondary school in the whole sub-division in existence deserves to have a Higher Secondary school offering both humanities and science stream. Due to the absence of such a school, the parents have been sending their children to other places, the nearest being Mokokchung. This does not only cost their pockets but puts their children to a lot of inconveniences and difficulties. Children are still immature at this stage and they need the guidance of their parents and relatives. So, it is most desirable that they are at home at least till they pass class XII. Moreover, many of the parents cannot afford to send their children to other places, therefore, the children cannot study beyond class 10. Taking all these into account, the Commission recommended that the existing High school be upgraded to Higher Secondary which has the facilities to offer both humanity and science stream.



Govt High School Changtongya, Mokokchung

**GHSS TULI****The Commission during its visit to GHSS Tuli observed the following:**

- Excellent community participation. Auditorium constructed by the community.
- Enrolment in the Hr. Sec Section quite high.
- Lack of manpower and limited classrooms.
- Vocational classes actively and seriously taken up.
- School building in dilapidated condition needs renovation.
- No proper and sufficient toilets available for students and teaching staff.

**Observations and recommendations made by the Commission**

In the course of the interaction with the teaching and non-teaching staff, and the school management committee, the Commission learnt that public participation in the running of the school is very good and exemplary. The school has sufficient number of students but there is shortage of manpower and classrooms. The school building needs urgent and overall renovation. A school of such standing in such remote area deserves not only immediate attention of the department but also appropriate action. The Commission, therefore, recommended that the department, at the earliest take appropriate action so that the issues mentioned above are addressed in the interest of the students of the school both present and future.

Common Issues observed in almost all the schools that the Commission visited and which needs immediate consideration and action are:

1. School buildings needing renovation.
2. Lack of proper and sufficient washrooms/toilets.
3. Lack of sufficient /no water supply.
4. School uniforms supplied by the government not fitting the students.
5. Mid-Day Meals not given throughout the weeks (school days).
6. Insufficient number of both teaching and non-teaching staffs.
7. Majority of the Higher Secondary schools not having science stream.
8. No visible serious effort for imparting vocational skills.
9. No proper e-classrooms available in the schools.
10. Science labs in pathetic conditions.
11. No proper library.
12. Non existence of hostel facilities.
13. Non existence of staff quarters (both teaching and non-teaching).

**DISTRICT JAIL MOKOKCHUNG****The Commission during its visit to District Jail Mokokchung observed the following:**

- No properly constructed Footpath/Road inside the jail.
- Leakages on the roofs of the cells.
- No windows for the cells, making them dark and dingy.
- The ceilings of the cells are soot blackened and the walls have not been painted.
- No prison van to transport inmates to courts and to hospital as and when needed.
- Watch towers needed.



### **Observations and recommendations made by the Commission:**

Without properly constructed footpath/road inside the jail, smooth movement of the jail authorities inside the jail, especially during rainy season is difficult. This requires immediate action on the part of the Home department and other stake holders.

Without windows, the cells are not healthy for the under trials and the convicts. Whether a person is under trial or a convict, he still has Right to Life. And right to life is protected under Article 21 of the Constitution. Therefore, it was strongly recommended that the cells are renovated properly by adding one or two windows for each of the cells.

Prisoners are those who have been charged of having committed certain criminal offences and are considered not safe to be left at large. So, for their transportation or movement from jail to court or to hospital, specially designed vehicles are provided all over the country. But this jail has not been provided with such vehicle. Therefore, it was recommended that a prison van be provided at the earliest.

Lastly, taking into consideration of the fact that security of the jail requires to be made full proof, the Commission also recommended that watch towers as required be constructed around the jail at the earliest.

### **PS -I & II, MOKOKCHUNG**

**The Commission during its visit to PS –I & II Mokokchung observed the following:**

- Require at least one Pick-up truck each
- At present both the PS have only one gypsy each.
- Land encroachment issue in the Police Reserve/Quarters. Quarters are very old and falling apart – this could be one reason for encroachment.
- No renovations have been done in the Lock-ups as directed by the Commission.
- No provision for TA and DA when police personnel go to attend courts and other places.
- Special wards for UTPs in Hospitals required for security reasons.

### **Observations and recommendations:**

Police stations are where people go to report when their rights have been violated and also when there is threat of violation of their rights. So police stations should have the confidence and respect of the people. Further, persons arrested by police are not yet convicts and they should not be treated as condemned. The lockups in the two police stations and other police stations in the state looks like where persons condemned are thrown into. After an incident of custodial death had taken place at Chumoukedima Police Station last year, the Commission had a meeting with the Commissioner Home and the Additional DGP who represented the DG. In that meeting the Commission had categorically asked the two officers to immediately renovate or improve the lockups in all the police stations. But, the Commission did not see any improvement in these two police stations. Therefore, it was recommended that the Home Department renovate and improve all the lockups in the state within the coming four to five months.

With one gypsy only a police station cannot be expected to function efficiently and effectively. Police stations are not there only to investigate when cases are reported or to collect dead bodies when people are killed. Prevention of crime is the other side of the coin which is often forgotten. States are formed to protect lives and properties of the citizens. So police stations should be well equipped and always ready for action when required. But sad to say our police stations are still far from it. Therefore, it was recommended that at least one pick-up truck each be provided to the two police stations to make a beginning.

Land issues are everywhere when it comes to government establishments. They should be resolved so that further development can take place. For these two police stations also the Commission suggested that appropriate action is taken so that the issue is resolved.

For the living quarters, it was recommended that by any means renovation or new construction be taken up. If we expect efficiency we should also be willing to provide what is required for the same.

Police officers by the nature of the service are often transferred from place to place sometimes to faraway places. But when that happens they still have to go to their previous posting places for appearing in the courts to give evidence. Besides, they are often asked to go to places out of their stations to attend to certain duties. Therefore, provision should be made to provide adequate TA and DA so that their monthly pay and allowances are not used for such purposes. This will promote and encourage efficiency and honesty. The Commission hence, recommended that this issue be looked into by the Department of Home and bring a positive change not only in the interest of the police personnel but in the interest of the public at large.

Lastly, it is a fact that sometimes the accused who are arrested and are still under police custody or are under judicial custody get sick and needs medical treatment in hospitals. They cannot be denied such facilities. Therefore, it is a must that a room or two are set apart in the main District Hospitals for such purposes. The Commission hence, recommended that in the District Hospital of Mokokchung and all the other district hospitals such rooms be made available as and when needed.

### **WOMEN PS, MOKOKCHUNG**

**The Commission during its visit to Women PS Mokokchung observed the following:**

- Need a vehicle as there's only one old van at present.
- Shortage of manpower.
- Separate building for Women PS required as it is presently housed in the same building with PS-I and is congested.

### **Observations and recommendations:**

The most important purpose of having separate women police stations is to safeguard the privacy and dignity of women. So, having a women police station attached to a normal police station defeats the very purpose. Further, to provide only a few women personnel and a van to a women police station is nothing but having it for namesake. Therefore, the Commission strongly recommended that a separate police station for women and adequate number of manpower, and the required number of vehicles be provided so that the police station exists to serve the purpose for which it is established.

**PS, TULI****The Commission during its visit to Tuli PS observed the following:**

- Very congested and no space for IR Platoon/Company to stay.
- Quarters in very bad shape and so not occupied.
- Only one gypsy vehicle and that too in very poor condition.
- No vehicle to transport police forces.
- No Women PS and only 2 women police personnel stationed.

**Observations and recommendations:**

Tuli is a border sub-division headquarter that too situated along the highway connecting several districts of Nagaland and Assam. So, it needs a police station which is well equipped in every aspect. But looking at the police station one can say that a lot more needs to be done. Therefore, the Commission recommended that the issues noted above are looked into and remedied or resolved.

**DISTRICT HOSPITAL, MOKOKCHUNG:****The Commission during its visit to District Hospital Mokokchung observed the following:**

- A strategic hospital catering to the need of not only the district but several neighboring districts with 300 – 400 out patients (on average) availing the service.
- 20 Doctors posted in the hospital is not enough to meet the requirement of the hospital.
- 75 KV Solar power plants installed but non-functional.
- The construction of the new building needs to be expedited.
- Post-Mortem building with no water supply and no 4<sup>th</sup> Grade staff and the approach road not motorable during summer.

**Observations and Recommendations:**

1. From the interaction with the doctors, nurses and the administrators during the visit to the hospital, the Commission gathered that the hospital is one of the most important health service providers not only of the district where it is situated but to people of other districts. Therefore, the Commission was of the view that the hospital should be better equipped and strengthened so that it is able to render better services to the people of the surrounding districts.
2. The number of doctors posted, that is 20, needs to be strengthened. For that, it was recommended that more doctors be posted after proper assessment by the Directorate of Health and Family Welfare.
3. Solar power as alternative source of power is a boon for a state like Nagaland where we have limited source of power supply. It also saves the state's expenditure on power. Therefore, such facilities installed (75 KV Solar power) at the hospital with huge expenditures should not be allowed to go wasted. As such, it was recommended that the department concern takes steps by co-coordinating with the other stake holders so that the facility is revived and precious public money is saved.
4. Construction work going on just near the hospital where patients are treated, that too, for a prolong period of time is not the best thing to happen. Therefore, it was strongly recommended that the State Government takes all necessary steps or actions so that the construction work is completed at the earliest and the facility is made available to

the hospital for better service and further inconveniences including the threat to health hazard are ended.

5. The post-mortem building constructed at an isolated place still has no proper approach road and water supply. Needless to say but Post Mortem is very important in deciding criminal cases and motor accident claims cases. Therefore, it was recommended that the facility be completed properly and the required manpower including 4<sup>th</sup> Grade staff be provided at the earliest.

#### **Action Taken by the Department:**

1. The Commission has been informed that some Gr-IV staffs can be re-deployed from the IMDH at the Post Mortem building since there are 64 Gr-IV staffs at the Hospital.
2. With regard to the solar power supply, the Commission has been informed that the matter is to be taken up with the Power Department, GON.
3. As far as manpower is concerned, the Commission has been informed that recruitment process by competent authority-NPSC & NSSB is awaited.

#### **TB HOSPITAL, MOKOKCHUNG:**

**The Commission during its visit to TB Hospital, Mokokchung observed the following:**

- COVID Hospital non-functional.
- Major renovation needed as the building is in very bad shape.

#### **Observations and Recommendations:**

- 1) The TB Hospital building is one of the best designed buildings for the purpose however, it needs to be renovated thoroughly. Once it is renovated it will stand for another 40-50 years. In the course of the Commission's interaction with the doctors and nurses, it was learnt that the hospital has been treating patients from the other districts also. Further, in recent times, the Govt. of India has announced a policy/plan to eradicate TB from the country. Taking all these into account, it was recommended that the hospital building be renovated at the earliest - at least within the present Financial Year. It was also recommended that COVID Hospital constructed in the campus of the TB hospital be also completed and handed over at the earliest.

#### **H&WC, LUMAMI:**

**The Commission during its visit to H&WC, Lumami observed the following:**

- No toilet.
- Need Labour room.
- Upgraded to PHC but nothing has been done so far.

#### **Observations and Recommendations:**

The H&WC Lumami is housed in a small building which is congested and inadequate. There is no space to accommodate Labour Room and toilets. There is need for extending the existing building or to construct a new one which will be able to accommodate all the required facilities. Taking all the above into account, it was strongly recommended that construction of a new building or extension of the existing building be taken up on priority basis in the coming 1 or 2 Financial Years

**PHC, MONGSENYIMTI:**

**The Commission during its visit to PHC, Mongsenyimti observed the following:**

- Very active community participation – Generator, Kitchen, retaining walls, Store-house, Fire-Fighting Facility, etc donated by the community.
- Very clean and well maintained – one of the best PHCs.
- No AYUSH doctor posted.
- Not empanelled for PM or CM's Health Insurance so far.
- Old quarter has collapsed – need a new one. Presently managing with the community's help.

**Observations and Recommendations:**

On the Commission's visit, it was found that this is a hospital where community participation is at its best. The doctor and the nurses are provided live in accommodations by the village since the quarters constructed by the govt. can no longer be used. The store-house, kitchen and the retaining wall were also constructed with the donations of the villagers, besides a generator and fire-fighting apparatus too were provided by the villagers. The Commission was impressed by all these and by the dedication and sincerity of the doctor namely Dr, Maongkala, the nurses and the other staffs of the hospital. Seeing the need, it was recommended that the quarters for the doctor, nurses and the staffs be constructed and one AYUSH doctor be posted at the earliest. It was also recommended that the PHC be empanelled so that the villagers may be able to utilize PM's Ayushman Card or CMHIS.

**CHC, CHANGTONGYA:**

**The Commission during its visit to CHC, Changtongya observed the following:**

- It covers 4 towns and 22 villages with a population of around 52,000
- No SMO, MO in fact not a single Allopathic Doctor posted in the CHC.
- Doctors transferred out last year and no replacement sent.
- Only one Homeopathic and one Dentist posted.
- One Public Health Nurse needs to be posted
- 5 Lab technicians are available.
- Ultrasound machine available but no operator.

**Observations and Recommendations:**

The infrastructure of the hospital looks impressive but the Commission was surprised and almost aghast to find that not a single Allopathic doctor has been posted in a hospital of that level that too situated at a location such as Changtongya which is a Sub-Divisional Headquarter. Without an allopathic doctor, the facilities in the hospital are almost rendered useless. Taking into account the difficulties faced by the people of 22 villages and 4 towns, it was recommended that at least 2 Allopathic Doctors among which at least one of them should be a trained person in the use of Ultrasound be posted at the earliest. Since need for posting of 1 Public Health Nurse was strongly expressed by the Doctors and nurses of the hospital, the PD, H&FW has been asked to examine the same and do the needful depending on the availability of manpower.



On the Commission's visit to various health centers, it was found that there was acute need of Lab Technicians at some centres. Therefore, it was recommended that the PD take stock of the matter and rationalize posting of Lab Technicians at the Health Centers in the State.

#### **Action Taken by the Department:**

1. As far as manpower is concerned, the Commission has been informed that recruitment process by competent authority-NPSC & NSSB is going on.

#### **CHC, TULI:**

##### **The Commission during its visit to CHC, Tuli observed the following:**

- One of the busiest CHCs due to frequent accidents on the highway but no X-Ray and Ultrasound available.
- In a day 20 – 30 patients (on average) are attended to.
- 1 MO transferred and not replaced yet. Shortage of Nurses.
- Insufficient water supply.
- Due to insufficient facilities at the CHC, patients take the trouble to go to Jorhat (Assam) for further treatment but the hospitals there are not empanelled under PM-JAY or CMHIS.

#### **Observations and Recommendations:**

The hospital caters to the need of a lot of patients who receive injuries from motor vehicle accidents since the Highway connecting 2-3 districts of Nagaland and Assam passes through the town where it is situated. Considering the strategic location of the hospital, it was recommended that an X-Ray machine and an Ultrasound be provided along with technicians and also a doctor in place of the one transferred be posted at the earliest. Regarding the shortage of water supply, the ADC, Tuli who was present in the meeting assured the Commission that a project is in the offing to address the issue effectively. The Commission hope and expect that the project would be taken up and completed without delay. It is sad but a reality that sometimes, because the medical facilities we have in the State are not able to cater to their needs, people have to go to nearby districts in Assam where better facilities are available. Since health is about life, the Commission suggested that the State Govt. consider empanelling some of the well-equipped hospitals situated at the nearby districts of Assam so that people in Nagaland can make use of their PM Ayushman Card or CMHIS.

In summing up what has been stated above, the Commission hereby note down the common issues which requires to be attended to in the interest of the public at the earliest;

1. Need for appropriate and immediate action to make adequate water supply available at all Health Centres.
2. Need for appropriate action to make available Ultrasound machines atleast at the level of PHCs with Doctors trained in using the same.
3. Need for appropriate action to make available X-Ray machines at all CHCs and some strategically located PHCs with Technicians.
4. Need for appropriate action to complete the Covid Wards (Buildings constructed during the Pandemic) and to hand them over for use.
5. Need for appropriate action/monitoring to make reagents and essential medicines available at all times.



6. Need for appropriate action to revive the solar energy facilities and their regular maintenance at all the Health Centres.
7. Immediate need to repair and maintain the Ambulances allotted to the Health Centres.
8. Immediate need to relook or revisit the service rules of Medical Officers including the transfer and posting policy for augmenting and strengthening the manpower availability;
  - i) Due to the limited number of annual intake of Doctors in the State, it will take quite a number of years to fully meet the requirement. Since health facilities are directly linked with the well being of the people, the need in this sector cannot be ignored or kept aside waiting for a good time to come. As we have noted down, we have seen the need for Doctors everywhere. Therefore, we would recommend the following;
    - a) That the Service Rule be revisited so as to make it possible to extend the retirement age of the Doctors at least till the age of 62 years but desirably till 65 years. This will help in retaining the available manpower while being augmented through new recruitments.
    - b) That the agreement of compulsory Bond Service for the newly graduated MBBS Doctors who are nominated and sponsored by the State Government be strictly implemented.
  - ii) We are informed that there are at least 36 Doctors posted at the Directorate of H&FW. Without compromising the efficiency level of the Directorate, if some of the Doctors can be spared for field posting it would go a long way in easing the acute shortage of Doctors in the field.

#### **Action Taken by the Department:**

1. The Commission has been informed that no post has been created for X-Ray Technician.
2. With regard to water supply, the Commission has been informed that the matter would be taken up with the PHED, GON.
3. As far as manpower is concerned, the Commission has been informed that recruitment process by competent authority-NPSC & NSSB is going.

The Department of Health and Family has informed the Commission that due to financial constraints faced by the department, it is unable to meet the infrastructural requirements of various health facilities around the state. However, the Department has assured that issues raised by the Commission are taken cognizance of and that necessary actions shall be initiated accordingly.

#### **ZUNHEBOTO DISTRICT**

On the 26<sup>th</sup> and 27<sup>th</sup> of February, 2025, the Commission visited the district of Zunheboto, in order to see and understand the ground situations of the health facilities, the educational institutions, police stations and the district jail. During the visit, the Commission visited the Government Higher Secondary Schools in Satakha and Zunheboto. During the visits, interaction with the Principals, Staffs and school Management Committees were also held. Some of the findings and the recommendations of the Commission are as follows:

### **Government Higher Secondary School, Satakha ISSUES:**

1. **Low enrolment:** This issue is common to 90% of the government schools in the state. One of the reasons is the difficulty in changing the mindset of the parents and the children themselves. Because for a long time, parents have been used to sending their children to private schools which were doing better in imparting the knowledge and in disciplining, and also has better infrastructures. So, to suddenly change that mindset is not easy though government schools after the New Education Policy have been provided with much better or capable teachers. The next important reason is that most of the government school buildings are quite old and not so practical and safe for running the institutions. This also is a major factor preventing parents in sending their children to government schools. The third reason which is equally important is that due to non-availability of quarters for teachers, most of the teachers who come from outside the town or the village don't stay at the place where the institution is and, in some instances, they don't come at all to the school except once or twice in a month or in two months. This is an ailment that has become chronic. It is best that we admit it and start treating it right away. The Commission, therefore, suggested that a body which can be a think tank and at the same time a road map provider is formed at the earliest so that we can have a clear vision of the direction and the steps we will take. If this chronic ailment is allowed to continue, in 10 to 15 years there would be many school dropout children in the state and further consequences of that would be greater disparities and divisions in the society, the poor will become poorer and only few will remain privileged class.
2. **No space for computer labs:** The Commission was told that the building where the school is functioning (consisting of only few rooms) is a temporary one and a new building under NECTAR (Light House) is under construction. Accordingly, the Commission visited the construction site and also had a discussion with the district administration. Construction of a new building in a place like Satakha will take some time because of logistic reasons. Therefore, it was recommended that a proper room is provided by the education department for the purpose at the earliest so that the students are not deprived of the facility of a lab.
3. **No science streams:** Needless to say but, to remind ourselves of the reality, giving a higher secondary school without science stream, that too in a place like Satakha far away from Kohima and Dimapur would amount to depriving the children of that sub-division except those who belongs to the privileged class of the society the chance of ever becoming doctors and engineers etc which requires science subject in Class 11 and 12. The Commission have encountered the same situation at quite a few sub-division headquarters during our visits (so far 6 districts). It is strongly felt by the Commission that this issue also needs to be dealt with properly and affectively at the earliest for better future of the present and the future generations of the state. Therefore, the Commission had recommended to introduce science stream in Class 11 and 12, at least in those higher secondary schools situated at sub-division headquarters in the coming 2 to 3 years, in phase manner.

### **Government Higher Secondary School: Zunheboto ISSUES:**

1. Science lab is not fully equipped
2. Lack of library facilities

3. No school playground
4. Inadequate water supply
5. Transferring teachers in middle of academic session.

After having interacted with the teaching staffs and the school committee headed by the Principal and Chairman respectively, the school has sufficient number of students and it can play a very important role in providing one of the best educational institutions to the children of the district. The new school building is under construction and the same needs to be completed soon so that the classes can go on smoothly. Taking into consideration the issues raised, the commission recommended that the Commissioner and the Principal Director of school education look into the same at the earliest and resolve them appropriately so that the school can function smoothly.

### **Health and Wellness Centre, Satakha**

Satakha H&WC covers 5 villages with a population approximately 5000. The Centre functions with 2 (two) Medical Officers, 2(two) Nurses, 1(one) GNM and 1(ANM), 1(one) lab technician. There is no staff nurse posted although 2 (two) posts are available. The vacancy is caused by retirement. Despite shortage of manpower, they conduct regular vaccinations every Friday.

### **Issues and Recommendations**

1. **Insufficient supply of essential medicines:** Without supply of essential medicines, especially in rural areas, mere existence of the medical centre and the doctors and nurses does not help much. Therefore, the Commission strongly recommended that essential medicines as per entitlement and need of the Health Centre are provided in time and regularly.
2. **No reagents:** India, like any other advanced countries, have been giving much emphasis on prevention in recent times, therefore, lab facilities have been made available at every health centre. But if these labs are not provided with the reagents, it would not serve the intended purpose. The Commission, therefore, recommended uninterrupted supply of reagents to the centre concerned in particular, and at all the other centres in the State at all times.
3. **Lack of regular supply of electricity:** Dependence on power supply has increased due to the unavoidable usage of modern gadgets. So, when there is irregularity or shortage in the supply of electricity, things can come to a grinding halt. Therefore, the Commission recommended that adequate power supply be made available to the health centres.
4. **Staff nurse:** For smooth functioning of any institution, there is a necessity to have staffs at every level. Since the post of 2 staff nurses are already there, the Commission

strongly recommended that immediate and appropriate actions are taken for filling up the same in the public interest.

5. **No ambulance:** Under the National Health Mission, ambulances are provided for health centres. For a place like Satakha also, there is a need for an ambulance considering the geographical location and the number of populations the health centre covers. Therefore, the Commission strongly recommended that the H&FW department provides an ambulance to the health centre at the earliest so that the inconvenience faced by the people in availing appropriate health services is reduced to some extent.

### **District Hospital: Zunheboto**

The Hospital has sufficient number of doctors (14) including a surgeon. Dialysis facility including KFT and LFT testing facilities are in place in the hospital. However, certain issues facing the hospital were highlighted and they are given here below along with the Commission's recommendations:

1. **Need paediatrician, psychiatrist and micro biologist:** In a district hospital which caters health service to a population of about 2 lakhs, specialists in the fields mentioned are minimum requirements. Therefore, the Commission recommended that the government make all efforts to provide the same.
2. **Inadequate supply of medicine:** With sufficient supply of medicines, the hospitals, especially which are situated at far flung areas of the state would be able to render better service to the public more particularly to the economically disadvantaged section. Therefore, the Commission strongly recommended for regular and sufficient supply of medicines to all the hospitals more particularly the district hospital at Zunheboto.
3. **Reagent not provided:** This issue is common to many health centres we have visited. Therefore, the Commissioner & Secretary, H&FW and the Principal Director were asked to look into this issue and submit a report to this Commission as to how they plan to resolve the same.
4. **MO (ART) post is available but no candidate:** The service of MO in this field is increasingly in demand. Therefore, the Commissioner & Secretary, H&FW and the Principal Director were asked to take necessary steps so that the post is filled up at the soonest.
5. **Requested to create separate UTP Cell with toilet:** Zunheboto being a district headquarter where the district jail is also located, there is a need to have a proper UTP cell (Under Trial Prisoners Cell) with toilet attached along with an accommodation for security personnel. Therefore, the Commissioner and the Principal Director were directed to take appropriate action on priority basis.

### **ATOIZU: PHC**

It is the only CHC in Atoizu Sub Division and it covers 18 villages and 9 H&WC. Upgraded to CHC in 2021. Under the scheme funded by the World Bank, the infrastructures of so many hospitals and health centres in the state were either upgraded or renovated. But it appears to the Commission that the infrastructure of this health centre has been either left out from the scheme or the same have not been executed. The hard work of all the staffs of the hospital under the leadership of the present Medical Officer namely, Dr.Gihuka V Chishi in

the up keep and improvement of the same is easily visible. Their contributions in making the hospital cater to the needs of the people is something that needs not only recognition but encouragement from the government particularly, the department concerned. Accordingly, the Commission recommended that a high-ranking officer of the department visits the hospital to know and appreciate the needs and based on his report appropriate action(s) be taken by the department.

#### **Issues and Recommendations:**

1. **Only 1 MO:** the Commission recommended appropriate action on the part of the Commissioner and Secretary, H&FW for posting of the required number of doctors.
2. **Need new CHC building:** The need for a new and bigger building was expressed by the staffs and the public leaders of the place. The need is genuine because of the number of villages the hospital covers. Therefore, the Commission strongly recommended for upgradation of the building on priority.
3. **Only 1 Asha worker:** The role of Asha workers has become very important in delivering health services to the needy. Therefore, only one Asha worker presently made available is too less for the area covered by the hospital. Therefore, the Commissioner and Secretary, H&FW was asked to do the needful so that more Asha workers are made available to the hospital.
4. **Lab equipments are available but lab technicians not posted for 5 years:** This issue is also quite a common phenomenon in many of the health centres we have visited. This can be resolved with proper planning and some attention. As already stated, prevention is priority these days and if that has to happen the labs must function. Therefore, the Commissioner and Secretary H&FW was asked to look into this issue not only for this hospital alone but for all the hospitals or health centres in the state and find ways to resolve the issue. The Commission as mandated under The Protection of Human Rights Act, 1993 expects a report from the Commissioner & Secretary, H&FW.
5. **No ultrasound facility:** During our visit to health centres, we have come across situations like, where ultrasound equipments are available no experts to operate the same are available, and where the experts are available no ultrasound equipment are available. The Commission strongly feels that the issue needs to be looked into by the highest authority in the department so that the same can be resolved at the earliest. Therefore, the Commissioner and Secretary, H&FW was asked to look into the same on priority basis.
1. **Inadequate supply of medicines:** This issue is also a common phenomenon in almost all the hospitals and health centres. Therefore, the Commission is of the view that the highest authority in the department looks into this issue so that it can be resolved without any further delay, as it concerns the health and life of the people.
2. **Septic tank of COVID-19 ward not yet completed:** This is also common issue with all the wards built during the COVID-19 pandemic. If this issue is resolved many of the hospitals and health centres will have additional rooms and space which they badly needed. Therefore, the Commissioner and Secretary, H&FW was asked to look into the matter so that the buildings which are already completed except for the septic tanks or other items can be made available for use.

#### **District Jail: Zunheboto**

1. Toilets and wards are in pathetic condition. The Commission recommended for renovation of the same at the earliest and on priority.
2. There is need for separation of UTPs and Convicts but at present they are kept together. The Commission recommended for appropriate action for the same at the earliest and on priority.

3. There is a Chapel Hall at almost all the jails we have visited but there is no such facility in this Jail. Recommended that Necessary steps to be taken for providing the same.
4. There has to be separate women cell/ward inside the jail. But the same is not available at the moment. The Commission recommended that appropriate action be taken for the same at the earliest and on top priority.

**Police Station: Zunheboto**

1. Total strength of UBSI-12. However, 6 are transferred/attached to CP Dimapur.
2. Total strength is 771 including UBSIs but 40 are on attachment elsewhere. So the effective strength is only 731.
3. Police personnel are posted at a particular place after working out the requirements, so when the allotted number of personnel are broken into pieces and attached somewhere the duty or the work they are assigned to are bound to suffer and that is never in the public interest. We have come across the effects of such attachments at some stations. Therefore, it was recommended that fragmentation of the allotted strengths of police stations is avoided so that lives and properties of citizens are safeguarded effectively.
4. No Quarter for OC women PS. A police officers work is demanding and at the same time sensitive, so to leave a police officer to make his or her own arrangement for stay at place of posting would not help in anyway. The Commission, therefore, strongly recommended for immediate construction or designation of an existing Government quarter for the OC of Women PS.



## AWARENESS PROGRAMS CONDUCTED BY THE COMMISSION

One of the important functions of the Commission under the Protection of Human Rights Act, [Sec 12 (h)], is to conduct awareness programs to promote and protect human rights. The goal is to ensure that citizens are aware of their rights and availability of redressal mechanism if they are violated. To that need the commission has been spreading awareness at different places from time to time. Some of the places where awareness programs were organized by the Commission during the period 2024-25 are mentioned below:

1. Nagaland University, Lumami
2. Tuli College, Tuli, Mokokchung
3. Kohima Science College Jotsoma
4. Kohima College
5. Kohima Law College
6. Atoizu Town, Zunheboto
7. Satakha Town, Zunheboto



Secretary, Nagaland State Human Rights Commission at  
Kohima Science College Jotsoma



Awareness Program at NU, Lumami



Awareness Program at Kohima College



At ADC Satakha Office with the CSO and Line Departments



GHS Kubolong





Awareness Program at Tuli college



At Atoizu Community Hall with the ADC, CSOs and Line Departments



Spot verification at Niuland





NSHRC at PHC Atoizu, Zunheboto



Meeting with Wokha District Administration



Satakha PHC, Zunheboto



NSHRC at Mayagnokcha Govt. Hr. Sec School Mokochung





NSHRC with NEEPCO officials at Doyang Hydro Project





NSHRC during the visit to District Jail Mokokchung



Wokha District Hospital





GHS Changtongya



NSHRC interacting with the Teachers and Students of GHSS Tuli





NSHRC at PHC Mongsenyimti



Pre -School at Kubolong run by Student's Union



Mokokchung District Hospital





District Hospital, Zunheboto



TB Hospital Mokokchung

# SOME OF THE CASES DEALT BY THE COMMISSION DURING 2024-25

Some of the Cases taken up by the Commission on Complaints and Suo-Moto during the period 2024-25 are briefly highlighted as under:

## 1. Case No: 10/2024

- Taken up Suo Moto
- Name of the Respondent:
  1. The Home Commissioner
  2. The DGP, Nagaland
  3. The Sr. SP, Kohima
  4. The OC, North PS, Kohima

**Date of Order: 24.03.2025**

**Quorum:** Chairman & Member

**Action Taken by the Commission:** Based on local newspaper reports regarding one Kezhalelie Lawrance Miasalhou, who succumbed to his injuries allegedly due to an assault committed on him by two persons on 18<sup>th</sup> May 2024 in broad daylight at Phoolbari Junction in the heart of the State's capital city, the Commission registered a case and called for a detailed report from the Home Commissioner and the DGP. After examining their reports, the enquiry began by examining and recording the statements of the SP Kohima, the OC North PS, one of the sons of the deceased along with the IO of the case and the police personnel on duty during the time of the occurrence of the incident.

Based on the facts and circumstances which were supported by the findings made during the enquiry and the conclusions drawn, the Commission made the following recommendations:

1. Since the Police Department has neglected one of its most important duties i.e. to protect lives of the citizens and because of that, a citizen has lost his life untimely. Therefore, a sum of 400000 (Rupees four lakhs) only should be paid by the Home Department to the wife or children of the victim within a period of three months as compensation which is in addition to the amount to be given under the provision of BNSS.
2. The Commission further recommended that the Police Stations in Kohima and all the district headquarters and sub-divisional headquarters be provided with good running condition vehicles, adequate in number as per the need, manpower strengths be reviewed from time to time to ensure presence of sufficient strength at any given time and the police station buildings and quarters be constructed or renovated.
3. Lastly, it was also recommended that police and other forces available to the district administration be deployed regularly at strategic places to ensure safety of human lives.



**2. Case No: 11/2024**

- Taken up Suo Moto
- Name of the Respondent:
  1. The DGP, Nagaland
  2. The Commissioner of Police, Dimapur

**Quorum:** Chairman & Member

**Action Taken by the Commission:** Based on a newspaper report regarding the killing of one Abdul Talukdar, GB of New Market, Dimapur, by unidentified gunman, a case was registered. Report was sought from the DGP and the CP, Dimapur. After going through their reports, the CP Dimapur and the I/O of the case were summoned and their statements under oath were recorded. The son of the victim and two other witnesses were also issued notice to appear before the Commission for recording of their statements. The case is ongoing and under active consideration of the Commission.

**3. Case No: 12/2024**

- Taken up Suo Moto
- Name of the Respondent:
  1. The DG (Prisons)
  2. The SP Prisons, Wokha

**Quorum:** Chairman & Member

**Action Taken by the Commission:** On receipt of a report regarding the death of one UTP Mhathung Ezung, in the district jail of Wokha, a suo moto case was registered. The SP of the Jail, Asst. Jailor, Warders, Co-inmates and the CMO have been examined and their statements recorded. Spot verification is also done. Legal formalities are at final stage for disposal of the Case.

**4. Case No: 13/2024**

- Taken up Suo Moto
- Name of the Respondent: The DGP, Nagaland

**Quorum:** Chairman & Member

**Action Taken by the Commission:** Based on newspaper report regarding dead of travelers at Pagala Pahar (NH 29) due to Rockslides, DGP Nagaland was directed to register an FIR against the persons responsible and to submit a detailed report on the same. The investigation is still awaited.

**5. Case No: 14/2024**

- Taken up Suo Moto
- Name of the Respondent: The Chief Secretary, Nagaland

**Quorum:** Chairman & Member

**Action Taken by the Commission:** After thorough study made on the minimum wages prevailing in other states of NE, the Commission recommended for a review of the wages in Nagaland. Following the recommendation, a committee has been constituted by the Departments concerned and the 1<sup>st</sup> round of meeting of the Committee has been held. The Commission is awaiting a report from the concerned department.

**6. Case No: 15/2024**

- Name of the Complainant: Mrs. Khehashi Yeptho
- Name of the Respondent:
  1. The DGP, Nagaland
  2. The Commissioner of Police, Dimapur
  3. The O/C Women PS Dimapur

**Quorum:** Chairman & Member

**Nature of Complaint:** A complaint received from one Mrs. Khehashi Yepthomi stating that her husband, who was a suspect in a criminal case, was hit and run over by Police during a chase and he has succumbed to his injuries. Following the report, a case was registered and a report was called from DGP, Nagaland.

**Action Taken by the Commission:** Witnesses including the complainant have been examined and spot verification has been done. The case is under the active consideration of the Commission.

**7. Case No: 16/2024**

- Taken up Suo Moto
- Name of the Respondent:
  1. The Commissioner & Secretary, H&FW
  2. The PD, H&FW

**Quorum:** Chairman & Member

**Action Taken by the Commission:** Considering the need for having Human Organ transplantation facilities in the state, the Commission recommended for adaptation of the Transplantation of Human Organs Act, 1994 and its Amendment Act, 2011. The Commission has called for ATR from the Medical Department and the reply is awaited.

**8. Case No: 18/2024**

1. Name of the Complainant: Arkha Achumi
2. Name of the Respondent:
  1. The Commissioner & Secretary, Municipal Affairs
  2. The DC, Zunheboto

**Quorum:** Chairman & Member

**Nature of Complaint:** Based on a complaint filed by one Arkha Achumi, stating that there are 3 Manual Scavengers under Zunheboto District, a case was registered.

**Action Taken by the Commission:** The Department of Urban Development and Municipal Affairs has replied that the necessary Notification on the Act prohibiting Manual Scavenging has been issued but full implementation of the provisions of the Act in the state have not been possible due to certain actions that are still awaited.

**9. Case No: 19/2024**

1. Name of the Complainant: Arkha Achumi
2. Name of the Respondent:
  1. The DGP, Nagaland
  2. The SP Wokha

**3. The OC, Wokha PS****Quorum:** Chairman & Member**Nature of Complaint:** Based on a complaint regarding custodial torture of an accused at Wokha PS, a case was registered.**Action Taken by the Commission:** The DGP Nagaland, SP, Wokha and OC, Wokha PS were directed to submit their response. On receipt of the same, the parties were directed to appear in person for recording of their statements. However, the complainant could not produce the supposed victim and witness despite being given multiple opportunities to do so. Hence, the Commission dismissed the case.**10. Case No: 20/2024**

1. Name of the Complainant: Neiteo Koza
2. Name of the Respondent:
  1. The Commissioner & Secretary, Urban Development
  2. The Administrator, KMC

**Quorum:** Chairman & Member**Nature of Complaint:** Based on a complaint regarding relocation of street vendors at Kohima, a case was registered.**Action Taken by the Commission:** After hearing the parties, the DC, Kohima and the Administrator KMC have been directed to do the needful so that the affected street vendors are allotted their space of choice for vending their goods and the case has been closed.**11. Case No: 22/2024**

1. Name of the Complainant: Suo Moto
2. Name of the Respondent:
  1. The Home Commissioner
  2. The Commissioner & Secretary, H&FW
  3. The Commissioner & Secretary, Social Welfare

**Quorum:** Chairman & Member**Action Taken by the Commission:** After coming to know that though the "Maintenance and Welfare of Parents and Senior Citizens Act, 2007" has been adopted, the State is yet to adopt the required Rules. A meeting with the Commissioner of Social Welfare was held and during the meeting the Commission was informed that the Draft Rules have been placed before the Government and thereafter the same has been sent to the State Assembly. Further report still awaited.



**NAGALAND STATE HUMAN RIGHTS COMMISSION**

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