

ODISHA HUMAN RIGHTS COMMISSION
2nd Floor, Toshali Bhawan, Satyanagar
Bhubaneswar-751007

OHRC Case No. 221 of 2016

Shri Bhagaban Sahu

... petitioner

ORDER

Shri Bhagaban Sahu, a member of the Parents-Teachers Association of Machhada Upgraded U.P. School under Basta Block in Balasore district alleged that on 9.1.16 at 7 AM Shri Sudeep Pradhan, a teacher of the said School had asked 25 students to kneel-down in front of the School gate standing on the margin of the road with their hands touching both the ears. The petitioner further alleged that the concerned on being asked as to why such punishment has been inflicted on the students, he behaved in a highly improper manner.

Perused the report of the District Education Officer, Balasore dated 24.10.16. According to the report, both Smt. Tulasimani Nayak, Headmistress and Shri Sudeep Pradhan, Sikshya Sahayak were found responsible for imposing such punishment on the students of the School. As a measure of administrative action while the salary of the concerned Headmaster was withheld by the BEO, Basta vide its Order No.75 dated 16.1.16, Shri Sudeep Pradhan, SS has been transferred to Shyamraipur UG UP School vide Order No.1260 dated 30.6.16 of the

BEO, Basta being duly approved by the District Level Transfer Committee, Balasore.

Although both Smt. Tulasimani Nayak, Headmistress and Shri Sudeep Pradhan, SS were issued notices to appear before the Commission, except the former, the latter had neither appeared nor given any written submission despite a further opportunity given to him to appear before the Commission on 3.3.17.

Perused the written submission of Smt. Tulasimani Nayak, Headmistress, Machhada UGUP School dated 16.1.17. In her submission, the concerned Headmistress stated that due to intense cold and heavy fog, a good number of students could not be able to attend the Saturday prayer class of the School on 9.1.16. However, upon their late coming to the School, Shri Sudeep Pradhan, SS had directed those later comers to kneel-down outside the School gate. She further submitted that because of the long distance of the School gate from her chamber, which is about 100 feet and high level compound wall, it could not be possible for her to see anything as to the alleged incident. She also submitted that because of his such act on that day, Shri Sudeep Pradhan, SS did not knowingly put his signature on the Attendance Register meant for the Teachers. She also submitted that without her knowledge Shri Sudeep Pradhan, SS without has been creating unnecessary troubles and thereby putting other teachers of the School in difficulties, and as a matter of fact neither herself or any other teacher was happy over his activities.

The Commission observed with dismay that despite two notices issued to Shri Sudeep Pradhan, SS, Shyamraipur UG UP School, he had

neither appeared nor given any written submission on the report of the DEO, Balasore. Such defiant attitude of Shri Sudeep Pradhan, SS, Shyamraipur UG UP School is highly deprecated.

In view of the report of the DEO, Balasore as well as the Headmistress of Mchhada UGUP School and the non-response of Shri Sudeep Pradhan, SS, Shyamraipur UG UP School despite two notices issued to him, the Commission is convinced that Shri Sudeep Pradhan, SS, ex-teacher, Machhada UG UP School had inflicted physical punishment on the School students in flagrant violation of government orders banning such punishments on the students.

The Commission decided to recommend that an amount of Rs.1000/- be recovered from Shri Sudeep Pradhan, SS, Shyamraipur UG UP School as a measure of penalty imposed upon him for inflicting corporeal punishment on the students of Machhada UGUP School on 9.1.16 and deposited under the proper of head of account. The Collector and DEO, Balasore are directed to take action as recommended against Shri Sudeep Pradhan, SS, Shyamraipur UG UP School and submit the action taken report to the Commission within 8 weeks hence.

With the aforesaid direction, the case stands disposed of.

JUSTICE B. K. MISRA
ACTING CHAIRPERSON