



MAHARASHTRA STATE HUMAN RIGHTS COMMISSION, MUMBAI

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08-02-11



Case No. CPN CD/32/2010-11 / 430

1. District Magistrate
Osmanabad
2. Superintendent
Swadhar Matimand Mulinche Balghuh
3. Superintendent of Police Station
Osmanabad

Date : 7th February, 2011.

Coram : Justice Kshitij R Vyas (*Former Chief Justice*),
Chairperson

ORDER

At the time of hearing Secretary, Shri. Shahji Narayan Chavhan, Swaadhar Matimand Mulinche Balgruh (in short Balgruh), Osmanabad as well as Police Sub-Inspector Shri. V. G. Bhalerao , Osmanabad and Shri. Nilesh Kumar Shirsagar, Tehsildar, Osmanabad have remained present.

Shri Nilesh Kumar Shirsagar have submitted the report of Sub- Divisional Magistrate, Osmanabad, in compliance with the order passed by Commission.

This pertains to the death of an orphan girl Ku. Meena, a mentally disable girl aged 21 years, while in the custody of the Balgruh, Osmanabad. It appears that she was shifted from Katol, Nagpur to the present Sanstha on 9-12-2009. From the medical case papers produced, it appears that as she was physically weak, She was referred to Civil Hospital for medical checkup several times. It further appears that the Civil Hospital, Osmanabd had appointed one doctor, to visit and to have her medically checkup at every 15 days. She died on 18th May, 2010. On the night of her death she had dysentery problem, as she had gone to latrine twice. She was provided with first aid without referring her to the hospital. She was found dead early in the morning at 5.30 a.m. Her postmortem was done at the Civil Hospital, Osmanabad on the same day. The cause of death as stated in the Post-Mortem Report is "Bilateral Extensive Pulmonary (Kocks) Tuberculosis." From the Chemical Analyzers report also it appears that viscera does not reveal any poison.

In view of above deceased Ku. Meena died because of Tuberculosis.

The medical case papers produced in the case, it is clear, that she had not been treated for the Tuberculosis Ailment in the Civil Hospital. Nowhere in the case papers it is stated that she is patient of Tuberculosis and requires treatment for the same. She was examined in the Civil Hospital in a routine and casual manner.

At the time of hearing Secretary of the Swadhar Matimand Mulinche Balgruh Shri . Shahji Chavhan has stated that the doctors of Civil Hospital, Osmanabd hardly take any interest and care whenever mentally disable girls of the Balgruh presented before them for treatment. This is shocking and requires immediate attention at the highest level.

*Sub-Divisional Magistrate, Osmanabad who has conducted magisterial enquiry regarding the death of orphan Ku. Meena, *in his report has also expressed shock on the casual treatment given by the doctors of Civil Hospital, Osmanabad by not detecting that she was suffering Tuberculosis. He has rightly directed the Dy. Director of Health to conduct the enquiry about the medical checkup repots of Ku. Meena and to take appropriate action and to report to this Commission.**

Commission's Recommendation:-

While accepting the said direction the Commission also by recommendatory direction direct Dy. Director, Health, Latur to hold appropriate enquiry regarding lapses during the treatment to ascertain ailment lead to her death and to take action against the concerned doctor of the Civil Hospital who treated deceased Meena, Osmananbad and submit report to this Commission within 3 months .

The Dy. Director of Health, Latur shall ensure that no such incident shall repeat in future and mentally disable girls of Balgruh and other such cases are given proper medical treatment in the Civil Hospital, in the best possible manner

The case is ordered to be closed with the above directions.

The Secretary of this Commission to communicate this recommendatory order to the parties concerned.



Sdl-
(Justice Kshitij R. Vyas)
Chairperson.