

BIHAR HUMAN RIGHTS COMMISSION

9, Bailey Road, Patna

File No. BHRC/Comp.4019/12

Case of Smt. Rita Devi: - A case of Criminal Medical Negligence (Jehanabad).

Smt. Rita Devi, w/o Sri Hari Yadav, vill. Nadaura, PS. Kurtha, distt. **Arwal** had complained to the Commission that she had undergone an operation for delivery on 11th May, 2012 at **Deepshikha hospital** (Opposite Sadar hospital, Main Road, Jehanabad). The operation was conducted by Drs. Miss. Geeta Sinha who wrongly cut her urine passage during the operation. **Despite repeated complaint to the operating doctor (Drs. Sinha), dribbling of urine did not stop.** Her husband had to cough up approx. Rs. 75,000 for the treatment at the hospital. Finding grave threat to her life and left with no option, her husband brought her to Shradha clinic at Patna on 03rd Oct, 2012 where she was examined and operated by Drs. Vinita Singh, MS, FICMCH on 5th Oct, 2012 and discharged on 07th Nov, 2012 after recovery .

2. Commission asked for a report from Principal Secretary Health Deptt., Bihar. **Director, Health Services** , Bihar sent a report to the Commission (letter no. 18/वि०मा०आ०-०५/२०१३- 2129(18) dt. 26.12.2013) enclosing the report from **Civil Surgeon-cum-CMO, Jehanabad**, (letter no. 853/27.04.2013). According to the report , a Medical Board under Chairmanship of Deputy Superintendant , Sadar Hospital, Jehanabad was held on 04th April, 2013. The board had Dr. Ashok Kumar (Surgeon), Dr. Meena Kumari (Gynaecologist) and Dr, Sanjay Gupta (M.O) as members. The board examined the victim Mrs. Rita Devi and submitted its report confirming her complaint.

3. My office tried to find out if the doctor who conducted the initial operation (at Jehanabad) was a govt or a private doctor? My office contacted mob. No. 9977333295 printed on the prescription of Deepsikha hospital attached with the complaint. The office also contacted mob. No. 8986006650 of Munnu Medical Hall (Hospital crossing, Jehanabad) printed on the medical prescription. **The office was informed that Drs. Miss. Geeta Sinha is not a qualified doctor and that she is performing medical surgeries. Commission is surprised to see that there is no mention of this fact in the report of C.S.-cum-C.M.O, Jehanabad particularly when the so called Drs. Geeta Sinha is performing medical surgeries in a hospital close to Sadar Hospital, Jehanabad.**

4. Commission, therefore, directs following actions in the matter:-

(a) **SP, Jehanabad will get a criminal case instituted at Jehanabad PS regarding criminal medical negligence on the part of the lady/paramedics who operated**

upon the victim and inform the Commission about status of investigation by 15th June,2014.

(b) **Director- in-Chief, Health Services, Bihar** will inform the **Commission by 15th June, 2014** about actions taken in regard to serious omissions in the report of Civil Surgeon, Jehanabad pertaining to medical qualifications of the lady performing medical surgeries close to the Sadar Hospital. Commission would also like to know as to whose responsibility it is to check activities of such unqualified doctors and what actions have been taken thereof.

5. Complaint filed in BHRC, **in original** at pgs. (21-01) & (32-31) and copy of report from Director- in-Chief, Health Services, Bihar pgs. (29-27) be sent to **SP, Jehanabad** by a special messenger (constable) along with copy this order for necessary action .

5.2. A copy of this order be also sent to the Director- in-Chief Health Services, Bihar for necessary action and to the petitioner for information.

6. The file be put up before me on or before **20th June, 2014.**

Date: 04.04.2014

Sd/....
(Neelmani)
Member

S.P. /DS