

BIHAR HUMAN RIGHTS COMMISSION (BHRC)

9, Bailey Road, Patna

File No. BHRC/Comp. 3254/16

(Suo Motu Cognizance)

Sub: HIV⁺ Positive pregnant women allegedly ill-treated by a lady doctor at Sadar Hospital Aurangabad.

BHRC had taken suo motu cognizance of the news item published in Times of India, Patna edition on 19th May, 2016 entitled "**A'bad Hospital shooes away HIV-positive pregnant woman**". According to the news report an HIV⁺ pregnant lady was insulted and denied treatment by a lady doctor posted at Aurangabad Sadar Hospital.

2. Commission had directed District Magistrate, Aurangabad to get an in-depth inquiry conducted jointly by magistrate and senior medical officer and submit Action Taken Report (ATR) today. An interim report has been received from the DM, Aurangabad (letter no.673/G dated 27.05.2016) indicating that he has directed Civil Surgeon, Aurangabad to identify the concerned doctor and initiate action.

3. Dr. Ram Pratap Singh, Civil Surgeon-cum-Chief Medical Officer, Aurangabad **appeared** today before the Commission, on the instructions of Health Department, and submitted his report (letter no.1418 dated 3.6.2016) indicating that the **lady doctor in question, Dr. Lalsa Sinha, Sadar Hospital Aurangabad has been found guilty during inquiry on the following counts:-**

(a) She misbehaved with the HIV⁺ pregnant woman Smt. Manju Devi W/o Vinay Paswan, Village Mangal Bigha, PS. Dev, District Aurangabad

(b) The lady doctor's plea that required medical kits and post-operative medicines were not available in Aurangabad hospital were

found to be totally false and with a view to divert the issue. The required kits and post-operative **medicines like post exposure prophylaxis, TLE (Tenofovir, Lamivudine, Efavienz) are available in the hospital in abundant measure.**

(c) The lady doctor had taken the plea that she was not trained to handle HIV⁺ patients was also false as she had taken HSS-2015-ANC training and she worked as lady doctor in HIV⁺ Sentinel Surveillance Round 2014-15

(d) The lady doctor had been found to be ill-treating patients on previous occasions also.

The Civil Surgeon, Aurangabad informed that he is sending recommendation to the Health Department for initiation of departmental proceeding against the lady doctor.

4. It is, therefore, prima facie established that the HIV⁺ pregnant woman was denied treatment and ill-treated by the lady doctor Dr. Lalsa Sinha at Sadar Hospital Aurangabad. The Commission, therefore, directs as under:-

(a) A compensation of Rs. Fifty-thousand (Rs.50,000) be paid to Smt. Manju Devi within two months by the Health Department for the human rights violations she has suffered at the hands of the lady doctor.

(b) Health Department will apprise the Commission about disciplinary action initiated against the lady doctor

(c) Health Department will also apprise the Commission about efforts initiated for sensitization of doctors and paramedic staffs towards reception of HIV⁺ patients at government hospitals.

5. Commission will be expecting report from Principal Secretary, Health Department, Government of Bihar by 9.08.2016 when the matter is listed next.

6. Copy of the order be given to (i) **Principal Secretary, Health Department, Government of Bihar** (ii) **District Magistrate, Aurangabad** & (iii) **Civil Surgeon-cum-Chief Medical Officer, Aurangabad** for necessary action and (iv) Smt. Manju Devi W/o Vinay Paswan, Village Mangal Bigha, PS. Dev, District Aurangabad for information.

7. List on 9th August 2016.

Sd/-
(Neelmani)
Member

Date:06.06.2016

Asstt. Registrar