

BIHAR HUMAN RIGHTS COMMISSION

9, Bailey Road, Patna

File Nos. BHRC/Comp. CD-50/14

Case of Tribhuvan Sao: (Compensation to the deceased prisoner)

29.4.2015

Chief Medical Officer, Central Jail, Gaya Dr. Devenand Prasad present. When the deceased prisoner was lodged at Gaya Dr. Devanand Prasad was not Incharge of the Jail Hospital.

The deceased prisoner Tribhuvan Sao was a 22 year old young man who was sent to Sherghati jail on 16th November, 2010. At the time of his admission, it was recorded by jail authorities that he was not suffering from any disease. It appears that he was referred to A.N.M. Medical College Hospital on 27.7.2011 as he complained of abdominal pain. Thereafter, it appears that he was treated and then sent to Gaya Jail on 30th July, 2011. On 31st July, 2011 the doctor at the Gaya Jail again referred him to the ANMMCH. He was discharged on 10.8.2011 and he was prescribed dots. The doctor who is presently posted in Gaya Jail submits that in Gaya jail there were arrangements to administer dots but on 16.8.2011 he again became serious and he was again sent to ANMMCH, Gaya and then referred to PMCH, Patna on 27.8.2011 where he died on 28.8.2011.

The post mortem report shows that the deceased died of tuberculosis. All the doctors who have appeared before this Commission are unanimous in their view that no person at the age of 22 could have died of tuberculosis and even if the tuberculosis would have been the cause of death then tuberculosis should have been for a long time but the medical history of the patient shows that only for a few months he was being treated for tuberculosis.

Therefore, the Commission has no doubt in its mind that the petitioner did not receive sufficient medical attention at the Sherghati hospital where he was admitted for the first time on 16th November, 2010. It has also been submitted before the Commission that the jail at Sherghati has no hospital. It is unfortunate that a jail with 200 inmates has no hospital.

Since the death of the petitioner appears to be because of negligence of the jail authorities at Sherghati in the treatment of the deceased therefore the Commission directs that compensation of Rs. two lakh to be paid to the next-of-kin of the deceased. The Commission also recommends establishment of a hospital at Sherghati.

Copy of the order be given to Principal Secretary, Home and the Superintendents of Gaya Jail and Sherghati Jail for information and necessary action.

(Justice Bilal Nazki)
Chairperson