



MAHARASHTRA STATE HUMAN RIGHTS COMMISSION, MUMBAI

Administrative Staff College Compound, 9, Hajarimal Somani Marg, Opp. C.S.T. Mumbai - 400001.
Tel: 22050791, Fax: 22091804/22093678/22078962. Website: <http://mshrc.maharashtra.gov.in>

04.03.11

*DBC Case No. CPN /2493/2010-11. /539

Name of the complainant : Chandrakant Pande,
C-50 Link Road, Sadar,
Nagpur-1.
V/S.
The Civil Surgeon,
Bai Gangabai Shaskiya Stri Rugnalaya,
Gondia.

Date : 21.02.2011.

Coram : Justice Kshitij R Vyas (Former Chief Justice), Chairperson
(Justice V.G.Munshi) Member

ORDER (Per Hon'ble Chairperson)

The complainant was absent at the time of hearing, despite the fact that another chance was given to him as on the last date also he was absent.

Shri Chandrakant Pandey, the Vidarbha Coordinator of Council of Human Rights in this complaint, has taken up the cause of random maternal deaths taking place in Bai Gangabai Government Female Hospital, Gondia, allegedly due to sheer negligence of the doctors. According to the complainant 62 newly born babies died within 6 months. In the month of May itself in 2010, 18 infants died in the hospital. The complainant has produced the details regarding the deaths of the infants, giving particulars regarding the entry of the pregnant woman in the hospital and the date of deaths of the infants, the names of the concerned doctors and the ailments of the infants. It is stated by the complainant that even though government has improved hospitals, Primary Health Centers and the health condition of rural, particularly S.T. community has not improved by various health schemes. The doctors, nurses and the staff of the B.G. hospital have totally failed to implement government beneficial schemes. It is alleged that even the District Collector, Gondia has also failed to notice injustice caused to the public in general.

The complainant approached to the Commission for direction to hold enquiry and to take action in the matter.

It appears that in pursuance to the notice issued by the Commission Additional Collector, Gondia enquired into the allegations made in the complaint and submitted the report dated 13th August, 2010 to the District Collector, Gondia, and copy thereof was sent to the Commissioner.

Having gone through the said enquiry report it is clear beyond any manner doubt as it is an admitted position that maternal deaths have taken place in the hospital because of eclampsia Atonic PPH with Placenta accreta, septicemia with consolidation meningitis, encephalitis, and cause of deaths are non complications in pregnancy and post natal period. Civil Surgeon K.T.S. General Hospital in his letter dated 11th August 2010 addressed to Additional Collector, Gondia has clearly stated that 8 maternal deaths are there out of 2000 normal deliveries from April to August 2010. Out of 8 deaths 5 are in hospital and 3 are home deaths. 5 deaths in hospital are unavoidable, for the reason stated above. According to Civil Surgeon, all measures to prevent the infection in OT and Post Op Ward are taken strictly, followed by all doctors and staff of OT and Post Op ward, therefore, no question of hospital acquiring infection. But in B.G.W. problems noticed are :

1. Over crowding of visitors and patients not following discipline in hospital may be because of problems of Remote tribal Area.
2. Patient is referred from PHCS and remote backward Area in bad condition Poor Hygiene poor first aid treatment, not properly investigated. In emergency to deal with serious patient without properly investigated, Pregnancy in itself is a Immuno Compromised state where immunity is less so any asymptomatic septic focus in body gets flared up secondly during delivery pressure of presenting part causes ischemia and more prone infection. Product of confection like amnion, chorions become non vital due to separation and prone to infection already present in vagina.
3. There is no separate isolation Ward, O.T. and Labor Room, for infected patients.
4. Non availability of Physician in Hospital.
5. Lack of Manpower. Out of Seven Posts, only three Gynecologists, staff Nurse sanctioned post sixty only Twenty Eight post filled.
6. Non availability of Portable X-Ray Machine and USG facilities in emergency.

The aforesaid problems faced by Civil Surgeon, in our opinion do require consideration. In our opinion if this due consideration and appropriate measures were taken, it would have be impossible for the doctors to prevent maternal deaths.

The Civil Surgeon KTS hospital, Gondia has already indicated measures taken in the matter. The are as under :-

1. Already proposal for building expansion was sent administrative approval is obtained for construction of 120 beaded hospital grant not received.

- 2: Proposal to increase Man power, Doctors and Staff Nurse already sent GR. To this effect is received on 06.08.2007 but post of ancillary staff is not filled except for five medical officer all other doctors are frequently changing that's why the discipline and training is difficult to incorporate and obtained result.

We find that the measures taken in the matter are just and proper and there no reason for the authorities not to approve the same. It is the matter of concern that the proposal of building expansion and the increase of man power, doctors and staff nurses though send but same is not materialized, even after 4 years. It is equally unfortunate that even though administration approval is already granted for building expansion of the hospital the work has not commence for want of grant.

We therefore, by allowing this complaint recommend by recommendatory directions to

- (1) Principal Secretary, Health Dept. Government of Maharashtra to release grant for construction of 120 bedded hospital by expanding KTS hospital, Gondia.
- (2) To approve the proposal to increase man power, doctors, staff nurses etc. made by the Civil Surgeon, KTS Hospital.
- (3) Consider and grant amount approved the aforesaid proposal as early as possible preferably within 2 months from the date of the order.

Secretary of the Commission shall communicate this order to the Principal Secretary, Health Dept., Mantralaya, Mumbai.

The complaint accordingly disposed of.

sd/-
(Justice V.G.Munshi)
Member

sd/-
(Justice Kshitij R. Vyas)
Chairperson.

Mumbai.

