

## राष्ट्रीय मानवाधिकार आयोग को लिखा पत्र

पटना। राष्ट्रीय मानवाधिकार आयोग के अध्यक्ष को अभाविप ने पत्र लिखा है। अभाविप, दक्षिण बिहार ने परंपरागत विवि में कार्यरत कर्मियों के वेतन व पेंशन को तीन माह से रोकने के कारण उत्पन्न संकट एवं उनके संवैधानिक अधिकारों के हनन के संबध में ज्ञापन देकर कार्यवाई की मांग की। राष्ट्रीय महामंत्री श्री याज्ञवल्क्य शुक्ल ने कहा कि खाते को फ्रीज करना अधिकारों का हनन है।

## अभाविप नें मानवाधिकार आयोग को लिखा पत्र

जागरण संवाददाता, पटना : अखिल भारतीय विद्यार्थी परिषद, दक्षिण बिहार ने राष्ट्रीय मानवाधिकार आयोग (एनएचआरसी) के चेयरमैन को पत्र लिखकर शिक्षा विभाग के अपर मुख्य सचिव द्वारा राज्य के विश्वविद्यालयों के खाते फ्रीज किए जाने से उत्पन्न समस्याओं के विषय में शिकायत की है। पत्र द्वारा अखिल भारतीय विद्यार्थी परिषद के राष्ट्रीय महामंत्री याज्ञवल्क्य शुक्ल ने कहा कि विगत तीन माह से लगभग विश्वद्यालय के 12 हजार कर्मियों को वेतन एवं पेंशन से वंचित रखकर उनके संवैधानिक अधिकारों के हनन किया जा रहा है। आयोग से विद्यार्थी परिषद ने हस्तक्षेप की मांग की है।

## एकाउंट को फ्रीज करना संवैधानिक अधिकारों का हनन : एबीवीपी

सिटी रिपोर्टर|पटना

अखिल भारतीय विद्यार्थी परिषद ने राष्ट्रीय मानवाधिकार आयोग के चेयरमैन को पत्र लिखा है। उसमें कहा गया है कि विश्वविद्यालयों के एकाउंट को फ्रीज किए जाने से कर्मियों को वेतन एवं पेंशन से वंचित रखकर उनके संवैधानिक अधिकारों का हनन किया जा रहा है। इसपर हस्तक्षेप करने की मांग की। परिषद के राष्ट्रीय महासचिव याज्ञवल्क्य शुक्ल ने कहा कि शिक्षा विभाग की हठधर्मिता से बिहार के लगभग 26 लाख छात्रों का भविष्य खतरे में पड़ गया है। इसका दूरगामी प्रभाव उच्च शिक्षा व्यवस्था पर भी पड़ने की आशंका है। उच्च शिक्षा के पारिस्थितिक तंत्र को छिन्न-भिन्न करना छात्रों के संवैधानिक अधिकारों का हनन है। परिषद ने कहा कि जब तक उचित कार्रवाई नहीं होती है, तब तक हमारा संघर्ष जारी रहेगा।

## Edex Live

### **NMC online survey for medical students, faculty to assess mental health**

<https://www.edexlive.com/news/2024/Apr/27/nmc-online-survey-for-medical-students-faculty-to-assess-mental-health>

As many as 122 medical students, which included 64 MBBS students and 58 postgraduates, died by suicide in the last five years

A public notice regarding an online survey on mental health and well-being of medical students has been issued by the National Medical Commission (NMC). This comes right after the National Human Rights Commission of India (NHRC) held a meeting with stakeholders from the medical community on Wednesday, April 24,

"Anti Ragging cell in NMC has constituted a National Task Force on Mental Health and Wellbeing of Medical Students. Task Force has decided to conduct an online survey of medical students as well as the faculty in medical colleges", stated the public notice.

"A Google Form for this purpose has been prepared...", says the notice.

"All the medical students and faculties of the medical college are requested to kindly submit their responses by 3rd May 2024. Identity of the participants will be kept confidential and will not be shared with anyone. It will be used by the Task Force only for the purpose of analysis and recommendations in its report", stated the public notice.

Mental health and an increasing number of medical students' suicide has been a huge concern for the entire medical community. It is also a point that came up at the NHRC meeting of the stakeholders meeting.

**Bhaskar**

## एकाउंट को फ्रीज करना संवैधानिक अधिकारों का हनन : एबीवीपी

<https://www.bhaskar.com/local/bihar/patna/news/freezing-the-account-is-a-violation-of-constitutional-rights-abvp-132939571.html>

अखिल भारतीय विद्यार्थी परिषद ने राष्ट्रीय मानवाधिकार आयोग के चेयरमैन को पत्र लिखा है। उसमें कहा गया है कि विश्वविद्यालयों के एकाउंट को फ्रीज किए जाने से कर्मियों को वेतन एवं पेंशन से वंचित रखकर उनके संवैधानिक अधिकारों का हनन किया जा रहा है। इसपर हस्तक्षेप करने की मांग की। परिषद के राष्ट्रीय महामंत्री याज्ञवल्क्य शुक्ल ने कहा कि शिक्षा विभाग की हठधर्मिता से बिहार के लगभग 26 लाख छात्रों का भविष्य खतरे में पड़ गया है। इसका दूरगामी प्रभाव उच्च शिक्षा व्यवस्था पर भी पड़ने की आशंका है। उच्च शिक्षा के पारिस्थितिक तंत्र को छिन्न-भिन्न करना छात्रों के संवैधानिक अधिकारों का हनन है। परिषद ने कहा कि जब तक उचित कार्रवाई नहीं होती है, तब तक हमारा संघर्ष जारी रहेगा।

## Leadership

### NHRC Flays Treatment Of Cross-dresser

<https://leadership.ng/nhrc-flays-treatment-of-cross-dresser/>

The National Human Rights Commission (NHRC) has advised security and law enforcement agencies in the country to desist from subjecting citizens or foreigners to torture, inhuman, degrading treatment or punishment in the course of their investigations.

The executive secretary of the commission, Dr. Tony Ojukwu, gave the advice yesterday in a press statement signed by the commission's director, corporate affairs and external linkages, Obinna Nwakonye, while reacting to the video of a man who was commanded to strip naked in presence of some security operatives.

He said while law enforcement personnel were mandated to carry out their duties including investigations, they must conform to the extant laws and regulations which of course do not confer on them any form of authority to administer unethical treatment on any suspect.

According to Ojukwu, what played out in the video is a demonstration of the fact that some security personnel are either ignorant of the laws governing their operations or are deliberately indulging in abuse of office. He said none of these can suffice as an excuse or justification for any law enforcement agent to use torture, inhuman and degrading treatment and or punishment as a tool for investigation.

He cited Section 34(1) of the Nigerian Constitution which provides that every Nigerian is entitled to respect for the dignity of his person and accordingly no person shall be subjected to torture or to inhuman or degrading treatment. He similarly, he brought to mind Article 10 of the International Covenant on Civil and Political Rights (ICCPR) which states that all persons deprived of their liberty shall be treated with humanity and respect for the inherent dignity of human person.

## NHRC asks DM, SP to submit report on compensation for rape survivor

PNN & AGENCIES

**Kendrapara, April 27:** The National Human Rights Commission (NHRC) has directed the District Magistrate (DM) and the Superintendent of Police (SP) of Kendrapara to submit a report on the compensation to be paid to a rape victim, along with proof of payment, within four weeks.

Both the DM and SP of Kendrapara have also been instructed to provide additional or complete reports on the matter by June 3 before the commission.

Acting on a petition filed by rights activist Sagar Jena of Kendrapara, the NHRC issued the order Friday.

Jena alleged in his petition that a woman was raped by an accused, who not only recorded the act but also blackmailed the victim for money. The incident occurred in November 2021 when the accused arranged a feast near the victim's neighbourhood.

During the event, he spiked her food, causing her to become unconscious, after which he raped her and recorded the act. Subsequently, the accused started blackmailing the victim, extorting ₹1.5 lakh from her and threatening further assault.

The victim complained about the accused January 5, 2022. Considering the seriousness of the matter and the gross violation of human rights, Jena requested the commission's intervention.

The commission sought an action taken report (ATR) from officials September 22, 2022. Since no report was received, reminders were sent February 10, 2023, and again March 16, 2023, to the concerned authorities.

In response, the SP of

Kendrapara stated that a case had been registered under Section 323, 506, 376(D), 307, and 34 IPC against four accused persons.

One accused was arrested August 30, 2022, and forwarded to custody. The DSP, Kendrapara, supervised the case and concluded it as true under Section 341, 323, 506, 376(D), 307, and IPC.

The SP submitted a report in August 2023, stating that the investigation was pending for the apprehension of another accused, with due action promised during the investigation.

A letter was sent to the District Legal Service Authority (DLSA), Kendrapara, requesting financial assistance for the victim.

Despite considerable time having passed, the district authorities had not submitted a conclusive report regarding the payment of monetary compensation to the victim.

The investigation of the case was stated to be pending, but no subsequent report had been submitted on the outcome.

On January 16, the commission directed the DM and the SP of Kendrapara to submit a supplementary report on the compensation to be paid to the victim and the outcome of the investigation within four weeks.

The commission noted that the police report was silent on the compensation to the victim.

As per the NALSA scheme, a rape victim is entitled to compensation ranging from ₹4 lakh (minimum) to ₹7 lakh (maximum), the commission stated in its order, directing the DM and the SP of Kendrapara to submit a report on compensation along with proof of payment within four weeks.

## April 19 boat tragedy in Mahanadi

# NHRC issues notice to Odisha, C'garh Govts

**PNS ■ BHUBANESWAR**

The National Human Rights Commission (NHRC) on April 25 issued notices to the Chief Secretaries of Odisha and Chhattisgarh on the failure and negligent attitude of the State administrations in acting over the issue of frequent tragedies in the States.

The NHRC also sought for Action Taken Reports within 6 weeks from the Superintendents of Police of Jharsuguda district and Raigarh district of Chhattisgarh on a particular incident of boat capsizing that

took place on April 10 in the Mahanadi river in Jharsuguda district in which 50 passengers were on board and 8 were killed, including 4 belonging to the State of Chhattisgarh.

Petitioner and rights activist Radhakanta Tripathy drew the attention of the Commission to the April 19 boat tragedy in which about eight people died. The boat was ferrying passengers from Bandhipali area of Bargarh district, which encountered turbulent waters and capsized near Saradha Ghat in Jharsuguda district.

Tripathy alleged that the boat, which was overcrowded, operated without a valid licence and fitness certificate. The two minor boys and two women of Chhattisgarh who died in the incident were identified as Pikeswar Rathia, Naveen Rathia, Radhika Rathia and Terasabai Rathia, residents of Kharsani area of Raigarh district. They were going to Patharseni in the Ambabhona block of Bargarh district.

Tripathy requested the NHRC to ensure free, fair and impartial investigation

of the fatal incident and action against the errant officials who could not carry out their duties. He further requested to direct the Governments of Odisha and Chhattisgarh to submit reports on the incident with recommendations on implementation status of laws, rules, norms and parameters in this regard, payment of adequate amount of compensation to the next of kin (NOK) of the deceased, and to construct the bridges where there are no alternative transportation facilities.



## Medical Dialogues

### **NHRC Highlights Rights Of Patients And Doctors, Raises Concern On Violence Against Medical Professionals**

<https://medicaldialogues.in/news/health/doctors/nhrc-highlights-rights-of-patients-and-doctors-raises-concern-about-violence-against-medical-professionals-127754>

We use cookies for analytics, Google Analytics, advertising and to improve our site. You agree to our use of cookies by continuing to use our site. To know more, see our Cookie Policy and Cookie Settings Ok The aim of the meeting was to deliberate upon the rights of patients and doctors. The meeting was held in hybrid mode, chaired by Justice Shri Arun Mishra, Hon'ble Chairperson, NHRC, in the presence of Shri Rajiv Jain, Member, NHRC, Shri Bharat Lal, Secretary General, Shri Ajay Bhatnagar, Director General (Investigation), Shri Devendra Kumar Nim, Joint Secretary and other officers of the NHRC. The meeting was attended by the members of the Core Group, representatives from the Government, including the Ministry of Health and Family Welfare, and DGHS; National Medical Commission; Indian Medical Association; eminent doctors and domain experts from the field; academicians; and Resident Doctors' Associations. The meeting was held in four technical sessions, including the issuance of bonds in medical colleges, the issues related to disbursement of stipend to doctors, the rights of the patients and the rights of the doctors.

In his inaugural address, NHRC Chairperson, Justice Arun Mishra highlighted that the rights of doctors and the rights of patients are like the two pillars that hold our healthcare system. He emphasised on various challenges faced by both patients and the doctors in our country, focusing on the enormous work pressure on the doctors, lack of basic facilities for the doctors in hospitals, and issues related to cases of alleged medical negligence against doctors. While talking about the rights of the patients, Justice Mishra shared from his visits to mental health institutes last year, the undignified conditions in which the patients were living, lack of sanitation and hygiene, and practice of keeping the patients in hospitals even after their recovery. With regard to the cases of medical negligence, Justice Mishra stated that while we want to make the doctors feel guilty for any negligence, we fail to understand the pressure and burden placed upon them. Justice Mishra underscored that all of these issues are not issues of individuals, but signifies a systemic issue. He acknowledged that the healthcare system is overburdened, but also said that there is a strong need to implement the existing

He mentioned about the unfortunate phenomenon, where top Indian doctors were willing to practice in foreign countries, serving at the rural level, but in India they don't want to serve in remote areas for even 2-3 years. Therefore, there was a necessity of bonds, upheld by the Hon'ble SC; however, according to Justice Mishra, the bond system shouldn't be exploitative and should be reformed reasonably to enforce the purpose behind it. He did acknowledge that while health is a state subject, there could be some standard guidelines that may be prescribed for the bond system with the help of all stakeholders. There are multiple social welfare schemes and provisions facilitated by the government, but are we able to transfer the benefits of these schemes directly to the needy, questioned Justice Mishra. He concluded his address reflecting hope that all the stakeholders must work untiringly and must implement all the schemes in the right direction for the welfare for people, especially,

the marginalised. Shri Rajiv Jain, Member, NHRC in his address briefed about the rights of patients and the doctors. He emphasised on the issue of bonds in medical colleges and disbursement of stipend to doctors. While quoting the landmark judgment of *Jacob Mathew v. State of Punjab*, he emphasised that there is a need for the NMC and the government to form guidelines with regard to cases of medical negligence. Furthermore, a large number of states still lack Medical Boards that are tasked with reviewing complaints of alleged medical negligence, which must be addressed on priority. Highlighting a few challenges, Shri Jain gave the example of categorisation of medical establishments to highlight that most of the provisions of the CEA have not been legally implemented. Similarly there are other significant provisions that impact the rights of health of patients in the CEA, which need to be formally notified by the Ministry of Health & Family Welfare to enable its implementation. In cases of non payment of stipend, there are hundreds of cases received by the Commission. Shri Jain pointed out that the NMC in this issue says that the implementation of its regulations is for the “appropriate authority” in the state, while not defining who the appropriate authority is. The Member also stressed on the working conditions of the doctors, calling attention to their long working hours and continuous shifts, lack of proper restrooms, hygiene, lack of rest etc. He reiterated that doctors have fundamental

He underlined that violence against doctors has an adverse impact on medical professionals. It can result in poor patient care in addition to stress, worry, or psychological damage. It is, therefore, crucial to address this issue by strengthening the legal framework, enhancing security measures, promoting communication and proper support system for doctors and all medical health professionals. Shri Bharat Lal, Secretary General focused on the virtues of compassion and empathy towards all human beings, especially to the most vulnerable sections of the society. He mentioned that the cases of deaths by suicide amongst medical students is quite disturbing and require immediate attention. He said that we can't afford half-measures and dithering as all inaction has consequences and end of the day someone is paying the price. Similarly, suffering of patients due to negligence is unacceptable. Appreciating the government for having various schemes and making provisions for the welfare of the people, he highlighted that it is the duty of officers to implement them in full spirit. If not implemented fully, it contributes to many challenges that we are discussing today. Talking about the Mental Healthcare Act, 2017, the Secretary General said that despite the best intentions of the government and the Parliament, the Act has not been fully implemented throughout the country which accentuates the existing challenges. He expressed his expectations from the meeting that the deliberations would result in specific and actionable recommendations, and also pave the way towards implementation in letter and true spirit, leading to the real change on ground. Shri Ajay Bhatnagar mentioned that as a laudable practice, senior doctors are looking after their juniors, being their mentors and guiding their work, so that the young doctors have a sense of confidence, and have someone to approach. “A happy doctor is a good and efficient doctor”, Shri Bhatnagar said. If a doctor gets adequate rest, facilities and time to look after himself, his performance will definitely improve. He emphasized that the strength of any organisation comes from the organisational culture.

participants to share concrete and actionable recommendations that can be taken up by the Commission for further appropriate action. Dr. B. N. Gangadhar, Chairman (Officiating), National Medical Commission provided his inputs throughout the technical sessions, on behalf of the NMC. One of the crucial points shared by him

was that the NMC has constituted a committee under the chairmanship of Director, NIMHANS, Bangalore, to look into the matter of deaths by suicide and drop-outs of medical students. He also shared that they are now promoting yoga to deal with stress in doctors and medical students. He also focused on the issue of bond system, mental health of medical students, and mental health human resource in the country. Other issues, such as female PG students not receiving benefits during their maternity leave; poor living and working circumstances; physical and biological risks in the workplace; psycho-social pressures; heavy workload; erratic work schedules, lone women doctor postings in distant buildings/ departments; unreliable pay schedules; lack of necessary facilities like proper washrooms, especially for women; and other professional stressors were also discussed during the meeting. Other prominent speakers in the meeting included Shri Elangbam Robert Singh, Joint Secretary, Dept. of Health & Family Welfare, M/o HFW, Gol; Dr. Jitendra Prasad, Addl. DGHS, Directorate General of Health Services; Dr M C Misra, former Director, AIIMS; Prof. R K Dhamija, Director, IHBAS, Delhi; Dr Nimesh Desai, Senior Consultant Psychiatrist, Core Group Member; Dr Abhay Shukla, Public Health Specialist, Core Group Member; Dr Sunil Khatri, Advocate; Dr Shivkumar Utture, National Vice President, IMA; Dr Rajesh Sagar, Prof. of Psychiatry, AIIMS; Dr Aviral Mathur, President, Federation of Resident Doctors Association (FORDA); Dr Rohan Krishnan, National President, Federation of All India Medical Association (FAIMA); Dr Shankul Dwivedi, IMA Junior Doctors Network; Dr Rajeev Ranjan, co-founder, Aid for Mankind; and Dr Vivek Pandey, RTI activist.

UNI

NHRC seeks reports from Odisha and Chhattisgarh governments on Boat tragedy in Mahanadi river

Kendrapara, Apr26 (UNI)The National Human Rights Commission (NHRC) has issued notices to the Chief Secretaries of Odisha and Chhattisgarh on the boat tragedy in the Mahanadi river which claimed eight lives. The NHRC also sought Action Taken Reports from the Superintendent of Police of Jharsuguda in Odisha and Raigarh district of Chhattisgarh on the incident. The Apex right body issued the notice and sought the ATR on April 25 on a petition filed by right activist Radhakanta Tripathy who has drawn attention to the Commission to the death of eight people when a boat carrying about 50 passengers capsized in the Mahanadi River in Odisha's Jharsuguda district, on April 19 last. The boat was ferrying passengers from the Bandhapali area of Bargarh district when it encountered turbulent waters and capsized near Saradha Ghat in Jharsuguda district of Odisha. Tripathy alleged that the boat was overcrowded, and operated without a valid license and fitness certificate issued by the concerned authorities. The boat was ferrying the residents of the Kharsani area of Raigarh district in Chhattisgarh who were going to Patharseni in the Ambabhona block of Bargarh district when the mishap took place. Tripathy requested the NHRC to ensure a free, fair, and impartial investigation of the incident and action against the errant officials who have failed to discharge their duty. He has further requested the Commission to direct the Odisha and Chhattisgarh governments to submit reports on this incident with recommendations on the implementation status of laws, rules, norms, and payment of the adequate amount of compensation to the next of kin of the deceased. Earlier disposing of a similar petition filed by Tripathy relating to a series of boat tragedies in Odisha, the NHRC had asked the Odisha Chief Secretary to take appropriate steps to curb such tragic incidents. "Let a copy of the complaint be transmitted to the Chief Secretary of Odisha and Chhattisgarh, Superintendent of Police of Jharsuguda, and

Superintendent of Police, Raigarh, through online mode, to ensure the needful action and submit their detailed action taken reports to the