

SHRC, Uttar Pradesh

Diary No	2575/IN/2022	Case / File No	2559/24/4/2022
Victim Name	SHIVAM	Registration Date	04/08/2022
Action List (Click on Action given in blue color to view details)			
Action No.	Action	Authority	Action Date
1	Notice Issued	THE SUPERINTENDENT OF POLICE PRAYAGRAJ	08/08/2022
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[Action](#)**Action : Notice Issued(Action No 1)**

Action Date	08/08/2022
Authority	THE SUPERINTENDENT OF POLICE, PRAYAGRAJ
Proceeding	<p>In this matter taken suo-motu cognizance and had passed the following order on 04.08.2022.</p> <p>"दैनिक समाचार पत्र "दैनिक जागरण" एवं " अगर उजाला" दिनांकित 04:04. 2022 के लखनऊ संस्करण में प्रकाशित समाचार शीर्षक " मां-बाप ने 25 किमी दूया बेटे का शव" अवलोकन किया गया, जिसके अनुसार निशुल्क शव वाहन की व्यवस्था का दावा गरीबों के लिए छलावा है। कंधे पर लाडले की लाश लेकर 25 किलोमीटर दूर अपने गांव जाते बेबस माता-पिता का वायरल वीडियो यही बताता है। इस कारुणिक दृश्य के कई साक्षी है, जिन्होंने पिता के थकने पर मजबूर मां को अपने कलेजे के टुकड़े को अपने कंधे पर चलते देखा है। यह देखकर मानों आसमान भी रो रहा है। भारी बारिश में मजबूर माता-पिता के न आंसू जिम्मेदारों को दिखाई न दिए न ही उनका करुण कंदन सुनाई दिया। संगम नगरी (प्रयागराज) के एसआरएन कालेज की यह घटना मानवता को शर्मसार कर देने वाली है।</p> <p>उपर्युक्त प्रकरण प्रथम दृष्टया मानवाधिकार के हनन का प्रत्यक्ष उदाहरण प्रतीत होता है। प्रकरण अति आवश्यक एवं अत्यंत गंभीर है। मानव अधिकार संरक्षण अधिनियम 1993 की धारा 12 एवं अधिनियम के अन्य सुसंगत उपबन्धों में अन्तर्विष्ट विधि में प्रदत्त शक्तियों एवं उद्देश्यों के प्रयोग में आयोग द्वारा इस प्रकरण को स्वप्रेरणा से संज्ञान में लेना उचित, युक्तियुक्त, प्रासंगिक, समीचीन, विधि सम्मत एवं न्यायहित में इष्टकर होगा। तदनुसार प्रकरण की तात्कालिकता (नाहमदबल) एवं गंभीरता के दृष्टिगत आयोग द्वारा इसका संज्ञान लिया जाता है।</p> <p>उपर्युक्त प्रकरण के सम्बन्ध में प्रधानाचार्य एसआरएन मेडीकल प्रयागराज एवं मुख्य चिकित्सा अधिकारी, प्रयागराज को निर्देश दिये जाते हैं कि वह इसकी विस्तृत जांच कराकर, स्थिति स्पष्ट करने के लिए आख्या के साथ दिनांक 08.08.2022 को आयोग के कैम्प कार्यालय-सर्किट हाउस, प्रयागराज में समय 12.30 पी.एम पर व्यक्तिगत रूप से उपस्थित हो।</p> <p>पत्रावली नियत तिथि: 08.08.2022 समय 12.30 पी. एम. पर आयोग के समक्ष अग्रिम कार्यवाही / आदेश हेतु पेश हो।</p> <p>कार्यालय इस आदेश को फैक्स/ईमेल से निर्गत करे। "</p>

Pursuant to the aforesaid order Sri S.P. Singh, Principal, S.R.N. Medical College, Prayagraj and Sri Ratnesh Kumar Pandey, Senior Assistant of Chief Medical Officer, Prayagraj representing Chief Medical Officer appeared before me at the Camp Office of the Commission at Prayagraj. Sri S.P. Singh as well as Sri Ratnesh Kumar Pandey have filed their respective reports today which are taken on record.

Having gone through the report of Dr S.P. Singh, Principal, S.R.N. Medical College, Prayagraj I find that it is the duty of the hospital management to provide free ambulance service to the relatives of a patient who dies after being admitted in the hospital. In the present case it is an undisputed fact that the victim Shivam who had died due to electrocution in Karchana was brought dead by his relatives to the mortuary located within the premises of S.R.N. Medical College, Prayagraj for conducting post mortem on the body of the deceased and after conducting the post mortem deceased's dead body was returned to his relatives for carrying the dead body back to his village Karchana. The report further indicates that the mortuary situated within the premises of S.R.N. Medical College, Prayagraj is under the control and supervision of Chief Medical Officer, Prayagraj and all the functions related thereto are supervised by him.

Thus it appears that the Principal, S.R.N. Medical College, Prayagraj cannot be held responsible for the omission on the part of the Chief Medical Officer, Prayagraj to provide free ambulance service to the family of the deceased Shivam after post mortem had been conducted on his dead body.

Now I proceed to examine the report of Chief Medical Officer, Prayagraj which has been filed by the Sri Ratnesh Kumar Pandey, Senior Assistant of Chief Medical Officer, Prayagraj. The report of Chief Medical Officer indicates that upon receiving the order of the Commission the Chief Medical Officer constituted a three member Committee headed by himself and having Mrs Renu Singh S.D.M., Karchana Prayagraj and Dr S.P. Singh, Principal, S.R.N. Medical College, Prayagraj, as the other two members.

The report of the Committee indicates that the Committee after recording the statements of the deceased's parents and his other relatives and looking into the material available on record came to the conclusion that it was the duty of the Station House Officer of Police Station Karchana and constable Vikas Bhardwaj of the same Police Station to provide ambulance service to the parents of the deceased who had transported the dead body of the deceased Shivam from Karchana to the mortuary situated within the premises of S.R.N. Medical College, Prayagraj and hence the aforesaid two police personnel were responsible for not providing the free ambulance service to the deceased's parents.

The report, however, is silent on the material issue i.e. whether the Chief Medical Officer, Prayagraj was duty bound to provide free ambulance service to the deceased's parents after the dead body was returned to them by the Doctor who had conducted the post mortem. The report of Chief Medical Officer, Prayagraj does not appear to be satisfactory.

In order to fix the responsibility of the person or persons who were responsible for not providing free ambulances services to the parents of the deceased Shivam I consider it appropriate to direct the Chief Medical Officer, Prayagraj. Station House Officer of Police Station Karchana, Prayagraj and Constable Vikas Bhardwaj of Police Station Karchana, Prayagraj to appear before me in person alongwith the relevant material on 24.08.2022 at the Camp Office of the Commission at Prayagraj. The father of the deceased may also remain present at the Camp Office of the Commission at Prayagraj on the date fixed.

The Senior Superintendent of Police, Prayagraj shall ensure the presence of the Station House Officer of Police Station Karchana, Prayagraj and Constable Vikas Bhardwaj of Police Station

Karchana, Prayagraj and the deceased's father Sri Bajrangi Yadav R/o Village Rampur Police Station Karchana, Prayagraj before the camp office of the Commission on the date fixed. List/put-up this file on 24.08.2022 at the camp office of the Commission at Prayagraj.

[Complaint](#)

Diary No	2575/IN/2022	Section	CHPR
Language	ENGLISH	Mode	BY INTERNET
Received Date	03/08/2022	Complaint Date	03/08/2022

[Victim](#)

Victim Name	SHIVAM	Gender	Male
Religion	Hindu	Cast	Unknown
Address	KARCHANA POLICE STATION AREA		
District	PRAYAGRAJ (ALLAHABAD)	State	UTTAR PRADESH

[Complainant](#)

Name	SANDEEP KUMAR		
Address	PLOT NO. 44, UPPER GROUND FLOOR POCKET B/10, SECTOR 13, DWARKA, NEW DELHI		
District	SOTH WEST DELHI	State	DELHI (110075)

[Incident](#)

Incident Place	SRN HOSPITAL	Incident Date	03/08/2022
Incident Category	CHILDREN		
Incident District	PRAYAGRAJ (ALLAHABAD)	Incident State	UTTAR PRADESH
Incident Details			