



राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes

(भारत के संविधान के अनुच्छेद 338क के अंतर्गत दीवानी न्यायालय की शक्तियों को प्रयोग करने वाला एक संवैधानिक निकाय)
(A Constitutional body exercising powers of a Civil Court under Article 338A of the Constitution of India)

SUMMONS

Case File No. NCST-16013(OD)/3/2020-RU-III- APCR

To,

Shri Rishikesh Dnyandeo Khilari
Superintendent of Police,
District - Mayurbhanj
District Police Office, At/Po-Baripada,
Mayurbhanj -757001 (Odisha)
Email: spmbj.orpol@nic.in


Whereas the National Commission for Scheduled Tribes has decided to investigate into the following matter in pursuance of powers conferred upon it under Article 338A of the Constitution of India, your attendance is hereby required **in person** to appear before Shri Ananta Nayak, Hon'ble Member, National Commission for Scheduled Tribes on the **29th day of May, 2023 at 11.30 A.M at State Guest House, Bhubaneswar**. You are required to bring with you the connected documents for examination by the National Commission for Scheduled Tribes.

Case Reference: Representation received from Smt. Raibari Singh W/o Kartik Singh, Village-Jambani under Sindurgoura G.P, P.S. Baripada Sadar, District - Mayurbhanj, Odisha, regarding keeping illegal custody of new born baby, implicating the villagers in false and fabricated cases and harassment of applicant by the hospital authorities and District Magistrate, Mayurbhanj.

If you fail to comply with this order without lawful excuse, you shall be subjected to the consequences of non-attendance laid down in Rule 12 of Order XVI of Code of Civil Procedure, 1908.

Given under my hand and seal of the National Commission for Scheduled Tribes exercising powers of Civil Court this 18th day of May, 2023.

Signature


Court Officer

Court Officer

National Commission for Scheduled Tribes
Loknaya Bhawan, New Delhi-110003

NIC - NCST



To

**The National Commissioner of Schedule Tribe,
Govt. Of India, New Delhi.**

Respected sir,

I Smt. Raibari Singh W/o-Kartik Singh of village-Jambani under Sindurgoura G.P. P.S. Baripada Sadar, Dist-Mayurbhanj, Odisha begs to put forth my grievances as under for kind order for an inquiry in to the matter and to give me justice.

That I am a poor and illiterate Adivasi belongs to ST community comes from remote village of Mayurbhanj dist, was admitted in the P.R.M. Medical College and Hospital on 25.04.2020 at Midnight for delivery of my child.

That on the next day I was blessed with a son in the morning at about 8:30AM, but as the child was under wait, he was taken by the nurses to the SNCU Unit of the hospital for treatment leaving me alone in my hospital bed.

That after 8 days i.e. on 04.05.2020 my son was handed over to me and on 05.05.2020 the hospital authority discharge me with my son and I return to home with my baby.

That on 11.05.2020 repeated telephone calls came to me from the SNCU Unit of the Hospital from Mob. No. 6792255716, when I received the call it is told to me to bring the baby immediately to the hospital for giving some vaccination. So I with husband and baby proceeded to the Hospital where the nurses took away my baby from me for the purpose of vaccination.

That there after I waited for my baby but for a long time when they did not return my son I asked reason to which they did not give me any

satisfactory reply. The medical staff forcefully took my signature in a blank form and asked me go to the hospital outpost, where I was informed that my child is dead. That after hearing such sad news, I became nervous and astonished that how a healthy child suddenly died. I tried to inquiry into the matter but none give me any satisfactory reply. I had also approached CDMO but no positive response also received from him .

That being harassed from hospital, I with my husband rushed to the Baripada Sadar police station where my husband logged a F.I.R. regarding such type of mis happening in this hospital.

That being harassed from all side I and my husband approached Mr. Prakash Soren the Local MLA to help us in the matter. On our request he accompanied us to the hospital, and on his approach the medical authority permitted to see the child, where I saw that my baby is alive.

That thereafter I with my husband regularly visited the hospital to bring my son, but the medical authority did not permit to see my son and avoided with various pleas. Since we are poor, illiterate and ST community, they misbehaved and harassed me like anything. I was running to the hospital everyday to have a look of my son, but I was not allowed.

That inspite of our F.I.R and all efforts as no action or enquiry was taken by the police in the matter, so to get justice I along with some villagers of our village had come to meet collector Mayurbhanj on 18.05.2020 to convey my grievances. But the security staff of the Collector (District Magistrate) did not permit us to enter into the residential office of the DM and obstructed us to enter into the residential office and to meet the DM. The security staff forcefully restrained the villagers. The DM who was present in the residence at that time avoided and did not like to know the problem of the general public. Instead of given justice to me, on his instruction one SI of police lodged F.I.R against the villagers and on

the basis of such F.I.R eight villagers including three women and two senior citizens aged above 60 and 70 years have been arrested in a false and fabricated case who are now in the jail custody.

That being harassed from every side now I am spending my days with much difficulties living my son alone in the hospital, who was a breast feeding baby. Since I am deprived of milking my baby, the milk is automatically coming out from my breast. Due to such uncertainty regarding my son, I am mentally shocked and my health condition is deteriorating day by day.

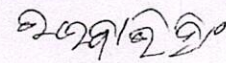
That the security staff of the collector as I belong to ST community the medical authorities & nurses misbehaved and harassed me as they liked. We also cannot get any justice from the DM. Moreover, to harass us, a false case has been lodged.

It is therefore prayed that kindly take necessary action in this matter and order.

1. To enquire into the matter as how the medical authority declared my living son as dead.
2. Necessary direction be given to the C.D.M.O. to hand over my living son to me immediately.
3. Necessary legal action may kindly be taken against the culprits.
4. The false case which has been lodged against the villagers may be withdrawn.
5. Necessary compensation may kindly be awarded to me for my mental agony and torture.

I therefore earnestly pray with folded hands to you for which act of your kindness I shall remain ever grateful to you.

Yours Sincerely,


e/5/20

(Smt. Raibari Singh)