



राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
(भारत के संविधान के अनुच्छेद 338क के अंतर्गत एक संवैधानिक निकाय)
(A Constitutional body under Article 338A of the Constitution of India)

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

Dated: 19.06.2023

To,

1 **Shri Vineet Bhardwaj,**
Collector and District Magistrate,
District - Mayurbhanj
At/Po-Baripada,
Dist-Mayurbhanj - 757001
Email: dm-mayurbhanj@nic.in

2 **Shri Battula Gangadhar,**
Superintendent of Police,
District - Mayurbhanj
District Police Office, At/Po-Baripada,
Mayurbhanj -757001 (Odisha)
Email: spmbj.orphol@nic.in

Subject: 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.

Sir,

I am directed to enclose herewith a copy of the Minutes of the Sitting held on 29.05.2023 at State Guest House, Bhubaneswar under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, National Commission for Scheduled Tribes on the above mentioned subject for information.

Encl: as above

Yours faithfully


(अंकित कुमार सेन / Ankit Kumar Sen)
अनुसंधान अधिकारी/ Research Officer

Copy to:

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Smt. Raibari Singh
W/o Kartik Singh,
Village-Jambani under Sindurgoura G.P, P.S.
Baripada Sadar,
District - Mayurbhanj (Odisha),

National Commission for Scheduled Tribes

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

Minutes of the Sitting held under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, NCST on representation of Smt. Raibari Singh, W/o Karthik Singh, Village – Jambani under Sindurgoura GP, PS, 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.

Date of the Sitting: 29.05.2023 at 11:30 AM

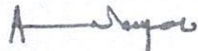
List of Participants: As per Annexure

The Commission received a representation from Smt. Raibari Singh stating that on 25.04.2020 she was admitted in the hospital for delivery of her child. On 04.05.2020 she was handed her new born son and discharged on 05.05.2020. On 11.05.2020 she received a call from the hospital requesting them to bring the child back for vaccination. Thereafter, the hospital staff informed her that her child was dead, took her signature on a blank paper and sent her away. When she reported this to the police, no action was taken. On 18.05.2020, the Petitioner and other villagers tried to meet the Collector, but were obstructed by the security. Thereafter, the Petitioner and the villagers were implicated in false cases and were arrested by the police.

Considering the gravity of the issue, the Commission issued Notice dated 03.07.2020 to the Director General of Police, Odisha to take necessary action and submit the Action Taken Report ("ATR") within 30 days.

Since, the Commission did not receive ATR from the DGP, Summons were issued to the Collector and District Magistrate and the Superintendent of Police, Mayurbhanj, Odisha to appear before the Commission for Sitting at the State Guest house, Bhubaneshwar, Odisha on 29.05.2023 at 11:30 AM.

On 29.05.2023 the Collector and District Magistrate, Mayurbhanj, Odisha was not present and his request for exemption from personal appearance has been denied. Shri Umashhankar Maharana, Additional Superintendent of Police, Mayurbhanj, Odisha ("Additional SP") was present on behalf of the Superintendent of Police, Mayurbhanj, Odisha.



अनंत नायक/ANANTA NAYAK

सदस्य/Member

राष्ट्रीय अनुसूचित जनजाति आयोग

NATIONAL COMMISSION FOR SCHEDULED TRIBES

भारत सरकार/Govt of India

नई दिल्ली

During the course of hearing on 29.05.2023 Shri. Umashankar Maharana, Additional SP submitted that the complaint filed by the Petitioner is false and that she is trying to mislead the Commission. It was found that 2 new born babies were kept at SNCU PRM MCH, Baripada under the custody of the Superintendent of PRM Medical College, Baripada. On 11.05.2020, out of the 2 babies, one of the baby died. On 12.05.2020, FIR was also registered under Case No. 308 related to swapping of babies. A DNA test of both the babies was conducted to determine parentage. From DNA report it is found that the baby that died belonged to the Petitioner and as per the directions of the District and Sessions Judge, Mayurbhanj and Superintendent of PRM, MCH, Baripada the Petitioner was informed vide Letter dated 08.09.2020 to receive the body of the baby from SNCU PRM MCH, Baripada

The Commission observes that the matter has already been dealt with by the Hon'ble District and Sessions Judge, Mayurbhanj. The Hon'ble Court has in vide its order dated 03.09.2023 has noted that "The Scientific Officer has reported that the newly born alive male baby is the biological child of Raibari Singh wife of Braja Mihan Singh, whereas the dead baby is the child of Raibari Singh wife of Karthik Singh. Unfortunately, the similarity in the nature of mothers and sad demise of one of the babies gave rise to such a serious dispute causing great sufferings to the child since last three and half months, having forced to remain under the care and custody of the Hospital Authority, which should not have happened in any circumstances."

In view of the foregoing, the Commission recommends that the case may be closed.


अनंत नायक/ANANTA NAYAK
सदस्य/Member
राष्ट्रीय अनुसूचित जनजाति आयोग
NATIONAL COMMISSION FOR SCHEDULED TRIBES
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi