

National Commission for Scheduled Tribes

PROCEEDINGS

Sub: Violation of rights of Scheduled Tribes-physical assault on and manhandling of Dr. R. Vinay Kumar, Jr. Resident, AIIMS, New Delhi.—Discussion held on 07.04.2008.

National Commission for Scheduled Tribes had received a representation from Smt. Siddamma r/o Nagarabhavi, Bangalore and mother of Dr. R. Vinay Kumar, Jr. Resident in AIIMS, New Delhi regarding no action by AIIMS authorities as well as local Police on his complaint alleging physical assault and manhandling of her Son by attendants of a patient on 16.03.2008. The matter was discussed in the hearing held at 11:30 AM on 07.04.2008 in National Commission for Scheduled Tribes, New Delhi. List of all those present in the hearing is enclosed at **Annexure**.

2. Dr. T.D. Dogra, Acting Director, All India Institutes of Medical Sciences informed that soon after receipt of complaint from Dr. Vinay Kumar an Inquiry Committee headed by Professor M.C. Mishra was set-up to investigate the incidence which is alleged to have occurred at 1:30 AM on 16.03.2008. However, a letter was received on 20.03.2008 from Dr. Vinay Kumar wherein he has stated "we deeply regret to inform that we do not have any faith in this committee and we do not attend any enquiry committee unless administration takes all the necessary legal action" Dr. Dogra informed that the Security Officer, AIIMS had already written a letter to the SHO, Defence Colony, Police Station for taking legal action in the matter, but the inquiry was suspended due to above mentioned letter of Dr. Vinay Kumar. It was also informed that Dr. Vinay Kumar, who was admitted in the Private Ward of AIIMS under psychiatric care on 18.03.2008 with the provisional diagnosis of Acute Stress Reaction, has since been discharged on 05.04.2008.

3. As number of cases of discrimination with the medical professionals belonging to Scheduled Castes and Scheduled Tribes in the All India Institutes of Medical Sciences have been appearing in the press during the last one year, it was felt that an internal enquiry by a committee into the incidence of alleged atrocity on a Scheduled Tribe Doctor and non-cooperation by other Medical Officers, nursing staff and guards etc. present at the time of incidence, is essential to find-out weakness in the system otherwise such incidents would continue to occur and it may tarnish the image of the internationally renowned AIIMS. Director, AIIMS promised to complete the investigation promptly and submit the report to this Commission within one week time. However, Dr. Vijay Kumar informed that as per advice of the Prof. of Psychiatric Department, Dr. Vinay Kumar has gone back to his hometown for a change. It was agreed that after consultation with the Prof. of Psychiatric Department, Dr. Vinay Kumar may be called to Delhi so that inquiry could be completed with out further delay. In view of the objections from the petitioner about composition of the inquiry committee, Director, AIIMS suggested to include the names of Dr. J.S. Tatiyal, Prof. of Ophthalmology and Incharge of SC/ST Cell in the Institute and Dr. L.R. Murmu, Registrar on the inquiry committee. It was agreed by all present.

4. Representatives from o/o the Commissioner, Delhi Police arrived after the discussion with the Director, AIIMS and the petitioners was over. ACP in the office of District (Hq.) South Delhi alongwith SHO, Defence Colony Police Station, who attended the hearing in this case informed that they could not come early due to sudden engagement of the DCP (South). ACP informed that the investigation of the case was not yet complete and FIR could not be registered since preliminary investigation did not point towards occurrence of any cognizable offence. As soon as investigation is complete and the investigation indicate occurrence of a cognizable offence, the FIR in this case will be registered. ACP assured that investigation in this case will be completed on priority and a detailed report will be submitted to the Commission by 15.04.2008.

