

6th March 2017

To
Dr. Raman Singh
Chief Minister
Government of Chhattisgarh
Raipur

Ref: The Sterilization Camp deaths in Bilaspur district, Chhattisgarh, November 2014

Sir,

We, the 138 undersigned individuals and organizations working across the country on health and women's rights are shocked and dismayed that the case against surgeon Dr. R. K. Gupta has been dismissed by the Hon'ble High Court on grounds that "the alleged act committed by the petitioner was while acting in discharge of his official duty and admittedly no previous sanction was obtained before initiating prosecution case against him".

The Anita Jha Judicial Enquiry Commission report has clearly pointed out that *"It is evident from the facts that in the camps organized on 8.11.2014 and 10.11.2014 there was a breach in the important necessities hence the standard operating procedure were not followed. As a result of which the symptoms of infections were found in post operative female beneficiaries"*. It further states that *"On the background of deliberation of investigation point number 1 to 3, investigation committee has found following persons Guilty/responsible, functionary, during 08 and 10 November, 2014:- 4.1 For not following standard procedures and for medical negligence by immediate functionary Block Medical Officer, Takhatpur.....and surgeon who conducted surgery in tubectomy camp at Sakri and Gaurella (Surgeries were completed by the same surgeon in the both camps)"*.

It is a pity that the case has been dismissed by the Hon. High Court purely on technical grounds, thereby denying justice to the bereaved families of those 13 young women who died in Bilaspur district, the many more women who suffered serious illness in hospitals and the many small children deprived of their mothers' care.

However, the Hon'ble Court in its judgement has stated that "the respondents State shall be free to take previous sanction of the State Govt. in this regard if it still desires to prosecute the petitioner and in the event of obtaining sanction, they would be at liberty to further prosecute the petitioner. It is made clear that this Court has not given any opinion on the merits of the case as the prosecution case was not sustainable on the preliminary objection itself and the merits of the case is still left open to be considered and adjudicated upon at a subsequent appropriate stage if the situation so arises...".

We therefore urge that your government put the wheels of justice back on track, and immediately give permission for prosecution of surgeon Dr. R. K. Gupta, to ensure that this case becomes a deterrent example for anyone who tries to subvert the Sterilization Guidelines. Since the judgment has given Chhattisgarh state the liberty, after according sanction, to prosecute Dr. R. K. Gupta, not doing so would amount to shielding him deliberately.

We are also very disappointed to note that the Chhattisgarh government has greatly reduced provision of sterilization services as a public health service in government facilities, forcing poor women to take recourse to the private sector at extremely high cost and a lot of inconvenience.

We would urge you to reconsider this decision and make these services available in the public hospitals both for men and women, while ensuring high quality and informed choice for those who opt for this contraceptive method.

We look forward to your active cooperation and support on these two issues.

Thank you.

List of signatories:

1. **Action India, New Delhi**
2. **All India Democratic Women's Association (AIDWA)**
3. **CommonHealth, India**
4. **Ellora Vigyan Mancha, Guwahati**
5. **Healthwatch Forum UP**
6. **Jan Swasthya Abhiyan (People's Health Movement India)**
7. **Karnataka Janaarogya Chaluvai, Karnataka**
8. **MASUM Pune**
9. **Madhya Pradesh Maternal Health Rights Campaign**
10. **National Alliance for Maternal Health and Human Rights, India**
11. **Right To Food Campaign, India**
12. **SAHAYOG Lucknow UP**
13. **SAHELI for Women, New Delhi**
14. **Women Against Sexual Violence & State Repression (WSS)**
15. Abha Bhaiya JAGORI Rural, HP
16. Dr. Abhy Shukla, formerly of SATHI, Pune
17. Afaq Ullah, Awadh Peoples Forum, Faizabad UP
18. Ajay Mishra, Krishna Vikas Evam Prakriti Prabandhan Sanstha, MP
19. Amar Jesani, Editor, Indian Journal of Medical Ethics
20. Amita Pitre (Fulbright-Nehru Visiting Scholar, Emory University, Atlanta) Research Scholar, Tata Institute of Social Sciences, Mumbai
21. Anant Phadke, AIDAN
22. Anubha Rastogi, Human Rights Lawyer and Member, NAMHHR, Mumbai
23. Anuradha Kapoor, SWAYAM Kolkata
24. Anupama Potluri University of Hyderabad Telengana
25. Dr. K. R. Antony, Former Director, State Health Resource Centre, Chhattisgarh
26. Arun Tyagi, Gram Sudhar Samiti, MP
27. Arundhati Dhuru, NAPM
28. Ashok Sahkya, Youth Club, Datiya
29. Asim Sircar, Gyan Vigyan Samiti
30. Avnish Kumar Mishra, Avadh Kishor Shiksha Samiti, MP
31. Dr Babita Vijpuriya, Gahoi Mahila Mandal, Datiya, MP

32. Bharat Kant Dvivedi, Jayati Jan Seva Samiti, MP
33. Bhola Rajak, Manav Vikas Seva Samiti, Rewa
34. Bindhulakshmi P, Associate Professor TISS
35. Dr Bittu Karthik, WSS, Sonapat Haryana
36. Dr Brajaraj Sundar Ghosh, Regional Programme Monitor, Clinical Development Services Agency
37. Chhaya Datar (retd Prof.) TISS
38. Chhaya Pachauli, PRAYAS Rajasthan
39. Chinu Srinivasan, LOCOST
40. C. Sathyamala, MFC
41. Deepa V, SAMA Delhi
42. Deepak Kumaraswamy, Mysore Karnataka
43. Deepika Joshi, Jan Swasthya Abhiyan, Chhattisgarh
44. Dhruv Bhai, Kisan Kamgaar Parishad, Rewa
45. Denny John, Associate Editor, International Journal of Technology Assessment in Health Care (IJTAHC)
46. Devika Biswas Healthwatch Forum Jharkhand
47. Dhruv Mankad, Pune
48. D.S. Singh Sadbhawna Gramin Vikas Sansthan, Basti UP
49. Gabriele Dietrich, Pennurimai Iyakkam, Tamil Nadu
50. Geetha Nambisan, JAGORI Delhi
51. Dr. Goldy M. George, Activist, Researcher & Writer, Chhattisgarh
52. Himshi Singh NAPM Delhi Secretariat Delhi
53. Hridayesh Singh, Poshan Abhiyan Manch, Rewa
54. Ilina sen, Professor, Womens Studies, TISS, Mumbai
55. Imrana Qadeer, retd Prof. JNU
56. Indira Chakravarthi, Public Health Researcher
57. Jashodhara Dasgupta, New Delhi
58. Jiban Krushna Behara, SODA Odisha
59. Johanna Lokhande
60. Dr. J. R. Narayan, Patrakar Nagrik Manch, Rewa, MP
61. Kalyani Menon Sen, Feminist Learning Partnerships, Gurgaon
62. Kajal Jain, MASUM Pune
63. Kamlesh, BGVS Uttarakhand
64. Kedar Rajak, Sanjivani Vikas Samiti, MP
65. Krati Sharma, New Delhi
66. Madan Pal Singh, SARATHI Development Foundation Lucknow
67. Madhurima Nundy, Institute of Chinese Studies, Delhi
68. Madhuri, Jagrit Adivasi Dalit Sangathan, M.P
69. Madhuri Lata Singh, Mandakini Manav Kalyan Gram Vikas Evam Takniki Sansthan, MP
70. Manju Singh, Amrita Seva Sansthan, MP
71. Mary E John, Senior Fellow, Centre for Women's Development Studies, New Delhi
72. Meera Sanghamitra NAPM, WSS Telengana
73. Mira Shiva, Initiatives for Health and Equity in Society
74. Mohit P. Gandhi, PhD Student, JNU
75. Monisha Behal, North East Network

76. Dr. Mohan Rao Professor, Centre of Social Medicine and Community Health, School of Social Sciences, Jawaharlal Nehru University
77. Dr. Narendra Gupta, PRAYAS Rajasthan
78. Nayana Dhavan, Delhi
79. Nisha Biswas, Kolkata
80. Niti Saxena Lucknow
81. Dr. Olinda Timms, Adjunct Professor St John's Research Institute Bangalore
82. Pallavi Gupta, Public Health Professional, New Delhi
83. Paromita Vohra, Filmmaker and writer
84. Prasanna Saligram SOCHARA Bangalore
85. Pramod Tiwari, Manav Foundation Sheopur MP
86. Puneet Narayan Shukla, Ananya Bahuuddeshiy Vikas Samiti, MP
87. Pushpa Achanta WSS Bengaluru Karnataka
88. Pyoli Swatija, Samajwadi Jan Parishad Delhi
89. Radha Holla Bhar, Delhi
90. Rajdev Chaturvedi Grameen Punarnirman Sansthan Azamgarh
91. Rajalakshmi, Independent Researcher and PhD Scholar (TISS)
92. Rajpal Singh, Parihar Pragati Sanstha, Datiya
93. Dr. Ramji Rai, Swadesh Sanstha, Datiya MP
94. Ramnivas Patel, Akanksha Grameen Vikas Samiti, MP
95. Renu Khanna, SAHAJ and Commonhealth
96. Ritu Dewan, Director Centre for Development Research and Action, Mumbai
97. R Srivatsan, ANVESH, Hyderabad
98. Runu Chakraborty Ghaziabad UP
99. S. P. Gautam, Jan Sahayak Samaj Sevi Sansthan, MP
100. Dr. S.V. Nadkarni, Ex. Dean L.T.M. Med. College, Sion, Mumbai,
101. S Maya, Sree Kerala Varma College Kerala
102. Sadhna Dubey, Paramhans Seva Sasnthan Samiti, MP
103. Sanjay Tiwari, Patrika News, Sheopur Madhya Pradesh
104. Sarojini NB, People's Health Movement, New Delhi
105. Samir Dass, Jharkhand Science Forum, Ranchi
106. Sanjeeta Gawri, Public Health Professional, Delhi
107. Satnam Singh, Jan Swasthya Abhiyan Haryana
108. Saraswati Sahu & Neera Dehariya, Mahila Multi Morcha Chhattisgarh
109. Sejal Dand, Director ANANDI
110. Dr. Shakeel, CHARM Bihar
111. Shalini Gera Advocate Jagdalpur Legal Aid Group Bilaspur
112. Shampa Sengupta, Disability Activist, Kolkata, West Bengal
113. Sheetal Sharma, North East Network, Assam
114. Sheela Prasad, Professor, University of Hyderabad
115. Sheshmani Shukla, Kisan Adivasi Maha Panchayat, Rewa
116. Shewli TISS
117. Prof. Shoma Sen RTM Nagpur University Nagpur
118. Shradha Singh, Nari Chetna Manch, Rewa
119. Shweta Sharma, Shubha Jan Kalyan Samiti, Datiya
120. Suneeta Dhar, New Delhi
121. Smriti, Sathiya Welfare Society Bhopal, MP
122. Sr Chaturvedi, Bal Pragati Sanstha, MP
123. Sudha Bharadwaj, General Secretary, Chhattisgarh PUCL

124. Dr. Suresh S., Convenor, Prajarogya Vedika, AP
125. Sulakshana Nandi, Jan Swasthya Abhiyan Chhattisgarh
126. Sunita Bandewar. Working Editor, Indian Jr of Medical Ethics, and Secretary,
Forum for Medical Ethics Society. Pune, MH, India.
127. Dr. Sunil Kaul, the Ant Chirang Assam
128. S. P. Gautam, Jan Sahayak Samaj Sevi Sansthan, MP
129. Tarun Mishra, Sadbhavna Seva Sansthan, MP
130. Tultul Biswas Madhya Pradesh Mahila Manch
131. Uma Chakravarti, Retd. Professor DU feminist historian Delhi
132. Uma Sen, Mamata Mahila Mandal, Sidhi, MP
133. Dr. Vandana Prasad, Working Group for Children Under 6
134. Veena Johari, Advocate Courtyard Attorneys Mumbai
135. Veena Poonacha, Retd. Prof. Research Centre for Women's Studies, SNDT
Women's University Mumbai
136. Veena Shatrugna, former Dy. Director National Institute of Nutrition
Hyderabad
137. Vinay Kulkarni, Prayas (Health Group), Pune.
138. Vinaya Deshpande, Resident Editor, The Sunday Guardian, Mumbai