

# Business Standard

## Has compensation been paid to Bilaspur sterilisation camp victims, asks SC

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The Supreme Court Friday inquired if families of 14 women who lost their lives Nov 11, 2014, following botched-up sterilisation operations at a Chhattisgarh government-sponsored family planning camp in Bilaspur hospital were paid compensation as directed by its 2005 order. The social justice bench comprising Justice Madan B. Lokur and Justice Uday Umesh Lalit sought information noting that the apex court by its March 1, 2005 verdict had issued nine directions of which the last provided for compensation to the victim of faulty sterilisation.

"The ladies who died in Chhattisgarh in November 2014 should be paid this amount," the court told Solicitor General Ranjit Kumar as it gave him four weeks time to furnish details on the steps taken by the state government to comply with court's 2005 directions. "We also direct the state of Chhattisgarh to file an affidavit indicating the steps that have been taken to ameliorate the conditions of the persons who faced recent tragedy in sterilization camps in Bilaspur where a large number of persons are said to have died," the order said.

The court further sought details on the "action that has been taken against the doctors involved and what steps have been taken to educate the people in the state of Chhattisgarh with regard to sterilization". The court also said that the state "will also ensure that the payments are made under the indemnity scheme framed by the central government at the earliest." Apparently having some misgivings whether its 2005 directions were complied with both in letter and spirit, the court noted that only thing the Chhattisgarh government have done is suspended the officials.

At this, senior counsel Colin Gonsalves told the court that "slowly they will come back", and cited the "equally very bad" situation in Bihar. Gonsalves who appeared for the PIL petitioner Devika Biswas told the court that Chhattisgarh government was now blaming the drug companies and the drugs for the deaths in Bilaspur.

The apex court March 1, 2005 had issued nine directions to bring uniformity in the steps to be taken to regulate sterilisation procedures. One of them said that the central government would lay down the norms for the payment of compensation and the same would be followed uniformly by all the states. Seeking over-all details on the implementation of its 2005 directions, the court told Ranjit Kumar: "Keep this Chhattisgarh incident in mind. Chhattisgarh incident is fresh."

The court said that Ranjit Kumar would ensure that a "consolidated chart is prepared indicating the status of implementation of each of the directions given by this court" in 2005 as well as the directions sought for by Biswas, who sought declaration that sterilization camp surgeries conducted in unhygienic and unethical conditions violated fundamental rights guaranteed under articles 14, 15 and 21 of the constitution.

She had also sought the Implementation of "Standard Operating Procedures for Female and Male Sterilization (2006)", "Quality Assurance Manual for Sterilization Services (2006)", and the "Standard Operating Procedures for Sterilization Services in Camps (2008)" issued by the central government. The court directed the listing of the matter on March 20 with respect to disbursement of funds under the Indemnity Scheme and on April 17 with regard to status of implementation of the directions.