

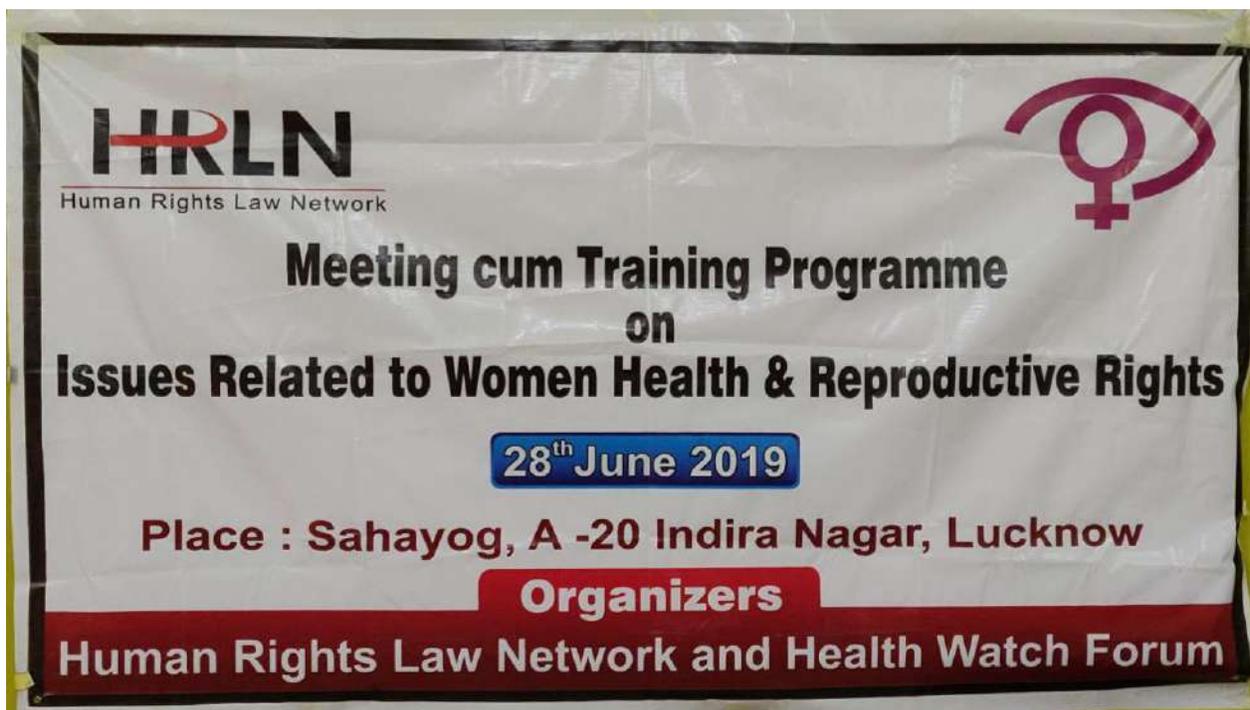
District Level Meeting on issues related to Woman Health & Reproductive Rights

Place- Sahayog Office, A – 240, Indira Nagar, Lucknow.

Date: 28th June 2019

Organized By: HRLN Allahabad

Introduction: The present meeting was first of the seven district level meetings proposed to be conducted under the Bread for the World Project. We express our sincere gratitude towards Ms. Paula, Ms. Sunita and other team members of Health Watch Forum, Lucknow who not only contributed towards the successful completion of the meeting but also provided the meeting venue for free.



First Session – The meeting started with the screening of “Citizen Without Rights”, a documentary based on women health and reproductive rights. While introducing the issue Sunita from Health

Watch Forum (HWF) highlighted that there are numerous cases of violation of rights related to women health and reproductive issues.

Introduction followed after the documentary. A total of 22 participants from different areas of Lucknow District attended the meeting.



Second Session – Post introduction, the second session of the meeting started with a power point presentation by Advocate Danish and Advocate Ali Zaidi from HRLN. The session was titled as know your reproductive rights and the agenda was to impart basic knowledge with respect to reproductive rights. Adv. Danish highlighted the rights enshrined under Article 14, 15 and 21 of the Indian Constitution. Apart from this the meaning, kinds and dimension of reproductive rights were also explained. **Right to equality in Reproductive Decisions, Sexual and Reproductive Safety Rights, Right to Reproductive and Sexual Health Services, Right to access Information and Education** were also discussed.

Besides he also discussed about “Right for safe abortion” wherein he told that Section 3 of this act provides the conditions under which abortion can be carried out:

1. When a woman has some kind of medical complications either mental or physical and can be fatal for her.
2. The child is not mentally sound.
3. Pregnancy due to rape.
4. When Contraceptive acts fail- If it is 12 weeks then 1 medical officer and if 20 weeks 2 medical officers must be present. But, if it has been more than 20 weeks then the permission will be required from the court.

Other than this Ali from the Human Rights Law Network talked about numerous cases related to the violation of Health and Reproduction Rights of a woman. He discussed CHARM Vs. State of Bihar and Others (2011) in which Taking Care of Mother Health was denied in Bihar, Ramakant Rai vs. Union of India and Others in which widespread violation related to vasectomy was discussed about.



Third Session – In this session, on field experiences of the participants and problems related to the same were discussed.

1. Even today the Musahar community is deprived of Health and other facilities. We need to work towards their upliftment.
2. Sudhanshu from Vatsalya reported that women are still deprived of the ANC facilities. Even ANMs do not visit the villages.
3. It was also told that things are not in practice even when everything is available in the system.
4. A partner, who also works with the E-Rickshaw Drivers, told that in Narahi a separate hospital has been established for them in which they get medical assistance at receipt of 1 rupee in a month. He told that the people are not aware about the service and hence nobody comes to avail it.



5. One of the participant discussed about Pratapgarh, where Doctors only consult patients when they pay money for the purpose otherwise the doctors refuse to consult the patient at all.
6. Ajay from Amaltas reported that India has the lowest Health Budget in the world. He added that ANM also faces problems and now the budget is also deteriorating every year.

7. A participant from Barabanki told that there is lack of awareness that people still think that abortion is illegal. He also told that even Asha and ANMs do not have the knowledge.
8. Approach towards malnutrition is only focused at the child and no attention is given towards the mother.
9. A partner discussed that even today the nutrition is fed to buffaloes in Gorakhpur.



Connecting all these Adv. Zaidi made a point that before approaching the court, one must always try to do something at the local level and exhaust other available remedies. For an instance filing a RTI is also important because then we could say that since we didn't get the answer, we approached the honorable court.

Fourth Session – In this session the Snehlata (Salenta) Case was discussed by Ali. A Public Interest Litigation with special reference to Snehlata Singh filed in the Allahabad High Court throws light on the pitiful condition of healthcare services in the state.

Writ petition no. 14588 under article 226 was filed in 2009. The PIL was filed by giving special reference to the experience of the petitioner Snehlata Singh, revealing the pitiful conditions of health services in the State of Uttar Pradesh, where the primary health center was in dreadful condition. Snehlata was suffering from Uterus Fistula and she was sent back without being provided with the proper treatment. Numerous tests were conducted on Snehlata on 26th and 27th October, 2007 in KGMU, Lucknow but the operation could not be conducted because of shortage of beds in hospital. She was informed by “Health Watch Forum” UP and “Humsafar” that the doctors at KGMU have decided to do the operation in January, 2008. Then again she went to KGMU where a series of tests were conducted according to the advice of the doctors but the operation once again could not be conducted because of the shortage of hospital beds.

The following instructions were given by the court:

1. All the vacant posts must be filled or be reduced by 50%.
2. It included Hospital standards and treatment, Paramedical Staff vacancies, alertness and inspection of non-availability of medicines and services.
3. The court even mentioned that, “however heavy amount of money is spent by the state on the name of welfare medical services but those services are not available to the people in need rather the money is going in the pockets of the people responsible to provide the services.”
4. The court has directed the CAG to establish a special audit team, which could audit the Medical Colleges and Hospitals within a year and also enquire the expenditure of funds, drawbacks and patterns of illegality so that proceedings could be started against the same.

5. The court said that no 'special VIP treatment' will be provided to the high level officials including politicians. The officials and the Dignitaries will have to approach the government hospitals for medical services like a common man and no reimbursement will be provided if they approach private hospitals for treatment.
6. It has also been directed that a Special Team must be introduced at every level to check that no government doctors could run their private clinics.

It was further discussed that direction in one case can be used as a guideline in another case unless the government has issued any other guideline.

After discussing this case Ali told about fact finding and procedure of formation of report - he added that before going to the court regarding any matter you should find the facts by filing a RTI. Till you get the answer from the RTI you should add Government Officials to the case and provide them the information needed. Another RTI can be filed in case of complaint. Simultaneously collect maximum data associated with the case which should also include photographs of the family. Only after following this process we could take the documents to the court.

Fifth Session– This session was conducted by Sunita of the Health Watch Forum in which she discussed about the Health Watch Forum Uttar Pradesh through a PPT. She also informed about the present situation of the healthcare arrangements and shared the stats with everyone which mostly consisted of governmental stats. Along with this she also discussed the conditions of the various schemes (JSY, JSSK & PMMVY) run by the government for the betterment of the maternal health.



Last Session: Action Plan

1. Whatever we have learnt here shall be shared among other women and partners of the community.
2. Whenever we witness a violation of someone's right, it has to be reported and recorded. Victims are required to be contacted and further connected to HRLN or someone who can provide timely assistance.
3. Case documentation is quintessential.
4. Form a group which can help in spreading awareness and sharing information and resources and keeping an eye on the violation of reproductive rights within your community.
5. Use of the Right to Information Act as much as possible to gather the relevant information.

Report Prepared by:

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