

National Human Rights Commission

Diary No	68655/CR/2020	Case / File No	777/13/20/2020
Victim Name	VARAVARA RAO	Registration Date	13/07/2020

Action List (Click on Action given in blue color to view details)

Action No.	Action	Authority	Action Date	Due Date	Completion Date
2	Additional Information Called for	THE CHIEF SECRETARY GOVERNMENT OF MAHARASHTRA, MUMBAI	17/07/2020	03/08/2020	
1	Notice Issued	THE CHIEF SECRETARY	13/07/2020	06/08/2020	

[Expand All Action List](#)[Action](#)**Action : Additional Information Called for(Action No 2)**

Action Date	17/07/2020	Due Date	03/08/2020	Completion Date	
Authority	THE CHIEF SECRETARY, GOVERNMENT OF MAHARASHTRA, MUMBAI				
Proceeding	<p>In this case, the Commission had received a complaint from Ms. Maja Daruwala, Special Monitor of the Commission regarding the difficulties being faced by Shri Vara Vara Rao who is lodged in Taloja jail in Mumbai, Maharashtra. It was mentioned that 80 years old Rao is suffering from many ailments due to which his health condition is deteriorating. He is unable to walk and the jail authorities are allegedly not providing him the requisite health care facilities.</p> <p>Taking cognizance of the matter, the Commission vide its proceedings dated 13.07.2020 observed that the right to life and medical care is one of the basic human rights and the State is duty bound to provide a prisoner who is in its custody, appropriate medical care so that there should be no danger to his life. The Commission directed to issue notices to the Chief Secretary and the Director General (Prisons), Maharashtra calling for a report in the matter, within two weeks and also directed to constitute a Medical Board to examine the health condition of Shri Rao and to see whether the treatment being provided to him is appropriate. The Commission had also mentioned that the Board is expected to decide as to in which hospital whether government or private, Shri Rao will get the best medical treatment. The report is yet to be received.</p> <p>In the meantime, the Commission has received several communications including Ms. Maja Daruwala that the health condition of Shri Rao is deteriorating and the authorities are ignoring</p>				

his condition. It is also mentioned in one of the communications received by the Commission that when the family members of Shri Rao visited him in JJ Hospital they were shocked to see that he was lying in the transit ward in a pool of urine on the bed and was still incoherent. He could not recognize his wife and daughters immediately and the nurses in the hospital told the family members that there were no equipments or treatment available to be given to the patient in the transit ward. In another media report it is confirmed that Shri Rao has also been tested positive for Covid-19 and now he has been transferred to St. George Hospital which is a State run Covid-19 facility. Many Human Rights Defenders have also approached the Commission raising their concern about the condition of Shri Rao.

The Commission has already taken cognizance of the matter and the report called for from the State authorities is yet to be received but the further developments in the matter are serious in nature, forcing the Commission to consider all the facts minutely. It is established that the persons above the age of 60 years with co-morbidities are more vulnerable if they are Covid positive. The health condition of Shri Rao, as mentioned in the various communications, was already worrisome and now when he has been tested positive for the Covid-19, danger to his life has grown bigger which is a matter of concern for the Commission. It is a question of saving a precious human life leaving apart the legal aspect of the matter. It is, therefore, necessary that the State Government should provide Shri Rao the best possible treatment in a reputed super speciality private hospital without any further delay.

The Chief Secretary, Government of Maharashtra is expected to look into the matter personally to ensure that Shri Rao is shifted to the best possible Covid hospital today itself. Shri Vara Vara Rao is an Under Trial Prisoner presently in the custody of the State. Hence, the government must ensure that all the expenditure of the medical treatment of Shri Rao to be borne by the State being his lawful custodian. The Chief Secretary, Government of Maharashtra is expected to submit the compliance report, immediately. He is also directed to submit the requisite report called for by the Commission vide its earlier proceedings dated 13.07.2020 within the stipulated time.

Copies of the communications and the media reports to be enclosed with the letter to the Chief Secretary, Government of Maharashtra.

Complaint

Diary No	68655/CR/2020	Section	M-1
Language	ENGLISH	Mode	E-MAIL
Received Date	13/07/2020	Complaint Date	12/07/2020

Victim

Victim Name	VARAVARA RAO	Gender	Male
Religion	Unknown	Cast	Unknown

Address	TALOJA JAIL		
District	NEW MUMBAI	State	MAHARASHTRA

Complainant

Name	MAZA DARUWALA		
Address	P-8, HAUZ KHAS ENCLAVE, NEW DELHI		
District	SOTH WEST DELHI	State	DELHI (110016)

Incident

Incident Place	TALOJA JAIL	Incident Date	11/07/2020
Incident Category	DENIAL OF MEDICAL FACILITIES		
Incident District	NEW MUMBAI	Incident State	MAHARASHTRA
Incident Details			

Cause List

NA
