

DISHA helps minor get justice and medical aid

At the regular help-desk, a Police Patil came with request to help 'Sarla' (name changed) – a 'daughter-in-law' living in her village Ittamgaon, Benoda block of Amravati district. But she seems to be a minor and now she is pregnant and her husband abuses her severely and keeps her away from the village so she can't get help from anyone. Since she is their neighbor, she found out about it and she wants to help Sarla.

Upon hearing this, DISHA team confirmed that Sarla was a minor. DISHA team then directed the police to file a 'mandatory report' under Section 19 of the POCSO Act in which anyone with knowledge of child sexual abuse could lodge a complaint at the nearest police station. The team assured Police Patil of moral and social support and encouraged her to lodge a complaint. But instead Police Patil brought Sarla to the police station and encouraged her to lodge a complaint. When she arrived at the police station, Sarla explained her condition. She had no mother and her father was an alcoholic. Her cousin (Paternal Aunt's Son) forcibly kept her at home without marrying her. He would beat her and often starve her. He locked her in the house so that she would not tell anyone about her condition.

Ignoring the seriousness of the case, the police in-charge said that the case was only a matter of marital dispute and is non-cognizance (NC). The social worker was convinced that Sarla urgently needed medical care and protection and it was not possible in her family, so she asked her father to produce Sarla before the Child Welfare Committee (CWC) in Amravati to be in protective custody.

On his request, DISHA team provided supportive accompany during the procedure and eventually Sarla was admitted to the children's home by CWC and special care was taken for her delivery. After childbirth, Sarla decided to surrender her child to CWC as she was not fit to responsibility of a child.

After admission of Sarla in the children's home, her father contacted DISHA and said that the police had not yet lodged a complaint and that the perpetrator was harassing him. For this, DISHA team approached the Superintendent of Police Amravati and CWC for the inaction of the police in this case. Both the authorities took necessary action and after receiving orders from both the authorities, the police station in-charge lodged a complaint under the POCSO Act.

The social worker felt that a case had been filed against the accused in the case, the victim was under the protection of the CWC in a safe place and now the work in the case was over. But destiny had set something different for Sarla.

During the regular telephone follow-up, social worker learned that her condition was critical and she was admitted to PDMC Hospital for some treatment.

So DISHA team visited Sarla and the doctor to find out about her condition. Doctor said her kidneys have been severely damaged and therefore she needs dialysis and her chances of saving are only 3 to 4%. Her financial situation made it unaffordable to seek treatment in a good hospital. On the one hand, the DISHA team began urging to dean to help her, and on the other, pushed the police to send her documents to avail Manodhairya scheme as earliest. If she gets the benefit of Manodhairya Yojana in time, she can be treated in a good hospital.

A few days later, the hospital staff informed that both her kidneys had failed and now she needed permanent dialysis and for that she had to be shifted to a super specialty hospital for further treatment. Following this guidance, the DISHA team helped her family move her to a super-specialty hospital and consulted a specialist doctor there. After the prescribed tests, the expert doctor gave a second opinion that her kidneys had not failed. She may be given medication and does not require dialysis.

During this treatment she had to stay in the hospital for couple of months and DISHA team helped her for medicine, meals, transportation, hospital bills etc. Meanwhile, she received Rs 30,000 under the Manodhairya scheme and was discharged from the hospital after 4 to 5 months. Now she is living with her father.

Disha is creating a legal, social and policy framework to ensure our criminal justice system is not only retributive, but also restorative. Visit our website dishaforvictim.org to know more and we look forward to your support and collaboration.