

KARNATAKA LOKAYUKTA

No.Compt/Uplok/BGM/9313/2017/PP

Multi Storied Buildings,  
Dr. B.R. Ambedkar Veedhi,  
Bengaluru 560 001.

Dated: **03/01/2020**

**REPORT UNDER SECTION 12(3) OF THE KARNATAKA  
LOKAYUKTA ACT, 1984**

Sub:- Proceedings against Sri Dr. Sanjay R. Dummagol,  
Taluk Health Officer, Khanapur Taluk, Belagavi  
District – Reg.

On the basis of complaint filed by Sri Vinod Naik, House No.1623/1, Vidyanagar, Khanapur, Khanapur Taluk, Belagavi District (hereinafter referred to as Complainant) (1) Smt. Savitha Panduranga Katagalkar, Primary School Teacher, Government Higher Primary School, Bacholli Post, Ramagurawadi, Khanapur Taluk; (2) Sri Ashok Devappa Nagalal, Mechanic, KSRTC Depot,, Khanapur, Belagavi District, (3) Dr. Sanjay R. Dummagol, Taluk Health Officer, Health and Family Welfare Services Department, Khanapur Taluk, Khanapur (hereinafter referred to as Respondents 1 to 3 respectively), an investigation under Section 9 of the Karnataka Lokayukta Act, 1984 was taken up.

2. The Complainant, in his complaint has alleged that

- (i) Respondent No.1 Smt. Savitha Pandurang Katagalkar,
- (ii) Respondent No.2 Sri Ashok Devappa Nagalal,
- (iii) Smt. Geetha Pandurang Katagalkar (sister of Respondent- 1)
- (iv) Smt. Annapurna Sudhir Katagalkar (Respondent-1's brother's wife)
- (v) Smt. Suvarna Siddappa Lokulakar (Respondent-1's sister's daughter);
- (vi) Dr. Prakash Maruthi Betagavada (husband of Respondent-1's sister),

have colluded and gave Suvarna Prashana Bindu vaccine to the children of ages 0 to 16 of 15 to 20 villages of Khanapur Taluk, stating that there was a Government Order to that effect and by vaccinating the children the children's brain will develop. In this way, the above persons have collected money in lakhs of rupees from the public. It is further alleged that Dr. Prakash Maruthi Betagavada, is practicing medicine since 15 years without valid permission and he is also doing LIC agency and Post office Agency.

3. Further, it is alleged that the social workers and villagers had filed a complaint before the Taluk Health Officer, Khanapur Taluk, but no action was taken by Respondent No.3 – Taluk Health Officer.

4. The Complainant has furnished a photograph, which was alleged to have been taken for having given complaint to Respondent – 3 Dr. Sanjay R. Dummagol, Taluk Health Officer, Khanapur Taluk.

5. The Respondents 1 and 2 have jointly submitted reply to the complaint, denying the complaint allegations. They have stated that in the complaint alleged to have filed by social workers of Khanapur Taluk before the Taluk Health officer, Tahsildar, District Health officer, Deputy Commissioner and District Ayush Centre, Grama Panchayath, etc. there was no mention of the name of Respondents 1 and 2 and no allegations were made against Respondents 1 and 2. The Respondents 1 and 2 have contended that Respondent-1's sister's daughter Smt. Suvarna was given in marriage to one Sri Mahesh Jakkappa Toragal and there was some family dispute in their married life. The respondents have indulged

in the case and gave moral support to Smt. Suvarna. Therefore, Sri Mahesh Jakkappa Toragal, by colluding with his friend Sri Vinod V. Naik had filed this false complaint only with an intention to bring pressure on Respondents 1 and 2. Further, respondents 1 and 2 have stated that they are regularly attending to their work and they had no time to visit to the villages for vaccination as alleged by the complainant.

6. The Respondents 1 and 2 have further stated that the video and photo CDs alleged to have been recorded when the police seizing the vaccination and the CD of audio of Taluk Health officer are in no way concerned to them. In the applications said to have been submitted by the social workers/villagers the names of respondent Nos. 1 and 2 were not mentioned. There was no allegation against the respondents 1 and 2 in the complaints. The Respondents 1 and 2 have stated that the signatures in the applications were obtained by misrepresentations. The respondents 1 and 2 have stated that the photographs produced by complainant were taken at the time of some morcha and Respondents 1 and 2 are not at all present in the photographs. Further the respondents have produced the letters said to have been issued by Smt. Radhika Krishna Chopade, an Anganawadi Teacher; Smt. Shalini D. Kamble, Chairman, SDMC, Government Marati Lower Primary School, Bacholi, Khanapur Taluk; Members of Grama Panchayath, Halakarni; letter of villagers of Rumewadi addressed to PSI, Khanapur Police Station; letter of Member of Grama Panchayath, Ramagurawadi and letter dated 2/2/2018 of Suvarna Mahesh Toragal addressed to IGP, North Range, Belagavi and Superintendent of Police, Belagavi District to contend that the

respondents 1 and 2 were not involved in the above acts of issuance of Suvarna Bindu vaccine to the children of age between 0 to 16 years.

7. The Respondent No.3 Dr. Sanjay R. Dummagol has submitted reply to the complaint denying the complaint allegations. He has stated that for conducting programme of Suvarna Bindu Vaccine, one should have obtained permission from the District Ayush officers. He has not come across issuance of Suvarna Bindu Vaccine since last one and half year. Further by letter dated 28/2/2018, the Respondent No.3 has enclosed copies of the notices and reminders issued to Dr. Prakash Betagavada in order to take action under the Karnataka Private Medical Act 2010.

8. The Complainant has filed rejoinder denying the contentions of Respondents 1 and 2 and reiterated his complaint stating that the respondents 1 and 2 were involved in issuance of Suvarna Bindu vaccine. The complainant has stated that on 3/7/2017 and 17/7/2017, the respondent No.1 had not attended the school, since on that day, she was in the office of the Circle Police Inspector. On 17/7/2017, a complaint was registered in No. 340/2017 in Khanapur Police Station. The complainant has stated in the rejoinder that copy of the FIR is furnished along with his rejoinder. But copy of FIR was not enclosed. In the list of documents produced along with rejoinder, there is no mention of copy of FIR. Along with rejoinder, the Complainant has enclosed 19 documents as stated in the list of documents, which includes ID card of Dr. Prakash Betagavada, Brochures relating to Suvarna Bindu Prashana vaccine, etc.

9. In the copy ID card the name of Prakash Betagavada is shown as Surveyor of Shushil Memorial Shikshan Samaj Seva Samsthe. In the brochures, the name of Medical Advisor is shown as Dr. M.G. Jadar and Dr. Amruta, Atharva Ayurveda Health Care Foundation, Opp: Jithuri Hospital, Hosur Circle, Hubli 580 023.

10. The investigation into the above matter was referred to the Superintendent of Police, Karnataka Lokayukta, Belagavi under Section 15(3) of the Karnataka Lokayukta Act. The Superintendent of Police, Karnataka Lokayukta, Belagavi has submitted report on 1/12/2018. The investigation reveals that Sri Prakash Maruthi Betagavada and his wife Smt. Geetha R/o. Rumewadi Cross, Khanapur along with other office bearers of Sushil Memorial Education Social Service Organisation has given Suvarna Bindu Vaccine to the children between ages 0 to 16 and thereafter, the Taluk Health Officer has stopped the issuance of vaccine. In the investigation report it is stated that there was family dispute between Respondent-1's sister's daughter Smt. Suvarna and her husband Mahesh Toragal and since respondents 1 and 2 were on behalf of Smt. Suvarna, the husband of Smt. Suvarna had instigated the complaint through his friend Sri Vinod V Naik (Complainant). The investigation officer has enclosed copy of the letter dated 16/11/2017 of Taluk Health officer addressed to the District Health & Family Welfare officer regarding investigation of complaint against Dr. Prakash Betagavada and his wife Smt. Geetha Pandurang Katagalkar.

11. The Complainant thereafter submitted a letter dated 13/1/2019, stating that Dr. Prakash Betagavada has threatened him for having filed the complainant before this institution and asked the complainant to withdraw the complaint filed in this institution. He has enclosed copy of the application given to the Police Inspector, Khanapur under RTI Act requesting for copies of certain documents. Again, by letter dated 7/2/2019, the complainant has stated that he had made applications under RTI Act to Block Education Officer, KSRTC Depot, Panchayath Development Officer, Grama Panchayath, Halakarni; Manager, United Welfare Society, Belagavi; Karuna Trust, Bengaluru; Lions Club, Khanapur; Ekal Abhiyan, Khanapur and Circle Police Inspector, Khanapur. He has stated that the above officers have not furnished the information. The complainant has also furnished the copy of the letter addressed to the Karnataka Information Commission, requesting for taking action for non-furnishing of information.

12. The Complainant by letter dated 15/11/2019 has further stated that Dr. Prakash Betagavada; Smt. Geetha Pandurang Katagalkar and Sri Krishna Kedri have threatened the complainant to withdraw the complaint filed in this institution and in that regard, he has filed a complaint in Cr.No.194/2019 before Khanapur Police Station. He has enclosed copy of FIR.

13. The Complainant along with the complaint and rejoinder has furnished the C.Ds. The CDs were played. One CD shows the video clips where Suvarna Bindu Vaccine was being issued to children at Nittur village. In another CD, the CDPO, Taluk Health

Officers and Addl. Deputy Commissioner's talks are recorded, wherein they have stated that the complaint will be investigated and action would be taken. Another CD contains the documents such as ID card of Dr. Prakash Betagavada and brochures and copy of the complaint, etc.



14. From the documents, photographs and CDs produced by complainant it is clear that Dr. Prakash Maruthi Betagavada R/o. Rumewadi, Khanapur Taluk was issuing the Suvarna Bindu Vaccine to the children of age between 0 - 16 in the villages of Khanapur. The complaints were filed by Social Workers and villagers to several authorities. The Respondent No.3 Taluk Health Officer, Khanapur Taluk who has to take action against the doctors who is practicing without valid licence, has not taken action against Dr. Prakash Maruthi Betagavada. His report/comments in relation to the complaint allegation is silent about the action taken by him, except enclosing notices and reminders issued to Dr. Prakash Maruthi Betagavada. Therefore, Respondent No.3 Dr. Sanjay Dummagol, Taluk Health Officer, Khanapur Taluk has failed to discharge his duties and committed misconduct. Therefore, departmental inquiry against him is required to be initiated.

15. In relation to Respondents 1 and 2, the complainant has alleged that they are involved in issuance of Suvarna Bindu Vaccine to the children of various villages in Khanapur Taluk. It is alleged that respondent No.1 being Assistant Teacher has falsely stated in the villages that there is a Government Order for issuance of Suvarna Bindu Vaccination to the children. But there is no

material on record to show that the respondents 1 and 2 have involved in the issuance of Suvarna Bindu Vaccine at Khanapur Taluk.

16. Therefore, acting under Section 12(3) of Karnataka Lokayukta Act, 1984, recommendation is made to the Government for initiating departmental inquiry against Respondent No.3 Dr. Sanjay R. Dummagol, Taluk Health Officer, Khanapur Taluk and entrust the departmental inquiry to this institution under Rule 14A of the Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957.

Connected records are enclosed herewith.

  
(JUSTICE N. ANANDA)   
Upalokayukta-1  
State of Karnataka, Bengaluru