

Karnataka Lokayukta
(Under Section 7 of the Karnataka Lokayukta Act, 1984)

CASE NUMBER : **COMPT/UPLOK/BD /1781/2022**
District : **Chitradurga UPLOK-2**

BY :

1. SUO MOTO

As per the Order of Honble Upalokayukta-2, Dated.
12/05/2022.

Mobile/Landline:

COMPLAINANT/S

AGAINST :

1. EXECUTIVE OFFICER

Taluk Panchayath, Challakere, Chitradurga District.

2. PRESIDENT

Gowdagere Gram Panchayath, Gowdagere, Challakere
Taluk, Chitradurga District.

3. PANCHAYATH DEVELOPMENT OFFICER

Gowdagere Gram Panchayath, Gowdagere, Challakere
Taluk, Chitradurga District.

RESPONDENT/S

Allegation/Grievance Dereliction of duty.

Brief :

Received From : Suo Moto

Received On : 13-05-2022

Shyfe 13/5/2022
Seal and Signature

Complaint stands
allotted to : **DRE-5**

SCRUTINY AND OPINION

*RA 07
12/5/2022*

KARNATAKA LOKAYUKTA, BENGALURU

No:

Date: 12-05-2022

ORDER

In 'Vijaya Karnataka daily' dated 12.05.2022, a news item with the heading "ಫೋರೈಡ್‌ಯುಕ್ತ ನೀರೇ ಜೋರಿಹಟ್ಟಿಗೆ ಗತಿ" has been published. Instead of repeating the news item, it is useful to extract the same, which reads as hereunder:

"ಜೋರಿಹಟ್ಟಿ ಗ್ರಾಮದಲ್ಲಿ ಶುದ್ಧ ಕುಡುವ ನೀರಿನ ಎರಡು ಘಟಕಗಳು ಕೆಟ್ಟು ಎರಡು ವರ್ಷಗಳಾದರೂ ಲಿಪೇರಿ ಭಾಗ್ಯ ಕಂಡಿಲ್ಲದ ಕಾರಣ ಜನರಿಗೆ ಸ್ವಚ್ಛ ನೀರು ಕುಡಿಯೋದಕ್ಕೆ ಆಗುತ್ತಿಲ್ಲ.

ಗೌಡಗೆರೆ ಗ್ರಾಮ ಪಂಚಾಯತಿ ವ್ಯಾಪ್ತಿಯಲ್ಲಿರುವ ಜೋರಿಹಟ್ಟಿ ಗ್ರಾಮದಲ್ಲಿ ಎರಡು ಶುದ್ಧ ನೀರಿನ ಘಟಕಗಳಿವೆ. ಒಂದು ಘಟಕ ಮೂರು ವರ್ಷಗಳ ಹಿಂದೆ ಉದ್ಘಾಟನೆಗೊಂಡಿದೆ. ಮತ್ತೊಂದು ಎರಡು ವರ್ಷಗಳ ಹಿಂದೆ ಅಸ್ತಿತ್ವಕ್ಕೆ ಬಂದಿದೆ. ಮೊದಲನೇ ಘಟಕ ಒಂದೆರಡು ದಿನಗಳು ಕಾರ್ಯ ನಿರ್ವಹಿಸಿದ ನಂತರ ಸಂಪೂರ್ಣವಾಗಿ ಸ್ಥಗಿತಗೊಂಡಿದೆ. ಮೂರು ವರ್ಷಗಳ ಹಿಂದೆ ನಿರ್ಮಿಸಿದ ಘಟಕದ ಯಂತ್ರಗಳು ತುಕ್ಕು ಹಿಡಿದು, ಸುತ್ತಲಿನ ಗಾಜುಗಳು ಒಡೆದಿವೆ. ಎರಡು ವರ್ಷಗಳ ಹಿಂದೆ ನಿರ್ಮಿಸಿದ ಮತ್ತೊಂದು ಘಟಕ ಅದೇ ದಾರಿಯಲ್ಲಿ ಸಾಗಿದೆ. 1,500/-ಕ್ಕೂ ಹೆಚ್ಚು ಜನಸಂಖ್ಯೆ ಇರುವ ಗ್ರಾಮದಲ್ಲಿ ಎಸ್ಸಿ, ಗೊಲ್ಲ ಹಾಗೂ ಎಸ್ಸಿ ಜನಾಂಗದ ಜನರು ಹೆಚ್ಚಾಗಿದ್ದಾರೆ. ಬಡತನದ ಸ್ಥಿತಿಯಲ್ಲಿರುವ ಜನರು 5 ರೂ ಕಾಯಿನ ಹಾಕಿ ಶುದ್ಧ ಕುಡಿಯುವ ನೀರು

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ಸಡೆಯುತ್ತಿದ್ದರು. ಈ ಘಟಕಗಳು ಹಾಕಾರಿರುವುದರಿಂದ ಜನರಿಗೆ ಸ್ಲೋರೈಡ್‌ಯುಕ್ತ ನೀರೇ ಗತಿಯಾಗಿದೆ.

ಜೋರಿಹಟ್ಟಿ ಗ್ರಾಮದಲ್ಲಿ ಮೂರು ವರ್ಷಗಳಿಂದ ಹಾಕಾರಿರುವ ಶುದ್ಧ ಕುಡಿಯುವ ನೀರಿನ ಘಟಕ.

ಕಾಡುತ್ತಿದೆ ಸ್ಲೋರೈಡ್ ಸಮಸ್ಯೆ

ಗ್ರಾಮದ ಜನರನ್ನು ಸ್ಲೋರೈಡ್ ಸಮಸ್ಯೆ ಕಾಡುತ್ತಿದೆ. ಸಮೀಪದಲ್ಲಿರುವ ಚಿಕ್ಕ ಕೆರೆಗಳಲ್ಲಿ ಹದಿನೈದು ವರ್ಷಗಳಿಂದ ನೀರು ಹರಿದಿಲ್ಲ. ಹೀಗಾಗಿ ಅಂತರ್ಜಲ ಮಟ್ಟ ಕುಸಿದಿದೆ. ಬೋರ್‌ವೆಲ್‌ಗಳಲ್ಲಿನ ಸ್ಲೋರೈಡ್ ತುಂಬಿದ ನೀರನ್ನೇ ಜನರು ಅವಲಂಬಿಸಿದ್ದಾರೆ. ಗ್ರಾಮದ ನೂರಾರು ಜನರು ಮೂಳೆಗಳಿಗೆ ಸಂಬಂಧಿಸಿದ ಖಾಯಿಲೆಗಳಿಂದ ಬಳಲುತ್ತಿದ್ದಾರೆ. ಗ್ರಾಮದಲ್ಲಿರುವ ಬೋರ್‌ವೆಲ್‌ಗಳ ಸ್ಲೋರೈಡ್ ನೀರನ್ನು ಗ್ರಾಮ ಪಂಚಾಯತಿ ಪೂರೈಸುತ್ತಿದೆ.

ಮೂರು ವರ್ಷಗಳಿಂದ ಶುದ್ಧ ಕುಡಿಯುವ ನೀರಿನ ಘಟಕಗಳು ಕಾರ್ಯನಿರ್ವಹಿಸುತ್ತಿಲ್ಲ, ಗ್ರಾಮ ಪಂಚಾಯತಿಗೆ ದೂರು ನೀಡಿದರೂ ಯಾವುದೇ ಪ್ರಯೋಜನವಾಗುತ್ತಿಲ್ಲ, ತಾಲ್ಲೂಕು ಪಂಚಾಯತಿ ಅಥವಾ ಜಿಲ್ಲಾ ಪಂಚಾಯತಿ ಘಟಕಗಳು ತಕ್ಷಣ ದುರಸ್ತಿಗೊಳಿಸಬೇಕು. ಇಲ್ಲವಾದರೆ, ಗ್ರಾಮಸ್ಥರ ಜತೆ ಸೇರಿ ಜಿಲ್ಲಾ ಪಂಚಾಯತಿ ಮುಂದೆ ಪ್ರತಿಭಟನೆ ನಡೆಸಲಾಗುವುದು.

ಜಿ.ಐ. ತಿಪ್ಪೇಸ್ವಾಮಿ, ಜೋರಿಹಟ್ಟಿ

ನಾನು ಇಲ್ಲಿನ ಗ್ರಾಮ ಪಂಚಾಯತಿಗೆ ಬಂದು ಕೆಲವೇ ದಿನಗಳಾಗಿದೆ. ಗ್ರಾಮದಲ್ಲಿನ ಶುದ್ಧ ಕುಡಿಯುವ ನೀರಿನ ಘಟಕಗಳ ನಿರ್ವಹಣೆ ಗುತ್ತಿಗೆ ಪಡೆದ ಸಂಸ್ಥೆ ಕಾರ್ಯ ನಿರ್ವಹಿಸಿಲ್ಲ. ಈ ಬಗ್ಗೆ ತಾಲ್ಲೂಕು ಪಂಚಾಯತಿನ ಸಂಬಂಧಿಸಿದವರ ಗಮನಕ್ಕೆ ತರಲಾಗಿದೆ.

ಇನಾಯತ್ ಪಾಷಾ, ವಿಡಿ ಗೌಡಗರೆ ಗ್ರಾಮ ಪಂಚಾಯತಿ.



2. The news item extracted above indicates that two Drinking Water Purification Units installed at Jogihatti village for the purpose of providing pure and safe drinking water have not been working since two years and no steps have been taken by the concerned authority to get the same repaired. Therefore, the villagers are drinking fluoride water drawn from the bore-wells. On account of drinking fluoride water, the villagers are suffering from bone related diseases. The news item further indicates that the agency which was given contract of maintaining the units, has failed to maintain the same and the jurisdictional Grama Panchayath has reported same to the Taluk Panchayath, however, so far no steps have taken by the authorities to redress the grievance of the villagers.

3. It is settled position of Law that Right to access to drinking water is a fundamental right to



life guaranteed under Article 21 of the Constitution of India. In this context, reference may be had to the Judgement of Hon'ble Supreme Court in the case of **A.P. Pollution Control Board -II Vs Prof. M.V. Naidu (retd.) and ors (2001 (2) SCC 62)** where the Hon'ble Supreme Court has held as follows;

3. Drinking water is of primary importance in any country. In fact, India is a party to the resolution of the UNO passed during the United Nations Water Conference in 1977 as under:

"All people, whatever their stage of development and their social and economic conditions, have the right to have access to drinking water in quantum and of a quality equal to their basic needs."

Thus, the right to access to drinking water is fundamental to life and there is a duty on the State under Article 21 to provide clean drinking water to its citizens.

4. Adverting to the above right declared in the aforesaid Resolution, in Narmada Bachao Andolan v. Union of India [(2000) 10 SCC 664 : (2000) 7 Scale 34] (Scale at p. 124 : SCC p. 767, para 248), Kirpal, J. observed:



“248. Water is the basic need for the survival of human beings and is part of the right to life and human rights as enshrined in Article 21 of the Constitution of India....”

4. Further, as per Sec.58 of the Karnataka Grama Swaraj and Panchayath Raj Act, 1993, it is the function of the Grama Panchayath to maintain and monitor water supply schemes within Grama Panchayaths.

5. Government of Karnataka has implemented ‘Shuddha Neeru’, ‘Jal Jeevan Mission’ etc., with a larger object of providing safe drinking water to all households in rural area. Under this scheme, Drinking Water Purification Units have been installed with a view to provide pure and safe drinking water to the villagers. However, as could be seen from the news item, since two years, the concerned authorities have failed to maintain the Drinking Water Purification Units installed in Jogihatti village, Challakere taluk, Chitradurga



District. It is needless to mention that it is the duty and obligation of the Grama Panchayath as well as Taluk Panchayath in monitoring and maintaining the units installed. Failure on the part of concerned authorities in not maintaining the Drinking Water Purification Units, not only amounts to violation of fundamental right guaranteed under Article 21 of the Constitution of India, but also amounts to mal-administration within the meaning of Sec.2(10) of the Karnataka Lokayukta Act, 1984.

6. The object of the Karnataka Lokayukta Act 1984 (hereinafter referred to as 'K.L. Act') is to redress the grievance of the public as a consequence of mal-administration and also to prevent mal-administration in the State Administration. The negligence on the part of the concerned authorities who are entrusted with the responsibility of maintaining the Drinking Water

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Purification Units, in my considered view falls within the meaning of 'mal-administration' under Sec. 2(10) of the K.L. Act.

7. Therefore, I am of the view that it is desirable to consider the news item published in 'Vijaya Karnataka daily' as source material to exercise the power conferred on me under Sec. 7(2) and 9(3)(a) of the K.L. Act. Accordingly, I exercise my suo-motu power and the office is directed to register this proceedings as suo-motu proceeding.

8. With a view to examine the issues raised in the news item referred to above, I am of the view, that it is necessary to implead the officers mentioned herein below as parties/respondents to this proceeding and issue notice to them and call for comments from them.

1.	The Executive Officer, Taluk Panchayath, Challakere, Chitradurga District.
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2.	The President, Gowdagere Grama Panchayath, Gowdagere, Challakere Taluk Chitradurga District.
3.	The Panchayath Development Officer, Gowdagere Grama Panchayath, Gowdagere, Challakere Taluk, Chitradurga District.

9. The Officers/Officials referred to above are directed to examine the issues raised in the news item extracted above and take such other steps to carryout repair of the Drinking Water Purification Units installed at Jogihatti village and provide pure and safe drinking water to the villagers forthwith. They are given two weeks time to submit their report/comments i.e., on or before 13.06.2022. They shall also furnish the details of the officers who have worked as Executive Officers of Taluk Panchayath, Challakere and Panchayath Development Officers of Gowdagere Grama Panchayath since 2020.

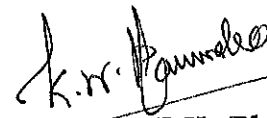


10. Communicate copy of this order to the respondents referred to above along with the copy of news item published in 'Vijaya Karnataka Daily' and also to the Chief Executive Officer, Zilla Panchayath, Chitradurga to hold an enquiry into the issues published in the news item and submit a report to this authority.

11. The respondent no.1 and 3 are directed to appear before this authority on **26.05.2022 at 3:30 P.M.** for hearing.

List this matter on 26.05.2022 at 3:30

P.M.


.. 12/05/2022
(Justice K.N. Phaneendra),
Upalokayukta-2,
Karnataka State.

12) ARLO-4 (Complaints Section);