

Print

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

CASE **COMPT/UPLOK**
NUMBER : **/BGM/1456/2023**
District : **Dharawada**

BY :

1. Suo Moto

As per the Order of Honble Upalokayukta, Dated:
22/02/2023.

COMPLAINANT/S

AGAINST :

1. Medical Superintendent

Karnataka Institute of Medical Sciences, Hubballi,
Dharwad District.

2. District Surgeon

Karnataka Institute of Medical Sciences, Hubballi,
Dharwad District.

3. Resident Medical Officer

Karnataka Institute of Medical Sciences, Hubballi,
Dharwad District.

RESPONDENT/S

Allegation/Grievance
Brief : Dereliction of duty.

Received From : Suo Moto

Received On : 27-02-2023

Complaint stands
allotted to : **DRE-4**

Seal and Signature

ಸಹಾಯಕ ವಿಜಯಧರಣಿ

ಕಾನೂನು ಅಭಿಪ್ರಾಯ

ದೂರು ವಿಭಾಗ

SCRUTINY AND OPINION

ನಿರೀಕ್ಷಕ ಅಧಿಕಾರಿಯಂಥ ಕಛೇರಿ

ಬೆಂಗಳೂರು-೧.

KARNATAKA LOKAYUKTA

No:

Date:22-02-2022

ORDER

On 22.02.2023, a news highlighting 'ಚಿಕ್ಕಿತ್ಯೆಗಾಲಿ ಬಂದ ವೃದ್ಧೆಗೆ ಹಾಸಿಗೆ ನೀಡದೇ, ನೆಲದಲ್ಲೆಯೇ ಕೂಲಿಸಿ ಚಿಕ್ಕಿತ್ಯೆ' has been telecasted in TV5 Kannada News Channel. The news item telecasted indicates that a 67 year old woman by name Smt. Channavva, who had visited KIMS Hospital, Hubballi for treatment has been denied bed and she has been treated on the corridor of the hospital. The news telecasted further indicates that the patient Smt. Channavva has not been provided with stand to give I.V. fluid, as a result of which the attender of the patient was holding Glucose bottle and moving from one place to another in search of the doctor for treatment.

2. The failure/negligence on the part of concerned doctor, who was entrusted with the responsibility of providing timely medical assistance to the patient as telecasted in the news item is of



serious in nature and a stringent action is required to be taken. It is needless to mention that the Government Hospitals are established with a view to provide effective and purposeful health care to the poorer section of society who cannot afford to approach private hospitals. Any dereliction of duty on the part of the Officers/Officials who are entrusted with the responsibility of providing effective and quality health care in the hospital would not only result in denial of right to life and liberty guaranteed under Article 21 of Constitution of India, but also amounts to mal-administration within the meaning of Section 2(10) of the Karnataka Lokayukta Act. In this connection, it is useful to refer to the observations made by the Hon'ble Supreme Court in the Case of **Paschim Banga Khet Mazdoor Samity & Others V/s State of West Bengal and Another** reported in (1996) 4 SCC 37 which reads as hereunder;

*"9. The Constitution envisages the establishment of a welfare State at the federal level as well as the State level. In a welfare State the primary duty of the Government is to secure the welfare of the people. **Providing***

2.

adequate medical facilities for the people is an essential part of the obligations undertaken by the Government in a welfare State. The Government discharges this obligation by running hospitals and health centers which provide medical care to the person seeking to avail of those facilities. Article 21 imposes an obligation on the state to safeguard the right to life of every person. Preservation of human life is thus of paramount importance. The government hospitals run by the State and the medical officers employed therein are duty-bound to extend medical assistance for preserving human life. Failure on the part of a government hospital to provide timely medical treatment to a person in need of such treatment results in violation of his right to life guaranteed under Article 21.....”

3. In the light of what is stated above, the news item referred to above is prima-facie sufficient to exercise my suo-motu power under Sec. 7(2) and 9(3)(a) of the Karnataka Lokayukta Act, 1984.

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Accordingly, I hereby exercise my suo-moto powers and initiate a suo-moto proceeding. The office is directed to register this proceeding as suo-moto proceeding.

4. With a view to examine the issues raised in the news telecasted 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 Medical Superintendent, Karnataka Institute of Medical Sciences, Hubballi.
2.	The District Surgeon, Karnataka Institute of Medical Sciences, Hubballi.
3.	The Resident Medical Officer, Karnataka Institute of Medical Sciences, Hubballi.

5. The Officers/Officials referred to above are directed to examine the issues raised in the news item referred to above and submit their report/comments. The Dean and Director,

Karnataka Institute of Medical Sciences, Hubballi is directed to submit a comprehensive report on the issue referred to above. He shall also state in his report about the name and designation of the doctors who have failed to provide timely medical assistance to the patient referred to above in the news telecasted and the action if any initiated against them. In the meanwhile, the Superintendent of Police, Karnataka Lokayukta, Dharwad is also directed to enquire into the issue raised in the news item and submit report.

6. Communicate copy of this order to the respondents referred to above, the Dean and Director, Karnataka Institute of Medical Sciences, Hubballi and the Superintendent of Police, Karnataka Lokayukta, Dharwad.

List this matter on 20.03.2023.


(Justice K.N. Phaneendra),
Upalokayukta,
State of Karnataka.

22/2/23

7. ARLO-4 (Complaints Section)}