

KARNATAKA LOKAYUKTA, BENGALURU

No: compt/uplow/BCM-2069/2022/ARE-5 Date: 02-06-2022

ORDER

During my visit (on 23.05.2022 between 11:00 A.M. to 12.30 P.M) to the Government General Hospital, Hungund, Bagalkote District, the following officers were present.

1. Smt. Anitha B. Haddannavar, I.P.S., S.P., Karnataka Lokayukta, Vijayapura/Bagalkote.
2. Sri. Shankara M. Ragi, Dy.S.P., Karnataka Lokayukta, Bagalkote.
3. Dr. Manjunatha Ankolakara, Chief Medical Officer, Hungund Bagalkote.
4. Sri. Prakash Thumbagi, Medical Officer, General Hospital, Hungund.
5. Sri. Basalingappa Nayikodi, Tahasildar, Hungund.
6. Sri.C.B. Myageri, Executive Officer, Taluk Panchayath, Hungund.
7. Sri. M.H. Bidari, Police Inspector, Karnataka Lokayukta, Bagalkote.
8. Sri. Mahendrakumara Nayaka of Lokayukta Institution, Bagalkote.
9. Sri. Shankaralinga Nagappa Gogi, Project Manager, Nirmithi Kendra, Hungund.
10. Sri. Hallerao Guruling Sirdesai, Section Officer, Nirmithi Kendra, Hungund-Bagalkote.

2. The visit was with a view to look into the maintenance of the hospital, care given to the patients, attendance of Doctors and Nurses in the



hospital, effective distribution of medicine and other surgical materials and also for hearing the public grievances, if any in the hospital.

3. Though, an earlier intimation was given to the District Health Officer, Bagalkote District, she was not present for the reasons best known to her. She has not informed either to the Registrar, Karnataka Lokayukta or to the Dy.S.P., Bagalkote about the reason for her absence during my visit to the said Hospital.

4. During my visit, the following deficiencies were noticed:-

(i) Since five to ten years the post of Specialist (M.D Medicine) is laying vacant.

(ii) Mesh enclosure have not been installed to the windows to prevent the entry of mosquitoes to the children ward;

(iii) Lack of hygiene in children ward;

(iv) There is no hot water facility in labour ward;

(v) Repair works have not been properly carried out in delivery room;

(vi) No proper records/registers were being maintained with regard to the stock received in Chief Medicines Store and there is no signature of the Superior for having inspected/verified the registers maintained in the store;



- (vii) No proper records/registers were being maintained in the pharmacy with regard to distribution of medicines to the sub-stores daily and there is no proper supervision of the records maintained in the pharmacy;
- (viii) The construction of building for providing 10 bedded ICU facility is stopped;
- (ix) Some of the toilets have been kept locked without using and the doors and windows of some of the toilets have been broken;
- (x) There is no proper lighting facility in the block corridor.

5. In connection with the above proceedings have been drawn by the S.P., Karnataka Lokayukta, Vijayapura/Bagalkote and the photographs with regard to the inspection of the said hospital are placed on record.

6. The deficiencies pointed out above are required to be attended immediately to ensure quality health care system in the hospital. 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

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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;

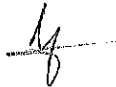
"9. The Constitution envisages the establishment of a welfare State at the federal level as well as the State level. In a welfare State the primary duty of the Government is to secure the welfare of the people. **Providing adequate medical facilities for the people is an essential part of the obligations 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.....”

7. It is to be noted that the District Health Officer and the Chief Medical Officer are entrusted with the responsibility of ensuring proper infrastructure in the hospital. During my visit to the said hospital, prima-facie it was noticed that there is negligence on the part of the concerned in proper maintenance of the hospital and they have also not taken proper steps to fill-up the vacancies of doctors and other supporting staffs. Mere construction of hospital building itself is not of any use without providing necessary infrastructure including the Doctors / Specialist who can treat the patients.

8. In the light of what is stated above, the deficiencies noticed during my visit to the Government Hospital, Hungund are prima-facie



sufficient to exercise my suo-motu power under Sec. 7(2) and 9(3)(a) of the Karnataka Lokayukta Act, 1984. Accordingly, I hereby exercise my suo-motu powers and initiate a suo-motu proceeding. The office is directed to register this proceeding as suo-motu proceeding.

9. In this connection, it is desirable to implead the following officers/officials as respondents for the purpose of investigation and seek their comments/reply.

- (1) **Smt. Jayashree Yemmi, District Health Officer, Bagalkote District.**
- (2) **Dr. Manjunatha Ankolakara, Chief Medical Officer, Government General Hospital, Hungund.**
- (3) **Sri. Rajmahammad Hussainsab Mulla, Senior Pharmacy Officer, Government General Hospital, Hungund.**
- (4) **Sri. Manohar Mallappa Kattimani, Assistant Executive Engineer, Health and Family Welfare Department, Engineering Sub-Division, Vijayapura.**
- (5) **Sri. Shankaralinga Nagappa Gogi, Project Manager, Nirmithi Kendra, Bagalkote.**
- (6) **Sri. Hallerao Guruling Sirdesai, Section Officer, Nirmithi Kendra, Bagalkote.**



10. Further, it is relevant to place on record that there is lack of supervision of facilities, poor quality of attention by respondent no.1 and 2 amounting to dereliction of duties. Therefore, further investigation is required to be taken up for the purpose of fixing up the responsibility on the concerned officers/officials.

11. The respondents No. 1 and 2 are also directed to file their comments on the following:-

(i) Number of vacancies of Doctors/Specialists and other supporting staff in the Government General Hospital, Hungund;

(ii) The remedial measures taken to provide adequate infrastructure to the Government General Hospital, Hungund;

(iii) The steps taken to fill-up the post of Doctors / Specialists / General Duty Medical Officers / Dentist / Technicians / other supporting staff in Government General Hospital, Hungund;

(iv) Steps taken for providing adequate ambulance with necessary equipments.

(v) Steps taken to complete the construction of 10 bedded ICU unit at Government General Hospital, Hungund;

(vi) Steps taken for renovation of toilets in Government General Hospital, Hungund;

12. Further, it is relevant to place on record that there is lack of supervision of facilities, poor quality of attention by respondent no.1 and 2 amounting

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to dereliction of duties. Therefore, further investigation is required to be taken up for the purpose of fixing up the responsibility on the concerned officers/officials.

13. In addition to the comments, the respondents No.2 and 3 are directed to submit a report on the following:-

(i) The procedure regarding receipt of medicines, how the medicines are given to the different departments or OPD and how the medicines reached the patients. In this regard the copies of guidelines/circulars issued by the Government shall also be submitted.

(ii) As the present system of maintaining the issue register and the supervision of issue and receipt of medicines is not satisfactory, appropriate measures and method is required to be introduced.

14. The Director, Health and Family Welfare Services, Bengaluru shall examine the deficiencies highlighted during the course of this order and take remedial steps/measures to relieve the hardship being faced by the patients and submit a report within four weeks from the date of receipt of this order.



15. Communicate the copy of this order along with the copy of the proceedings drawn by S.P., Karnataka Lokayukta, Vijayapura/Bagalkote to the respondents and the Director, Health and Family Welfare Services, Bengaluru to enable them to submit their comments/report.

16. Communicate the copy of this order to the Hon'ble Minister for Health and Family Welfare Services, Government of Karnataka for his information and necessary action.

List this matter on 30.06.2022 at 3.30 p.m. The respondents are directed to appear for hearing on the said date.

B.S. Patil 2/6/22
(Justice B.S. PATIL),
Upalokayukta-1,
Karnataka State.

17. ARLO-4 (Complaints Section)

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2/6/2022