कार्यालय मॉनिटरिंग कमेटी, गैस राहत, शिवाजी नगर, भोपाल
email:- mont_committee@rediffmail.com phone No. 0755-2469975

कमांक ५४३/ मॉ.क./ गैस/ १९ भोपाल, दिनांक 18/03/2019

प्रति:
अध्यक्ष,
मध्य प्रदेश शासन,
भोपाल गैस आसन्न, राहत एवं पुनर्वास,
मंत्रालय, वल्लभ भवन, भोपाल.

विषय:- माननीय उच्च न्यायालय जबलपुर में विचाराधीन डॉल्क्यूमेंट, कमांक 15658/2012 के सम्बन्ध में।
संदर्भ:- अध्यक्ष, मध्य प्रदेश शासन, भोपाल गैस आसन्न, राहत एवं पुनर्वास विभाग भोपाल का पू. श्र. कमांक 5-4/2005/47, भोपाल, दिनांक 18 मार्च 2019

उपन्यक्त विषय के लेख है कि मॉनिटरिंग कमेटी द्वारा माननीय उच्च न्यायालय जबलपुर में दिनांक 21 मार्च 2018 को बारें के तैमारित रिपोर्ट जमा की गई है। रिपोर्ट की छाया प्रति राह-पत्रों सहित आपके अवलोकनान्तर एवं अधिकारिक कार्यवाही हेतु संलग्न प्रस्ताव है।
संलग्न:- उपरोक्तानुसार

प्रतिदिन
संचालक, गैस राहत एवं पुनर्वास, 01, शिवाजी नगर भोपाल की ओर समान कार्यवाही हेतु संलग्न प्रस्ताव है।
संलग्न:- उपरोक्तानुसार

आवाक कमांक 3365
दिनांक 18/03/19
किस्मत
पत्रकार

D:\OLD DATA SYSTEM\MONITORING COMMITTEE
OFFICE OF THE MONITORING COMMITTEE
BHOPAL GAS TRAGEDY,
RELIEF & REHABILITATION BHPAL

No...S..34..../Ch/MC/2017 Date 5/03/2018

To

The Principal Registrar (Judicial),
High Court of Madhya Pradesh,
Jabalpur (M.P.)

Sub: 12th Quarterly Report of
Reconstituted Monitoring Committee.


Sir,

With reference to the Hon’ble High Court
hereby submit the 12th Quarterly report
with annexures thereof.

It is requested that the report along with
annexures may please be placed before the appropriate
Bench of the Hon’ble High Court, in the next hearing.

Encl: As above (Annexure 01 to 11)

(Dr. K. K. Thassu)
Director (Medical Service)
& Member Secretary, Monitoring Committee.
IN THE HIGH COURT OF MADHYA PRADESH  
PRINCIPAL SEAT AT JABALPUR  
W.P. No. 15658/2012

Bhopal Mahila Udhyog Sangathan  V/s  Government of India  
and others  
and others

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TWELFTH QUARTERLY REPORT OF MONITORING COMMITTEE
FOR GAS RELIEF HOSPITALS

Monitoring Committee's visit to various Hospitals/Dispensaries, established by the Department of Gas Relief & Rehabilitation/BMHRC and Meetings held are summarized below:

1 - Visit of Maa Karma Devi Dispensary Karond:

(a) The Monitoring Committee visited Maa Karma Devi Dispensary, Karond on 28/08/2017 (Annexure-1). Though the Dispensary was found to be very busy and located in dense locality of old Bhopal yet it was not found to be adequately manned and equipped.

(b) It was also noticed that though the upper floor (1st Floor) of the Dispensary was constructed and special wards as well as other rooms for Doctor's Clambers etc has been constructed, yet the same is lying vacant and the space remains un-utilized. Since the Dispensary is located near the locality allocated by the State Government for residence of Widows and Dependants of persons who met their tragic end in the Gas Leak Disaster and therefore the additional space so created could have been utilized for augmenting treatment facilities of the gas victim patients of the said adjoining locality. However, the extension of facilities and utilization of the additional space available, in the Dispensary has not been made.

(c) The Monitoring Committee is of the opinion that the availability of large space in the Dispensary should be properly utilized by increasing the strength of Doctors as well as Para Medical Staff.
(d) Following recommendations were made and deserves to be implemented:

(i) Interim arrangement by way of attachment of Doctors and other Para medical staffs should be discontinued, and permanent posts be sanctioned and appointments/postings made against them.

(ii) Radiographer should be urgently posted.

(iii) Government should undertake to expand the medical and treatment facility in the dispensary and utilize the space available.

(iv) X-ray machine should be made functional immediately.

(v) Medicines should be kept in separate boxes and those nearing expiry should either be utilized or should be sent to other units, as per requirement.

(vi) Waste material lying in the upper floor be disposed of.

(vii) Sanitary condition of the dispensary is not satisfactory and deserves to be improved.

(viii) Proper hygienic condition be maintained in the dispensary.

2 - Visit of K.N. Pradhan Dispensary Jehangirabad:

(a) The Monitoring Committee visited K.N. Pradhan Dispensary Jehangirabad on 28/09/2017 (Annexure-2). It was noticed that though Dr. (Smt.) Raja Dubey is posted as Incharge of the Dispensary, however, it was reported that regular posts of Doctors as well as other staffs have not been sanctioned and that Doctors as well as Staff are attached in the Dispensary drawing those from various other Hospitals run by the Department of Gas Relief and Rehabilitation.

(b) The Committee expressed that steps should be taken for creating appropriate number of posts of Doctors, Para Medical and other Staff.
(c) In this Dispensary also, first floor of the building was lying vacant and only discarded furniture and other items was dumped there. It was suggested that discarded material be written off and better sanitary conditions be maintained.

3 - Visit of Unani Dispensary Kazi Camp:

(a) Unani Dispensary, Kazi Camp was visited by Monitoring Committee on 14/11/2017 (Annexure-3). Dr. Rizwan Saleem Ansari is In-charge Doctor of this Dispensary.

(b) The building of the dispensary is in dilapidated condition and the space is also much less than required for a proper dispensary. The walls of the dispensary have developed cracks and are shabby. The Monitoring Committee drew attention of the Administrations of Department of Ayush and Director, Gas Relief & Rehabilitation to take immediate steps for improvement in the situation. It was also suggested that the rent which was fixed earlier, continues to be the same for the last 18-20 years. Needless to say that it should be suitably revised. There was no proper storage facility of herbal medicines etc. and the Monitoring Committee recommended that arrangements for proper storage be made.

(c) The recommendations by Monitoring Committee regarding the Dispensary are as below:

(i) The rent of the dispensary should be adequately rationalized and increased. If possible a spacious accommodation for the dispensary should be arranged.

(ii) Hygienic condition should be improved.

(iii) Storage of medicine by providing adequate number of containers.

(iv) Proper supply of water should be ensured.
4 - Visit of Maulana Abdul Kalam Azad Dispensary Putlighar:

(a) Dr. (Mrs.) Vandana Tekam is Incharge of Maulana Abdul Kalam Azad Dispensary (Annexure-4). Doctor-Incharge reported about shortage of Nurses, Monitoring Committee recommended that sanctioned post of Nurses should be filled and postings on the said should be made. It was also recommended that posting of regular Staff should be made in this Dispensary.

(b) Though X-ray machine was installed and AMC was also taken for its maintenance, but maintenance was not done as per the Contract. Moreover, X-Ray machine deserves replacement and new machine preferably Digital X-Ray machine should be provided.

(c) There was no water connection in the Dispensary. Water purifier was out of order. In this Dispensary lots of junk and discarded materials and furniture were stocked in the premise, which is directed to be written off and disposed of.

(d) Following were the recommendations by the Monitoring Committee:

(i) A sister should be posted in the dispensary.
(ii) Digital X-ray machines be provided.
(iii) Scrap material should be written off.
(iv) Compound of the dispensary should be cleared and maintained in hygienic condition.
(v) Water connection be restored and water purifier be made functional.

5 - Visit of Khan Shakir Ali Khan Hospital:

(a) Hospital was visited by Monitoring Committee on 19/12/2017 (Annexure-5). Dr. Ashok Tiwari is Incharge of the hospital. It was noted that though initially the Hospital was 30 bedded but the capacity thereof has now been extended and it has become 90 bedded hospital. However, as per information the posts initially sanctioned for 30 bedded hospital continue to
remains the same and it has not been increased since then. It was also informed that even against the sanctioned posts several posts there are several vacancies, which is adversely affecting the treatment facility of the gas victim patients. Similarly, the strength of Nursing Staff was also found to be inadequate and ridiculously low.

(b) The Monitoring Committee expressed that firstly the posts in various categories should be rationalized also keeping in view to the increase in the strength in the beds and requirement of the hospital as also considering large number of patients visiting the hospital.

(c) A.C. installed in the Operation Theatre (O.T.) was old and reportedly not working efficiently. Similarly, C-arm table is not available in the O.T. which deserves to be provided as also 04 lead aprons. X-ray machine was found to be very old and quality of the X-ray film was reportedly unsatisfactory.

(d) Ambulance in the hospital was also reportedly 10 years old and gets out of order off and on. Replacement of ambulance was also suggested.

(e) So far as emergency treatment is concerned, it was reported to be available only from 8:00 am to 2:00 pm. It was suggested that at least in one of the Gas Relief Hospitals run by the Gas Relief Department, emergency treatment should be made available round the clock on all days.

(f) In this hospital also scrap material has been stored in the roof top. Monitoring Committee suggested that all the dumped scrap material should be disposed off.

6(l) - Visit of Bhopal Memorial Hospital & Research Centre:

(a) The vacancy position of Specialists/Doctors in this Hospital continues to be alarming. The vacancy position of this Hospital is as per Annexure-6.
(b) Monitoring Committee has been time and again in the past also raising this issue, but there appears to be no improvement in this situation and in fact the situation appears to be moving from bad to worse. It may be noted in the above context that though there are sanctioned posts of 18 Professors in the 18 departments of the Hospital, however, except for 03 posts of Professors, the remaining 15 posts of Professors are lying vacant. Similarly, the vacancy position of Associate Professors is also virtually the same and in fact worse and as against 15 sanctioned posts of Associate Professor, only one post of Associate Professor is filled up. The vacancy positions of Assistant Professors and Senior Medical Officers, are also no better.

(c) Similarly, there appears to be quite a large number of vacancies against the sanctioned posts of Paramedical Staff also. Vacancy as above has necessarily resulted in severe deterioration in treatment facility of the hospital.

Attendance in the OPD has also substantially reduced, as is also the case as reflected by admission in the ICCU, which has been detailed in Report (Annexure-7).

(d) The Hospital has Dialysis Unit in which 04 dialysis machines were found operational. The waiting list of patients requiring dialysis is long and they have been given longer dates for dialysis due to non-availability of sufficient facilities. It is suggested that capacity of dialysis unit be enhanced.

(e) In the Radiology Department there is no Radiologist. Dr. Aman Kumar who was posted in the Radiology Department has been selected and shifted to AIIMS, Bhopal. Absence of Radiologist obviously is severely impacting, surgical procedure required to be undertaken in the Hospital.
(f) The Oncology Department is also closed after Dr. Vinay Kumar who was Incharge of the Department has left after his selection in AIIMS, Bhopal. Therefore, gas victim patients suffering from cancer are not getting treatment in the Hospital.

(g) As has also mentioned in the Report (Annexure-8), several complaints have been received in the Monitoring Committee regarding non-availability of medicines. Dr. Desikan has informed that the Order dt. 21/09/2017 from Ministry of Health and Family Welfare, G.O.I. has precipitated the situation as the power of the Director to purchase medicines have been circumscribed. The details of the same have been mentioned in the Report (Annexure-8).

It appears that the riders placed on the powers of Director, BMHRC should be reviewed and the matter deserves to be brought to the notice of the Secretary, G.O.I. for reconsideration and appropriate direction in view of the difficulties being faced by the gas victim patients.

6(ii) - Monitoring Committee Meeting on 17/11/2017:

In the Minutes dt. 17/11/2017 (Annexure-9), the response from Director Kamla Nehru Hospital was considered regarding the matter of vacancies of Medical Officers/Specialists as per recommendation at Sl. No. 2 of the report, by which response was sought as regards steps taken for filling up of vacant posts of Medical Officers/Specialists. It was resolved by the Committee that Director, G.R.R. be asked to inform the steps taken so far, in the above regard. The matter of complaints regarding non-availability of 108 Ambulance and it was resolved that comments be called for as also regarding matter of referral system, as contained and referred in Para 10(ii) of the report of the Monitoring Committee. Other aspects of the Compliance Reports were also considered.
7 - Monitoring Committee Meeting on 12/09/2017:

The Minutes of the Meeting are as per Annexure-10. In the said Meeting certain suggestions by the Dr. H.H. Majid Hussain regarding alleged shortcomings in the treatment facility at BMHRC were considered and a letter was sent to Secretary, DHR, G.O.I. for issuing appropriate directions and instructions regarding the issues raised and suggestion made in the said letter. The Committee also felt concern of the grievances and working condition at BMHRC as disclosed/discussed in letters of Dr. Sanjeev Gupta, Dr. Lalit Kumar and Dr. Sandeep Sorte addressed to Director, BMHRC. The same was sent to Director BMHRC seeking response thereon.

In the said Meeting, letter dtd. 16/08/2017 was also considered, which indicates the lapse in the treatment of patient Jaheer Begum which fact has also been admitted and approved by Director, G.R.R., but no action against the defaulting person was taken. It was proposed that the Director, G.R.R. be intimated about it.

8 - Monitoring Committee Meeting on 03/10/2017:

In the Minutes of Meeting dtd. 03/10/2017 (Annexure-11), certain matters relating to the grievance of one of the gas victim patient regarding non-providing medicines by BMHRC was taken and it was noted that the matter had already been referred to Director, BMHRC. Some earlier grievances and complaints were also considered and appropriate action taken thereon.

9 - It has been noted by the Monitoring Committee that sometimes patients suffering such from diseases, the treatment of which is not available either in BMHRC or Hospitals run by the Department of Gas Relief & Rehabilitation and as such are required to be referred to other specialized hospitals. However, there is no clear policy of State Government, regarding expenses to be met in such an eventuality so that patients may not be forced to visit and take treatment in other Hospitals, at their own expenses. It may be mentioned that as per the directions of Hon'ble Apex
Court, gas victim patients are to be given all treatment free of cost.

The Monitoring Committee has been emphasizing the need that the State Government should take a policy decision regarding the expenses to be incurred by the gas victim patients for serious diseases suffered by them. However, it appears that policy decision regarding only some of such diseases like Cancer, Kidney ailments has been taken. Needless to say that there are many other serious diseases for which no treatment is available either at BMHRC or at Hospitals run by Department of G.R.R.

Monitoring Committee is of the opinion that policy decision should be taken for the eventuality, in which gas victim patients suffer from a disease which is not specifically provided and the treatment of which is not available at BMHRC or the Hospitals run by Department of Gas Relief & Rehabilitation and thus he is required to be taken to other Hospitals, then expenses should be met by the State Government, without any delay and the patient should not be required to pay the expenses.

Recommendations:

In view of what has been submitted above, appropriate specific directions are necessary on the following counts:

1. (a) Considering large number of complaints regarding non-availability and non-supply of medicines to the gas victim patients, it is submitted that specific direction deserves to be issued to the concerned authorities in the Ministry of Health and Family Welfare, G.O.I to review the directions given therein and to modify its order dtd. 21/09/2017 putting riders on the powers of the Director, BMHRC to purchase medicines viz. the medicines procured should have minimum 5/6th of self life, as on the date of delivery and that the limit of purchasing power of the Director would be limited to Rs. one crore per year.
(b) A special drive is required to be made for recruitment of Specialists/Doctors and Staff to fill up the vacancies as pointed out in Clause - 6 (b) and the closed facilities of treatment and diagnosis such as Oncology, Radiology etc. should be started again.

(c) Dialysis facility in BMHRC also requires addition and improvement as mentioned in Clause - 6 (d).

(d) Radiology and Cancer Department in BMHRC should be restarted as mentioned in Clause- 6 (e) & (f).

It is further requested that time bound compliance by the concerned authorities may please also be directed to improve the situation in BMHRC.

2. The recommendation of the Monitoring Committee in Clauses:
   1-(d) of Visit of Maa Karma Devi Dispensary Karond,
   2-(b) & (c) of Visit of K.N. Pradhan Dispensary Jehangirabad,
   3-(c) of Visit of Uriani Dispensary Kazi Camp
   4-(d) of Visit of Maulana Abdul Kalam Azad Dispensary Putlighar
   5-(b) to (f) of Visit of Khan Shakir Ali Khan Hospital,
   may please be directed to be implemented.

3. Recommendation given in Clause-9 may please be directed to be implemented.

(Justice V.K. Agarwal)
Chairman

(Dr. Nirmal Shrivastava)
Member

(Dr. B.P. Dubey)
Member

(Purnendu Shukla)
Member

(Dr. K.K. Thüssu)
Member Secretary & Convener