

HIGH COURT OF MADHYA PRADESH: BENCH:
INDORE
(DIVISION BENCH: HON.MR.JUSTICE SHANTANU
KEMKAR AND HON.MR.JUSTICE PRAKASH
SHRIVASTAVA)

WRIT PETITION NO.5097/2011

Dunabai W/o Vesta Adivasi Petitioner
Vs.

State of MP Through Principal Secretary
& six others Respondents

For petitioner: Ms.Anubha Rastogi & Ms.Shanno S.
Khan, learned counsel.

For respondents: Ms.M.Raveendran, learned Dy.GA with
Dr.Ramesh Neema CMHO for respondent
No.1 to 6.

Shri Vivek Sharan, learned Assistant
Solicitor General for respondent No.7.

ORDER

(Passed on 31st October, 2012)

Per Prakash Shrivastava,J:-

We have perused the compliance report dated 01st September, 2012 filed in pursuance to our orders dated 16/5/2012 and 27/7/2012 by which the respondents - Commissioner Health Department, Government of MP and the Joint Director, Health were directed to visit hospitals, various Public Health Centres and Community Health Centres at District Barwani along with the Collector Barwani to find out the problems being faced and its solutions and submit the report.

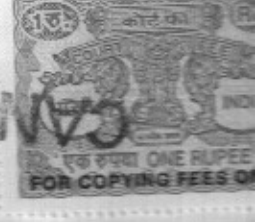


[2] We have perused the report filed along with the affidavit dated 01st September, 2012. The petitioner has objected to the report by filing rejoinder. We find that it has not been disclosed in the report as to how many and which of the Community Health Centre, Primary Health Centres, Special Health Centres and Gram Arogya Kendras were visited by the Committee, therefore, on or before the next date of hearing the respondents are directed to disclose the aforesaid fact by way of affidavit.

[3] The report mentions that there is shortage of MO's in District Barwani. It is submitted by the learned counsel for respondents that the Doctors are not willing to join in the rural areas. On the query by this Court it has been pointed out that there is no adequate monetary incentive to work in the rural and tribal area. In view of this, the State is directed to consider and to take an appropriate decision for granting adequate monetary remuneration and other incentives on posting in rural and tribal areas to ensure that the Doctors do not avoid such a posting. On the next date of hearing this aspect of the matter be also made clear. The State Government may also consider framing of such a Scheme which may attract the Doctors to work in rural and tribal areas.

[4] In respect of the other staff such as Nurses, Pharmacists, Ward Boys etc. who are reported to be inadequate in number, the concerned respondents are directed to take expeditious action to fill up the vacant post and inform this Court on the next date of hearing about action taken in this regard.

[5] In the rejoinder, the petitioner's have pointed out that several posts of Specialists and Class I and Class II Doctors are



vacant and that there are 11 PHCs without a single Doctor and due to the shortage of staff of CHCs, PHC Doctors are being placed for duty at CHCs leaving the PHC vacant and that ANMs are not properly trained and in the entire District, there is no Radiologist or pathologist and the tribal woman have difficulties in obtaining blood from the blood bank etc. The respondents are required to consider the pin pointed deficiencies which have been mentioned by the petitioner in their rejoinder dated 11/10/2012 filed in response to the compliance report dated 3/9/2012 and to take adequate remedial measures without any delay and report to this Court on the next date of hearing about the action taken in this regard.

[6] List on 17th January, 2013.
c.c within three days.

(Shantanu Kemkar)
JUDGE

(Prakash Shrivastava)
JUDGE

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Application No. 48705 / 2012

Application received on	Applicant told to appear on	Applicant appeared on	Application (with or without further /correct particulars) sent to Record Keeper / Dealing Assistant on	Application (with record or without record, and for further or correct particulars, if any required) received from the Record Keeper / Dealing Assistant on	Applicant given notice for further or correct particulars on	Applicant given notice for further funds on	Notice in Sr.No. (6) or (7) complied with on	Copy ready on	Copy delivered on	Court-fee realized
1.	2.	3.	4.	5.	6.	7.	8.	9.		
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C.J.