

**KARNATAKA LOKAYUKTA**

No: COMPT/LOK/GLB/4297/2015/ARE-20

M.S.Building,  
Dr.B.R.Ambedkar Veedhi,  
Bengaluru, Dated: 19/11/2022.  
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**REPORT UNDER SECTION 12(1) OF  
KARNATAKA LOKAYUKTA ACT, 1984**

**Sub:** Proceedings for compliance of recovery of amount granted to Sri.Ibrahim S/o.Hussain Sab and also to take steps to disqualify the respondent No.1 Smt.Hanumamma Huchappa from being chosen as Member or President of Grama Panchayath as provided U/Sec. 12 R/W Sec.43(A)-reg.

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Complaint was filed by Sri. S.M. Patil, No.92, Udbal Village, Marakamdinna Post, Manvi Taluk, Raichur District (**hereinafter referred to as complainant for short**) against the respondents (1)Smt.Hanumamma Huchappa, Ex. President, Utaknur Grama Panchayath, Utaknur, Manvi Taluk, Raichur District (2)Sri.Mallaiah, Panchayath Development Officer, Utaknur Village, Manvi Taluk, Raichur District, (3) Sri.Mahadevappa, Exccutive Officer, Taluk Panchayath, Manvi Taluk, Raichur District, (4)Sri.Sudheer Vibhuthi, P.D.O., Vyapaladinni Gram Panchayath, Raichur Taluk and District, (5) Smt.Pramila, Incharge P.D.O, Utakanuru Grama Panchayath, Manvi Taluk, Raichur District. It is alleged in the complaint that respondents being Public/Government servants committed illegalities in granting houses under Indira Awaz and Basava Ashrya schemes of the said Panchayath in making grant of two houses to the wife and husband, who have constructed only one house and obtained

bogus bill for another house. Sl.Nos.120, 121, 122 are Fatima W/o. Moulasab, Begum W/o. Budansab and Moulasab S/o Doulasab are the residence of Markamadinni village, but they got the grant of the houses at Udbal village, though there was no provision for grant of houses to the villagers of shifted Markamadinni village. Accordingly, complainant has requested to take action against the Fatima W/o Moula Sab, Begum W/o Budansab and Moulasab S/o Doulasab and also against the PDO of Village Panchayath.

2. Initially 3 persons i.e. (1) Hanumamma Huchappa, Ex-president of Utaknur Gram Panchayath, (2) Mallaiah, PDO of said Gram Panchayath and (3) Mahadevappa, Executive Officer, Taluk Panchayath, Manavi were made as respondents and their comments were called.

3. The respondent No.1 has filed her comments stating that she was President of Gram Panchayath during the period 2013-14 and 2014-15 and during that period no illegalities were done. Beneficiaries of the housing scheme were selected as per the decision of the villagers at Gram Sabha, which was arranged after making vast publication in the village. Accordingly, she has requested to close the complaint.

4. The respondent No.2 has filed his comments stating that he took charge of PDO of Utakanur Gram Panchayath on 22-2-2013 from one Sri. Umakanth and worked as PDO of said Gram Panchayath till 22-5-2014. On 22-5-2014 he handed over charge to one Sri. Sudheer, PDO. Further it is stated by him that beneficiary at Sl.NO.45 by name Smt.Madina Begum W/o. Ibrahim R/o.Udbal was selected in the Gram Sabha held on 26-9-2013. He has not committed any illegalities. Beneficiaries at Sl.Nos.85 and 120 to 122 were selected in the Gram Sabha held

on 20-9-2014 when Smt.Pramila was holding charge of PDO of said Gram Panchayath. Accordingly respondent No.2 has requested to close the complaint.

5. The respondent No.3 has filed his objection statement denying allegations in the complaint. It is stated by him that he was working as Asst. Executive Engineer, Panchayath Raj Engineering at Manavi Taluk Panchayath Office. He was in the charge of E.O. of said Taluk Panchayath. Beneficiaries of housing schemes were to be selected in the Gram Sabha. Supervising works of two to three Gram Panchayaths was entrusted to each Nodal Officer who used to send the records along with the video and photography of the Gram Sabha decision. Further it is stated by him that investigation of the complaint cannot be taken up in view of bar U/S.8(1)(a) and (b) of the Karnataka Lokayukta Act and also as per the order of the Hon'ble High Court of Karnataka in W.P.NO.25078-80/2016 (GM - KLA). Accordingly, he has requested to close this complaint.

6. Subsequently Sri. Sudheer Vibhuthi and Smt. Pramila were made as respondent nos.4 and 5.

7. The respondent No.4 has filed his comments stating that he took charge of PDO of said Panchayath on 22-5-2014 from one Sri.Malliah (R-2) and worked as PDO of said panchayath till 4/11/2014 and then he handed over charge to Smt. Pramila (R-5). List of beneficiaries of the housing scheme of the said panchayath for year 2013-14 was prepared by Sri.Malliah (R-2). List of beneficiaries of the housing scheme of the said panchayath for year 2014-15 was prepared by Smt.Pramila (R-5). He has not committed any illegalities since he has not

prepared any list of beneficiaries. Accordingly he has requested to close this complaint.

8. The respondent No.5 has submitted her comments denying the allegations of the complaint. It is stated by her that no illegalities have been committed in the scheme of the year 2013-14 and 2014-15. List of beneficiaries of the housing scheme of the said gram panchayath were prepared as per the decision taken by the villagers in the Gram Sabha, which is final decision. At that time, the list of previous beneficiaries were not within her knowledge. Accordingly she has requested to close the complaint.

9. Complainant has filed his rejoinder in which he has reiterated complaint averments.

10. The two allegations made in the complaint are as under:

- (1) Sl.No.45 and 85 of the list annexed to the complaint are the couple beneficiaries and they got grant of house to the name of each spouse under the scheme, but they have constructed one house only and obtained bogus bill for another house.
- (2) Sl.Nos.120, 121, 122 are Fatima W/o. Moulasab, Begum W/o. Budansab and Moulasab S/o. Doulasab are the residents of Markamadinni village, but they got the grant of the houses at Udbal village though there was no provision for grant of houses to the villagers of shifted Markamadinni village.

11. Relating to above noted allegation No.2 is concerned, it is relevant to note that complainant has not produced relevant materials to support said allegation. Except alleging they are villagers of shifted village, no other allegations are made to show those persons were not eligible to get grant of the house under the housing schemes of the Government.

12. Relating to above noted allegation No.1 is concerned, it is relevant to note that names of the Sl.Nos.45 and 85 shown in the list annexed to the complaint are Smt. Madina Begum and Sri. Ibrahim respectively of Udbal village. The contention of the complainant that the said Smt. Madina and Ibrahim are couple is undisputed fact. Similarly, the contention of the complainant that one house was granted to the name of Smt. Madina Begum of Udbal village under Indira Awaz Yojane of the year 2013-14 as shown in the Sl.No.45 of the list and subsequently one more house was granted to the name of her husband Ibrahim S/o. Hussiansab of Udbal village under same Indira Awaz Yojane of the year 2014-15 as shown in Sl.No.85 of the list annexed to the complaint by the same Utakanur village panchayath. **The contention of the complainant that the said couple constructed one house only and obtained bogus bill for another house is not seriously disputed by the respondents.** It is not the contention of the respondents that the said Smt. Madina Begum and her husband Ibrahim were residing separately from each other and as such separate house was granted to each of them and they have constructed separate houses.

13. Prior to respondent No.5 took charge of the PDO of Utakanur village Panchayath, house was granted to the name of

Smt. Madina Begum W/o. Ibrahim in the Indira Awaz Scheme of the year 2013-14. As per the statement of respondent No.4, he handed over charge of the post of PDO to Resp.No.5 on 4-11-2014. Resp.No.5 has not disputed the fact that selection list of the beneficiaries of the Indira Awaz Yojane for the year 2014-15 was prepared by her (during her period). Name of Ibrahim S/o. Hussainsab has been included at Sl.No.85 for the grant of house in the scheme of the year 2014-15 of said village panchayath. This Hussainsab is husband of Smt. Madina Begum. It is stated by the respondent No.5 that the grant of house previously made to the name of Smt. Madina Begum was not within her knowledge.


14. It is relevant to note that it is the procedure of the Gram Panchayath to select the beneficiary of the housing scheme in the Gram Sabha. Necessarily the President of the Gram Panchayath must have knowledge of the names of beneficiaries selected in the previous years under the Housing Schemes. Undisputedly respondent No.5 was not in the charge of PDO of the Gram Panchayath when Smt. Madina Begum W/o. Ibrahim was selected as beneficiary in Indira Awaz Scheme of the year 2013-14. Therefore, there are materials to accept the statement of the Resp.No.5 that she had no knowledge of the selection of Smt. Madina Begum as beneficiary of the year 2013-14.

15. Therefore, this report u/s 12(1) of Karnataka Lokayukta Act is sent to the competent authority recommending to initiate recovery proceedings as per law against Sri. Ibrahim S/o. Hussain Sab for recovery of amount granted to him under Indira Awaz Yojane for the year 2014-15 and also to take steps in accordance with law to disqualify the respondent No.1 for being

chosen as Member or President of Gram Panchayath as provided U/Sec.12 R/W.Sec.43(A) of the Karnataka Panchayath Raj Act.

16. Further, as per Section 12(2) of Karnataka Lokayukta Act, 1984, the Competent Authority is required to intimate this Authority within one month from the date of receipt of this report, the action taken or proposed to be taken on this report.

Connected records are enclosed.

  
(Justice B.S.Patil),  
Lokayukta,  
State of Karnataka.

