

KARNATAKA LOKAYUKTA

No. Compt/Uplok/GLB-5421/2013/DRE-3

Multi Storied Building,
Dr. Ambedkar Veedhi,
Bangalore-560 001,
Date: 31.08.2016.**REPORT UNDER SECTION 12(1) & 12(3) OF
KARNATAKA LOKAYUKTA ACT, 1984**

Sub: Proceedings initiated against Smt. Keerthi Chalak, Grade-II Tahasildar, Taluk Office, Bidar, regarding her misconduct as Public/Government Servant - reg.

An investigation was taken up under Section 9 of the Karnataka Lokayukta Act, in the complaint filed by Shri. Pentareddy S/o Malareddy, R/o Bellura village, Bidar Taluk and District (hereinafter referred to as 'complainant' for short), against (1) Smt. Keerthi Chalak, Grade-II Tahasildar, Taluk Office, Bidar & (2) Shri. Mallikarjuna Clerk, Survey section, Taluk Office, Bidar (hereinafter referred to as 'respondents 1 and 2 respectively' for short), alleging that;

- The complainant Pentareddy & his brothers Sanghareddy and Srinivasreddy have divided the family properties and accordingly applied before the Tahasildar, Bidar for mutating their names to the lands bearing Sy.No. 7/EE, 17/A, 17/AA, 33/E, 33/EE, 20/15/A, 30/E, 30/EE, 31/E, 31/EE, 31/1, 34/E, 34/EE of Belluru village, Bidar Taluk.
- The Tahasildar had directed him to get 11-E sketch and thereafter their names will be mutated to the properties.
- Accordingly the complainant and his brothers have filed applications on 14.03.2011 seeking 11-E sketch and has paid fee of Rs.7,800/-

along with applications. In spite of lapse of 2 years 3 months, 11-E sketch has not been issued by stating that Tippani copy of the village is not available in the revenue department. Therefore has prayed to take action against the respondents and to redress his grievance by issuing 11-E sketch.

- 2) The respondent no.1/Tahasildar has submitted her comments dated 23.10.2013 stating that the original tippani of Sy.No. 17, 7, 30 and 31 are not available & an order has been made to the concerned surveyor to prepare fresh tippani. After getting approval of the technical assistant of Deputy Commissioner to new tippanis, 11-E sketch will be issued and has sought 3 months time to issue 11-E sketch.
- 3) No investigation has been proceeded against respondent no.2 who is a clerk in the Survey Section of the Taluk Office.
- 4) The ADLR, Bidar Sub-Division, Bidar has submitted a letter dated 06.11.2014 & has sought 3 months time to prepare new tippani to Sy.No. 17, 7, 30 & 31. Thereafter vide letter dated 07.01.2015, the ADLR has submitted that new tippani of the said survey numbers have been prepared.
- 5) The present Tahasildar vide his letter dated 06.06.2016 has stated that when the licenced Surveyor – Harish had went to survey the land in Sy.No. 7 of Bellura village on 27.05.2011 by issuing notice, the complainant Pentareddy has informed him that his father Mallareddy had died and his name has already been mutated to Sy.No. 7 and therefore there is no necessity to survey the said land and accordingly the application number 05041108809700 has been disposed off.
- 6) The complainant in spite of service of this office endorsement has not submitted his say over the report of the Tahasildar dated 06.06.2016. But in the rejoinder dated 19.10.2013 and 26.02.2014 filed by the complainant has stated that 13 applications were filed by him and his brothers and has

Also produced copies of 13 acknowledgements dated 14.03.2011. Further states that 11-E sketch has not been issued by the respondent in spite of lapse of 3 months time sought by the respondent.

7) The respondent no.1/Tahasildar, Bidar in spite of seeking time through letter dated 23.10.2013 has not provided any further information with respect to issuance of 11-E sketch to the complainant. Therefore the respondent no.1 has not taken any action for issuing 11-E sketch even after lapse of 3 months time. Therefore, the respondent no.1 being the authority to issue 11-E sketch has not maintained absolute integrity and devotion to work and is prima-facie found guilty of misconduct making herself liable for departmental action.

8) The present Tahasildar in his letter dated 06.06.2016 states that with respect to application no. 05041108809700, the complainant has stated that no survey is necessary. There is no explanation with respect to other 12 applications filed by the complainant and his brothers. Therefore the materials on record go to show that the grievance of the complainant has not been redressed and 11-E sketch has not been issued with respect to the other 12 applications produced by the complainant.

9) So, the said facts supported by material on record prima-facie show that the respondent no.1 being a Government Servant, has failed to maintain absolute integrity besides absolute devotion to duty and acted in a manner unbecoming of Government Servant and thereby committed grave misconduct as per Rule 3(1)(i) to (iii) of KCS (Conduct) Rules, 1966 and as such she is answerable for the same.

10) Accordingly, now, acting under Section 12(3) of the Karnataka Lokayukta Act, recommendation is made to the Competent Authority to initiate departmental disciplinary action against the respondent no.1.

11) Acting under Sec. 12(1) of the Karnataka Lokayukta Act, 1984, recommendation is also made to redress the grievance of the complainant by issuing 11-E sketch and action taken report by the Competent Authority to be intimated as required under Sec. 12(2) of the Karnataka Lokayukta Act, 1984 to this office within one month from the date of receipt of this report.

12) Further, as per Section 12(4) of Karnataka Lokayukta Act, 1984, the Competent Authority is required to intimate to this Authority within one month from the date of receipt of this report, the action taken or proposed to be taken on this report under Sec. 12(3) of the Karnataka Lokayukta Act, 1984.

Connected records are enclosed.

N. Anand
(Justice N. Anand),
Upalokayukta-1,
State of Karnataka.