

KARNATAKA LOKAYUKTA

No. Compt/Uplok/BD-2445/2015/ARE-6

M.S. Building,
Dr. B.R. Ambedkar Veedhi,
Bengaluru.

Date: 21/06/2018.

**REPORT UNDER SECTION 12(1) and 12 (3) OF THE
KARNATAKA LOKAYUKTA ACT, 1984**

Sub: Proceedings against Sri. K.M.Ravichandra Naidu - S/o. Munivenkatappa Naidu - Teacher, Government Kannada Primary School, Kaverihalli, Bethamangala Hobli, Kolar District and 2) Smt. J.Shashikala - Teacher, Government Kannada Primary School, Kaverahalli, Kaverahalli village, Bethamangala Hobli, Kolar District about their misconduct as Public/Government servant - reg.

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On the basis of the complaint given by Sri. Krishna Reddy S/o. Late Hanumareddy - Neranahalli village, Bethamangala Hobli, Bangarapet Taluk, Kolar District(hereinafter referred to as 'complainant' for short) against Sri. K.M.Ravichandra Naidu - S/o. Munivenkatappa Naidu - Teacher, Government Kannada Primary School, Kaverahalli, Kaverahalli village, Bethamangala Hobli, Kolar District, 2) Smt. J.Shashikala - Teacher, Government Kannada Primary School, Kaverahalli, Kaverahalli Village, Bethamangala Hobli, Kolar District, 3) Smt. Radha - C/o. Venkatamuniyappa, Teacher, Government Kannada Primary School, Basapura, Maluru Taluk, Kolar District and 4) Sri.



K.P.Samakka- W/o. Munivenkatappa Naidu, Anganawadi Teacher, Koluru village, Bethanmangala Hobli, Bangarapet Taluk, Kolar District(hereinafter referred to as respondent Nos.1 to 4 respectively), being Public/Government Servants have committed misconduct, an investigation has been taken up u/s 9 of the Karnataka Lokayukta Act, 1984.

2. According to the complainant: The respondent No.1 is an Assistant Teacher. Since, June 2008 he has been associated with Ex-MLA Sri. Y.Sampangi and also the present MLA Smt. Y.Ramakka. He has been unofficially working as PA to the MLA and by involving in politics he has misused the powers and also acquired money and properties by illegal means. By misusing the power he got registered cases against the poor people and he has been troubling the innocent people and acquired properties. His mother is a member of Gram Panchayath and using that power also he has cheated many eligible beneficiaries and thereby committed criminal breach of trust. He has purchased one Maruthi Alto Car, one Maruthi Swift car and one Bajaj Pulsar two wheeler vehicle. He has also acquired properties in Benami names. Even though, his wife has been keeping good health but with dishonest intention he has taken 2nd wife and just to escape from the clutches of law, he has taken divorce for record sake. He has also been involved in theft of red sandal group which was

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stolen from Tirupathi Forest area. He has not been discharging his duty as a teacher. Therefore, it is necessary to take action against the respondents.

3. On behalf of the respondents, one Shiva, stated to be cousin brother of respondent No.1, appeared on 15/2/2018 and submitted the comments of respondent No.1 to 4. Later, respondent No.1 also appeared voluntarily on 15/03/2018 and submitted that he need some time to produce relevant documents. Accordingly, date was given to produce relevant documents. But, he did not file the documents subsequently. That shows that he has no further documents.
4. The respondent Nos. 1 to 4 have submitted similar type of comments. It is seen that respondent No.4 is the mother of respondent No.1. Respondent No.3 is the first wife of respondent No.1 and the respondent No.2 is the 2nd wife of respondent No.1.
5. The respondent No.1 stated that, the wife of the complainant is the native of Nernahalli village and she had contested against his mother during 2015 for the gram Panchayath election. She lost the said election to his mother. Therefore, there is political ill will between the complainant and his family members and on account of that ill will the complainant has filed this false and frivolous complaint. He has not involved in any election related functions and he has not

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acquired any property by illegal means. The family is owning ancestral and self acquired properties in the name of 4th respondent. He himself and his wife have acquired self acquired properties. Earlier he was owning Alto 800 car and thereafter, he sold the same and purchased Maruthi swift car by borrowing loan from HDFC Bank. He did not know that he should have taken permission from the department for purchase of vehicle. Accordingly, the department has issued notice to him. He has executed apology letter to the department. Accordingly, prayed to close the complaint.

6. The 2nd respondent has submitted similar comments.
7. The 3rd respondent stated that he had married to respondent No.1 and thereafter she has given divorce to the respondent No.1 and she has been working as Head mistress in Government Primary School at Basapura. She has not acquired any property by illegal means. Accordingly, prayed to close the complaint.
8. The 4th respondent stated that during 2015 gram Panchayath election, the wife of the complainant contested against her and she lost the election. She has been elected as president of the Gram Panchayath. She inherited ancestral properties and also she acquired self accrued properties. She has not acquired any property by illegal means. Because the complainant is having political ill will against her family, he has filed this false and

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frivolous complaint. Accordingly, prayed to close the complaint.

9. The above comments would indicate that the respondents 1 to 4 are the members of same family. The third respondent is the 1st wife and 2nd respondent is the 2nd wife of 1st respondent. The 3rd respondent stated that her marriage with first respondent has been dissolved with a decree of divorce. But, she has not produced any documents to show that her marriage with respondent No.1 has been dissolved. The first respondent admitted about purchase of swift car in his name without obtaining permission from the department. He has not stated anything regarding acquisition of property in the name of his son Sri. Suryaprakash.
10. The complainant has produced copies of three RC books. They disclose that the respondent No.1 is owning one Alto 800 car, one Maruthi Swift Car and one two wheeler. His mother is owning two properties in her name. As per the documents the 4th respondent purchased the said properties in her name. one property bearing Sy.No.36/2 measuring 1 acre 27 guntas has been purchased in the name of Master K.R.Suryaprakash Naidu S/o. respondent No.1. That shows that he is a minor and the property has been purchased by respondent Nos. 1 and 2 in the name of their minor son by not disclosing the source of income and also without obtaining permission from the competent authority. As per the declaration made by

respondent No.4 to the election commission of India during 2015 panchayath election she has not disclosed the said assets.

11. In this case, the matter was also referred to SP, KLA, Kolar for investigation. Accordingly, the KLA police, Kolar investigated the matter and submitted the report. The report indicates that the respondent No.1 has been involved in politics and not attended to his duty regularly. However, he has signed in the attendance register every day. He has also purchased three vehicles and landed properties in the names of his mother and son. He also got repaired the old house.
12. The documents produced by the complainant and the report of KLA Police, Kolar prima facie establishes that the respondent No.1 and 2 have committed dereliction of their official duty and acquired properties against to KCSR. Admittedly, they have not obtained permission either for purchase of vehicles or for purchase of landed properties. The respondents have not whispered anything regarding acquisition of property in the name of minor Sri. Suryaprakash. They have not produced any documents to show that the family inherited ancestral properties. Therefore, prima facie shows that the properties must have been acquired by illegal means and against to KCSR.

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13. Since, there is no material to conclude misconduct against respondent No.3 and since respondent No.4 is a private person, action cannot be taken against them. But, there is a prima facie material to prove the misconduct, misappropriation of public funds against respondent No.1 and 2, since they have failed to produce prima facie material to substantiate their comments. Therefore, it amounts to dereliction of their official duty within the meaning of Sec. 3(1)(i),(ii) & (iii) of KCS(Conduct) Rules 1966.
14. Now, acting under section 12(3) of the Karnataka Lokayukta Act, recommendation is made to the Competent Authority to initiate disciplinary proceeding against the respondent Nos. 1 and 2 and to entrust the inquiry to this authority under Rule 14(A) of Karnataka Civil Services(Classification, Control and Appeal) Rules 1957.
15. Further, as per U/s 12(4) of Karnataka Lokayukta Act, 1984, the Competent Authority is required to intimate this Authority as early as possible but latest within three months from the date of receipt of this report, the action taken or proposed to be taken on this report against respondent Nos. 1 and 2.
16. Respondent No.4 is a member of Panchayath and presently working as President of the Panchayath. Since there is a prima facie material to show that she has also acquired properties in


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her name without disclosing the source of income it is necessary to conduct an investigation through ACB. Accordingly, it is ordered that the matter shall be referred to Dy.S.P, ACB, Kolar to take steps to register a case and to investigate the matter with regard to amassing of wealth beyond the known source of income and to submit the report.

17. Further, recommendation u/s 12(1) of K.L. Act is also made against respondent No.4 to the competent authority to take action as per Sec.43(A) of Karnataka Panchayath Raj Act against respondent No.4.
18. Further, as per U/s 12(2) of Karnataka Lokayukta Act, 1984, the Competent Authority is required to intimate this Authority as early as possible but latest within one month from the date of receipt of this report, the action taken or proposed to be taken on this report against respondent No.4.

Connected records are enclosed.


(JUSTICE N.ANANDA)
UPALOKAYUKTA-2 23/6
STATE OF KARNATAKA