

KARNATAKA LOKAYUKTA, BENGALURU

No. COMPT/UPLOK/BD/764/2008/ARE-6

Multi Storied Buildings,  
Dr.B.R. Ambedkar Veedhi,  
Bengaluru 560 001.

Dated: 14/9/2018

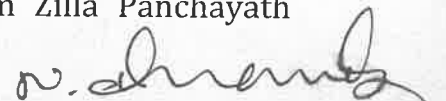
REPORT UNDER SECTION 12(1) OF  
THE KARNATAKA LOKAYUKTA ACT, 1984

Sub:- Complaint of Sri G.D. Hanumantharaya of Bidarakere, Rangenahalli Post, Hiriyyur Taluk, Chitradurga District against the Executive Officer, Taluk Panchayath and others.

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Sri. G.D. Hanumantharaya, S/o. Doddanna, resident of Bidarekare, Hiriyyur Taluk, Chitradurga District (hereinafter referred to as Complainant) filed a complaint against the Executive Officer, Taluk Panchayath, Hiriyyur, Chitradurga District alleging that the Respondent in violation of Rule 112(3) of the Karnataka Panchayat Raj (Gram Panchayat Accounts and budget) Rules-2006 had released funds to the Rangenahalli Grama Panchayath without confirming whether the Panchayath has submitted the Accounts for the previous year to the Audit. It is alleged that the Rangenahalli Grama Panchayath had not submitted the Accounts for the year 2006-07 to the Local Audit Circle of Chitradurga, even though they were directed to submit the accounts. It is further alleged that the Respondent Executive Officer has released a sum of Rs.7.00 Lakhs (Rs.5.25 Lakhs for materials and Rs.1.75 Lakhs for NMR) to the Rangenahalli Grama Panchayath.

2. The Comments of respondent Executive officer was called and he has submitted that the object of MGNREGA Scheme is to provide employment for 100 days per family in a year. During the year 2006-07, a sum of Rs.9.95 Lakhs was sanctioned from Zilla Panchayath



Engineering Division for improvement of Road from Bidarikere to A.K. Colony within the limits of Rangenahalli Grama Panchayath. The work order was given on 15/2/2008. The work was carried out during May and March 2008. After execution of work, on 17/7/2008, the Secretary of Grama Panchayath, Rangenahalli has requested for release of funds by submitting the NMRs. Accordingly, a sum of Rs.1,79,820/- towards wages and a sum of Rs.4,59,482/- towards materials were released and paid. The wages under the MGNREGA scheme should be distributed within 15 days of execution of work. The respondent Executive Officer has submitted that action being taken for non-submission of accounts for the year 2006-07 by the Rangenahalli Grama Panchayath.

3. Thereafter, a report dated 16/12/2013 was obtained from the Chief Auditor of Zilla Panchayath, Chitradurga along with copy of the Audit report for the years 2006-07 and 2007-08 of Rangenahalli Grama Panchayath. As per the Audit Report, the then Secretaries of Rangenahalli Grama Panchayath i.e., (1) Sri K. Kondaiah, (2) Sri M. Rangaswamy, (3) Sri V. Ramakrishnappa, (4) Sri B.T. Mahantesh and (5) Sri P.V. Srinivas have misappropriated the amount under MGNREGA Scheme of the Panchayath.

4. On receipt of the above Audit Report, the then following Secretaries were impleaded as additional respondents 2 to 6 and their comments were called.

Respondent No.2 : Sri G. Kondaiah, the then Secretary of Rangenahalli Grama Panchayath, Hiriya Taluk (from 8/2/2006 to 14/7/2006 and from 3/10/2006 to 14/11/2006) - (presently working as Sericultural Demonstrator, Technical Service Centre, Hiriya, Chitradurga District)

*v. Srinivas*

Respondent No.3 : Sri M. Rangaswamy, the then Secretary, Rangenahalli Grama Panchayath, Hiriya Taluk, Chitradurga District (from 14/7/2006 to 3/10/2006)

Respondent No.4 : Sri V. Ramakrishnappa, the then Secretary, Rangenahalli Grama Panchayath, Hiriya Taluk, Chitradurga District (from 14/11/2006 to 23/12/2006)

Respondent No.5 : Sri B.T. Mahantesh, the then Secretary, Rangenahalli Grama Panchayath, Hiriya Taluk, Chitradurga District (26/12/2006 to 31/5/2007)

Respondent No.6 : Sri P.V. Srinivas, the then Secretary, Rangenahalli Grama Panchayath, Hiriya Taluk, Chitradurga District (1/6/2007 to 18/9/2007)

5. The Respondents 2, 3 and 6 have submitted comments denying the allegations and stated that they have not misappropriated amount. The respondents 4 and 5 are reported dead.

6. On 23/02/2017, the Executive Officer, Taluk Panchayath, Hiriya addressed a letter intimating the amount of misappropriation by the above respondents during the period of their work as Secretaries of Rangenahalli Grama Panchayath. The details are as follows:-

Sl. No	Name of the Respondent	Amount released	Amount of misappropriation to be recovered	Amount already recovered	Balance amount to be recovered
1	Sri G. Kondaiah	11,50,634/-	2,61,209/-	-	2,61,209/-
2	Sri Rangaswamy M	1,04,507/-	2,30,801/-	40,000/-	1,90,801/-
3	Ramakrishnappa	Nil	2,00,644/-		2,00,644/-
4	Sri B.T. Mahantesh	6,75,751/-	9,83,903/-	-	9,83,903/-
5	Sri P.V. Srinivas	17,72,122/-	16,16,067/-	✓	16,16,067/-
	<b>TOTAL</b>	37,02,834/-	32,92,624/-	40,000/-	32,52,624/-

*N. Srinivas*

7. The Executive Officer, Taluk Panchayath, Hiriya by letter dated 21/8/2018 intimated this office that action being initiated for recovering the above amounts from the respondents 2 to 5. It was ordered to recover a sum of Rs.2,61,209/- from Respondent No.2 Sri Kondaiah from the monthly salary at the rate of Rs.6,530/-. But the concerned Head of office of Respondent No.2 Sri Kondaiah has not recovered the amount from the salary of Respondent No.2. In the said letter, it is informed that Respondent No.3 Sri M. Rangaswamy died on 6/2/2018 and Respondent No.6 Sri P.V. Srinivas died on 2/8/2018.

8. Thus, the only official alive and working is the second Respondent Sri G.Kondaiah. In the letter dated 25/2/2017 of the Chief Executive Officer, Zilla Paanchayath, Chitradurga, intimated that the Articles of charges in relation to 2<sup>nd</sup> respondent Sri Kondaiah and other respondents was sent to the Executive officer, Taluk Panchayath, Hiriya for service and on receipt of objections from the respondents, action will be taken. But, so far there is no information as to whether departmental inquiry has been initiated or not. In the report of the Executive Officer, Taluk Panchayath, Hiriya dated 21/8/2018 there is no mention regarding the initiation of Departmental inquiry.

9. On examination of the Audit report of the Rangenahalli Grama Panchayath for the years 2006-07 and 2007-08 and other correspondences by the Chief Executive Officer, Zilla Panchayath, Chitradurga and Taluk Executive Officer, Taluk Panchayath, Hiriya, it is prima facie noticed that the 2<sup>nd</sup> Respondent, Sri G. Kondaiah, who was then working as Secretary of Rangenahalli Grama Panchayath,

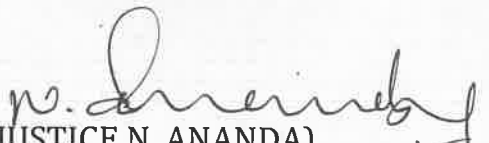
*N. Srinivas*

Hiriyur Taluk, Chitradurga District – presently working as Sericultural Demonstrator, Technical Service Centre, Hiriyur has committed misappropriation of amount of Rs.2,61,209/- while he was working as Secretary of Rangenahalli Grama Panchayath and inspite of issuance of notices he has not remitted the amount.

10. Therefore, acting under Section 12(1) of the Karnataka Lokayukta Act, recommendation is made to the Competent Authority to take steps to recover a sum of Rs.2,61,209/- from Respondent No.2 Sri G.Kondaiah, the then Secretary of Rangenahalli Grama Panchayath, Hiriyur Taluk, Chitradurga District – presently working as Sericulture Demonstrator, Technical Service Centre, Hiriyur.

11. As per Section 12(2) of the Karnataka Lokayukta Act, 1984, the Competent Authority shall intimate the action taken or proposed to be taken on this Recommendation, as early as possible but latest within one month from the date of receipt this recommendation.

Connected records are enclosed herewith.

  
(JUSTICE N. ANANDA)  
Upalokayukta-1  
State of Karnataka, Bengaluru  
15/9

