

KARNATAKA LOKAYUKTA

No:COMPT/UPLOK/MYS/147/2008 /DRE-5

M.S. Building,
Dr. B.R. Ambedkar Veedhi,
Bengaluru, Dtd:05/04/2019

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

Sub: Proceedings for compliance of the objections raised in the audit report for the year 2007-08 of Anemahal Gram Panchayath, Sakaleshpura Taluk, Hassan District - reg.,

An investigation was taken up under Section 9 of The Karnataka Lokayukta Act, 1984, on the basis of complaint filed by Sri Manjaiah, S/o Late Siddaiah, Kowdahalli Grama, Kasaba Hobli, Anemahal Post, Sakaleshpura Taluk, Hassan District (hereinafter referred to as complainant for short) against (1) Sri Timmashetty Secretary, Anemahal Grama Panchayath, Sakaleshpura Taluk, Hassan, (2) Sri Suresh, Bill Collector, Anemahal Grama Panchayati, Sakaleshpura Taluk, Hassan and (3) Smt. Rukmini, Ex-President, Anemahal Grama Panchayath, Sakaleshpura Taluk, Hassan (hereinafter referred to as 'respondent Nos. 1 to 3' for short).

2. This complaint is filed alleging the following;
 - a. There is misappropriation of amount received by auctioning the sand during the year 2005-06;
 - b. The amount reserved for drinking water and road was misappropriated;
 - c. The amount meant for 18%, SC/ST welfare was misappropriated;
 - d. The amount meant for street lights, open well, drainage, housing scheme was misappropriated;
 - e. The tax amount collected was misappropriated;
 - f. There is misappropriation of amount meant for training of computer education.

3. The first respondent Sri Thimmashetty, the then secretary has submitted a report regarding the above allegations, stating that; during the year 2005-06 no amount was collected by the Panchayath by auctioning the sand. During the year 2007-08, a sum of Rs.28,200/- was released for maintenance of hand pump bore well; Rs.16,000/- was released for minor water supply and drinking water. The same amount was utilized for the above purpose. The amount meant for SC/ST welfare was utilized for medical treatment, house

repair, and education of SC/ST people. The street lights were installed in the presence of Panchayath Members. During the year 2007-08 the repair works of drains were not undertaken. The tax collected was remitted to the bank and no recommendation was made for providing computer education from the Taluk Panchayath. Therefore, he requested for closure of complaint. The first respondent has enclosed the extract of registers in relation to the amount spent for repairs of bore well, taps, etc and the amount spent for SC/ST welfare.

4. The Executive Officer of Taluk Panchayath, Sakaleshpura has furnished a report dated 23/11/2010 in relation to the allegations made in the complaint as follows:-

a. He has furnished the orders relating to the grants released, extract of pass book, vouchers and D.C. Bill extracts, quotations in relation to the amounts released for maintenance of hand pump bore well, and minor water supply schemes.

b. He has furnished the details of vouchers, D.C. Bills and pass book relating to the expenditure incurred towards 20% of grant for SC/ST welfare and maintenance of street lights.

c. He has furnished the general receipts, cash book extracts and challans for having

collected the tax and remittance of the same into the bank.

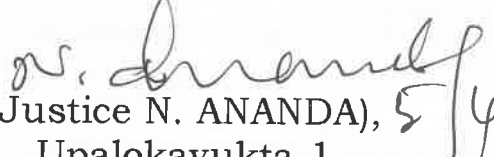
d. He has also furnished the copy of the audit report of the Panchayath for the year 2007-08.

5. On perusal of the complaint, reply of first respondent and the report of Executive Officer, Taluk Panchayath, Sakaleshpura, it is seen that the complaint allegations are general in nature. No specific allegations regarding misappropriation of amount under various heads are made. However, from the copy of the audit report for the year 2007-08 of the Anemahal Grama Panchayath, furnished by the Executive Officer, Taluk Panchayath, Sakaleshpura, the following objections were raised:

- a. Out of the total amount of Rs.5,87,239/- held in objection for the years 1994-95 to 2005-06, an amount of Rs.5,00,092/- was recovered. The remaining amount was not recovered.
- b. For the year 2006-07 it was held that the income tax, royalty, sales tax deducted out of the bills amounting to Rs.5,700/- was not remitted to the Government.
- c. For the year 2006-07 and amount of Rs.4,15,910/- was re-appropriated from fixed grant.

6. In view of the above, I am of the considered opinion that it is necessary to make recommendation under Section 12(1) of the Karnataka Lokayukta Act, 1984 for complying the objections raised in the audit report of the Anemahal Grama Panchayath for the year 2007-2008 and make good the above amount. Accordingly a recommendation is made.
7. 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 N. ANANDA), 5/4
Upalokayukta-1,
State of Karnataka.

