

KARNATAKA LOKAYUKTA

No. Compt/Uplok/MYS-8496/2011/ARE-6 M.S.Building,
Dr. B. R. Ambedkar Veedhi,
Bangalore.
Date: 23/01/2017.

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

Sub: Complaint filed by Sri.Prasad Bhandari - S/o.
Nilappa Bangera, Shanthinagar, 5th Cross,
Varamballi Village, Brahmavara Post, Udupi District -
reg.

A complaint was registered on the basis of complaint filed by one Sri.Prasad Bhandari - S/o. Nilappa Bangera, Shanthinagar, 5th Cross, Varamballi Village, Brahmavara Post, Udupi District (hereinafter referred to as complainant for short) against Sri.Raghav Shettigar - Revenue Inspector, Brahmavara, Udupi District, 2)Sri. Ravikumar - Special Tahasildar, Brahmavar, Udupi District and 3)Sri.Shrikanth - PDO, Varamballi Village, Brahmavara, Udupi District (hereinafter referred to as respondent No.1 to 3 respectively for short) alleging that, being Public/Government servant, has committed misconduct, an investigation has been taken up u/s 9 of the Karnataka Lokayukta Act, 1984.

g.w.

2. According to the complainant: A site measuring 2.75 cents, approximately 1200 sq.ft bearing survey No.197/44 was allotted by government to one Thimma Poojari for construction of a house. The PDO Varamballi Gram panchayath had issued license in favour of a person claiming to be a trustee of Sri.Adimasthikambika temple to construct temple building in the aforesaid site allotted for construction of house to Sri.Thimmapoojari. Even though, as per license permission was accorded to put up construction of 900 Sq.ft, the temple has been built covering 1,930.50 Sq.ft encroaching government land adjoining the said site. In spite of representation submitted for taking action against encroachment of government land the respondents have not taken any action.
3. Comments were called for from and they have submitted their comments denying the allegations.
4. The complainant has submitted rejoinder stating that the encroachment of government land shall to be removed and action has to be taken against PDO who had accorded construction permission in favour of Jayaveluswamiji as a result of which illegal construction has been put up on a land not belonging to the said swamiji or the trust which has further led to encroachment of government land by putting up construction.

5. The replies of respondent No.1 and 2 are accepted and proceedings are dropped against them but reply of the respondent No.3 is found not convincing to drop the proceedings hence, a report u/s 12(3) is sent against respondent No.3 recommending for initiation of disciplinary action.
6. The records show that construction has been put up in property No.197/44 by encroaching government land to the extent of 0.03 ³/₄th acre in Sy. No. 199 of Varamballi Taluk Udupi to be got cleared by taking required steps by the officers of Revenue Department.
7. Hence, this report is made under Section 12(1) of the Karnataka Lokayukta Act, to the competent authority to take steps for removal of encroachment in government land Sy.No.199 by the present occupant of property bearing Sy.No.197/44 on its southern side of Varamballi village in accordance with law.
8. Further, as per Section 12(2) of Karnataka Lokayukta Act, 1984, the Competent Authority shall intimate the action taken or proposed to be taken on this report.

Copies of connected records are enclosed.

G.M.
23/01/17.
[JUSTICE SUBASH B ADI]
see **Upalokayukta**
Karnataka State, Bengaluru.

