

KARNATAKA LOKAYUKTA

Compt/Lok/BGM/290/2017/ARE-12

M.S. Building,
Dr. B.R. Ambedkar Veedhi,
Bengaluru, dated 16.01.2021

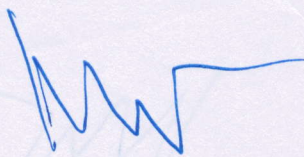
**REPORT UNDER SECTION 12(3) OF THE
KARNATAKA LOKAYUKTA ACT, 1984**

Sub : Proceedings initiated against Dr.Noorjahan Nazeemuddin Ganihar, Professor, Education Division, K.V.V., Dharwad, about her misconduct as a Public/Government Servant-reg.,

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1. On the basis of the charge sheet forwarded by the Additional Director General of Police, Karnataka Lokayukta, Bengaluru that Dr. Noorjahan Nazeemuddin Ganihar, Professor, Education Division, K.V.V., Dharwad (hereinafter referred to as 'respondent' for short) has committed misconduct as a public servant, an investigation was taken up under Section 7 of the Karnataka Lokayukta Act, 1984.
 2. The allegation against the respondent is that the respondent demanded illegal gratification from the research students namely Sri. Ajaz Ahamed Naikoo and Ms. Shabia A.M. Khan, who got registered for Phd

programme under the guidance of respondent and the respondent had compelled Ms. Shabia A.M.Khan to pay Rs.50,000/- in cash towards the illegal gratification and thereby, she has failed to maintain absolute integrity and devotion to duty.

3. In this connection, based on a complaint of the Research Students, a case came to be registered by the Lokayukta Police, Dharwad in Cr. No.6/2015 for the offence punishable under Section 7 of the Prevention of Corruption Act, 1988. On completion of the investigation, the charge sheet for the aforesaid offence came to be submitted to the jurisdictional court against the respondent.
4. The documents collected during the course of investigation indicates that on the same set of allegations, a disciplinary proceedings was initiated against the respondent herein under the provisions of Karnataka University's Employees (Classification, Control and Appeal) Rules, 1998 in D.E. No.1/2015 and Sri.R.S. Beerannavar, Retired District Judge was appointed as an Enquiry Officer to hold an enquiry into the Articles of Charge leveled against her.



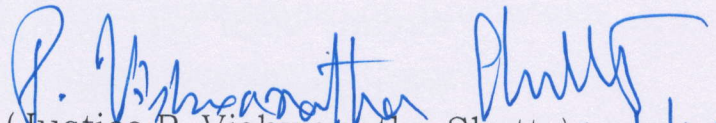
5. The documents made available by the Registrar, Karnataka University, Dharwad by means of his letter dated 30.11.2020 indicates that the Enquiry Officer has submitted Enquiry Report dated 26.09.2016 to the Registrar, Karnataka University, Dharwad holding that the charges leveled against the respondent are proved and he has opined that the respondent herein deserves a major penalty under the provisions of Karnataka University's Employees (Classification, Control and Appeal) Rules, 1998.
6. Further, the report dated 25.1.2019 submitted by the Registrar, Karnataka University, Dharwad indicates that the report of Inquiry Officer dated 26.09.2016 was placed before the Syndicate Meeting held on 14.10.2016 and the Syndicate has resolved to withhold the Enquiry Report submitted by the Enquiry Officer on account of ongoing Lokayukta Enquiry in the matter. Since, an enquiry has already been held by the Karnataka University, Dharwad with respect to the same allegations involved in the present complaint by appointing Enquiry Officer, who has already submitted an Enquiry Report holding that the charges leveled against the respondent are proved and the material collected during the course of investigation also substantiates the allegations made against the



respondent, it is not permissible to hold one more enquiry by this Institution.

7. Accordingly, now acting under Section 12(3) of the Karnataka Lokayukta Act, 1984, a recommendation is made to the Competent Authority to direct the authorities of University to implement the Enquiry Report dated 26.09.2016 submitted by Sri. R.S. Beerannavar, retired District Judge in accordance with law against Dr. Noorjahan Nazeemuddin Ganihar, Professor, Education Division, K.V.V., Dharwad.
8. Further, as per Section 12(4) of Karnataka Lokayukta Act, 1984, the Competent Authority shall intimate to this Authority within one month from the date of receipt of this report, as to the action taken or proposed to be taken on the basis of this report.

Connected records are enclosed.


(Justice P. Vishwanatha Shetty) 16/1/21,
Lokayukta,
State of Karnataka