

KARNATAKA LOKAYUKTA

No. Compt/Uplok/BCD-2887/2017/ARLO-1 M.S. Building,
Dr. B.R. Ambedkar Veedhi,
Bengaluru, dated 28/02/2020.

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

Sub: Initiation of proceedings against Sri.
N.R.Mahantha Reddy, Assistant
Commissioner of Police, Chamarajpet sub
division, Bengaluru City, Bengaluru Urban
District about his misconduct as
Public/Government servant- reg.,

An investigation was taken up under Section 9 of the Karnataka Lokayukta Act, 1984, on the basis of complaint filed by Sri H.D. Chandrashekar, S/o Doddabasappa, Anti corruption Activist, Opp. ACB Office, Hospete, Bellary (hereinafter referred to as 'Complainant' for short) against Sri. N.R. Mahantha Reddy, Assistant Commissioner of Police, Chamarajapet Sub division, Bengaluru city, Bengaluru (hereinafter referred to as 'Respondent' for short).

2. The substance of the complaint is that the Respondent - N.R.Mahantha Reddy, who is working as Assistant Commissioner of Police, Chamarajapete Sub-division, Bengaluru City has amassed assets disproportionate to his known sources of income. It is alleged in the complaint that -

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- He has constructed a palatial residential building at Chitradurga town worth more than 2 crore rupees.
- He has purchased 32 acres of benami agricultural land near Khanahosahalli in Koodligi taluk of Bellary district.
- He has purchased commercial sites and agricultural land in Challakere abutting Challakere-Hiriyur main road.
- He has purchased 23 sites at Chitradurga town, Davanagere city, Hospete, Bellary and Bengaluru city.
- He has not submitted his Assets and Liabilities statements from many years during his service.

The complainant has alleged that the above said properties have been acquired by the Respondent without obtaining prior permission from the competent authority and has alleged that the respondent has indulged in corrupt practices. The complainant has requested this authority to take action against the Respondent.

3. Deputy Superintendent of Police, City division, Karnataka Lokayukta, Bengaluru (hereinafter referred as I.O) has submitted report dated 19/02/2018 stating that the allegations of acquisition of assets disproportionate to known source of income by the respondent are not established. I.O has stated in the report that the respondent is having 87 acres of ancestral joint family property at Lakshmipura Village, Challakere Taluk,

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Chitradurga District and has declared income of about Rs.25 lakhs per year in his statement of Assets and Liabilities. The respondent is having a site measuring 60'x40' in the name of his wife Smt R.Yashoda. The respondent is having movable property worth Rs. 14 lakhs. It is stated in the report that all the above said properties have been declared by the respondent in his Assets and Liabilities statement.

On perusal of the report and documents submitted by the I.O, it appears that though it is alleged in the complaint that the Respondent has not submitted his statement of assets and liabilities from the date of his appointment in the year 1990, the I.O. has obtained Assets and Liabilities statement of the respondent only for the year ending 2015, 2016 and 2017. Further it is not clear from the report of the I.O, whether the 87 acres of land was declared by the Respondent in his statement of assets and liabilities as ancestral property during the first year of his appointment as no documents have been furnished to show that the said property is ancestral property of the Respondent. It appears that the I.O has not furnished documents pertaining to the income/cash/gold declared by the Respondent in his statement of Assets and Liabilities. Further it appears that the I.O has not investigated about the prior permission for loans availed by the Respondent. Therefore it appears that the I.O has not investigated the matter by taking into consideration the provisions of Karnataka Civil Services (Conduct) Rules, 1966.

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4. The Respondent has submitted comments dt. 23/3/2018 stating that he is working as Assistant Commissioner of Police, CCB, Bengaluru from 6/3/2018. Earlier he was working as Assistant Commissioner of Police at V.V.Puram sub division. He has stated that he has joined service as Police Sub Inspector on 21/3/1990 and has denied the allegation of having acquired assets illegally. He has stated that he has purchased site no. 41 in sy.no. 8/1 measuring 40 X 60 at Chitradurga from Sri.P.Basavaraj S/o Poojappa for a sum of Rs. 1,56,000/- by obtaining permission dt. 10/9/2004 from the Inspector General of Police, Eastern Range, Davangere. He has further stated that he has 87 acres of land from the time of his grandfather at Lakshmipura village, Challkere taluk, Chitradurga district, which is a joint family property standing in his name along with the names of his mother - Smt. Rathnamma and Brother - N.R. Ramalingareddy. In the said land, there is 20 acres of Mango garden, 4 acres of pomegranate garden and other similar crop. He has stated that he has submitted statement of Assets and liabilities for the last 7 years along with his comments. He has furnished the copy of letter dt. 10/6/2004 bearing no. CB/PER/2/2004 issued by Inspector General of Police, Eastern Range, Davanagere according permission to him to purchase a house site measuring 40 X 60 in sy.no. 8/1, site no. 41 belonging to Sri. P. Basavraju S/o Poojappa at a cost of Rs. 1,56,000/- in the name of his wife from his savings from salary and income received from his land. He

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has denied the allegations in the complaint and has requested this authority to close the complaint.

5. It is noted that the Respondent has furnished copies of statement of Assets and Liabilities stated to be furnished by him for the year ending 2011 to 2017. The I.O. has collected statements of Assets and Liabilities of the Respondent for the year ending 2015 to 2017. The DG and IGP, State of Karnataka was called upon to submit the Assets and Liabilities statement of the Respondent from the date of his appointment and he has submitted the copies of Assets and Liabilities statement of the Respondent for the year ending 2014, 2016, 2017 and 2018. The DG and IGP has stated in his letter dt. 18/1/2020 that the Respondent has submitted Assets and Liabilities statements to his office only for the year 2014-15 to 2017-18. ***From the above, it appears that an inference can be drawn that the Respondent has not submitted his statement of Assets and Liabilities for all the years from the date of his appointment in the year 1990 as required under Rule 23 of the KCS Conduct Rules, 1966.***
6. The Respondent has stated that he has 87 acres of land at Lakshmipura village, Chalkere taluk, Chitradurga District, which is an ancestral property. It is noted that he has shown the extent of the said land of Lakshmipura village as 96 acres in the copies of statements of Assets and Liabilities for the year ending 2011 to 2014 furnished by him along with his comments. However in the copies of statements of Assets and Liabilities furnished by him for

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the year ending 2015 to 2017, he has shown the extent as 87 acres by stating that he had misquoted the extent due to lack of information. But he has not submitted any supporting documents to show that it is an ancestral property. The copies of RTCs submitted by the Respondent along with his comments show 12 acres of land in sy.no. 5/2 of Lakshmipura village in the name of the Respondent, 18.24 acres of land in sy.no. 5/1 of Lakshmipura village in the name of his mother Rathnamma W/o N. Ramareddy, 26.06 acres of land in sy.no. 8/1 of Lakshmipura village in the name of his brother N.Ramalingareddy S/o of N. Ramareddy and 28.25 acres of land in sy.no.10 of Lakshmipura village in the name of his mother Rathnamma w/o Late N. Ramareddy. However only on the basis of these RTCs, it cannot be said that the said lands are ancestral properties. The Respondent has not submitted his first statement of Assets and Liabilities submitted during the first year of his appointment in 1990 to show that the same was declared as an ancestral property in the very first statement itself. **From the above, it appears that an inference can be drawn that the Respondent has not provided the full particulars regarding the said immovable properties as required under rule 23(1)(a) of the KCS (Conduct) Rules, 1966.**

7. In the copies of Statements of Assets and Liabilities furnished by the Respondent, he has declared to have availed the following loans at sl.no. 1 and 2 in the table below and the loans at sl.no. 3 and 4 in the table below are shown in the column no.11 of the copy of the RTC in

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respect of sy.no. 5/2 of Lakshmipura village furnished by the Respondent showing 12 acres of land in his name, as follows;

Sl.no.	Name of the Lender	Loan Amount	Year
1.	SBI, Challakere	Rs. 5 lakhs	Not specified
2.	HDFCL Finance	Rs. 5 lakhs	Not specified
3.	Manager, SBI, Challakere Branch	Rs. 7,11,000/-	MR no. T12/2014-15 and MR no.6/2010-11
4.	Manager, SBI, Challakere Branch	Rs. 8,76,000/-	MR no. T12/2014-15 and MR no.6/2010-11

The Respondent has not furnished any document to show that he has obtained previous sanction of the Competent Authority for availing the aforementioned loans. Further it appears that the Respondent has not given the full particulars of the said loans in his statement of assets and liabilities. **Therefore it appears that an inference can be drawn that the Respondent has not obtained previous sanction of the Competent Authority for availing the aforementioned loans as required under rule 21 (4) of the KCS (Conduct) Rules, 1966 and has not given or furnished the full particulars of the aforementioned loans to the Competent Authority as required under rule 23(1)(d) of the said Rules.**

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8. On perusal of the copies of the statements of Assets and Liabilities furnished by the Respondent, he has declared the following details as annual income from the agricultural land as follows;

Sl. no.	Year	Annual Income declared	Name of the Crop
1.	2011	Rs. 13,00,000/-	Mango, Groundnut and Tamarind
2.	2012	Rs. 18,00,000/-	Mango, Groundnut, Tamarind and Pomegranate
3.	2013	Rs. 20,00,000/-	Mango, Groundnut, Tamarind and Pomegranate
4.	2014	Rs. 25,00,000/-	Mango, Tamarind and Pomegranate
5.	2015	Rs. 25,00,000/-	Mango, Tamarind, Onion and Pomegranate
6.	2016	Rs. 30,00,000/-	Mango, Tamarind, Onion and ತೋಗರಿ
7.	2017	Rs. 15,00,000/-	Mango and ತೋಗರಿ
8.	2018	Rs. 18,00,000/-	Mango and ತೋಗರಿ

However the Respondent has not furnished the details of the aforementioned purported annual incomes with supporting documents. **Therefore it appears that an inference can be drawn that the Respondent has not provided the full particulars regarding his annual**

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income to the Competent Authority as required under Rule 23(1)(b) of the KCS (Conduct) Rules, 1966.

9. It appears that the Respondent has declared that he has acquired 30 tolas of gold at the time of marriage probably through gift and he has declared the following amounts as cash at hand in his statements of Assets and Liabilities.

Sl.no.	Year	Cash
1.	2011	1.90 lakhs
2.	2012	1.90 lakhs
3.	2013	2.50 lakhs
4.	2014	2.50 lakhs
5.	2015	2.50 lakhs
6.	2016	2.50 lakhs
7.	2017	5 lakhs
8.	2018	8 lakhs

However he has not submitted any supporting documents in respect of the aforementioned cash amounts declared by him as well as 30 tolas of Gold stated to be acquired during the time of marriage probably through gift. **Therefore it appears that an inference can be drawn that the Respondent has not provided the full particulars regarding his cash to the Competent Authority as required under rule 23(1)(b) of the KCS (Conduct) Rules, 1966 and has not complied with Rule 14 of the said Rules.**


10. From the above it appears that there is prima facie material to infer misconduct on the part of the Respondent



for the non-compliance of Rules 14, 21 and 23 of Karnataka Civil Services (Conduct) Rules, 1966 as stated above.

11. The facts and material on record, prima-facie show that the Respondent has committed misconduct as per Rule 3 (i) to (iii) of Karnataka Civil Services (Conduct) Rules, 1966. Accordingly, now, acting under Section 12(3) of the Karnataka Lokayukta Act, recommendation is made to the Competent Authority to initiate disciplinary proceedings against the Respondent Sri. N.R. Mahantha Reddy, Assistant Commissioner of Police, Chamarajapet Sub division, Bengaluru city, Bengaluru (Date of Retirement is 31/07/2020) and to entrust the inquiry to this Authority under Rule 14-A of the Karnataka Civil Services (Classification, Control and Appeal) Regulations, 1957.
12. 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 N. ANANDA),
Upalokayukta-1, 28/2
State of Karnataka.