

KARNATAKA LOKAYUKTA

NO: COMPT/UPLOK/BGM/329/2011/ARLO1

M.S.Building,
Dr.B.R.Ambedkar Veedhi,
Bangalore,
Date:06/05/14

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

Sub: Proceedings against Sri.Manjunath Jayavantharao More – Clerk in Gram Panchayat of Katnur village in Hubli taluk of Dharwad district, about his mis-conduct as a Govt. servant – reg.

On the basis of a report of the Additional Director General of Police in Karnataka Lokayukta at Bangalore, filed along with investigation papers and report of the Police Inspector in Karnataka Lokayukta at Dharwad (hereinafter referred to as 'Investigation Officer i.e., I.O – for short'), alleging that Sri.Manjunath Jayavantharao More – Clerk in Gram Panchayat of Katnur village in Hubli taluk of Dharwad district (hereinafter referred to as 'respondent – for short'), being a Govt. servant, has committed misconduct, when approached by Sri.Swamy Shivanand s/o Yellappa Hattennavar r/o Budarashingi in Hubli, ^{TG ✓} (hereinafter referred to as 'the complainant – for short'), an investigation was taken up under Section 9 of the Karnataka Lokayukta Act, 1984, after invoking Section 7(2) of Karnataka Lokayukta Act, 1984.

2. Brief facts of the case are:-

(a) According to the complainant:- He along with his friend Sri.Yellappa Siddappa Ugnikeri with the help of their family members and 5 other coolie workers planted plants on 02/08/2010 and 03/08/2010 under MGNREGA ^{by} Scheme;

- (b) However, when the complainant and his friend - Sri.Yellappa approached, the respondent for coolie amount, the respondent demanded ₹2,000/- from each;
- (c) Being unwilling to pay bribe to respondent, complainant met Lokayukta Police on 10/08/2014 and thereafter, when they met the respondent and bargained, the respondent insisted them to bring ₹3,600/- totally;
- (d) Not only that, on 11/08/10, respondent had taken the tainted (bribe) amount (₹3,600/-) from him in connection with said work at his office;
- (e) Thereafter, respondent was caught hold by the I.O as he was found with the tainted (bribe) amount on said date at said place;
- (f) But, respondent failed to give any satisfactory reply or explanation or account for the said tainted (bribe) amount, which respondent had then, when questioned by the I.O.;
- (g) So, the said tainted (bribe) amount was seized from respondent under a mahazar by the I.O. in the presence of panchas on said date;
- (h) Even there are statements of witnesses, including complainant, besides connected records and material filed by the I.O., which also show said repeated misconduct.

3. Said facts supported by the material on record show that the respondent, being a Govt. servant, has failed to maintain absolute integrity besides devotion to duty and acted in a manner unbecoming of a Government servant, and thereby repeatedly committed misconduct and liable for disciplinary action.

4. Therefore, investigation was taken up against the respondent and an observation note was sent to him to show cause as to why recommendation should not be made to the Competent Authority for initiating departmental inquiry against him in the matter. But, the


respondent did not prefer to file any reply showing any cause whatsoever though given sufficient time, due to which taken that the respondent has nothing to say about it.

5. The respondent was appointed as daily wage employee and was suspended after this incident and thereafter pending enquiry he was again appointed as Clerk of the Panchayat. Though, he was daily wage employee, he was serving in connection with affairs of State of Karnataka as mentioned in Sec.2(6) of Karnataka Lokayukta Act and therefore, he is Govt. servant.

6. Since said facts and material on record prima-facie show that the respondent, as Clerk in Panchayat, has committed misconduct and acted in a manner unbecoming of a Govt. servant, 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 and to entrust the inquiry to Competent person or to this Authority.

7. Further, as per Section 12(4) 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, as the complaint is of the year 2011.

Connected records are enclosed.


(JUSTICE S.B.MAJAGE)
Upalokayukta-1,
State of Karnataka.

