

KARNATAKA LOKAYUKTA

NO: COMPT/UPLOK/BGM/3535/2019/DRE4

MS Building,  
Dr.B.R.Ambedkar Veedhi,  
Bengaluru, Date:23/06/2020

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

**Sub:** Proceedings against 1)Smt.Rathnamma.B. Hosamani - District Officer and 2)Sri.Ravi.L.Gunjikar - Taluk Extension Officer, both are of Backward Classes Welfare department, Gadag taluk & 3)Sri.Basavaraj V Ballari - Hostel Warden, Backward Classes (Medical & Engineering) Post Metric Boys' Hostel, Gadag-Koppal road, Gadag district, about their misconduct as Govt. servants - reg.

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A *suo moto* investigation was taken up by invoking Sec.7(2) of Karnataka Lokayukta Act against 1) Smt.Rathnamma.B.Hosamani - District Officer and 2)Sri.Ravi.L.Gunjikar - Taluk Extension Officer, both are of Backward Classes Welfare department, Gadag taluk & 3) Sri.Basavaraj V Ballari - Hostel Warden, Backward Classes (Medical & Engineering) Post Metric Boys' Hostel, Gadag-Koppal road, Gadag district (hereinafter referred to as 'respondents No.1 to 3, respectively - for short').

2. Brief facts of the case are:-

On the source information regarding mismanagement and misappropriation of funds \ stock, on 18/12/2019 undersigned conducted inspection at Backward Classes (Medical & Engineering) Post Metric Boys' Hostel, Gadag-Koppal road, Gadag district and noticed following deficiencies \ mismanagement -

- 1) The windows of several hostel rooms were broken;
- 2) The torn photograph of Sir.M.Visveshwaraya was affixed on the wall in derogation of respectability;
- 3) The backyard of the hostel was filled with silt. The surrounding atmosphere of the hostel was in very bad condition. There was open drainage behind the hostel and stagnation of water, from which foul smell was emanating, which was causing unfit atmosphere to stay in hostel rooms;
- 4) The walls and roofs of the rooms have development dampness;
- 5) Worms & insecticides were found in the stock of Jowar, Wheat & Rava;
- 6) Admission register, Attendance register & Stock book of the commodities and articles were not made available for inspection to the undersigned;
- 7) The hostel warden [3<sup>rd</sup> respondent] was not present during the inspection and there was no incharge arrangement for the warden;
- 8) The hostel warden, on receipt of food articles and other commodities from the supplier/ department has not conducted the qualitative and quantitative verification of food articles and other commodities. He has also not certified the qualitative and quantitative receipt of food articles and other commodities;
- 9) The immediate superior officer of hostel warden - the 2<sup>nd</sup> respondent has not conducted periodical inspection of the hostel, food and other articles supplied to the hostel, stock register and bills;

10) 3<sup>rd</sup> respondent has also not bothered to inspect the hostel and take action against the lapses in the hostel.

3. Observation notes were sent to the respondents for their comments.

4. Respondents have submitted common comments stating that -

The windows of the hostel were broken due to the negligence of the students. Now, after receipt of the grant, broken windows have got repaired. Further, they have contended that the torn photograph of Sir.M.Visveshwaraya has been replaced. The surrounding of the hostel has been cleaned. The stock room has been cleaned and new stock of Jowar, Wheat and Rava have been filled in separate container boxes. It is contended that admission register, attendance register and stock book, etc., have been maintained in the hostel. However, those registers could not be produced for the perusal as the 3<sup>rd</sup> respondent was deputed on other duty on the given date. Thus, all the respondents have requested to drop the further proceedings.

5. The material on record discloses that -

1) During the inspection\ preliminary enquiry on 18/12/19 in Backward Classes (Medical & Engineering) Post Metric Boys' Hostel, Gadag-Koppal road, Gadag district by the undersigned noticed following deficiencies\ mismanagement -

- 1) The windows of several hostel rooms were broken;
- 2) The torn photograph of Sir.M.Visveshwaraya was affixed on the wall in derogation of respectability;
- 3) The backyard of the hostel was filled with silt. The surrounding atmosphere of the hostel was in very bad condition. There was open drainage behind the hostel and stagnation of water, from which foul smell was

- emanating, which was causing unfit atmosphere to stay in hostel rooms;
- 4) The walls and roofs of the rooms have development dampness;
  - 5) Worms & insecticides were found in the stock of Jowar, Wheat & Rava;
  - 6) Admission register, Attendance register & Stock book of the commodities and articles were not made available for inspection to the undersigned;
  - 7) The hostel warden [3<sup>rd</sup> respondent] was not present during the inspection and there was no incharge arrangement for the warden;
  - 8) The hostel warden, on receipt of food articles and other commodities from the supplier/ department has not conducted the qualitative and quantitative verification of food articles and other commodities. He has also not certified the qualitative and quantitative receipt of food articles and other commodities;
  - 9) The immediate superior officer of hostel warden – the 2<sup>nd</sup> respondent has not conducted periodical inspection of the hostel, food and other articles supplied to the hostel, stock register and bills;
  - 10) 3<sup>rd</sup> respondent has also not bothered to inspect the hostel and take action against the lapses in the hostel.
- 2) As per the comments of respondents, they categorically admit that the windows of the hostel were broken; torn photograph of Sir.M.Visveshwaraya affixed on the wall of the hostel and that the back yard of the hostel was filled with the silt;
  - 3) Sir.M.Visveshwaraya is a great personality and inspiration to the students, especially to the engineering students. Photograph taken during the inspection clearly indicate that the photograph of Sir.M.Visveshwaraya was affixed on the wall of the hostel was torn.

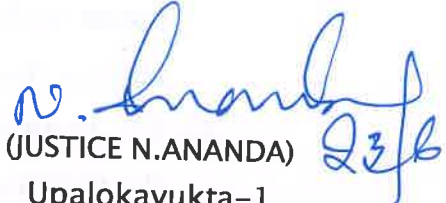
None of the respondents have taken steps to replace the torn photograph which is in derogation of respect to such a great personality;

- 4) Further, respondents admit that insects\ worms were found in the stock of Jowar, Wheat and Rava;
- 5) 3<sup>rd</sup> respondent has stated that on 18/12/19 he was deputed on other duty. But, no documents produced to show that on 18/12/19 he was deputed on other duty. In the attendance register of 18/12/19 and 19/12/19, there is 'A' markings in the first half of the day and 'O' marking in the second half of the day. Said markings hardly convey that on those two dates 3<sup>rd</sup> respondent was deputed on other duty. There were no in-charge arrangements for the 3<sup>rd</sup> respondent on those two dates. Though the respondents have contended that the cooking staff of the hostel was placed in-charge of the 3<sup>rd</sup> respondent, no documents produced;
- 6) Though, the respondents have contended that admission register, attendance register & stock register have been maintained in the hostel, they have not produced the relevant documents for perusal;
- 7) From the above deficiencies\ mismanagement found in the hostel, it is easy to infer that the 1<sup>st</sup> and 2<sup>nd</sup> respondents, who are District Officer and the Taluk Extension Officer, Backward Classes Welfare department, Gadag, respectively, have not bothered to conduct periodical inspection of the hostel, failed to maintain cleanliness in the hostel/ surroundings and food & other articles supplied to the hostel with reference to the stock register and bills and take action against the lapses and thus, they have failed in their duties;
- 8) 3<sup>rd</sup> respondent being the hostel warden, failed to maintain cleanliness and hygiene in the hostel and its surroundings. He has

also failed to get the broken windows of the hostel repaired and failed to replace the torn photograph of Sir.M.Visweshwaraya.

6. Therefore, explanations offered by the respondents are not accepted. Thus, investigation substantiates the allegation against all the respondents. The materials on record clearly make out a case for holding disciplinary enquiry against all the respondents.
7. The materials available on record *prima facie* disclose that the respondents being Govt.\ Public servants, have failed to maintain absolute integrity, devotion to duty and acted in a manner unbecoming of Government servants, and thereby committed misconduct attracting 3(1) of KCS (Conduct) Rules 1966 and liable for disciplinary action.
8. Therefore, acting under Section 12(3) of Karnataka Lokayukta Act, recommendation is made to the Competent Authority to permit to initiate disciplinary proceedings against all the respondents and to entrust the enquiry to this Authority under Rule 14-A of KCS (CCA) Rules.
9. Further, as per section 12(4) of Karnataka Lokayukta Act 1984, the Competent Authority is required to intimate to this authority within three months from the date of receipt of this report.

Copies of connected records are enclosed.

  
(JUSTICE N.ANANDA) 23/6  
Upalokayukta-1,  
Karnataka State.

