

KARNATAKA LOKAYUKTA

NO: COMPT/UPLOK/BGM/3537/2019/DRE4

MS Building,
Dr.B.R.Ambedkar Veedhi,
Bengaluru, Date:07/11/2020

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

Sub: Proceedings against 1) Smt.Rathnamma B Hosamani - District Officer; 2) Sri.Ashoka S Patil - Taluk Extension Officer, Backward Classes Welfare department and 3)Sri.G.N.Mallur - Incharge Hostel Warden, Backward Classes Post Metric Boys' Hostel, Shirahatti, Gadag district, about their misconduct as Govt. servants - reg.

A *suo-moto* investigation was taken up by invoking Sec.7(2) of Karnataka Lokayukta Act against 1) Smt.Rathnamma B Hosamani - District Officer; 2)Sri.Ashoka S Patil - Taluk Extension Officer, Backward Classes Welfare department and 3) Sri.G.N.Mallur - Incharge Hostel Warden, Backward Classes Post Metric Boys' Hostel, Shirahatti, Gadag district, (hereinafter referred to as 'respondents No.1 to 3, respectively - for short').

2. Brief facts of the case are:-

On 19/12/2019 undersigned conducted preliminary enquiry in Backward Classes Post Metric Boys' Hostel, Shirahatti, Gadag district and noticed following deficiencies/ mismanagement in the said hostel -

- 1) The Hostel is running in a rented building of Sri Fakireshwar Math. It is stated by the Warden that the students' strength of the Hostel was 100. The rooms in the hostel, where the students were lodged looks like a dormitory. No cots, beds or tables were provided to the

- students. They have to sleep on the floor. Only the carpets, bed sheets and blankets were provided to them. The tube light fixed for the rooms does not give sufficient light for the study of students;
- 2) The Stock and Issue Register of commodities made available by the Warden was opened from June 2019. There was no pagination of the Register. The entries in the stock register for the months of August, September and October 2019 are incomplete;
 - 3) As per the Attendance Register, in the month of June the total number of students is shown as 54. In the month of July the total number of students is shown as 87. In the Stock Register, for the month of June, 34 Kgs. of rice is shown to have been issued on each day i.e., 12Kgs. in the morning, 12 Kgs. in the afternoon and 10 Kgs. for night, when rice is used for breakfast. When the rice is not used for breakfast, the issue is shown as 12 Kgs for the afternoon and 10 Kgs for the night. This issue was for 54 students in the month of June, 2019. There was no variation of issuance of rice for the month of July 2019, though the strength of students for the month of July 2019 is shown as 87;
 - 4) The issuance of sugar for the month of June 2019 is shown as 1 Kg. for the morning and 1 kg for the evening. In the month of July 2019, the issuance of sugar is shown as 3 Kgs only for the morning;
 - 5) The students' strength for the month of August 2019 as per the Attendance Register was 97. In the stock register for the month of August 2019, the issuance of rice is shown as 36 Kgs per day when the rice is used for breakfast. When the rice was not used for breakfast, the issuance is shown as 30 Kgs. The issuance of sugar is shown as 3 Kgs. in the morning;
 - 6) There is no entry relating to receipt and issuance of milk and curds. As per the Bills, 150 Litres of milk and 180 Litres of curd were being supplied to the hostel every month;
 - 7) Many of the pages in the middle of the stock book are left blank without there being any reason, particularly at the end of each month till the commencement of entries for the next month. There are alterations in the numericals for the entries relating to issuance of Jowar for the month of November 2019. At the end of every month, the stock of each commodity is shown as nil as if the commodities were systematically issued, notwithstanding the attendance of students. The receipt of Cashew nut, dry grapes, Elachi is shown in the stock

register as single item. So also, the receipt of mustard, jeera, turmeric powder and garlic, are clubbed and quantity is shown as single item;

- 8) As per the Bill dated 30/6/2019, there was receipt of 900 eggs and 900 bananas for the month. But the entries relating to receipt and issuance of egg and banana in the stock register are left blank. Even in the month of August 2019, there was receipt of 900 eggs and 900 bananas as per the Bill. But the entries relating to receipt and issuance in the stock register are left blank, as if there was no purchase of eggs or bananas for the month;
- 9) As per the Bill dated 30/8/2019, there was supply of 1400 eggs and 1400 bananas to the hostel. But in the stock book, the entries are left blank. So also the milk and curd;
- 10) As per the Bill dated 30/9/2019, there was supply of 1400 eggs and 1400 bananas to the hostel. In the stock book, the entries relating to receipt of issuance of egg and bananas are left blank;
- 11) In the Stock book for the month of October 2019, the entries relating to receipt and issuance of eggs and bananas are left blank, though there was supply of 1400 eggs and 1400 bananas for the month;
- 12) In the stock register for the month of November 2019, the receipt and issuance of eggs and bananas is shown as 100 on alternate days. The total receipt and issuance comes to 1300, as against supply of 1400 eggs and 1400 bananas;
- 13) The entries in the stock book relating to receipt and issuance of commodities are falsified. The entries in the stock book need further verification.

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

4. Respondent No.1 submitted comments contending that, she had inspected the hostel and advised to maintain cleanliness and discipline in the hostel.

5. Respondent No.2 submitted comments in the similar lines to that of respondent No.1.

6. Respondent No.3 submitted comments stating as under -

- (i) ನಿಲಯದ ವಿದ್ಯಾರ್ಥಿಗಳಿಗೆ ಕಾಟ್, ಬೆಡ್, ದಿಂಬುಗಳನ್ನು ಸರ್ಕಾರದಿಂದ ಅನುದಾನ ಬಂದ ತಕ್ಷಣ ಖರೀದಿಸಿ ವಿತರಿಸಲಾಗುವುದು. ವಿದ್ಯಾರ್ಥಿಗಳ ಕೊಠಡಿಗಳಲ್ಲಿ ಬೆಳಕಿನ ವ್ಯವಸ್ಥೆ ಹೆಚ್ಚಿಸಿದೆ;
- (ii) 100 ಸಂಖ್ಯಾ ಬಲದ ಬಾಲಕರ ವಿದ್ಯಾರ್ಥಿನಿಲಯದಲ್ಲಿ ಸಂಖ್ಯಾಬಲಕ್ಕೆ ಅನುಗುಣವಾಗಿ ಮೂರು ಅಡುಗೆಯವರು, ಎರಡು ಅಡುಗೆ ಸಹಾಯಕ ಸಿಬ್ಬಂದಿಯವರು ಕಾರ್ಯನಿರ್ವಹಿಸುತ್ತಿದ್ದಾರೆ;
- (iii) ದಾಸ್ತಾನು ಕೊಠಡಿಯನ್ನು ಪರಿಶೀಲನೆಗೆ ಒದಗಿಸಿದೆ;
- (iv) 2019 ಜೂನ್ ತಿಂಗಳಲ್ಲಿ ವಿದ್ಯಾರ್ಥಿಗಳು ಪ್ರವೇಶಗೊಂಡಾಗ ಜುಲೈ, 2019, ಆಗಸ್ಟ್, 2019 ರವರೆಗೆ ಪ್ರವೇಶ ಪೂರ್ಣಗೊಂಡಿರುತ್ತದೆ. 2019 ಆಗಸ್ಟ್, ಸೆಪ್ಟೆಂಬರ್ & ಅಕ್ಟೋಬರ್ ತಿಂಗಳುಗಳಲ್ಲಿ ವಿದ್ಯಾರ್ಥಿಗಳ ಪ್ರವೇಶ ಸಮಯವಾದ್ದರಿಂದ ಸ್ಟಾಕ್ ರಿಜಿಸ್ಟರ್ ಬರೆಯುವುದು ವಿಳಂಬವಾಗಿದೆ;
- (v) 2019 ಜೂನ್, ಜುಲೈ ತಿಂಗಳಲ್ಲಿ ಪಡಿತರ ಆಹಾರ-ಧಾನ್ಯ ಪೂರೈಕೆಯಲ್ಲಿ ಕೆಲವು ತಿಂಗಳು ಹೊಸ ಅಕ್ಕಿ ಪೂರೈಕೆಯಾದಾಗ ಮತ್ತು ಹಳೆ ಅಕ್ಕಿ ಪೂರೈಕೆಯಾದಾಗ ವಿತರಣೆಯಲ್ಲಿ ವ್ಯತ್ಯಾಸವಾಗಿದೆ;
- (vi) 2019 ಜೂನ್, ಜುಲೈ ತಿಂಗಳಲ್ಲಿ ಮಳೆಗಾಲದಲ್ಲಿ ಹವಾಮಾನಕ್ಕೆ ತಕ್ಕಂತೆ ಸಕ್ಕರೆಯನ್ನು ವಿತರಿಸಿದೆ;
- (vii) 2019 ಆಗಸ್ಟ್ ತಿಂಗಳಲ್ಲಿ ವಿದ್ಯಾರ್ಥಿಗಳ ಸಂಖ್ಯೆಗೆ ಅನುಗುಣವಾಗಿ ಮುಂಜಾನೆ ಉಪಹಾರಕ್ಕಾಗಿ ಅಕ್ಕಿಯನ್ನು ಬಳಸಲಾಗಿತ್ತು ಮತ್ತು ಮೇಲ್ವಿಚಾರಕರ ಪ್ರಕಾರ ಇನ್ನೂ ಉಳಿದ ದಿನಗಳಲ್ಲಿ ಇಡ್ಲಿ, ಅವಲಕ್ಕಿ, ಉಪ್ಪಿಟ್ಟು ಉಪಹಾರ ನೀಡಿದಾಗ ಊಟದಲ್ಲಿ ಅಕ್ಕಿ ಪ್ರಮಾಣ ಸ್ವಲ್ಪ ಹೆಚ್ಚಿಗೆ ವಿತರಿಸಿದೆ;
- (viii) ನಿಲಯದ ವಿದ್ಯಾರ್ಥಿಗಳಿಗೆ ಬಿಲ್ಲುಗಳಂತೆ ಹಾಲು ಮತ್ತು ಮೊಸರು ವಿತರಿಸಲಾಗಿದ್ದು, ಆದರೆ ನಜರ್‌ಚೂಕಿ ನಿಂದ ಆಹಾರ ವಿತರಣಾ ವಹಿಯಲ್ಲಿ ನಮೂದಿಸಿರುವುದಿಲ್ಲ;
- (ix) ದಾಸ್ತಾನು ವಿತರಣಾ ವಹಿಯಲ್ಲಿ ನಿಗದಿತ ಕಾಲಗಳಿದ್ದು, ಅಗತ್ಯಕ್ಕೆ ತಕ್ಕಂತೆ ಕಾಲಗಳು ವಿತರಣಾ ವಹಿಯಲ್ಲಿ ಇಲ್ಲದಿರುವುದರಿಂದ, ಕೆಲವು ಮಸಾಲೆ ಸಾಮಗ್ರಿಗಳನ್ನು ಒಟ್ಟಿಗೆ ಕೂಡಿಸಿ ವಿತರಿಸಿದೆ. 2019 ನವೆಂಬರ್ ತಿಂಗಳ ಕೊನೆಗೆ ಜೋಳ ದಾಸ್ತಾನು ಪೂರ್ಣಗೊಂಡಾಗ ಗೋದಿಯನ್ನು ವಿತರಿಸಿದೆ;
- (x) (xi), (xii), (xiii) 2019 ಜೂನ್, ಜುಲೈ, ಆಗಸ್ಟ್, ಸೆಪ್ಟೆಂಬರ್, ಅಕ್ಟೋಬರ್ ತಿಂಗಳಲ್ಲಿ ಮೊಟ್ಟೆ, ಬಾಳೆಹಣ್ಣು ಖರೀದಿಸಿದ್ದು, ಸಕಾಲಕ್ಕೆ ವಿದ್ಯಾರ್ಥಿಗಳಿಗೆ ವಿತರಿಸಿದೆ. ನಜರ್‌ಚೂಕಿ ನಿಂದ ಆಹಾರ ವಿತರಣಾ ವಹಿಯಲ್ಲಿ ನಮೂದಿಸಿಲ್ಲ;

- (xiv) 2019-ನವೆಂಬರ್ ತಿಂಗಳಲ್ಲಿ ಮೊಟ್ಟೆ, ಬಾಳೆಹಣ್ಣು ಒಟ್ಟು ಮಾಸಿಕ 1400 ಖರೀದಿಸಿ, ನಮೂದಿಸಿದ್ದು, 1300 ವಿತರಿಸಿದೆ. ಬಾಕಿ 100 ನಮೂದಿಸಿಲ್ಲ. ಆದರೆ, ಪೂರೈಕೆ ಹಾಗೂ ಖರೀದಿಯಂತೆ ವಿದ್ಯಾರ್ಥಿಗಳಿಗೆ ವಿತರಿಸಿದೆ;
- (xv) ದಾಸ್ತಾನು ವಹಿಯಲ್ಲಿ ರಸೀದಿಯಂತೆ ಆಹಾರ ಸಾಮಗ್ರಿಗಳನ್ನು ನಮೂದಿಸಿದೆ;
- (xvi) ಜಿಲ್ಲಾ ಮಟ್ಟದಲ್ಲಿ ಟೆಂಡರ್ ಪ್ರಕಾರ ಆಹಾರ ಧಾನ್ಯಗಳನ್ನು ಗುಣಮಟ್ಟದೊಂದಿಗೆ ಪೂರೈಕೆದಾರರು ಪೂರೈಸಿದ್ದಾರೆ.

7. The material on record discloses that -

- 1) The rooms in the hostel were looking like a dormitory. No cots, beds or tables were provided to the students. The students have to sleep on the floor. Only the carpets, bedsheets and blankets are provided to them. Tubelight fixed in the rooms does not give sufficient light for the students for their study;
- 2) Out of three photographs available in the file, it is seen that window glasses of the hostel are broken. In one photograph it is seen that carton boxes and gunny bags are gagged into the broken window glasses. Steps have not been taken by the respondents for repair of broken window glasses;
- 3) It is stated that students strength of the hostel is 100;
- 4) Copy of stock and issue register pertaining to June, 2019 to December, 2019 is available in the file. 3rd respondent, who is working as Hostel Warden, opened the stock and issue register of commodities from June, 2019. It is seen from the stock and issue register available in the file that the register has not been paginated;
- 5) Entries in stock and issue register for the months of July, August, September, October & November, 2019 are incomplete. In stock & issue register for the month of July & August, 2019 entries pertaining to Egg & Banana are kept blank. In stock & issue register for the month of September & October, 2019 entries pertaining to Egg, Banana, Milk & Curd are kept blank. In stock & issue register for the month of November, 2019 entries pertaining to mixed green leaves are kept blank;
- 6) As per the attendance register, in the month of June, 2019 total number of students is shown as 54 and in the month of July, 2019 total number of students is shown as 87;
- 7) In the stock & issue register for the month of June, 2019, 34 Kgs. of rice is shown to have been issued on each day, when rice was used for breakfast.

Same is in the case of July, 2019. There is no variation in issuance of rice for the month of June and July, 2019, though the strength of the students in both months varied in large number. This *prima facie* shows that the false entries were made in the stock and issue register for the months of June & July, 2019 with reference to issuance of rice on each day;

- 8) In the stock & issue register for the month of June, 2019, issuance of Sugar is shown as 2 Kgs. (1kg. each in the morning & evening). In the month of July, 2019 issuance of Sugar is shown as 3 Kgs. (In the morning only). 3rd respondent has not explained in her comments about the said discrepancy;
- 9) As per the attendance register students' strength for the month of August, 2019 was 97. In the stock & issue register for the month of August, 2019, issuance of rice is shown as 36 kgs. per day when the rice was used for breakfast. When the rice was not used for breakfast, issuance is shown as 30 kgs. Issuance of sugar is shown as 3 kgs. in the morning. On this aspect also, there is discrepancy in the entries in the stock and issue register. It is pertinent to note that in the stock and issue register for the month of August, 2019 there is no entry relating to receipt and issuance of egg, banana, milk and curd. As per cash\ credit bill dated:30/08/19 bearing No.4663 of Sri Banashankari Mahila Mandala, Ron 1400 Eggs, 1400 Bananas, 300 litres of curd & 300 litres of milk were supplied to the hostel in the month of August, 2019. There is no corresponding entry in the stock & issue register for the month of August, 2019 regarding receipt of those commodities;
- 10) As per bill dated:30/06/19 bearing No.4261 of Sri Banashankari Mahila Mandala, Ron, there was supply of 900 Eggs & 900 Bananas to the hostel in the month of June, 2019. However, there is no corresponding entry in the stock & issue register for the month of June, 2019 regarding receipt of those commodities;
- 11) As per bill dated:30/09/19, bearing No:4973 of Sri Banashankari Mahila Mandala, Ron, there was supply of 1400 Eggs, 1400 Bananas, 300 litres of milk & 300 litres of curd in the month of September, 2019. However, in the stock & issue register for the month of September, 2019, there are no corresponding entries regarding receipt of those commodities. On the contrary, columns meant for those commodities are kept blank without any reason;
- 12) As per bill dated:31/10/19, bearing No:5016 of Sri Banashankari Mahila Mandala, Ron, there was supply of 1400 Eggs, 1400 Bananas and 300 litres milk & curd, each were supplied to the hostel in the month of October,

2019. However, in the stock & issue register for the month of October, 2019, there are no corresponding entries regarding receipt of those commodities. On the contrary, columns meant for those commodities are kept blank without any reason. In the stock & issue register for the month of November, 2019, receipt and issuance of Eggs & Banana is shown as 100 on alternate days. The total receipt and issuance of Eggs & Banana comes to 1300 as against supply of 1400 Eggs & Bananas vide bill dated:31/10/19 bearing No:5016 (*supra*);

- 13) In the stock & issue register for the month of November, 2019, there are numerical alterations in the entries relating to issuance of Jowar;
- 14) In the stock & issue register at the end of every month each commodity is shown as "nil" as if commodities were systematically issued, notwithstanding the attendance of students;
- 15) The receipt of Cashew nuts, Dry grapes, Elaichi, Mustard, Jeera, Turmeric powder, Garlic etc., are clubbed and quantity is shown as "single item";
- 16) From the above, it is evident that the entries in the stock & issue register referred above do not reflect true and correct picture of receipt of commodities stated above and thus, it is *prima facie* appearing that the entries therein are false. The respondents have not produced relevant documents to show that the entries made in stock & issue register are correct. In fact, respondent No.3 conceded in her comments that stock and issue register has not been maintained punctually
- 17) 3rd respondent - the Hostel Warden, on receipt of food articles and other commodities from the Supplier/ Department, has not conducted the qualitative and quantitative verification of the food articles and other commodities. She has also not certified the qualitative and quantitative receipt of food articles and other commodities;
- 18) 2nd respondent - The Taluk Extension officer of Backward Classes Welfare Department, Shirahatti, who is the immediate superior officer of 3rd respondent has not conducted periodical inspection of the above hostel and food and other articles supplied to the hostel, with reference to the stock register and bills. So also, the 1st respondent, who is District Officer of Backward Classes Welfare Department, Gadag District, has not bothered to inspect the hostel and take action against the lapses in the hostel.

8. Respondents No.1 and 2 have hardly given any explanation for the above lapses. Explanations given by the 3rd respondent in her comments are not convincing and thus, are not acceptable. Investigation *prima facie* substantiates the allegation against all the respondents. The materials available on record *prima facie* disclose that the respondents being Govt. 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.

9. Therefore, acting under Section 12(3) of Karnataka Lokayukta Act, recommendation is made to the Competent Authority to permit to initiate disciplinary proceedings against both the respondents and to entrust the inquiry to this Authority under Rule 14-A of KCS (CCA) Rules.

10. 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)
Upalokayukta-1,
Karnataka State.

