

KARNATAKA LOKAYUKTA

No.Compt/Uplok/GLB-1157/2016/ARE-5

Multi-storied Building
Dr.B.R. Ambedkar Veedhi,
Bangalore,
Dated: 07/12/2017.**REPORT UNDER SECTION 12(3) OF THE KARNATAKA LOKAYUKTA
ACT, 1984**

Sub: Proceedings against:
Hanumesha, S.D.A/Secretary, Ambadevi
Temple Committee, Somalapura, Sindhanur
Taluk, Raichur District - regarding his
misconduct as public servant -reg.

1. On the basis of complaint filed by Sri.Yashvanthappa s/o Hanumanthappa Kovi, c/o. Harshavardhana Printers, Beside S.R.S.Lodge, Near Bus Stand, Sindhanur, Raichur District (hereinafter referred to as 'complainant' for short) against Hanumesha, S.D.A/Secretary, Ambadevi Temple Committee, Somalapura, Sindhanur Taluk, Raichur District (hereinafter referred to as Respondent) alleging that the Respondent has committed misconduct, an investigation was taken up after invoking Section 9 of Karnataka Lokayukta Act, 1984.

2. ACCORDING TO THE COMPLAINANT:

Every year fair of Goddess Ambadevi of Ambamatha is held on large scale. All the materials required for the fair are secured by calling tender. But the Respondent has not called for tender since 5

to 6 years and he is purchasing printing materials from a single printing press in violation of rules.

3. Report was called for from the Asst. Commissioner, Lingasugur and he has submitted report dt: 3.10.2016. His report is that price list has been obtained from three local printers during 2011-12. During 2012-13 to 15-16, notice has been published every year for printing purpose and the tender of printing press which offered lowest price has been accepted after obtaining the order and permission of the higher officers. That he verified the documents and found that the tender proceedings have been followed from 2011.

4. Report of Asst. Commissioner was sent to the Complainant for rejoinder and he has submitted rejoinder dt:22.11.2016 stating that the documents have been concocted by the Respondent as if price list has been obtained and tender was called.

5. Complainant has submitted copy of letter dt:26.2.2014 of Spl.D.C. written to the Asst. Commissioner to take action on the Complaint filed by "Taluk Mudrakara Sangha" against the Respondent.

6. Report was called for from D.C., Raichur on the letter dt: 26.2.2014, present Complaint, the Complaints dt: 17.2.2014, 9.7.2014 and 9.8.2014. Addl. D.C. has submitted letter dt: 16.06.2017 stating that report has been submitted by Asst. Commissioner in the matter. He has enclosed the report dt: 3.7.2017 of the Asst. Commissioner. The report of A.C. is that the price list has been obtained from local printers and work has been assigned to the Printer who quoted the lowest price.

7. Asst.Commissioner has collected the Notice issued by the Asst.Commissioner and Administrator of Ambadevi temple calling for price list, price list quoted by 3 printers and the order passed by the administrator of Ambadevi temple issuing order to the printer who quoted lowest rate.

8. As seen from the notice calling for the price list for different printing press, the rate quoted by the printer who offered lowest price which was accepted by the Administrator of Ambadevi temple and the materials supplied by the printer whose price list is accepted show that:

9. I. During 2011.

(i) In the office note dt: 15.12.2011 there is no mention of requirement of printing flex board. But, new Gadag Offset Printers, whose price list has been accepted, has supplied 27 flex boards for Rs.11,000/- in the bill dt: 18.1.2012 . Therefore Rs.11,000 is paid though there was no requirement for flex boards.

(ii) In the office note dt:15.12.2011 the quantity of coconut tickets required is shown as 100 at the rate of Rs.1 per ticket. But, new Gadag Offset Printers, whose price list has been accepted has supplied 100 books at the rate of Rs.110/-each amounting to Rs.11,000/-. Therefore Rs.10,990-00 paid excess.

(iii) In the office note dt:15.12.2011 the quantity of ordinary badges required is shown as 1000. But, new Gadag Offset Printers, whose price list has been accepted has supplied 2000 ordinary badges at the rate of Rs.1400/- per 1000 badges and claimed Rs.2,800-00 . Therefore, Rs.1400/- for excess 1000 badges has been paid though it was not required.

(iv) In the office note dt: 15.12.2011 there is no requirement for supply of Special flex boards. But, new Gadag Offset Printers has supplied 10/- flex boards at the rate of Rs.600/- each. Therefore Rs.6000/- has been towards flex boards though it was not required.

II. During 2012 the price list quoted by new Gadag Offset Printers has been accepted.

(i) In the office note dt: 29.12.2012 there is no requirement for printing of invitation cards. But, new Gadag Offset Printers, whose price list has been accepted and has supplied 500 invitation cards at the rate of Rs.650/- in the bill dt: 15.01.2013 amounting to Rs.3,250/-. Therefore Rs.3250-00 has been paid towards invitation cards which were not required.

(ii) New Gadag Offset Printers has supplied 50 Special Darshana books and 400 Ordinary darshana books on 15.1.2013. Again it has supplied 100 Special Darshana books for Rs.6,800/- and 100 Ordinary darshana books for Rs.6,500/ on 30.1.2013 though there is no mention for supply of books supplied 30.1.2013 in the office note dt:29.12.2012. Therefore Rs.13,300/- has been paid towards said books though there was no requirement.

III. During 2013 the price list quoted by Pragathi Offset Printers has been accepted.

(i) In the notice published on 30.12.2012 there is no requirement for posters printing. But, Pragathi Offset Printers, whose price list has been accepted has supplied 4000 poster printing in the bill dt: 5.2.2013 for Rs.22,000/-. Therefore Rs.22,000/- has been paid though there was no requirement for post printing.

(ii) In the notice published on 30.12.2012 there is no requirement for price list board for performing poojas. But, Pragathi Offset Printers, whose price list has been accepted, has printed price list board and claimed Rs.1400/- in the bill dt: 5.2.2013. Therefore Rs.1400/- has been paid though there was no requirement for price list board.

(iii) In the bill dt 5.2.2013, an amount of Rs.7000/- has been claimed for 8 x 6 , it cannot be made out which is the material printed in the size of 8 x 6 . In the notice published on 30.12.2012 there is no mention of printing 8 x 6 materials. Therefore Rs.7,000/- paid for 8 x 6 materials is without requirement .

iv) In the bill dt 5.2.2013, an amount of Rs.11780/- has been claimed for 62 banners measuring 5 x 3, But there is no mention of banners in the notice published on 30.12.2012 Therefore Rs.11,780/- paid towards banners is without requirement.

v) In the bill dt 5.2.2013, an amount of Rs.3,160/- has been claimed for 19 police station 5 x 3. But, it cannot be made out which is the material 5 x 3 police station. In the notice published on 30.12.2012 there is no mention of said printing of 5 x 3. Therefore Rs.3,160/- paid is without requirement .

IV. During 2014 the price list quoted by New Pragathi Offset Printers has been accepted on 6.1.2014.

(i)In the quotation dt: 3.1.2014, the rate quoted for 1000 invitations is Rs.1450/-. But for 500 invitations Pragathi Offset Printers has charged Rs.5000/- for 500 invitations in bill dt: 27.1.2014. Therefore excess amount of Rs.4275/- has been paid.

(ii) In the notice published on 10.12.2014 the requirement for special Darshan book is 100. But new Gadag Offset printers has supplied special darshan book twice. As seen from bill date: 1.1.2015 and bill dated 8.1.2015 and the quantity supplied is 100 each time and has charged Rs.8500/- each time. Therefore, Rs.4500/- paid for additional supply of 100 special darshan book is without requirement.

V. Therefore an amount of Rs.93,055/- has been paid to the printers though there was no requirement for the said materials.

10. Respondent was directed to submit his comments on the complaint. He has submitted comments stating that price list was obtained from three local printers during 2011-2012, 2013-14, 2014-15 and 2015-16 for printing advertisement notice of Ambadevi Festival Fair. During 2012-13 notice was issued on 30.12.2012 for various printing for festival fair and order is issued to the printer who quoted the lowest rate and no illegality is committed in issuing orders to the printers.


11. The facts mentioned above, prima facie show the illegalities committed. Therefore comments submitted by Respondent is not acceptable to drop the proceedings against him.

12. Since the said facts and materials on record prima facie show that Hanumesha, S.D.A/Secretary, Ambadevi Temple Committee, Somalapura, Sindhanur Taluk, Raichur District have committed misconduct under Rule 3(1) of KCS (Conduct) Rules, 1966 recommendation is made under section 12(3) of Karnataka Lokayukta Act, 1984 to the Competent Authority to initiate disciplinary proceedings against him and to entrust the inquiry to

the Hon'ble Upalokayukta-1 under Rule 14-A of Karnataka Civil Service (Classifications, control and Appeal) Rules, 1957.

13. Further, as per section 12(4) of Karnataka Lokayukta Act, 1984 the Competent Authority to intimate the Hon'ble Upalokayukta-1 within one month from the date of receipt of this report, the action taken or proposed to be taken on this report.

Connected records are enclosed.


(Justice N.ANANDA) 7/12
Upalokayukta-1,
KARNATAKA STATE,
BENGALURU.



