

**KARNATAKA LOKAYUKTA**

No. Compt/Uplok/GLB-1454/2016/DRE-3 M.S. Building,  
Dr. Ambedkar Veedhi,  
Bangalore-560 001,  
Date: 22.03.2017.

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

Sub: Proceedings initiated against  
(1) Shri. Prabhudas N. Jadhav,  
Panchayath Development Officer,  
Konmelkunda Grama Panchayath,  
Bhalki Taluk, Bidar District and  
(2) Shri. Shashidharsanga Shetty  
Kosambe, President, Konmelkunda  
Grama Panchayath, Bhalki Taluk, Bidar  
District, regarding their misconduct as  
Government Servant - reg.

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An investigation was taken up under Section 9 of the Karnataka Lokayukta Act, on the basis of complaint filed by Shri. Dilipkumar S/o Ramanna Jeevadar, R/o Konmelkunda, Bhalki Taluk, Bidar District (hereinafter referred to as 'complainant' for short) against (1) Shri. Prabhudas N. Jadhav, Panchayath Development Officer, Konmelkunda Grama Panchayath, Bhalki Taluk, Bidar District and (2) Shri. Shashidharsanga Shetty Kosambe, President, Konmelkunda Grama Panchayath, Bhalki Taluk, Bidar District (hereinafter referred to as 'respondents 1 & 2 respectively' for short).

2. The complainant alleges that the grants released to Konmelkund Grama Panchayath under 14<sup>th</sup> finance scheme for the year 2015-16 has been misappropriated and an amount of

Rs.4,01,050/- is withdrawn from the Pragathi Krishna Grameena Bank, Bhalki without executing the works mentioned in the action plan. There is no signature of the previous Panchayath Development Officer in the resolution dated 07.10.2015 passed with respect to approval of the action plan pertaining to 14<sup>th</sup> finance scheme.

3. The respondent no.1 has produced copy of the "1<sup>st</sup> Stage Action Plan of works taken up under 14<sup>th</sup> finance scheme for the year 2015-16" which show that the following works have been approved at the cost of Rs.3.77 lakhs.

<b>Drainage and maintenance of Solid Waste Management</b>		
<b>Sl. No.</b>	<b>Name of Work</b>	<b>Approved amount in Rupees</b>
1	Cleaning of drainage at ward no.2 of Konmelkund Grama Panchayath and basic infrastructure.	30,000/-
2	Cleaning of drainage at Scheduled caste/ST's Oni of Ahamadabad village & basic infrastructure.	30,000/-
3	Cleaning of drainage at Ahamadabad village and basic infrastructure.	30,000/-
<b>Rain water drainage</b>		
1	Cleaning of Rain Water Drainage at Ward No.1 of Konmelkund village.	30,000/-
<b>Maintenance of Community Properties</b>		
1	Repairs to Konmelkunda Grama Panchayath Complex.	10,000/-

<b>Maintenance of Street Lights, Roads and Pavements</b>		
1	Providing Street Lights to Streets of Konmelkund and Ahmedabad.	72,000/-
2	Maintenance of roads & pavements at SC/ST Oni, Ward No.2 of Konmelkund Grama Panchayath.	65,000/-
<b>Drinking Water Supply</b>		
1	Purchase of submersible pumps.	1,00,000/-
<b>Maintenance of Burial Ground</b>		
1	Maintenance of Muslim Burial Ground at Konmelkunda Grama Panchayath.	10,000/-
<b>Total</b>		<b>3,77,000/-</b>

4. The respondents 1 and 2 have submitted their comments stating that all works have been executed as per the action plan approved by Taluk Panchayath and Zilla Panchayath. By denying all other allegations, they have prayed to close the complaint.

5. Perused the entire materials on record. The respondent no.1 has submitted 12 bills along with receipts with respect to supply of materials. The said bills are numbered as bill no.1 to bill no.12 for the purpose of convenience. The following discrepancies mentioned in Column no. 8 are made out against the respondents.

<b>Bill No.</b>	<b>Date</b>	<b>Expenditure</b>	<b>Agency which supplied materials</b>	<b>Receipt No. and date</b>	<b>Bill Passed amount</b>	<b>Che que No.</b>	<b>Discrepancies Noticed</b>
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>
1	25.2.16	Purchase of Bleaching Powder	Abhishek Enterprises	138/ date not mentioned	10,500/-	104552	Receipt is not dated & signed by issuing agency -

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2	10.1.16	Labour charges towards cleaning of drainage at Konmelkund village and Ahamedabad village	Chandrakanth N. Biradar	17/9.1.16 18/10.1.16	15,600/-	104642	doubtful Receipt is not signed by issuing agency - doubtful
3	05.1.16	Purchase of streetlights	Sangamesh wara Enterprises	1062/ 16.12.15	48,000/-	104644	No TIN No. in the receipt. Purchases are made from unauthorized agency
4	20.2.16	Purchase of streetlights	Sangamesh wara Enterprises	1384/ 20.2.16	17,750/-	104653	No TIN No. in the receipt. Purchases are made from unauthorized agency
5	10.1.16	Purchase of water supply materials	SISCON Scientific and Chemical Co.,	085/ 30.12.15	45,000/-	104643	No quotations called
6	10.1.16	Purchase of water supply materials, 5 H.P. Motor Etc.,	Balaji Electrical and Engineering Co.,	1244/ 10.1.16	47,750/-	104645	Receipt not signed by issuing agency. Date scored off on the receipt. 3 quotations produced go to show that for 5 H.P. 8 Stage Motor, same agency quotes different rates for bill no.6 and bill no.7. - receipts/quotations are doubtful
7	12.1.16	Purchase of 5 HP 8 Phase motor for water supply	Sri Siddeshwar Engineering and Electrical	275/ 12.1.16	47,550/-	104645	3 quotations produced go to show that for 5 H.P. 8 Stage Motor, same agencies quotes different rates for bill no.6 and bill no.7. Quotations are doubtful
8	10.1.16	Purchase of Water supply Materials	Sangamesh wara Enterprises	1049/ 11.2.16 1050/ 8.1.16	45,600/-	104648	Receipt No. 1049 is dated 11.02.2016 and bill is passed on 10.01.2016 i.e., prior to date of receipt. Receipts are doubtful. Agency supplying

							materials has no TIN Number. Purchases are made from unauthorized agency.
9	10.1.16	Purchase of Water supply Materials	Sangamesh wara Enterprises	1051/ 12.1.16	41,550/-	104649	Receipt No. 1051 is dated 12.1.16 and bill is passed on 10.01.2016, i.e., prior to date of receipt. Receipts are doubtful. Agency supplying materials has no TIN Number. Purchases are made from unauthorized agency.
10	15.1.16	Purchase of Water supply Materials	SISCON Scientific and Chemical Co.,	087/ 31.12.15 088/ 15.1.16	41,500/-	104650	No quotations called.
11	02.4.16	Purchase of Water supply Materials	Sangamesh wara Enterprises	1412/ 11.1.16	16,560/-	104651	Agency supplying materials has no TIN number. Purchases are made from unauthorized agency.
12	25.1.16	Repairing of water supply motors	SISCON Scientific and Chemicals Co.,	30/ 12.12.15	41,500/-	104652	No quotations called.
				<b>Total</b>	<b>4,18,900/-</b>		

6. Apart from the above said discrepancies in Column No. 8, it is also found that;

- Under the action plan, an amount of Rs.1,00,000/- is allotted for purchase of submersible pumps. But the respondent has produced bill no.5 to 12 showing expenditure of Rs.3,27,100/- towards purchase of Submersible Pumps and Water Supply Materials along with

repairs to motors violating the approved action plan under 14<sup>th</sup> finance for the year 2015-16.

- Expenditure of Rs.26,100/- is shown towards cleaning of drainage at Konmelkund and Ahmedabad village. But the exact place where the work is executed as per action plan is not shown. The photographs before execution, during execution and after execution of the said work is not produced.
- No expenditure is shown to the following works which are approved under the action plan.
  - Repairs to Konmelkund Grama Panchayath Complex – Rs.10,000/-.
  - Maintenance of Roads and Pavements at SC/ST Oni, Ward No. 2 of Konmelkund Grama Panchayath – Rs.65,000/-.
  - Maintenance of Muslims Burial Ground at Konmelkund Grama Panchayath – Rs.10,000/-.

Without execution of the above said works, funds seem to have been diverted towards water supply without approval from the Competent Authority.

- Purchases are made by violating the provisions of KTPP Act and Rules without calling the quotations.
- The total amount as per approved estimate under 14<sup>th</sup> finance scheme is Rs. 3,77,000/-, but the expenditure bills submitted by respondent no.1 amounts to Rs. 4,18,950/- exceeding the approved estimate.

7. In view of the above discrepancies, comments of respondents 1 and 2 cannot be accepted. There are prima-facie materials against respondents 1 and 2. Hence, the respondents have failed


to maintain absolute integrity, devotion to duty and have acted in a manner which is unbecoming of a Government/Public Servant for which they have made themselves liable for action.

8. 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 no.1/**Shri. Prabhudas N. Jadhav**, Panchayath Development Officer, Konmelkunda Grama Panchayath, Bhalki Taluk, Bidar District and entrust the inquiry to this Authority under Rule 14-A of the Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957.

9. Since, the respondent no.2/**Shri. Shashidharsanga Shetty Kosambe** is the President of Konmelkund Grama Panchayath, action be initiated against him under the provisions of Karnataka Panchayath Raj Act.

10. Further, as per Section 12(4) of Karnataka Lokayukta Act, 1984, the Competent Authority is required to intimate to this Authority 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), 23/3.  
Upalokayukta-1,  
State of Karnataka.