

KARNATAKA LOKAYUKTA

No:Compt/Uplok/GLB-2020/2016/ARE-5

Multi-storied Building,
Dr.B.R. Ambedkar Veedhi,
Bangalore,
Dated: 29/12/2016**REPORT UNDER SECTION 12(3) OF THE KARNATAKA LOKAYUKTA
ACT, 1984**

Sub: Proceedings against Sri.Shashikanth
Kotimani, Dy.Director, Horticulture
Department, Koppal District - regarding
his misconduct as a public servant -reg.

On the basis of complaint filed by Sri.H.S.Lingadalli c/o.K.E.B. Shankrappa House, Near Sraswathi Vidya Mandira School, Nandinagar, Koppal (hereinafter referred to as 'complainant' for short) against Sri.Shashikanth Kotimani, Dy.Director, Horticulture Department, Koppal District (hereinafter referred to as Respondent) alleging misconduct, an investigation was taken up after invoking Section 9 of Karnataka Lokayukta Act, 1984.

2. According to the Complainant: -

The subsidy for installing drip/sprinkler irrigation has been provided thrice to the same beneficiary-Kotrabasaiah during 2013-2014. Sri.Kotrabasaiah has given two applications on 25.2.2013 for providing benefit of drip irrigation for his land Sy.No.286/E and 286/G and order has been passed by the Respondent granting subsidy on 23.7.2013 for both the lands and work order for both the

lands has been issued on the same day. Again Kotrabasaiah has obtained subsidy after 6 months. Family member of Kotrabasaiah has also been sanctioned subsidy by the Respondent.

3. Respondent has submitted comments stating that Kotrabasaiah has given application No.127555 for subsidy for drip irrigation in Sy.No.286/E during 2012-13. He gave another application No.127554 for subsidy for bitter-guard crop in Sy.No.286/G during the same year. Under the guidelines issued for granting subsidy, there is provision for granting subsidy to the same beneficiary for extended drip irrigation in the other portion. Since the drip irrigation was extended to Sy.No.286/G, subsidy has been granted for Sy. No.286/E and 286/G. The benefit can be provided up to 12 Acres 20 guntas for the same beneficiary or his family. Therefore benefit has been extended to the family member of Kotrabasaiah.


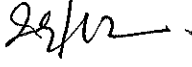
4. The guide line has been produced by Respondent. As seen from the guideline, there is no provision to grant subsidy more than once to the same beneficiary during the same year, except where the application filed is for the benefit in respect of the remaining land out of 5 hectars for which subsidy was not obtained during the previous years. Guide line does not provide for filing more than one application by a single beneficiary during the same year even if he is owning 12 acres of land. Therefore sanctioning subsidy twice for the same beneficiary during the same year is not permissible. Therefore comments of the Respondent is not acceptable to drop the proceedings against him.

5. Since the said facts and materials on record prima facie show that the Respondent Sri.Shashikanth Kotimani, Dy.Director,

Horticulture Department, Koppal District has 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 Respondent and to entrust the inquiry to this Authority under Rule 14-A of Karnataka Civil Service (Classifications, control and Appeal) Rules, 1957.

10. Further, as per section 12(4) of Karnataka Lokayukta Act, 1984 the Competent Authority 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.

Connected records are enclosed.


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

