

KARNATAKA LOKAYUKTA

Compt/Uplok/GLB-3082/2015/ARE-5

Multi-storied Building,
Dr.B.R. Ambedkar Veedhi,
Bangalore,
Dated: 11/09/2017.

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

Sub: Proceedings against (1)Sharanappa, PDO, Hirebuduru Grama Panchayath, Hirebudur, Devadurga Taluk, Raichur District, (2)Hanumanthappa, the then PDO, Hirebuduru Grama Panchayath, presently at Yelebechali Grama Panchayath, Raichur Taluk, (3)Gouse Mohinuddin, the then PDO, presently at Taluk Panchayath, Devadurga, Raichur District, (4) Namadeva Rathod, Asst. Director, Animal Husbandry and Veterinary Services, presently Kalburgi and (5)Smt.Tangamma Hanumanthappa Buddappa, the then President, r/o.Shavanthagera, Hirebuduru Grama Panchayath, Devadurga Taluk, Raichur District (Respondent No.7) - regarding their misconduct as public servants-reg.

On the basis of complaint filed by Anjinaiah s/o. Mallappa Badiger, Dalitha Sangharsha Smithi Taluk Sanghatana Sanchalakaru, Devadurga, Sunkeshwarahal Village, Devadurga Taluk, Raichur Distirct (hereinafter referred to as 'complainant' for short) against Sharanappa, PDO, Hirebuduru Grama Panchayath, Hirebudur, Devadurga Taluk, Raichur District, (hereinafter referred

to as Respondent No.1) alleging that the Respondent No.1 has committed misconduct, an investigation was taken up after invoking Section 9 of Karnataka Lokayukta Act, 1984.

2. According to the Complainant:-

(i) In respect of allotment of houses under Basava Vasati Yojane during 2010-11 and Indira Awas Yojane during 2011-12 in Budinal Village, Respondents have misappropriated the amount by paying the amount to the beneficiaries though the houses have not constructed by the beneficiaries by taking GPS of some other houses.

(ii) Beneficiaries Sumangala and Rajasri belong to Lingayath community, but they have been identified under SC/ST category.

(iii) Beneficiaries have not been properly identified under Basava Vasti Yojane and Indira Awas Yojana. Houses have been allotted to rich persons and GPS houses of others have been taken and payment is made.

3. Respondent no. 1 has submitted comments stating that 69 beneficiaries were identified during 2010-11 and he was not the P.D.O at that time. He was newly deputed as P.D.O. and he visited Budinala Village and inspected the houses constructed by the beneficiaries along with Grama Panchayath members. The houses shown by the beneficiaries were accepted by the Villagers as constructed by the beneficiaries and therefore GPS was taken and the amount was credited to the bank account of beneficiaries directly. That no beneficiaries were identified during 2010 under Ashraya and Ambedkar Yojane.

4. Complaint was referred to S.P., Lokayukta, Raichur for investigation and report. Investigation has been conducted by , Police Inspector, Lokayukta, Raichur (I.O. for short). I.O. has submitted report.

5. The report of I.O. show that:

(i) 16 beneficiaries have been identified under Basava Vasati Yojana during 2010-11 and one house under Indira Awas Yojana during 2011-12. Most of the beneficiaries identified under Indira Awas Yojana and Basava Vasati Yojana during 2010-11 and 2011-12 were already having their own houses.

(ii) The houses shown by beneficiaries did not match with photographs taken through GPS.

(iii) Beneficiary Amaramma was already having her own house and inspite of it she has been allotted house.

(iv) Houses shown by Rajasri and Kantamma as constructed by them and where they were residing, appear to be constructed much before and the cost of said houses is much higher.

(v) Beneficiary Jaysri and Manjula have constructed a single long room with two doors side by side and Jaysri is not residing in the said house and Manjula is residing in the said house. Therefore Jaysri has not constructed any house and she is residing in Deodurga and she has received the amount without constructing the house.

(vi) The house constructed by beneficiary Shekhamma-No. 167440 appear to be completed very recently and very new.

(vii) The home constructed by Shashikala- no. 167667 appear to be constructed much earlier.

(viii) Beneficiaries Sumangala and Rajsri belong to Lingayath community as verified from the school certificate. But, they are indentified as beneficiaries under SC/ST category,

(ix) The then PDO- Hanumanthappa has not verified the list of beneficiaries which was approved by Grama Sabha. PDO and Secretary have not brought to the notice of Executive Officer the names of beneficiaries who are not eligible for the benefit in the list approved by the Committee. The photographs have not been taken through GPS on the stage of construction. Accounts of beneficiaries are not opened through the Corporation. The then PDO – Hanumanthappa and President Thangamma have prepared the list of beneficiaries with negligence.

(x) The then PDO –Hanumanthappa and President Thangamma have included the names of beneficiaries in the list who are not eligible.

(xi) The then PDO –Hanumanthappa and Ghouse Mohinuddin have issued cheques to the beneficiaries without verifying the records and without securing the records from the beneficiaries and they have not maintained the records.

(xii) Respondent- Sharanappa, Namadeva Rathod-the then Executive Officer and Sathyanarayana Naik, AEE (Retd) have also not verified the records and they have worked negligently.

(xiii) Soogappa, Computer Operator/Bill Collector has done GPS of many houses and he has submitted false report orally to PDO that the houses are proper.

6. After receiving the report of I.O., the then PDO –Hanumanthappa, Ghose Mohinuddin the then PDO, Namadeva Rathod, Asst. Director of Animal Husbandry and Veterinary Services, Sathyanarayana Naik, AEE, Soogappa, Computer Operator and Thangamma Hanumanthappa Guddappa, the then President have been impleaded as Respondents 2 to 7 and copy of report of I.O. were sent to Respondent Nos.1 to 7 for their reply/comments.

7. Respondent No.1 to 3, 5 and 6 have submitted comments and Respondent Nos.4 and 7 have not submitted comments though they have received our letter.

8. Respondent No.1 has submitted reply and his comments is similar to that of his earlier comments dt: 30.12.2015.

9. Respondent No.2 has submitted comments stating that he worked as PDO of Hireboodooru Grama Panchayath from 1.6.2011 to 31.12.2011. The beneficiaries were identified in Grama Sabha in accordance with the guidelines issued by Rajeeva Gandhi Grameena Vasati Nigama and Panchayath Raj Act. He was transferred after sending the list for approval to Taluk Panchayath. Beneficiaries Sumangala and Rajasri were identified as beneficiaries in the Grama Sabha and the decision of Grama Sabha is final and their caste is to be verified at the time of registration and he was not the PDO at that time and he was already transferred and he was also not done GPS of any house.

10. Respondent No.3 has submitted comments stating that the list of beneficiaries under Basava Vasati Yojane for the period 2010-11 and Indira Awas Vasati Yojana during 2011-12 were prepared by the previous PDO and the list was approved by Rajeeva Gandhi Vasati Nigama on 29.9.2011 and he worked as PDO of Hirebooduru Grama Panchayath from 12.12.2012. He inspected personally the houses and took GPS at the stage of foundation and released the amount to the account of beneficiaries. All houseless persons are eligible for the benefit irrespective of their caste and therefore the allegations that the beneficiaries belonging to Lingayatha community are shown under SC/ST category is false.
11. Respondent No.5 has submitted comments stating that he worked as Executive Officer from 14.7.2010 to 26.11.2011 in Deodurga Taluk Panchayath. He has supervised the work of Grama Panchayath satisfactorily by issuing directions.
12. Respondent No.6 has submitted comments stating that he worked as Computer Operator in Hirebooduru Grama Panchayath and he is not concerned with GPS work.
13. In view of the report of I.O., comments submitted by Respondent No.1 to 3 are not acceptable to drop the proceedings against them.
14. Respondent No.4 is served on 26.02.2017. But, he has not submitted comments. Respondent no.7 though requested for time to submit comments, he has not submitted comments/reply on the report of I.O.
15. Respondent No.5- Sathyanarayana Naik has explained that he worked only as Executive Officer from 14.7.2010 to 26.11.2011 and


he had issued directions to Grama Panchayath and he had worked satisfactorily and he has retired on 31.7.2016. There is also no specific allegation or report against him.

16. Respondent No.6 has explained that he is only Computer operator and he is not concerned with GPS of houses under Housing schemes.

17. Since the said facts and materials on record prima facie show that Respondent No.1-Sharanappa, PDO, Hirebuduru Grama Panchayath, Hirebudur, Devadurga Taluk, Raichur District, Respondent No.2-Hanumanthappa, the then PDO, Hirebuduru Grama Panchayath, presently at Yelebechali Grama Panchayath, Raichur Taluk, Respondent No.3-Gouse Mohinuddin, the then PDO, presently at Taluk Panchayath, Devadurga, Raichur District, Respondent No.4- Namadeva Rathod, Asst. Director, Animal Husbandry and Veterinary Services, presently Kalburgi and Respondent No.7-Smt.Tangamma Hanumanthappa Buddappa, the then President, r/o.Shavanthagera, Hirebuduru Grama Panchayath, Devadurga 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 Respondent No.1-Sharanappa, PDO, Hirebuduru Grama Panchayath, Hirebudur, Devadurga Taluk, Raichur District, Respondent No.2-Hanumanthappa, the then PDO, Hirebuduru Grama Panchayath, presently at Yelebechali Grama Panchayath, Raichur Taluk, Respondent No.3-Gouse Mohinuddin, the then PDO, presently at Taluk Panchayath, Devadurga, Raichur District,

Respondent No.4- Namadeva Rathod, Asst. Director, Animal Husbandry and Veterinary Services, presently Kalburgi 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 against them. Further, it is also recommended to initiate Disciplinary proceedings against Respondent No.7-Smt.Tangamma Hanumanthappa Buddappa, the then President, r/o.Shavanthagera, Hirebuduru Grama Panchayath under the provisions of Karnataka Panchayath Raj Act.

17. 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) 11/8
Upalokayukta-1,
KARNATAKA STATE,
BENGALURU.