

**KARNATAKA LOKAYUKTA**

Compt/Uplok/GLB-3486/2014/ARE-5

Multi-storied Building,  
Dr.B.R. Ambedkar Veedhi,  
Bangalore,  
Dated:03/04/2017.**REPORT UNDER SECTION 12(3) OF THE KARNATAKA  
LOKAYUKTA ACT, 1984**

Sub: Proceedings against (1) Smt.Ghalamma, w/o. Lalappa, President, Changaler Grama Panchayath, Humnabad Taluk, Bidar District, (2)Sri.Manik, Member, Changaler Grama Panchayath, Humnabad Taluk, and (3)Sri.Nilesh Patil, Taluk Nodal Officer, Humnabad Taluk Panchayath, Humnabad - regarding their misconduct as public servants-reg.

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On the basis of complaint filed by Smt.Jamkhabai w/o. Chandru, Chowki Thanda, Grama, Changler, Humnabad Taluk, Bidar District (hereinafter referred to as 'complainant' for short) against (1) Smt.Ghalamma, w/o. Lalappa, President, Changaler Grama Panchayath, Humnabad Taluk, Bidar District, (2)Sri.Manik, Member, Changaler Grama Panchayath, Humnabad Taluk and (3)Sri.Basavaraj, PDO, Changaler Grama Panchayath, Humnabad Taluk and (4)Sri.Nilesh Patil, Taluk Nodal Officer, Humnabad Taluk Panchayath, Humnabad (hereinafter referred to as Respondent No.1 to 4 respectively) alleging that the Respondents have committed misconduct, an investigation was taken up after invoking Section 9 of Karnataka Lokayukta Act, 1984.

## 2. According to the Complainant :-

The Respondents have altered the names of beneficiaries selected under Basava Housing Scheme in the year 2010 of Changaler Grama Panchayath, Humnabad Taluk, Bidar District.

3. The matter was referred to Deputy Superintendent of Police, Karnataka Lokayukta, Bidar for investigation and report. The Dy.S.P.( I.O. for short) has submitted report. The report of I.O. show that:

(i) The list of beneficiaries selected in the year 2011-12 under Basava Housing Scheme in respect of Choki Tanda does not bear the seal of Basava Housing Corporation or the Grama Panchayath. In the list, names of certain persons are shown at Sl.Nos.119, 120, 121, 123, 124, 126, 127, 128, 129, 131, 135 and 136. However, the Government order is not available in order to verify whether these persons were sanctioned houses under Basava Housing Scheme.

(ii) The Panchayath Development Officer, Changalera Grama Panchayath has produced documents relating to allotment of sites in respect of Smt.Rukmabai w/o. Veerashetty, Smt.Jannubai, w/o. Kashinath, Smt.Sonabai w/o.Gangu, Smt.Sonabadi w/o.Maruthi, Smt.Kamalibhai w/o. Keeru and Sri.Punnibai w/o.Kishan. He has not produced documents relating to other beneficiaries.

(iii) The I.O. has recorded the statement of certain persons and found that in the year 2010-11, 28 persons of Chowki Tanda were selected as beneficiaries in the Changaler Grama sabha and they were directed to open bank accounts at State Bank of India. On verification from the Bank, it is found that out of 28 beneficiaries

against 12 beneficiaries, photographs of other persons are affixed and bank accounts are opened.

(iv) On 18.4.2012, a letter was addressed to the General Manager, Rajiv Gandhi Rural Housing Scheme, Bengaluru stating that the names found in the list of beneficiaries selected and the names found in the Bank accounts are different and therefore, it has been requested to open new account. The Secretary of Grama Panchayath and Panchayath Development Officer of Changlera Grama Panchayath, ignoring beneficiaries selected in the Grama Panchayath meeting have sent the list of 12 other beneficiaries who have been allotted houses.



4. The Respondent No.1, 2 and 4 have submitted comments denying the allegations. The notice sent to Respondent No.3 calling for comments on the complaint has been returned unserved with an endorsement that he has retired.

5. In view of the report of I.O., comments submitted by Respondent Nos. 1, 2 and 4 are not acceptable to drop the proceedings against them.

10. Since the said facts and materials on record prima facie show that Respondent Nos.1, 2 and 4 i.e. (1)Smt.Ghalamma, w/o. Lalappa, President, Changaler Grama Panchayath, Humnabad Taluk, Bidar District, (2)Sri.Manik, Member, Changaler Grama Panchayath, Humnabad Taluk, and (4)Sri.Nilesh Patil, Taluk Nodal Officer, Humnabad Taluk Panchayath, Humnabad 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.-4-Sri.Nilesh Patil, Taluk Nodal Officer, Humnabad Taluk Panchayath, Humnabad and to entrust the inquiry to this Authority under Rule 14-A of Karnataka Civil Service (Classifications, control and Appeal) Rules, 1957 against him. Further, it is also recommend to take action against Respondent No.(1)Smt.Ghalamma, w/o. Lalappa, President, Changaler Grama Panchayath, Humnabad Taluk, Bidar District, and (2)Sri.Manik, Member, Changaler Grama Panchayath, Humnabad Taluk under the provisions of Karnataka Panchayath Raj Act.

8. 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.

