

KARNATAKA LOKAYUKTA**No.Compt/Uplok/BD-190/2020/DRE-1**

Multi Storied Buildings,
Dr. B.R. Ambedkar Veedhi,
Bengaluru-560 001
Date : 29/2/2020

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

Sub:- Proceedings against;

- 1) Sri.R.K.Krishna Murthy, Executive Engineer, Slum Development Board, Davangere,
- 2) Sri.B.Chandrappa, Assistant Engineer and Assistant Executive Engineer, Slum Development Board, Davangere Sub-Division,
- 3) Sri.G.Krishna Reddy, Assistant Executive Engineer, Slum Development Board, Bellary Sub-Division,
- 4) Sri.H.G.Krishnamurthy, Accounts Superintendent, (retired), Slum Development Board, Davangere Sub-Division, Davangere.

1. On the basis of the complaint filed by Sri.H.Duggappa, KPCC Member, No.430, Nijalingappa Layout, Opp.to Sri.Bakkeshwara Kalyana Mantap, Near Ring Road Circle, Davangere, against (1) Sri.R.K.Krishna Murthy, Executive Engineer, Slum Development Board, Davangere, (2) Sri.B.Chandrappa, Assistant Engineer and Assistant Executive Engineer, Slum Development Board, Davangere Sub-Division, (3) Sri.S.L.Anandappa, Assistant Engineer, Slum Development Board, Davangere, (4) Sri.B.C.Veeresh Babu, Assistant Engineer, Slum Development Board, Davangere Sub-Division, (5) Smt.B.N.Jyothi, Assistant Engineer, Slum Development Board, Davangere Sub-Division, (6) Sri.S.D.Patil, Assistant Engineer, Slum Development Board, Davangere Sub-Division, (7) Sri.N.Hanumanthachar, Assistant

Executive Engineer, Slum Development Board, Davangere/Bellary Sub-Division, (retired), (8) Sri.Mahendra, Assistant Executive Engineer, Slum Development Board, Davangere Sub-Division, (retired), (9) Sri.G.Krishna Reddy, Assistant Executive Engineer, Slum Development Board, Bellary Sub-Division, (10) Sri.P.Madhukar, Assistant Executive Engineer, Slum Development Board, Davangere Sub-Division, (11) Sri.L.A.Shanmukhappa, Assistant Engineer, Slum Development Board, Chitradurga Sub-Division, and (12) Sri.H.G.Krishnamurthy, Accounts Superintendent, (retired), Slum Development Board, Davangere Sub-Division, Davangere, investigation is taken up under Sec.9 of Karnataka Lokayukta Act. After investigation, for the sake of convenience the present separate complaint has been registered with respect to the works alleged to have been executed by Bellary Sub-Division against the present respondents 1 to 4 i.e., (1) Sri.R.K.Krishna Murthy, Executive Engineer, Slum Development Board, Davangere, (2) Sri.B.Chandrappa, Assistant Engineer and Assistant Executive Engineer, Slum Development Board, Davangere Sub-Division, (3) Sri.G.Krishna Reddy, Assistant Executive Engineer, Slum Development Board, Bellary Sub-Division, and (4) Sri.H.G.Krishnamurthy, Accounts Superintendent, (retired), Slum Development Board, Davangere Sub-Division, Davangere, who were responsible for execution of the said works and passing of bills.

2. The allegations made in the complaint are that, during the tenure of the respondent as the Executive Engineer, of Karnataka Slum Development Board, Davangere various civil works were under taken, but the respondent colluding with Assistant Executive Engineer Sri.Barikar Chandrappa and the Contractor Sri.B.Gurumallappa has misappropriated an amount of Rs.58,56,124/-. It is alleged that the works executed were of sub-

standard quality and even for those sub-standard works he has got prepared bogus bills and issued cheques by receiving bribe.

3. After receiving the comments Superintendent of Police, Karnataka Lokayukta, Davangere and Technical Wing, Karnataka Lokayukta, Bangalore were directed to investigate and submit report. After investigation they have submitted documents pertaining to civil works alleged to have been executed in Karnataka Slum Development Board, Chitrdurga Sub-Division, Karnataka Slum Development Board, Bellary Sub-Division and Karnataka Slum Development Board, Davangere Sub-Division which come under the Karnataka Slum Development Board, Davangere Division.
4. After scrutiny of the above documents all the Junior Engineers/Assistant Engineers, Assistant Executive Engineers and Accounts Superintendent who are responsible for execution of the works and passing of the bills were impleaded as respondent No.2 to 12 in BD-4411/2015 except Sri.Shivashankar, the then A.E.E, and Sri.Mahadevaiah, Accounts Superintendent who were reported dead and whose death certificates have been produced. The respondents were issued notices calling for comments with respect to complained works executed in Chitradurg Sub-Division, Bellary Sub-Division and Davangere Sub-Division separately. **The comments of all the respondents have been secured in BD-4411/2015.**
5. Among the impleaded respondent No.2 to 12, respondent No.2 Sri.B.Chandrappa, respondent No.9 Sri.G.Krishna Reddy, Sri.Shivashankar, AEE (dead) have executed the works as discussed below and Sri.H.G.Krishnamurthy respondent No.12 and Sri.N.Mahadevaiah (dead) were the Accounts Superintendents during the relevant period.
6. Therefore, for the sake of convenience the present separate complaint has been registered with respect to the works alleged to

have been executed by Bellary Sub-Division against the present respondents 1 to 4 who were responsible for execution of the said works and passing of bills.

7. The respondent No.1 has filed comments denying all the allegations made against him. He has further stated that he worked as Executive Engineer, Karnataka Slum Development Board, Davangere Sub-Division from 21/2/2011. He has further contended that all the works executed by him are in accordance with KPPP Rules. He has also produced list of works executed from 2010-11 to 2013-14. He has produced C.T.Cs. for having taken charge of the Executive Engineer, Karnataka Slum Development Board, Davangere Division on 22/2/2011 and for having handed over the charge on 7/7/2015. Computer printout of tenders under e-procurement, issue of notice to proceed with the work, and agreement have also been produced.
8. The respondent No.2 in his comments has denied the complaint allegations and has relied upon the enquiry report submitted by Sri.H.N.Jayakumar, Technical Wing, KLA, Bangalore,
9. The respondent No.3 Sri.G.Krishna Reddy in his comments has entirely relied upon the report of Technical Wing, KLA, Bangalore and has requested to drop him from this case.
10. The respondent No.4 Sri.H.G.Krishnamurthy in his comments has contended that after the check measurement by the Assistant Executive Engineer the bills shall be forwarded to the Commissioner, KSDB, Bangalore, for approval and as per the orders of the Commissioner, payment shall be made with respect to approved bills. He has denied the allegations regarding financial irregularities.

11. Sri.N.Mahadevaiah, another Accounts Superintendent and Sri.Shivashankar, AEE have been reported dead. Death certificates have been produced.
12. The Chief Engineer, Technical Wing, KLA, has produced the documents relating to following works undertaken in Bellary District during the tenure of respondent No.1 as Executive Engineer, KSDB, Davangere Division. The said documents have been scrutinized and following observations have been made:
13. **Scrutiny of documents relating to works executed in Bellary Sub-Division:**

The S.P, KLA, Bellary has submitted the report and documents with respect to following works executed in Bellary District during the tenure of the respondent as Executive Engineer, Karnataka Slum Development Board, Davangere Division. Accordingly documents have been scrutinized and following observations are made:

- I) **Providing basic amenities to Harijanakeri, Belagoda Slum in Kampli Town under P.B.A.Scheme:-**
 - a) Check list has been produced for first and final bill, wherein the date of starting of work is written as 11/3/11. Due date of completion is left blank. M.B.No.is mentioned as 2444 from page No.96 to 99. Estimated cost is Rs.2,48,609/-. According to completion report, date of commencement and date of site handed over is 11/3/11 and date of completion is 11/4/11. Total bill cost has been left blank. The names of officers who have executed the work are mentioned as Sri.M.Shivashankar, Section Officer and Assistant Executive Engineer, and Sri.R.K.Krishnamurthy, Executive Engineer.
 - b) Contract certificate with R.A first and final bill has been produced. The date of recording measurement is written as 12/4/11. The

date of check measurement has not been written, but there is signature of Sub-Division Officer. The total bill amount is shown as Rs.2,48,438/- and cheque amount is written as Rs.2,15,459/-. Cheque date is written as 5/5/11. M.B.book extract from page No.96 to 100 have been produced. At page No.96 date of starting is written as 11/3/11. Date of completion and the date of recording are shown as 12/4/11. No detailed estimate is produced by the Enquiry Officer. Only the measurements of item No.5 of C.C.Road and item No.3, 4, 5 of CC drain have been recorded in page No.96 to 99 of M.B. As regards the remaining items it has been noted as quantity recorded in Page No.88, 89, 90, 91 of this M.B. However, the said page No.88 to 91 have not been produced. Even in contract certificate there is no mention that recordings have been made in page No.88 to 91.

- c) From comparison of quantity as mentioned in R.A. first and final bill with that recorded in M.B. it is noticed that, both are one and the same. Since detailed estimate is not produced, it cannot be ascertained as to whether the total quantity as recorded in M.B. is as that specified in estimate. From comparative statement, it is to be observed that the quantities mentioned with respect to each item of work in both the columns 'as per actual' and 'as per executed' are one and the same. Though in the check list quality test report is stated to be enclosed, no such quality test report is produced. Since all the measurements have been recorded after completion of work on 12/4/2011, it becomes very clear that there is no stage wise verification of the work. Considering the nature of work and quantum of work, it is quite impossible that verification and recording of measurements can be done on a single day, that too after completion of the entire work. In the report on cube strength C.C.test, the date on which it has been issued has not been mentioned. It is issued by a private agency.

II) Providing basic amenities to Chapparadahalli Slum in Kampli Town under P.B.A.Scheme:-

- a) As per check list, estimated cost is Rs.2,48,609/-. Date of starting work is written as 11/3/11, and due date of completion is left blank. Quality test report is shown as enclosed, but not produced. M.B.book and page numbers are mentioned as 2444 and 91 to 95.
- b) As per completion report, the date of commencement and date of handing over site is 11/3/11 and date of completion is shown as 12/4/11. The names of officers who have executed the work are shown as Sri.M.Shivashankar, Section Officer and Assistant Executive Engineer, and (2) Sri.R.K.Krishnamurthy, Executive Engineer.
- c) Contract certificate with first and final bill shows the date of recording as 12/4/11, recorded in M.B.2444 from page No.91 to 95. Date of check measurement has been left blank. Final bill amount is shown as Rs.2,48,438/-. Cheque amount is shown as Rs.2,16,373/-, after deducting an amount of Rs.32,065/-. Cheque date is 5/5/11. **M.B.is not produced.**
- d) Quality control report is produced. The date on which the report on cube strength C.C.test has been issued is not forthcoming in the said document. It becomes very clear that there is no stage wise verification of the work. Considering the nature of work and quantum of work it is quite impossible that verification and recording of measurements can be done on a single day, that too after completion of the work. Xerox copies of photos are not clearly visible.

III) Providing C.C. road and culvert works, to basic amenities to Koracharageri (Bandimote Area) Slum in Bellary City:-

- a) As per check list, estimated cost is Rs.24,75,000/-. Date of starting of work is altered and written as 18/2/11 in the place of 28/2/11. Due date of completion is written as 12/5/11.

Measurements are stated to be recorded in M.B.No.2670 from page No.38 to 44.

- b) In completion report also, the date of commencement and the date of site handed over are altered as 18/2/11 in the place of 28/2/11. Date of completion is written as 12/5/11. The names of officers who have executed the work are shown as Sri.M.Shivashankar, Section Officer and Assistant Executive Engineer, and (2) Sri.R.K.Krishnamurthy, Executive Engineer. Even in technical report the date of commencement has been altered as 18/2/11 from 28/2/11.
- c) Contract certificate with first and final bill shows the date of recording as 12/5/11, recorded in M.B.2670 from page No.38 to 44. Date of check measurement has been left blank. Final bill amount is shown as Rs.24,38,670/-. Cheque amount is shown as Rs.20,91,859/- after deducting an amount of Rs.3,46,811/-. Cheque date is 30/5/11. **M.B.is not produced. Estimate is also not produced. Therefore, no opinion can be expressed as regards the quantities mentioned in R.A first and final bill as to whether they are in consonance with that specified in estimate. However from comparative statement it can be noticed that there are variations between the actual quantities and quantities as executed. From the said document it can be observed that the work has not been executed as specified.** It becomes very clear that there is no stage wise verification of the work. Considering the nature of work and quantum of work it is quite impossible that verification and recording of measurements can be done on a single day, that too after completion of the work. Copies of photographs are not clearly visible and do not clearly depict the nature and quality of work.
- d) Agreement, work order, estimate, M.B. and quality inspection report which are the material documents have not been produced. Therefore, the actual date of commencement and the due date of completion as stipulated in agreement and work order could not

be ascertained. Actual date of commencement has been altered in all the documents. Therefore, the allegation of the complainant that execution of work is not in accordance with estimate seems probable.

IV) Providing C.C.Road, C.C.Drain and Culvert work to basic amenities to Budbudkeri (Bandimote Area) Slum in Bellary City under P.B.A.Scheme:-

- a) As per check list, estimated cost is Rs.17,51,000/-. Date of starting work is written as 18/2/11. Due date of completion is shown as 12/5/11. Measurements are shown to have been recorded in M.B.No.2670 from page No.45 to 53.
- b) As per completion report, date of commencement and date of site handed over is 18/2/11 and date of completion is 12/5/11. Total bill cost is written as Rs.17,24,467/-. The names of officers who have executed the work are shown as Sri.M.Shivashankar, Section Officer and Assistant Executive Engineer, and Sri.R.K.Krishnamurthy, Executive Engineer.
- c) Contract certificate with first and final bill, shows the date of recording as 12/5/11, recorded in M.B.2670 from page No.45 to 53. Date of check measurement is written as 12/5/11. Final bill amount is shown as Rs.17,24,467/-. Cheque amount is shown as Rs.14,80,450/- after deducting an amount of Rs.2,44,017/-. Cheque date is 30/5/11. **M.B.is not produced. Estimate is also not produced. Therefore, no opinion can be expressed as regards the quantities mentioned in R.A first and final bill as to whether they are in consonance with that specified in estimate. However from comparative statement it can be noticed that there are variations between the actual quantities and quantities as executed. From the said document it can be observed that the work has not been executed as specified.** It becomes very clear that there is no stage wise verification of the work. Considering the nature of work

and quantum of work it is quite impossible that verification and recording of measurements can be done on a single day, that too after completion of the work. Copies of photographs are not clearly visible and do not clearly depict the nature and quality of work.

- d) Agreement, work order, estimate, M.B. and quality inspection report which are the material documents have not been produced. Therefore, the actual date of commencement and the due date of completion as stipulated in agreement and work order could not be ascertained. Therefore, the allegation of the complainant that execution of work is not in accordance with estimate seems probable.

V) Providing C.C.Road and Culvert works to basic amenities to Andral D.C. Colony Slum in Bellary City under P.B.A.Scheme.

- a) As per check list, estimated cost is Rs.24,73,500/-. Date of starting work is written as 18/2/11. Due date of completion is left blank. Measurements are shown to have been recorded in M.B.No.2462 from page No.89-94.
- b) As per completion report, date of commencement and date of site handed over is 18/2/11 and date of completion is 15/3/11. Total bill cost is left blank. The names of officers who have executed the work are shown as Sri.M.Shivashankar, Section Officer and Assistant Executive Engineer, and Sri.R.K.Krishnamurthy, Executive Engineer.
- c) Contract certificate with first and final bill shows the date of recording as 15/3/11, recorded in M.B.2462 from page No.89-94. Date of check measurement is written as 15/3/11. Final bill amount is shown as Rs.24,27,390/-. Cheque amount is shown as Rs.20,82,359/- after deducting an amount of Rs.3,45,031/-. Cheque date is 29/3/11. In R.A first and final bill all the amounts have been rounded off and different figures have been hand written without the signature of the concerned authority. **M.B.is**

not produced. Estimate is also not produced. Therefore, no opinion can be expressed as regards the quantities mentioned in R.A first and final bill as to whether they are in consonance with that specified in estimate. However from the comparative statement it can be noticed that there are variations between the actual quantities and quantities as executed. From the said document it can be observed that the work has not been executed as specified. It becomes very clear that there is no stage wise verification of the work. Considering the nature of work and quantum of work it is quite impossible that verification and recording of measurements can be done on a single day, that too after completion of the work.

- d) Agreement, work order, estimate, M.B. and quality inspection report which are the material documents have not been produced. Therefore, the actual date of commencement and the due date of completion as stipulated in agreement and work order could not be ascertained. Therefore, the allegation of the complainant that execution of work is not in accordance with estimate seems probable.

VI providing C.C. Road and C.C.drain basic amenities to Bhagathsingh Nagar Slum in Bellary City under P.B.A.Scheme.

- a) As per check list, estimated cost is Rs.24.97 lakhs. Date of starting work is written as 18/2/11. Due date of completion is shown as 18/3/11. Measurements are shown to have been recorded in M.B.No.2344 from page No.93-98.
- b) As per completion report, date of commencement and date of site handed over is 18/2/11 and date of completion is 18/3/11. Total bill cost is shown as Rs.24,30,782/-. The names of officers who have executed the work are shown as Sri.M.Shivashankar, Section Officer and Assistant Executive Engineer, and (2) Sri.R.K.Krishnamurthy, Executive Engineer.

- c) Contract certificate with first and final bill shows the date of recording as 18/3/11, recorded in M.B.2344 from page No.93-98. Date of check measurement is left blank. Final bill amount is shown as Rs.24,30,782/-. Cheque amount is shown as Rs.20,92,284/- after deducting an amount of Rs.3,38,498/-. Cheque date is 30/3/11. **M.B.is not produced. Estimate is also not produced. Therefore, no opinion can be expressed as regards the quantities mentioned in R.A first and final bill as to whether they are in consonance with that specified in estimate. However from the comparative statement it can be noticed that there are variations between the actual quantities and quantities as per execution. From the said document it can be observed that the work has not been executed as specified.** It becomes very clear that there is no stage wise verification of the work. Considering the nature of work and quantum of work it is quite impossible that verification and recording of measurements can be done on a single day, that too after completion of the work. Test reports of coarse aggregate, fine aggregate, cement and cube strength C.C test have been produced. The date on which test have been conducted are not forthcoming in the said documents except in the report on cube strength C.C test. In the said report on C.C. cubes date of testing is shown as 6/3/11 and 7/3/11. The work has been completed on 18/3/11 as per completion report. Therefore, the said report issued by a private agency without the date on which it has been issued cannot be considered to conclude that quality has been maintained in the execution of the work. No quail control report is produced.
- d) Agreement, work order, estimate, M.B. and quality inspection report which are the material documents have not been produced. Therefore, the actual date of commencement and the due date of completion as stipulated in agreement and work order could not be ascertained. Therefore, the allegation of the complainant that

execution of work is not in accordance with estimate seems probable.

VII Providing C.C.Road, D.C.drain and culverts works to basic amenities to Bhatri Slum in Bellary City under P.B.A.Scheme.

- a) As per check list, the work order number is KSDB/EE/Division/PBA/Cess/2010-11/1135 dt.11/2/11. Date of starting of work and due date of completion are written as 18/2/11 and 15/3/11. Estimated cost is shown as Rs.21,28,000/- . In completion report the date of completion is written as 15/3/11. Total bill cost is not entered. The names of officers who have executed the work are shown as Sri.M.Shivashankar, Section Officer and Assistant Executive Engineer, and Sri.R.K.Krishnamurthy, Executive Engineer.
- b) As per contract certificate with first and final bill, the date of measurement is 15/3/11, recorded in page No.32 to 40 of M.B.2674. Date of check measurement is not entered. The name of Contractor is shown as Sri.K.Ravikumar, Bellary.
- c) The total bill amount is Rs.21,03,434/-. 1% is deducted towards income tax. Cheque amount is shown as Rs.18,10,534/- and deducted amount is shown as Rs.2,92,900/-. Cheque date is altered from 30/3/11 to 7/4/11..In R.A first and final bill, rates and amounts have been rounded off and fresh figures have been written above the same. There is no attestation by the concerned authority regarding the said alteration.
- d) **M.B.is not produced. Estimate is also not produced. Therefore, no opinion can be expressed as regards the quantities mentioned in R.A first and final bill as to whether they are in consonance with that specified in estimate.** It becomes very clear that there is no stage wise verification of the work. Considering the nature of work and quantum of work it is quite impossible that verification and recording of measurements can be done on a single day, that too after completion of the work. Test

reports of cube strength C.C test have been produced. The date on which tests have been conducted are not forthcoming in the said documents except in the report on cube strength C.C test. In the said report on C.C. cubes date of testing is shown as 6/3/11 and 7/3/11. The work has been completed on 15/3/11 as per completion report. Therefore, the said report issued by a private agency without mentioning the date on which it has been issued cannot be considered to conclude that quality has been maintained in execution of the work. No quail control report is produced.

- e) Agreement, work order, estimate, M.B. and quality inspection report which are the material documents have not been produced. Therefore, the actual date of commencement and the due date of completion as stipulated in agreement and work order could not be ascertained. Therefore, the allegation of the complainant that execution of work is not in accordance with estimate seems probable.
- f) **The Chief Engineer, TAC, KLA, Bangalore along with his report has produced xerox copies of documents pertaining to execution of the civil work "providing CC road basic amenities to Bhatri Slum in Bellary City". He has produced District Tender Bulletin No.13/2013-14 dt.5/8/13 and in Sl.No.3 there is a list of works pertaining to K.S.D.B, Davangere under P.B.A, Scheme. Copy of tender dt.27/7/13 has been produced, the very estimated cost is shown as Rs.5 lakhs. As per estimate abstract cost is Rs.4,99,999/-. In the check list the date of starting and the date of recording have not been mentioned. As per technical report the work was entrusted to Sri.B.Sharath, Class-III Contractor, Turuvanur. Completion certificate show the date of commencement and date of completion as 26/8/13 and 3/10/13. The officers who were responsible for the work are shown as Sri.G.Krishna Reddy, AE & AEE, and Sri.R.K.Krishnamurthy, EE.**

- g) Work order is dt.26/8/13, date of completion stipulated is 3 months from the date of handing over site and there is a condition that the contractor shall contact AEE, KSDB Sub-Division, Bellary within 7 days to obtain mark out to start the work or otherwise the date of agreement will be considered as the date of commencement. In tender agreement the date of execution is written as 24/8/13.
- h) M.B. No.2305 from page No.82 to 86 is produced. The date of mark out is written as 26/8/13 and the date of completion as 28/9/13. Date of recording is mentioned as 3/10/13. In contract certificate with first and final bill, the date of recording and the check measurement have been shown as 3/10/13. Therefore considering the nature of work and quantum of work it can be safely opined that there was no stage wise verification of the work and the contention that recording has been made on a single day is quite impossible to believe. The measurement entries in M.B. and R.A first and final bill are one and the same, but different from that specified in schedule-B with respect to item No.1 to 3. The date of completion as mentioned in M.B. is quite different from that entered in completion report.
- i) The test report issued by Premier Technical Consultant is produced. However, the date of issuance of the said report is not forthcoming.
- j) Therefore, the Chief Engineer, TAC has not produced the documents relating to construction of C.C.road, C.C.drain and Culvert allegedly executed during 2010-11. The above documents produced by the Chief Engineer, TAC shows that again in 2013 the work of construction of C.C. Road in Bhatri Slum area has been under taken i.e., within a span of 2 years. This itself corroborates the allegation of the complainant regarding substandard work carried out during the tenure of the respondent. In the inspection report on the accounts of

Commissioner, K.S.D.B, Bangalore for the year 2011-12, there is an observation at para No.92 (para XV/II B/2011-12) that there was unfruitful expenditure of Rs.6.38 lakhs on road works taken up under P.B.S (providing basis services) to slum scheme. Therefore, the allegation of the complainant regarding financial irregularity is corroborated.

VIII Providing C.C Road to basic amenities to Rani Garden Slum in Bellary City under P.B.A.Scheme.

- a) As per check list, the estimated cost is Rs.24.97 lakhs. Work order No. is KSDB/EE/Division/PBA/Cess/ 2010-11 dt.11/2/11. Date of starting work and due date of completion are mentioned as 20/3/11 (20/2/11) and 2/3/11 respectively. M.B.book No. and page Numbers are mentioned as 2451/81 to 84. In completion report total bill cost has not been mentioned. The name of the Contractor is Sri.Gurumallappa. The date of commencement and the date of site handed over have been rounded off and then written as 20/2/11. Date of completion is written as 2/3/11. Name of the Section officer, Assistant Executive Engineer and Executive Engineer are mentioned as Sri.N.Shivashankar and Sri.R.K.Krishnamurthy.
- b) In contract certificate first and final bill, date of recording and date of check measurement are written as 2/3/11. The total bill amount is written as Rs.23,93,698/-, deduction of 1% of income tax and total deduction of Rs.3,41,133/- have been shown. The cheque amount is written as Rs.20,52,565/-, and the cheque date is 26/3/11.
- c) A test report on coarse has been produced. The date of issuance of the said report is not mentioned. Though in the check list quality control report is said to have been enclosed. No such report is produced. Except these documents no other documents have been produced.

- d) **M.B.is not produced. Estimate is also not produced. Therefore, no opinion can be expressed as regards the quantities mentioned in R.A first and final bill as to whether they are in consonance with that specified in estimate.** It becomes very clear that there is no stage wise verification of the work. Considering the nature of work and quantum of work it is quite impossible that verification and recording of measurements can be done on a single day, that too after completion of the work. Test reports of cube strength C.C test have been produced. The date on which tests have been conducted are not forthcoming in the said documents except in the report on cube strength C.C test. In the said report on C.C. cubes date of testing is shown as 6/3/11 and 7/3/11. The work has been completed on 15/3/11 as per completion report. Therefore, the said report issued by a private agency without the date on which it has been issued cannot be considered to conclude that quality has been maintained in execution of the work. No quail control report is produced.
- e) Agreement, work order, estimate, M.B. and quality inspection report which are the material documents have not been produced. Therefore, the actual date of commencement and the due date of completion as stipulated in agreement and work order could not be ascertained. Therefore, the allegation of the complainant that execution of work is not in accordance with estimate seems probable.

IX providing C.C.Road at Gadde Kelagina Boomi, 2nd Stage Slum at Bellary City.

- a) The work order dt. is 28/9/2010. The date of agreement and number mentioned as KSCB/EE/GD/blank/ 2010-11 dt.28/9/10. Date of mark out is mentioned as "to be intimated by AE, KSCB Sub-Division, Bellary". Sanctioned estimate cost is shown as Rs.2,32,500/-. Amount of entrustment is shown as Rs.2,30,302/-. The time stipulated for completion is 2 months. Piece work

agreement is dated 28/9/10. Schedule-B has been produced. No other documents produced relating to the above work. Therefore, there is no document to show the date of commencement, the date of completion, the date of payment. Whether work has been executed as per estimate cannot be ascertained without production of estimate, measurement book, R.A bills. No quality control report is produced. However, in the list produced by the Enquiry officer at Sl.No.9 it is stated that the amount of expenditure is Rs.2,30,302/- and the bill has been paid through the Divisional Office, Davangere. Therefore the nonproduction of the material documents as discussed above corroborates the contention of the complainant that amounts have been misappropriated in the name of execution of civil work.

X Providing basic amenities to Mehaboob Nagar slum at Hospet City under S.U.D.P. (Saving amount) scheme CC drain, CC road, culverts and water supply.

- a) The work order is dt.29/9/10. Date of commencement is fixed as the date of mark out to be intimated by AEE, KSCB, Sub-Division, Bellary. Date of completion is fixed as 6 months from the date of mark out. It is signed by the Executive Engineer, Karnataka Slum Clearance Board, Gulbarga Division. Agreement date is 29/9/10. Schedule-B is produced. But estimate, M.B., R.A.bills, contract certificate are not produced. No quality inspection report has been produced. Therefore, there are no documents to show that the work has been executed and that too as per the estimate. However, in the list produced by the enquiry officer it is stated that the date of completion of work is 30/12/10 and the amount of expenditure is Rs.22,42,834/-. It is further stated that, the amount has been paid by the Divisional Office, Davangere by the respondent. In the absence of production of material documents as stated above it cannot be opined that the work has been executed and that it has been executed as per estimate.

XI Construction of 262 houses and providing infrastructure works at Andhral D.C.Colony, Bellary under JNNURM-IHSDT Scheme.

- a) Copy of check list with 12th and part bill has been produced. As per check list, work order No.KSCB/Commissioner/TD/JNNURM/IHSDT/work order/08-09/36. Estimated cost is Rs.10,48,36,219/-. Date of starting of work is 5/1/19. Due date of completion is 6/5/11. M.B.book No. is written as 6464 at page No.93 to 95.
- b) According to RA 12th and part bill, the work specified in item No.1 to 6, 9 to 14, 18, 22 to 25, 30, 31 to 35, 50 to 56 has been executed. Neither the detailed estimate nor the M.B have been produced. Therefore, there is no prima facie material to show that the work has been executed and the work has been executed as per estimate. Except 12th and part bill, no other bill has been produced. Except these documents the documents like work order, tender agreement, final bill, completion certificate, quality control report have been produced. In the absence of production of these documents no opinion can be expressed as regards the execution and quality of work.

XII Construction of CC drain in Andhral D.C.Colony .

- a) No documents have been produced.**

XIII Providing CC Road basic amenities to Koracha Colony Slum in Bellary City.

- a) Check list of first and part bill is produced. The estimated cost is Rs.24,88,000/-. Work order No. is KSDB/EE/Division/PBA/Cess/2011-12/33 dt.8/4/11. Date of starting of work is entered as 20/4/11. M.B.No. and page No. are mentioned as 2966/13-15. However, contract certificate with first and part bill is not produced. Along with the said check list, R.A. bill second and part

is produced. In the said contract certificate, date of recording is mentioned as 29/6/11, recorded in page No.13 to 15 of M.B.No.2966. Date of check measurement has not been entered. The total bill amount is written as Rs.20,99,486/-. 1% of I.T. has been deducted. Cheque amount is shown as Rs.17,12,246/- after deduction of Rs.2,59,796/-. Cheque date is 7/7/11.

- b) In the Technical report, it is stated that line out is given on 20/4/11 and the work is in progress. It is states that it is the first and part bill. In the R.A.bill previous quantities are shown as 0, and only present measurements have been shown.
- c) Another check list with completion report, technical report and contract certificate with R.A. second and final bill has been produced. Even in the said check list the date of completion is not mentioned though it is stated as the bill now claimed with respect to second and final bill. Measurements have been stated to be recorded in page No.29 to 31 of M.B.2966. Present bill detail in Sl.No.15 is shown as Rs.3,64,750/-. But in the contract certificate with second and final bill second bill amount is written as Rs.4,91,776/-, after deducting an amount of Rs.64,455/-. Cheque amount is shown as Rs.4,27,321/-. Cheque date is 12/10/2011. Income tax at 1% has been deducted. Therefore there is variation with regard to the second bill amount paid to the Contractor in between check list and contract certificate.
- d) In the completion certificate, the date of starting work and due date of completion are mentioned as 20/4/11 and 11/8/11. The name of the contractor is Sri.K.Ambanna, Contractor, Sindhanur. The names of officers who have executed the work are Sri.Shivashankar, both in the capacity of Junior Engineer and Assistant Executive Engineer and Sri.R.K.Krishnamurthy, Executive Engineer. In the contract certificate with second and final bill, date of recording and date of check measurement are mentioned as 18/8/11. There is no signature of the contractor. Report on cube strength CC test has been produced. The date on

which the said report has been issued is not found in the report. The dates of testing are mentioned as 21/7/2011 and 22/7/2011. Though in the check list it is stated that quality test report is enclosed, no such report has been produced. The xerox copies of photographs have been produced, which are not clearly visible.

- e) As per contract certificate, the recordings have been made in a single day. Therefore it becomes clear that there is no stage wise verification of the work. Neither the estimate nor measurement book has been produced. A comparative statement of quantity and amount as per schedule-B and as per execution has been produced. Except minor variations the quantities are same. The same quantities are mentioned in R.A. 2nd and final bill. However, since detailed estimate and M.B. are not produced, whether actual measurement of length, breadth and depth of the road as executed is in accordance with that specified in estimate cannot be ascertained. Quality inspection report has also not been produced. Therefore, no opinion can be expressed as regards the quality of work and it cannot be concluded that the work has been executed and that it has been executed as per estimate.

XIV Providing CC Road basic amenities to Gadde Kelagina Boomi, stage-I Slum in Bellary City.

- a) Check list and technical report with contract certificate, first and part bill, have been produced.
- b) In the check list, estimated cost is shown as Rs.24,95,000/-. Date of starting of work is written as 12/4/11. Work order No. is KSDB/EE/Division/PBA/ Cess/2011-12/32 dt.8/4/11. The measurement book No. and page No. are written as 2966/1 to 3. Due date of completion is not written. In contract certificate, the date of recording, date of check measurement, M.B.No. and page No. have not been filled up. There is no signature of the officer incharge of the work who has recorded the measurement. The name of the contractor is shown as Sri.K.Ravikumar, Bellary.

- c) The total bill amount is shown as Rs.19,80,807/-. Further first bill amount is mentioned as Rs.19,44,401/-. 1% of I.T has been deducted. Cheque amount has been written as Rs.16,86,924/-, after deducting an amount of Rs.2,57,477/-. Cheque date is 14/6/11.
- d) Check list, technical report contract certificate with second and final bill, comparative statement, completion certificate, royalty calculation sheet and copies of photographs have been produced.
- e) The due date of completion is not entered in the check list. Page numbers of the M.B., in which recordings have been made have not been entered. In the contract certificate the date of recording and date of check measurement are written as 18/8/2011. The measurements have been stated to be recorded in Page No.17-19 of M.B.No.2966. The total bill amount is shown as Rs.24,79,605/- and the present bill amount as Rs.5,35,204/-. Income tax @1% has been deducted. Rs.70,965/- has been deducted and cheque amount is written as Rs.4,64,239/-. Cheque date is 12/10/2011. No estimate or M.B. has been produced, so as to compare the correctness of recordings made in R.A bills. In R.A second and final, the total quantity and the total amount of item No.1 to 3 have been altered. In comparative statement, the quantities as per schedule-B and as per execution for item No.1 to 3 are shown as 493.50, 493.50 and 246.75 cum respectively. But in R.A second and final bill, the total quantity of item No.1 to 3 are mentioned as 493.47, 493.47, and 246.68.
- f) In completion certificate, the date of completion is written as 11/8/11. The officers responsible for the work are Sri.Shivashankar, J.E and AEE and Sri.R.K.Krishnamurthy, EE. Xerox copies of photographs do not show the location and the quality of work.
- g) Except these documents no other documents like work order, agreement, estimate, M.B.book, have been produced which are the material documents in ascertaining the quality of work and also as

to whether the work has been executed as per work order and as per approved estimate.

XV Providing CC Road basic amenities to Gadde Kelagina Boomi, stage-2 Slum in Bellary City.

- a) Check list, technical report and first and part bill, Check list, technical report and second and final bill with completion certificate are produced.
- b) As per the check list, estimated cost is Rs.24,90,000/-. Work order No. is KSDB/EE/Division/PBA/Cess/2011-12/31 dt.8/4/11. Name of the Contractor is Sri.K.Ravikumr, Bellary. Date of starting work is shown as 20/4/2011. Due date of completion is not mentioned. As per contract certificate, the date of recording of measurement is 29/6/11. Measurements are stated to have been recorded on page No.10 to 12 of M.B.No.2966. Date of check measurement is not written. The total bill amount is written as Rs.20,82,250/-. 1% of income tax has been deducted. Total deduction of Rs.2,52,505/- has been shown and cheque amount is shown as Rs.17,16,107/-. Cheque date is entered as 7/7/11.
- c) Even in check list, date of completion has not been mentioned. In contract certificate with second and final bill, the date of recording measurement and date of check measurement are written as 18/8/11. Measurement book No. and page No., are mentioned as 2966-26 to 28. The total bill amount is written as Rs.4,93,861/-. 1% of I.T. is shown to have been deducted. Total deducted amount is shown as Rs.64,344/-. Cheque amount is written as Rs.4,29,517/-. Date of cheque is written as 12/10/11.
- d) In completion certificate, due date of completion is shown as 11/8/11. The officers who have executed the work are Sri.Shivashankar, in the capacity of Junior Engineer and Assistant Executive Engineer, and Sri.R.K.Krishnamurthy, Executive Engineer. No estimate, agreement or work order and measurement book have been produced. Therefore, it cannot be ascertained as to

whether the work has been executed in accordance with the estimate. It cannot also be ascertained as to what was the actual date of commencement, and actual date of completion stipulated in the agreement. From the entries in contract certificate it can be seen that measurements have been verified on a single day. Considering the nature of work and quantum of work executed as per first and part bill and second and final bill respectively, it seems quite impossible that on a single day measurement can be recorded. Moreover it also becomes clear that there is no stage wise verification of the work.

- e) No quality control report is produced. Only a report on cube strength, CC test issued by a private agency "Premier Technical Consultants" has been produced. It does not bear the date of issuance. The name of the contractor has been left blank. The name of work is mentioned as "providing CC road at Gadde Kelagina Boomi Slum" in Bellary City. However since there are two works relating to two different stages of Gadde Kelagina Boomi Slum, it cannot be said that the said report pertains to the present work in question. The xerox copies of photographs are not clearly visible.
- f) As per comparative statement, the quantity as per execution is more than the quantities specified in schedule-B. However, without production of detailed estimate and measurement book the mere entries made in RA bills and comparative statement cannot be considered sufficient to conclude that the quality has been maintained by executing the work as specified in the estimate.

XVI Providing C.C Road basic amenities to Kamela Slum in Bellary City.

- a) Copies of Check list, technical report and contract certificate with first and part bill have been produced.

- b) The estimated cost is Rs.24,95,000/-. Name of the contractor is Sri.K.Ambanna, Sindanur. Work order No. is KSDB/EE/Division/PBA/Cess/2011-12/31 dt.8/4/11. Date of starting of work is written as 12/4/11. Due date of completion is not mentioned. M.B.No. and page No. are written as 2966/4 to 9.
- c) In the contract certificate, the date of recording measurement is mentioned as 13/5/11. Date of check measurement is left blank. Total bill amount is written as Rs.20,03,013/-. First bill amount is written as Rs.19,77,648/-. 1% of income tax has been deducted. Total deduction of Rs.2,59,217/- has been shown. Cheque amount is shown as Rs.17,18,431/-. Cheque date is written as 19/6/11. In royalty calculation sheet the total amount is hand written as Rs.14,814/-. In contract certificate, the royalty amount is shown as Rs.11,614/-. There is overwriting and not clearly visible.
- d) A set of test reports of fine aggregate, cement cube strength CC test, cement calculation sheets and royalty calculation sheet have been produced. In the said documents name of the work is shown as "providing CC road at Kamela Area (Sunanda Bhatti) Slum in Bellary City". The name of the agency is shown as Sri.V.Gurumallappa. Therefore, it is to be opined that those documents do not relate to the work shown in the above documents.
- e) **The Chief Engineer, Technical Wing, KLA has produced a set of documents showing the name of work as "providing CC Road basic amenities to Kamela Area Slum in Bellary City". However, the agreement No./work order number and date is mentioned as KSDB/EE/DVG.DIV/W.O/2013-14/ 575 dt.26/8/13. The name of Contractor is Sri.G.C.Pavan, Class-III Contractor, S.N.Pet, Bellary. Therefore, it becomes clear that the documents produced by the technical wing do not relate to the above work executed in Kamela Area during 2011.**
- f) **The check list produced with contract certificate and RA first and final, the date of starting and the date of recording are**

not mentioned. As per completion report, the said work has been executed by Sri.G.Krishnareddy as Assistant Engineer and also Assistant Executive Engineer. Sri.R.K.Krishnamurthy is the Executive Engineer. The date of commencement and date of completion are shown as 26/8/13 and 1/10/13 respectively. Estimated cost is shown as Rs.5 lakhs, and entrusted amount is shown as Rs.4,99,337/-. In the contract certificate, the date of recording and date of check measurement is written as 5/10/13 in page No.69 to 75 of M.B.No.2378. The total bill amount is Rs.4,94,989/-. 1 % of I.T. has been deducted. Rs.69,653/- is shown as the adjusted amount. Cheque amount is written as Rs.4,25,336/- and cheque date is 30/10/13. In the RA first and final bill, there are no signatures of the Contractor, Assistant Engineer and Assistant Executive Engineer.

- g) In comparative statement, the quantities as per schedule-B and as per actual execution are shown as one and the same, except item No.3. Xerox copies of photographs which are produced are not clearly visible. A test report on cube strength of cement concrete has been produced. It does not show the date on which the report has been issued. What is the actual date of testing is also not clear. It is issued by Premier Technical Consultants.
- h) As per work order dt.26/8/13 date of agreement is 24/8/13. But in contract certificate the date of agreement is printed as 26/8/13 and later hand written as 6/24-8-13. In agreement, the date has been hand written as 24/8/13. Tender approval order is produced, it does not bear the date. In the subject it is noted as “ಬಳ್ಳಾರಿ ನಗರದ ಕಮೇಲ್ ಏರಿಯಾ ಕೊಳಚೆ ಪ್ರದೇಶದಲ್ಲಿ ಲೆಕ್ಕ ಶೀರ್ಷಿಕೆ 2012-13ನೇ ಸಾಲಿನ ಶೀರ್ಷಿಕೆ 2217-04-191-2-02 ರಡಿಯಲ್ಲಿ ಬಿಡುಗಡೆಯಾದ ಅನುದಾನದ ಬಡ್ಡಿ ಮೊತ್ತದಲ್ಲಿ ಸಿ.ಸಿ.ರಸ್ತೆ ನಿರ್ಮಾಣ ಟೆಂಡರ್ ಕಾಮಗಾರಿಗೆ ಅನುಮೋದನೆ ನೀಡುವ ಬಗ್ಗೆ”.

- i) In the report accompanying the tender papers forwarded for acceptance, at Col.No.15(b) the names of the officers/officials who have scrutinized the comparative statement are shown as Sri.N.Mahadevaiah, Divisional Accountant, Sri.B.Chandrappa, Assistant Engineer, Sri.R.K.Krishnamurthy, Executive Engineer. Pass book of contractor B.Sharath has been produced. District tender bulletin, copy of tender notification dt.27/7/13, detailed estimate and page No.69 to 75 of M.B.2378 are produced. In page No.69 the name of work is written as "providing CC road basic amenities to Kamela Area Slum in Bellary City". The name of the contractor is written as Sri.G.C.Pavan, Class-III Contractor, Bellary. The measurement of item No.1 and 2 have been recorded in page No.69. There is signature of Sri.G.Krishnareddy with date 30/8/13 below the endorsement 'measurements submitted by me'. The signature is also found on the left end corner of page No.69 with dt.30/8. The said date has not been entered in the contract certificate either as the date of recording or as the date of check measurement. In page No.70 of M.B, the name of work is written as "providing CC road basic amenities to Patre Boodihal Slum in Bellary City". In page No.71 again the name of the work is mentioned as "providing CC road basic amenities to Kamela Area Slum".
- j) From comparison of quantity as specified in estimate and recorded in M.B, it is noticed that the specified breadth and depth as per estimate were 4.00m and 0.30m respectively. But in M.B. the breadth and depth of item No.1 to 4 have been recorded as 3.50, 3.60 and 0.23 respectively. Therefore, even according to the recordings as entered in M.B, it can be opined that they are not as specified in the estimate.
- k) Further it is pertinent to note that as per work order No.KSDB/EE/Division/PBA/Cess/2011-12/31 dt.8/4/11, a work of construction of CC road in Kamela Area Slum has been executed during 2011 and bill has been paid towards execution of

the same. Again as per the work order No. **KSDB/EE/DVG.DIV/W.O/2013-14/575 dt.26/8/13**, a work towards construction of CC road in the very same Kamela Area Slum has been executed during 2013 within a span of 2 years. Therefore from the documents produced by the enquiry officer and the documents produced by the Technical Wing, there arises serious doubt as regards the execution of the above works. Hence, the allegation of the complainant regarding misappropriation of amount is substantiated.

XVII.construction of ground floor units in the flood affected areas in North Karnataka District (Bellary, Bijapura, Bagalkote, Raichur, and Koppal) under programme 'Aasare' for the execution of 2708 dwelling units.

- a) Contract certificates with RA first to tenth bills have been produced. In CC with RA first and part bill the date of recording is written as 30/11/11, recorded in page No.1-2 of 2968. Contractor's name is shown as M/s.UEDI-PRIGUNAAS-JV, Koramangala, Bangalore. Agreement No. and date are mentioned as 175/2011-12 dt.14/11/11. There is no date of check measurement. In memorandum of payment the total amount is shown as Rs.70,56,000/-. There are no details of total value of work, various deductions etc. Cheque date is written as 2/1/11.
- b) In CC with second and part bill, the date of recording is written as 11/1/12 in page No.7-8 of M.B.2968. Date of check measurement is not written. The total bill amount is written as Rs.2,25,42,360/-. The second bill amount is shown as Rs.90,20,010/-. 2% I.T has been deducted. Deducted amount is written as Rs.9,81,281/- and cheque amount is shown as Rs.69,49,001/-. Date of cheque is 16/2/12.
- c) In CC with RA third and part bill, the date of recording and the date of check measurement are written as 12/3/12 in page No.10-11 of M.B.No.2968. The present bill amount is written as

Rs.1,54,42,000/- The total bill amount is written as Rs.3,12,13,000/-. The adjusted amount is written as Rs.9,53,682/-. Cheque amount is Rs.1,17,97,296/-. Cheque date is 11/4/12.

- d) In CC forth and part bill, date of recording is written as 27/4/12 in page No.15-16 of M.B.2968. The date of check measurement is not written. Total bill amount is Rs.4,29,94,000/-. Present bill amount is Rs.1,63,29,598/-. Adjusted amount is Rs.42,22,554/-. Cheque amount is Rs.1,21,07,044/-. Cheque date is 17/5/12.
- e) As per CC with fifth and part bill, the measurement has been recorded on 1/6/12 in page No.21-22 of M.B.2968. Date of check measurement is left blank. Total bill amount is Rs.6,45,33,000/-. Present bill amount is Rs.2,15,39,000/-. Adjusted amount is Rs.63,35,295/-. Cheque amount is Rs.1,52,03,705/-. Cheque date is 22/6/12.
- f) As per CC with sixth and part bill, the measurement has been recorded on 6/7/12 in page No.24-25 of M.B.2968. Date of check measurement is left blank. Total bill amount is Rs.7,26,25,000/-. Present bill amount is Rs.80,92,000/-. Adjusted amount is Rs.30,43,257/-. Cheque amount is Rs.50,48,743/-. Cheque date is 3/8/12. In R.A.bill however it is stated that total amount payable under this R.A.bill is Rs.66,67,143/-.
- g) As per CC with seventh and part bill, the measurement has been recorded on 138/12 in page No.27-28 of M.B.2968. Date of check measurement is left blank. Total bill amount is Rs.8,41,12,000/-. Present bill amount is Rs.1,07,27,016/-. Adjusted amount is Rs.43,05,477/-. Cheque amount is Rs.64,21,538/-. Cheque date is 5/9/12. In R.A.bill however it is stated that total amount payable under this R.A.bill is hand written as Rs.8,33,52,106/-. After rounding of Rs.1,00,61,930.00, another amount of Rs.1,07,27,106.00 is also hand written.
- h) As per CC with eighth and part bill, the measurement has been recorded on 17/9/12 in page No.29-30 of M.B.2968. Date of check

measurement is left blank. Total bill amount is Rs.80,58,644/-. Present bill amount is Rs.49,31,984/-. Adjusted amount is Rs.784119/-. Cheque amount is Rs.72,74,525/-. Cheque date is 18/10/12. Amounts of Rs.25,12,185/- and Rs.6,14,475/- have been shown as 'returned' and 'the additional previous bill amount' respectively. In R.A.bill however it is stated that total amount payable under this R.A.bill is hand written as Rs.49,31,984/-.

- i) As per CC with ninth and part bill, the measurement has been recorded on 26/10/12 in page No.33-34 of M.B.2968. Date of check measurement is left blank. Total bill amount is Rs.9,31,49,000/-. Present bill amount is Rs.48,65,000/-. Adjusted amount is Rs.7,78,400/-. Cheque amount is Rs.40,86,600/-. Cheque date is 27/11/12.
- j) In the CC with tenth and part bill, the date of recording measurement is written as 2968. Page No. as 36- M.B.No., is left blank. Date of check measurement is written as 8/1/13. Total bill amount is Rs.9,93,72,000/-. Present bill amount is Rs.63,23,000/- . Adjusted amount is Rs.20,87,457/-. Cheque amount is Rs.41,35,513/-. Cheque date is 4/2/13. In R.A.bill an amount of Rs.9,93,72,000/- is hand written.
- k) No other documents pertaining to the above work have been produced. In the absence of production of work order, agreement, detailed estimate, M.B, and all the R.A bills, no conclusion can be arrived that the work has been executed as per estimate. Even according to the contract certificates the measurements have been recorded on a single day each, from which it can be gathered that there is no stage wise verification of work and it also seems quite impossible that the measurements of all the items shown in each R.A.bill can be verified and measured on a single day.

XVIII. ಬಳ್ಳಾರಿ ನಗರದ ಮುಂಡರಗಿ ಮತ್ತು ಭಗತ್‌ಸಿಂಗ್ ನಗರದ ಕೊಳಚೆ ಪ್ರದೇಶಗಳಲ್ಲಿ ಕಿರುನೀರು ಸರಬರಾಜು ಮತ್ತು ವಿದ್ಯುದೀಕರಣ ಕಾಮಗಾರಿ.

- a) Enquiry officer has produced copies of C.C with first and part bill, C.C with RA second and part bill, tender agreement, schedule-B, and M.B.book page No.70 to 84.
- b) The Chief Engineer, Technical Wing, KLA has produced R.A third and final bill, completion report, receipts, photographs, report accompanying the tender papers, comparative statement, electrical contractor's licence, pass book, district tender bulletin, page No.70 to 84 of M.B.
- c) From the tender agreement and check list it is seen that date of agreement is 20/7/12. As per completion report, date of commencement is 20/7/12 and the date of completion is 11/2/13. Estimate amount is Rs.2465813/- and amount of expenditure is Rs.2465813/-. The officers who were responsible for execution of work are Sri.Krishna Reddy A.E, and also in the capacity of AEE, and Sri.R.K.Krishnamurthy, EE.
- d) As per C.C. with first and part bill, the measurements have been recorded and check measured on the same day i.e., 9/8/12 in page No.7 to 11 of M.B.No.2967. The same has not been produced. Considering the quantity of work executed under the said bill, it becomes clear that there is no verification of stage wise work. Considering the quantum of work it seems quite impossible that on a single day the entire measurement has been verified and recorded.
- e) As per memorandum of payment, the present bill amount is Rs.14,79,500/-. Adjusted amount is Rs.88.916/-, and cheque amount is Rs.13,90,582/-. 1% of I.T, has been deducted. Cheque date is 10/8/12. Therefore it can be gathered that just for passing of bill the above documents has been prepared.
- f) C.C. with R.A. second and part bill shows the date of recording measurement and date of check measurement as 3/9/12 recorded in page No.70-84 of M.B.No.2967. The said page No.70-84 has been produced both by the enquiry officer and the Chief Engineer, Technical Wing. The date of starting is written as 22/7/12 and the

date of recording as 3/9/12 i.e., measurement has been recorded nearly after 1 month 10 days. The delay has not been explained.

- g) In R.A second and part bill, works specified in item No.4, 5, 6, 12, 16, 17, 19A, B, 20, 21, 24, 25, 27 to 33, 43, 65 to 68 have been stated to be recorded in page No.70 to 84. It cannot be made out as to the items of work which have been verified and measurement recorded under the said bill.
- h) As per memorandum of payment in C.C. with second and part bill, the present bill amount is Rs.616500/-. Adjusted amount is Rs.37052/-. Cheque amount is Rs.579448/-. Cheque date is 11/10/12, 1% of income tax has been deducted.
- i) As per CC with third and final bill, the measurement has been recorded in page No.26 to 51 of M.B.No.3047. As regards the date of recording measurement, it was written as 4/2/13 which has been over written as 11/2/13. Date of check measurement has also been written as 11/2/13. The said M.B. has not been produced. However it is to be gathered that on a single day the entire measurements have been recorded which create doubt regarding the contention of the respondent that recordings have been made as per P.W.D.Code. It becomes clear that there is no stage wise verification of the work. Considering the quantum of work as shown in R.A. third and final bill it is seems quite impossible that on a single day all the measurements could have been recorded that too considering the nature of work.
- j) As per memorandum of payment, present bill amount is Rs.3,69,813/-, cheque amount is Rs.3,47,587/- + 26,750/-, and cheque date is 28/3/13. Detailed estimate is not produced. Therefore it cannot be opined in the absence of production of M.B and detailed estimate that the work has been executed as per estimate. Various receipts issued by L & T Ltd., Venkateshwara Electrical and Engineering Works and photographs have been produced, but the test reports or quality control reports have not been produced. The photos are not clearly visible and do not

disclose the date of photograph and the location where the photographs have been taken.

XIX. ಬಳ್ಳಾರಿ ನಗರದ ಡಿ.ಸಿ.ಕಾಲೋನಿ ಮತ್ತು ಜಾಗೃತಿ ನಗರ 2ನೇ ಹಂತ ಕೊಳಚೆ ಪ್ರದೇಶಗಳಲ್ಲಿ ಕಿರು ನೀರು ಸರಬರಾಜು ಮತ್ತು ವಿದ್ಯುದೀಕರಣ ಕಾಮಗಾರಿ.

- a) The Chief Engineer Technical Wing has produced only a copy of contract certificate with R.A first and part bill.
- b) The enquiry officer has produced the CC with first and part bill, check list, technical report, second and part bill, tender agreement dt.20/7/12, schedule-B, page No.19-25 of measurement book, book number is not forthcoming, the recordings relating to first and part bill are found.
- c) As per check list with first and part bill, estimated cost is Rs.24,99,000/-. Work order No. is KSDB/EE/DVG/tender/PBA/Agr No.12/12-13/210 dt.20/7/12. Date of starting is 22/7/2012, and due date of completion is 3 months from the date of mark out. In C.C, with first and part bill, the date of recording and the date of check measurement are entered as 9/8/12, recorded in page No.19-24 of M.B.No.2967. In page 19 of M.B. date of mark out is written as 22/7/12 and date of recording as 9/8/12. The recordings have been made in the said pages of M.B. as shown in RA first and part bill. However, considering the quantum of work and nature of the work it seems highly improbable that on a single day entire measurement could have been verified and recorded. It also becomes clear that there is no stage wise verification of work.
- d) As per memorandum of payment, bill amount is Rs.14,78,995/-. Adjusted amount is Rs.88,889/-. Cheque amount is Rs.13,90,106/-. Cheque date is 10/8/12.
- e) In CC with second and part bill, date of recording measurement and date of check measurement are written as 3/9/12, recorded in page No.1 to 15 of M.B.No.3046. The said M.B. is not produced. Even considering the quantum of work as shown in second and

part bill, it seems improbable that on a single day the entire measurement could have been verified and recorded. As per memorandum of payment the present bill amount is Rs.6,15,949/-. Adjusted amount is Rs.37,018/-. Cheque amount is Rs.5,78,931/-. Cheque date is 11/10/12. In tender agreement, the date has been hand written as 20/7/12.

- f) The material documents like the work order, detailed estimate, measurement books and quality inspection reports have not been produced, which give raise to be suspicion regarding the very execution of work and the execution of work in accordance with estimate.

XX. ಬಳ್ಳಾರಿ ನಗರದ ಸಮತಾ ನಗರ ಮತ್ತು ಹರಿಶ್ಚಂದ್ರ ನಗರ ಕೊಳಚೆ ಪ್ರದೇಶಗಳಲ್ಲಿ ಕಿರು ನೀರು ಸರಬರಾಜು ಮತ್ತು ವಿದ್ಯುದೀಕರಣ ಕಾಮಗಾರಿ.

- a) Tender agreement is dt.20/7/12. Schedule-B has been produced. Check list, and C.C. with first and part bill have been produced. Estimated cost is Rs.24,97,000/-. Name of the contractor is mentioned as M/s.Vijay Electricals, Annigere. Date of starting is 27/2/12. Due date of completion is shown as 3 months from the date of mark out. Work order No. is KSDB/EE/DVG/tender/PBA/Agr No.11/12-13/209 dt.20/7/12.
- b) As per contract certificate, the date of recording and date of check measurement are 9/2/2012 and measurements have been recorded in page No.13-18 of M.B. 2967. However the said M.B. has not been produced. Considering the quantum of work executed as per RA first and part bill, it seems highly improbable that on a single day entire measurements have been verified. It becomes clear that there is no stage wise verification of work.
- c) As per memorandum of payment the bill amount is Rs.14,79,493/- . Adjusted amount is Rs.88,918/-. Cheque amount is Rs.13,90,575/-. Cheque date is 10/8/12. Therefore it can be gathered that the said documents have been prepared only for passing the bill.

d) As per CC with RA second and part bill, measurements have been recorded and check measured on 3/9/12, in page No.85-98 of M.B.No.2967. Page No.85 to 98 of M.B.have been produced. In the said document the date of recording is written as 3/9/12. From the perusal of the said pages of M.B. it is seen that there is no detailed recording of measurements of different items of works. However considering the quantum of work as shown in RA second and part bill, it seems highly improbable that on a single day measurements could have been verified and recorded. Final bill has not been produced. Only schedule-B has been produced but not detailed estimate. Work order and completion report are also not produced. Quality inspection report is not produced. In the absence of the production of these material documents the opinion of the enquiry officer that work has been executed as per estimate cannot be accepted.

XXI. ಹೊಸಪೇಟೆ ನಗರದ ಸಿರಸಿನಕಲ್ಲು ಹಾಗೂ ಸಂಕ್ಲಾಪುರ ಗ್ರಾಮದ ಕೊಳಚೆ ಪ್ರದೇಶಗಳಲ್ಲಿ ಕಿರು ನೀರು ಸರಬರಾಜು ಹಾಗೂ ವಿದ್ಯುದೀಕರಣ ಕಾಮಗಾರಿ.

- a) Tender agreement is dt.20/7/12. Schedule-B has been produced. CC with RA first and part bill and check list have been produced. As per check list, estimated cost is Rs.24,98,000/-. Name of contractor is Priya Electrical Works, Bangalore. Work order No. is KSDB/EE/DVG/tender/PBA/AgrNo.9/12-13/207 dt.20/7/12. Date of starting is 22/7/12. Due date of completion is 3 months from the date of mark out.
- b) The date of recording and date of check measurement have been written as 9/8/12, recorded in page No.1-5 of M.B. 2967. The said M.B. is not produced. Considering the quantum of work executed as per RA first and part bill, it is seems improbable that on a single day the entire measurements could have been verified and recorded. There is no stage wise verification of work.

- c) As per memorandum of payment, bill amount is Rs.14,79,990/-. Adjusted amount is Rs.88,980/-. Cheque amount is Rs.13,91,010/-. Cheque date is 10/8/12.
- d) RA Second and part bill has been produced. The date of recording and date of check measurement have been entered as 3/9/12, recorded in page No.52-69 of M.B.No.2967. Page No.52 to 69 of M.B has been produced. Date of recording is written as 3/9/12. Date of starting is written as 22/7/2012, as seen in the said pages of M.B. produced by Chief Engineer, Technical Wing. From the scrutiny of said pages, it can be noticed that no detailed measurements of any item of work has been recorded in the said M.B. Therefore they do not disclose the measurement as per actual execution so as to conclude that the work has been executed as per estimate.
- e) As per memorandum of payment, present bill amount is Rs.6,16,448/-. Adjusted amount is Rs.37,048/-. Cheque amount is Rs.5,79,400/-. Cheque date is 11/10/12.
- f) RA third and final bill has been produced by the Chief Engineer, Technical Wing. The date of recording has been over written as 8/2/13. The date of check measurement is entered as 8/2/13 recorded in page No.1 to 25 of M.B.No.3047. Considering the quantum of work as shown in RA third and final bill, it is to be held highly improbable that on a single day the entire measurements could be verified and recorded.
- g) As per memorandum of payment, the present bill amount is Rs.3,70,368/-. Adjusted amount is Rs.22,160/-. Cheque amount is Rs.3,48,108/- + Rs.26,410/- and cheque date is 28/3/13. M.B.No.3047 from page No.1 to 25 is not produced.
- h) As per completion report, date of commencement is 22/7/12 and date of completion is 8/2/13. Name of the officers who have executed the work are Sri.Krishna Reddy, both in the capacity of AE and AEE, and Sri.R.K.Krishnamurthy, EE. Xerox copies of photographs are not at all visible. Receipt issued by Priya

Electrical Works has been produced, but test reports or quality control reports have not been produced.

- i) As per work order dt.20/7/12, date of commencement is the date of mark out to be intimated by AEE. Stipulated date of completion was 3 months from the date of mark out. Comparative statement has been produced. Copy of contractor's licence has been produced. From the non production of detailed estimate and the measurement book the opinion of the enquiry officer that the work has been executed as per the estimate cannot be accepted.

XXII. Providing basic amenities to M.P.P.Nagar Slum at Hoovinahadagali, Bellary District.

- a) Both the enquiry officer and the Chief Engineer, Technical Wing have produced the documents.
- b) As per check list, estimated cost is Rs.25 lakhs. Work order No. is 2013-14/983 dt.31/1/14. Date of commencement is 31/3/14 and date of completion is 26/2/14. As per completion report, the work has been executed by D.Chandrappa, both as AE and AEE and Sri.R.K.Krishnamurthy, EE, Contractor Sri.Gurumallappa.
- c) As per contract certificate with first and final bill, the date of recording and date of check measurement are written as 12/2/14 and 26/2/14. Recorded in page No.70-75 of M.B.No.2193. However page No.70-75 of M.B.No.2193 containing details of first and final bill has been produced. In page No.22 the date of commencement and date of completion are written as 31/1/14 and 26/2/14 respectively. Date of recording is written as 26/2/14. Therefore, there is no entry in M.B. regarding recording of measurement and check measurement on 12/2/14. Detailed estimate has not been produced. Total quantity as entered in M.B. are not clearly visible. Photographs are not clearly visible. Quality control report is not been produced. Only test report on CC cubes dt.14/2/14 showing the date of testing as 14/2/14 has been produced.

- d) As per memorandum of payment bill amount is Rs.19,86,349/-. Adjusted amount is Rs.2,74,874/-. Cheque amount is Rs.17,11,475/- and cheque date is 11/3/14. In the absence of production of detailed estimate and clear recording in M.B, the opinion of the enquiry officer that the work has been executed as per estimate cannot be accepted.

XXIII. Providing basic amenities to Ashraya Colony behind (J.P.Bhavan) Slum at Hospet City, Bellary District.

- a) Both the enquiry officer and the Chief Engineer, Technical Wing have produced the documents.
- b) The work order No. is KSDB/EE/DVG/Div/WO/2013-14/1075 dt.20/2/14. The date of commencement is shown as the date of handing over site and date of completion as 3 months from the date of handing over site. Estimated cost is Rs.50 lakhs. Entrusted amount is Rs.36,54,048/-. Tender agreement is dt.23/20-2-14. Copy of district tender bulletin dt.7/5/12 has been produced.
- c) The CC with first and part bill has been produced along with check list. As per check list, date of commencement is 26/2/14. Due date of completion is 25/5/14. As per contract certificate, the measurements have been recorded in page No.92 to 100 of M.B.2378 and page No.95 to 100 of M.B.No.2193. The date of recording measurement and the date of check measurement are entered as 1/3/14, 3/3/14, 7/3/14, 10/3/14 and 10/4/14.
- d) As per memorandum of payment the present bill amount is Rs.22,93,314/-. 1% of income tax has been deducted. Adjusted amount is Rs.3,76,326/-. Cheque amount is Rs.19,16,988/- and cheque date is 29/4/14.
- e) The Chief Engineer, Technical Wing has produced CC with second and final bill. The date of recording measurements and date of check measurement is shown as 5/6/14. The measurements have been recorded in page No.59-68 of M.B.No.2670. The present bill amount is Rs.13,51,220/-. 1% of income tax has been deducted.

Adjusted amount is Rs.2,36,704/-. Cheque amount is Rs.11,14,516/- and cheque date is 23/6/14. Considering the nature of work and quantum of work which has been carried out as per the second and final bill, it seems improbable that on a single day the entire measurement could have been verified and recorded.

- f) As per completion report, the date of commencement and date of completion are 26/2/14 and 24/5/14 respectively. Name of the contractor is Sri.K.Srinivas, Contractor, Hospet. The names of officers responsible for execution of the work are Sri.G.Krishna Reddy, AE and AEE, and Sri.R.K.Krishnamurthy, EE.
- g) Comparative statement has been produced showing the same quantities both as per schedule-B and as per actual execution except item No.5 and other slight variations. However, detailed estimate is not produced. Only M.B.No.2378 from page No.93 to 100 has been produced. Other two M.Bs, have not been produced. In the said M.B. at page No.93 it is noted that date of commencement is 26/2/14 and dates of recording as 1/3/14 for item No.1, 2, 3, 3/3/2014 relating to item No.10, 7/3/14 for item No.13, 14, 15, 21, 16, 10/3/14 for item No.19. There is signature of Sri.B.Chandrappa both as the officer who recorded the measurement and also as the officer who has checked the measurement. Even in contract certificate with first and part bill, the said Chandrappa has affixed the signature both as the officer incharge of the work and Assistant Executive Engineer. Since detailed estimate is not produced and also other M.B.books have not been produced, the opinion of the enquiry officer that work has been executed as per estimate cannot be accepted. Photographs are not clearly visible. No quality inspection report is produced. Only test report of CC cubes dt.22/5/14, 28/5/14, 31/5/14 and 4/5/14 have been produced. Since quality inspection report is not produced, the contention of the respondent that only after

satisfying himself about the quality of work he has passed the bill cannot be accepted.

- 14. The Chief Engineer, Technical Wing, KLA, has produced copies of documents pertaining to following civil works executed in KSDB Sub-Division, Bellary during the tenure of the respondent as Executive Engineer, KSDB, Davangere Division.**

A. Providing CC Road of basic amenities at Andhral D.C.Colony Slum in Bellary City (Stage-I),

- a) Check list, technical report, completion report, and CC with first and final bill have been produced.
- b) Estimated cost is Rs.20 lakhs. Name of contractor is A.Ravikumar, Bellary. Work order No. is KSDB/EE/DVG.Div/WO/2012-13/769 dt.6/2/13. Date of starting of work and the date of completion of work are shown as 7/2/13 and 16/3/13. The officers who have executed the work are shown as Sri.R.K.Krishnamurthy, Executive Engineer, Sri.Krishna Reddy, Assistant Engineer and Assistant Executive Engineer.
- c) In contract certificate, the date of recording measurement is written as 18/3/13 at page No.53-68 of M.B.No.2193. Date of check measurement has not been entered.
- d) Bill amount is Rs.19,72,855/-. 1% of income tax has been deducted. Adjusted amount is Rs.2,26,103/-. Cheque amount is Rs.17,46,752/- and cheque date is 4/4/13. Xerox copies of photographs have been produced which are not clearly visible.
- e) Work order is dt.6/2/13. Due date for completion is 3 months from the date of handing over site. Tender agreement is dt.6/2/13. Schedule-B has been produced. From comparison of quantities as entered in schedule-B with RA first and final bill, it is noticed that in schedule-B quantities specified for CC road as per item No.4 to 10 are 354.20, 221.38, 132.83, 132.83, 151.80,

and 201.07 cum. In RA first and final total, quantities are mentioned as 354.20, 221.38, 132.83, 132.83, 132.83, 100.50 and 201.06 cum. For water supply in item No.8 to 10 of schedule-B the quantities are specified as 129.75 cum, 173.00 M, and 129.75 cum. The same quantities have been mentioned in RA first and final bill. However, measurement book has not been produced. No detailed estimate is produced. Therefore, it cannot be ascertained as to whether the work has been executed as per the estimate.

- f) No quality inspection report has been produced. Copy of tender bulletin, copy of tender notification, and the report accompanying the tender papers forwarded for acceptance have been produced. In Col.No.15b names of Assistant Engineer and Executive Engineer are mentioned as B.Chandrappa and R.K.Krishnamurthy. The name of Divisional Accountant is mentioned as N.Mahadevaiah. The M.B.book, detailed estimate and quality inspection report are not produced. Hence the contention of the respondent that the work has been executed as per estimate and is not of substandard quality cannot be accepted. Infact considering the nature of work and quantum of work it is highly improbable that measurement could have been verified and recorded on a single day. It is also be noted that there is no stage wise verification of work.

B. Providing CC Road of basic amenities at Andhral D.C.Colony Slum in Bellary City (Stage-II),

- a) Copies of check list, technical report, completion report, CC with first and final bill, comparative statement, photographs, test results on cement, work order, tender agreement, schedule-B, district bulletin, tender notification, M.B.1716 from page No.40 to 58 have been produced.

- b) As per the above documents, estimated cost is Rs.20 lakhs. Work order No. is KSDB/EE/ DVG.Div/WO/2012-13/770 dt.6/2/13. Name of contractor is A.Ravikumar, Bellary. Date of starting of work is 7/2/13 and the date of completion of work is shown as 16/3/13. The officers who have executed the work are shown as Sri.R.K.Krishnamurthy, Executive Engineer, Sri.Krishna Reddy, Assistant Engineer and Assistant Executive Engineer.
- c) In contract certificate, the date of recording measurement is written as 18/3/13, in page No.47-51 of M.B.No.1716. In page No.47 neither the date of commencement nor the date of recording has been mentioned. In page No.48 at the end there is signature of A.E., that measurement has been recorded by him and also that he 'checked and found correct'. Below the signature, the date is written as 10/2/13. In page No.49 it is written as measurement continued on 18/2/13. In page No.51 date of completion is written as 15/3/13 and date of recorded as 18/3/13. Therefore, there is contradiction as regards the date of recording measurement inbetween the measurement book and contract certificate. Considering the nature of work and quantum of work, it is highly improbable that the measurements of the works entered therein have been verified and recorded on a single day. No quality inspection report is produced, only a test result on cement that too without date of issue has been produced. The work order and tender agreement are dt.6/2/13. Since no detailed estimate is produced, it cannot be concluded that the work has been executed as per estimate.

C. Providing mini water supply to Ashraya Colony (behind J.P.Bavan), Slum at Hospet City.

- a) Copies of work order, tender agreement, schedule-B, report accompanying the tender papers, comparative statement, district

- tender bulletin, detailed estimate and M.B.2370 from page No.82-92 have been produced.
- b) Work order No. is KSDB/EE/DVG.Div/WO/2013-14/1154 dt.5/3/14. The name of the contractor is Sri.G.Pavan. Estimated cost is Rs.7 lakhs. In tender agreement date of execution is left blank. In report accompanying tender papers, the names of officers/officials who have scrutinized the comparative statement regarding the rate and the amount are mentioned as H.G.Krishnamurthy, Divisional Accountant, B.Chandrappa, Assistant Engineer, R.K.Krishna Murthy, Executive Engineer.
- c) From comparison of detailed estimate with entries in measurement book, it is noticed that they are repetition of the quantities mentioned in estimate.
- d) In M.B. the date of recorded is mentioned as 21/3/14, and date of completion as 21/3/14. Therefore, on a single day the entire measurements are set to have been recorded which is quite impossible. Considering the quantum of work and nature of work, there is no stage wise verification of the work. Hence, it can be gathered that the M.B. has been prepared only for the purpose of passing the bill.

D. ಬಳ್ಳಾರಿ ನಗರದ ಹರಶ್ಚಂದ್ರ ನಗರ ಕೊಳಚೆ ಪ್ರದೇಶದಲ್ಲಿ ನಿರ್ಮಿಸಿದ 258 ಮನೆಗಳ ಪೈಕಿ 129 (ಬ್ಲಾಕ್-2) ಮನೆಗಳಿಗೆ ವಿದ್ಯುದೀಕರಣ ಒದಗಿಸುವ ಕಾಮಗಾರಿ.

- a) Copies of check list with second and part bill, check list with first and part bill, tender agreement, schedule-B, letter of acceptance, report accompanying the tender papers, comparative statement, electrical contractor's pass book, work done certificate, work qualification certificate issued by MUDA, Mysore, Bellary district tender bulletin, service connection estimate, estimate for street light and energy meter box for 240 houses, M.B.3046 from page No.34-45 have been produced.

- b) Tender agreement is dt.20/7/12, work has been entrusted to M/s.Praveen Electrical Works, Gadag. As per check list with first and part bill, the date of starting is 20/7/12, and due date of completion is 3 months from the date of mark out. The work order No. is KSDB/EE/DVG/Tender/PBA/Agr.No.15/12-13/ 203 dt.20/7/12. As per contract certificate with the first and part bill, measurements has been recorded on 9/8/12 and check measured on the same day. Measurement has been recorded in M.B.No.2967 from page No.34-35. The present bill amount is Rs.13,67,907/-. Income tax of 1% has been deducted. Adjusted amount is Rs.82,211/-. Cheque amount is Rs.12,85,696/- and cheque date is 10/8/2012.
- c) As per contract certificate with second and part bill, the date of recording measurement and date of check measurement are 3/9/12. Measurements have been recorded in page No.39-44 of M.B.No.3046. Total bill amount is Rs.18,95,563/-. Second bill amount is Rs.5,27,656/-. Adjusted amount is Rs.31,713/-. Cheque amount is Rs.4,95,943/- and cheque date is 11/10/12.
- d) In RA second and part bill, the quantities and the amounts which were printed have been rounded off and the different figures have been hand written without any attestation by the concerned authority. In page No.39 of M.B. No.3046 the date of recording is not found. In page NO.43 there is a signature of the officer with date 3/9/2012 below the words 'C&F correct'. In page No.45 the name of the work is not visible. Date of starting is written as 22/7/12 and date of recording as 3/9/12. In page No.34, date of recording is written as 9/8/12. Therefore there are variations with regard to the date of recording.
- e) In Col.No.15(b) of the report accompanying the tender papers, the names of officers who has scrutinized comparative statement are mentioned as Sri.N.Mahadevaiah, Divisional Accountant and Sri.R.K.Krishnamurthy, Executive Engineer. The pass book of an electrical contractor Sri.Vasanth, Mysore has been produced. In

the work done certificate name of work is mentioned as 'external electrification to Vijayanagara IV Stage near site No.10725 to 11181'. It is issued by Mysore Urban Development Authority, Mysore on 6/7/2010. Therefore it is no way related to the present work in question. Similarly the other documents pertaining to the above named electrical contractor have been produced which are no way related to the present complaint.

E. Providing water supply facility and basic amenities at Sankalapura Grama, new Amaravathi, Sirasanakallu, and Mehaboob Nagar Slum at Hospet City.

- a) Copies of check list, completion certificate, contract certificate with first and final bill, comparative statement, royalty calculation sheet, test report of fine aggregate, photos, work order dt.18/9/12, tender agreement, schedule-B, report accompanying the tender papers, comparative statement, M.B.2680 from page No.75-82 have been produced.
- b) As per the above documents, Work order is No.KSDB/EE/DVG.Div/2013-14/394dt.18/9/12. Estimated cost is Rs.24,99,000/-. Name of the contractor is Sri.K.Ravikumar. Date of starting of work is 8/2/13. Due date of completion is 18/3/13. In completion report actual date of completion is written as 18/3/13. In the contract certificate the date of recording measurement is written as 18/3/13, recorded in page No.75-82 of M.B.No.2680. Date of check measurement has not been written.
- c) The bill amount is Rs.24,78,617/-. Adjusted amount is Rs.2,82,165/-. Cheque amount is Rs.21,97,452/- and cheque date is 2/4/13.
- d) In M.B. date of recording is written as 18/3/13 and date of completion as 18/3/13. Therefore it is seen that in the completion of work there is no verification of work and measurement. Therefore there is no stage wise verification of

work. Considering the quantum of work it is highly improbable that on a single day the entire work could have been verified. No detailed estimate is produced. Different layout plans for Mehaboob Nagar, Sankalapura, New Amaravathi and Sirasanakallu Slum have been produced with schedule-B. Therefore, the measurements recorded in M.B. that too on a single day cannot be considered as the proof of correctness of the measurement as per actual execution that too in the absence of detailed estimate. No quality inspection report has been produced. Only a test report on fine aggregate has been produced.

- e) The work order is dt.18/9/12. The due date for completion 3 months from the date handing over. In M.B. the date of mark out is shown as 8/2/13, but according to work order the contractor should have obtained mark out from the Assistant Executive Engineer to start the work immediately within 7 days from the date of receipt of the work order. Therefore, it is to be gathered that the work has not been executed within the period as stipulated in the work order.

F. Providing CC Road basic amenities to Phathri Boodihal Slum in Bellary City.

- a) Copies of check list, completion report, CC with first and final bill, royalty statement, comparative statement, test report on cube strength of Cement concrete, photos, work order, tender agreement, schedule-B, report accompanying the tender papers, contractor's pass book of B.Sharath, and Sri.G.C.Pavan, estimate, and M.B.2778 from page No.77-82 have been produced.
- b) As per the above documents, estimated cost is Rs.5 lakhs. Name of the contractor is Sri.G.C.Pavan, Class-I Contractor, Bellary. Work order No. is KSDB/EE/DVG.Div/WO/2013-14/574 dt.26/8/13. Date of starting and date of recording have been left

blank in check list. In completion report date of commencement and date of completion are shown as 26/8/13 and 3/10/13, the names of officers/officials who have executed the work Sri.G.Krishna Reddy, A.E and AEE, and Sri.R.K.Krishna Murthy, Executive Engineer. The date of recording measurement and date of check measurement are written as 5/10/13 in contract certificate.

- f) The bill amount is written as Rs.4,99,008/-. Adjusted amount is Rs.70,097/-. Cheque amount is Rs.4,28,911/-. Cheque date is 30/10/13.
- g) From comparison of estimate with M.B. it is seen that the entire measurements have been recorded on 5/10/13. Date of mark out and date of completion are written as 26/8/13 and 3/10/13. Therefore, it becomes clear that till the completion of work, there was no verification of the measurement and stage wise work. Therefore, it can be opined that entries have been made in M.B. just to facilitate for passing of the bill.
- h) In contract certificate the page numbers in which measurements have been recorded has shown as 77 to 81. But in page No.77 and 78 it is written that measurements of item No.1 and 2 are recorded in page No.70. The said page No.70 has not been produced. Therefore there is no document available regarding the actual measurements as per execution with regard to item No.1 and 2. No quality inspection report is produced. Xerox copies of photographs are not clearly visible. In ColNo.51(b) of the report accompanying the tender paper, the names of the officers who have scrutinized the comparative statement re mentioned as Sri.N.Mahadevaiah, Divisional Accountant, Sri.B.Chndrappa, Assistant Engineer, Sri.R.K.Krishna Murthy, Executive Engineer.
- i) Therefore from the above discussion, it can be observed that because of the above irregularities there are prima facie materials to proceed against the respondents.

G. Providing SSM Wall and gravel filling to Slaughter house, Chappradahalli Slum in Hospet City.

- a) Copies of work order, tender agreement, report accompanying the tender papers, district tender bulletin, and estimate have been produced.
- b) Work order is No.KSDB/EE/DVG.Div/WO/2012-13/532 dt.22/11/12. Date of commencement is date of handing over of site due date of completion is 3 months from the date of handing over the site. Tender agreement is dt.22/11/12. As per Col.No.15(b) report accompanying the tender papers, the names of officers who has scrutinized the comparative statement are Sri.A.Mahadevaiah, Divisional Accountant, Sri.B.Chandrappa, AE, Sri.R.K.Krishnamurthy, EE. The name of the Contractor is Sri.Ambanna, Class-I contractor, Sindhanur.
- c) Estimated cost is Rs.4.50 lakhs. Detailed estimate is produced, but measurement book and RA bills have not been produced. No quality inspection report is produced. Therefore, there are no materials to prima facie make out that the above work has been executed and that it has been executed as per estimate.

H. Providing mini water supply to Mehaboob Subhani Slum in Thekkalakote, Siraguppa Taluk, Bellary District.

- a) Copies of check list, CC with first and final bill, completion report, comparative statement, royalty statement, work order, tender agreement, schedule-B, report accompanying the tender papers, district tender bulletin, detailed estimate have been produced.
- b) As per the above documents, work order No.is KSDB /EE/DVG.Div/WO/2013-14/1157 dt.5/3/14. Date of commencement and date of completion are 5/3/14 and 21/3/14 respectively. The officers responsible for the work are

Sri.B.Chandrappa, AE and AEE, Sri.R.K.Krishnamurthy EE.
Name of the contractor is Sri.Sharath,

- c) Estimated cost is Rs.7 lakhs. In contract certificate date of recording measurement and date of check measurement are shown as 21/3/14, recorded at page No.87-94 of M.B.No.2193.
- d) The bill amount is Rs.4,75,295/-. 1% of income tax have been deducted. Adjusted amount is Rs.55,519/-. Cheque amount is Rs.4,19,776/-. Cheque date is 28/3/14.
- e) Work order and agreement date are also 25/3/14. Only estimate is produced. But measurement book is not produced. In the absence of production of M.B.book and quality inspection report it cannot be opined that work has been executed as per estimate and work is not of substandard quality.

I. Providing CC Road basic amenities to Shivalinganagar Slum in Bellary City.

- a) Copies of check list, completion report, CC with first and final bill, test report on cube strength of cement concrete, photos, work order dt.26/8/13, tender agreement dt.24/8/13, schedule-B, report accompanying the tender papers, district tender bulletin, estimate, M.B.No.2305 from page No.87-92 have been produced.
- b) As per the above documents, estimated cost is Rs.5 lakhs. Work order No. is KSDB/EE/DVG.Div/ WO/2013-14/576 dt.26/8/13. Date of commencement and date of completion are 26/8/13 and 28/9/13 respectively. Names of the officers who have executed the work are Sri.G.Krishna Reddy, AE/AEE and Sri.R.K.Krishnamurthy, EE.
- c) In contract certificate, the date of recording measurement and check measurement are written as 8/10/13, in page No.87-92 of M.B.No.2305. Therefore the entire measurement has been recorded on a single day which cannot be believed. In M.B. date

of recording is mentioned as 8/10/13. In page No.88 as regards item No.1 and 2, it is written that measurements have been recorded in page No.80. However page No.80 has not been produced. Detailed estimate has not been produced. Therefore no opinion can be expressed as regards the correctness of the measurement recorded with respect to other items. No quality inspection report is produced. Only test report on cube strength is produced with some illegible xerox copies of photos. As per the report accompanying the tender papers, the Divisional Accountant who has scrutinized the comparative statement is Sri.N.Mahadevaiah.

- d) As per contract certificate, total bill amount is written as Rs.4,95,381/-. Adjusted amount is Rs.69,685/-. Cheque amount is Rs.4,25,596/-. Cheque date is 30/10/13. Therefore, it can be opined that the documents have been prepared just to facilitate for payment.

J. Providing water supply facility and basic amenities at Nagala Cheruvu Slum, Andhral Slum and Andhral D.C.Colony Slum at Bellary City.

- a) Copies of check list, completion report, CC with first and final bill, comparative statement, royalty calculation sheet, cement calculation sheet, photos, work order and tender agreement dt.18/9/12, schedule-B, report accompanying the tender papers, M.B.No.2677 from page No.49-61 have been produced.
- b) As per the above documents, estimated cost is Rs.2498000/-. Work order No. is KSDB/EE/DVG.Div/WO/2012-13/393 dt.18/9/12. Date of commencement and date of completion are 7/2/13 and 16/3/13 respectively. Names of the officers who have executed the work Sri.G.Krishna Reddy, AE and AEE and Sri.R.K.Krishnamurthy, EE. Name of the contractor is Sri.K.Ambanna.

- c) In contract certificate, the bill amount is written as Rs.24,82,552/-. 1 % of I.T. has been deducted. Adjusted amount is Rs.2,82,116/-. Cheque amount is Rs.22,00,436/-. Cheque date is 4/4/13. The date of recording measurement has been written as 16/3/13 recorded in page No.49-61 of M.B.No.2677. The date of check measurement has been left blank. Therefore, it is to be gathered that the entire measurements have been verified on a single day, but it seems quite impossible considering the quantum of work as shown in schedule-B and R.A. first and final bill. It also becomes clear that there is no stage wise verification of work. In M.B, neither the date of mark out nor the date of recording or the date of completion have been written. There is signature of AE at the end of page No.53 with date 18/2/13 above the writing 'C&F correct'. In page No.59 there is signature of Sri.R.K.Krishnamurthy EE with date 18/3/13 below the writing 'item No.7 C&FC', in page No.61 there are signatures of AE, AEE and FDA. The FDA has signed below the endorsement 'certified that the bill is checked and found correct'. Therefore, it can be seen that there are variations inbetween M.B and contract certificate with regard to the date of recording measurement and also as to who has checked the measurement. Since, detailed estimate is not produced no opinion can be expressed as regards to measurement recorded in M.B.
- d) As per work order dt.18/9/12, date of commencement is the date of handing over site and due date of completion is 3 months from the date of handing over the site. But according to completion certificate the date of starting of work is shown as 7/2/13 and date of completion as 16/3/13. Therefore, there is delay in execution of the work. No quality inspection report is produced. Therefore, in the absence of production of detailed estimate so as to compare the same with recordings in M.B and quality inspection report it, cannot be said that the work has been completed as per estimate and is of specified quality.

K. Providing basic amenities (B.T.Road and CC drain) to Sy.No.646/A2 Ashraya houses in Kamalapura Town at Bellary District.

- a) Copies of check list, completion report, CC with first and final bill, comparative statement, royalty calculation sheet, test report on CC cubes dt.6/9/14, 1/9/14, 22/8/14, 12/8/14, 10/7/14, test result of Grade-III metal dt.15/7/14, test result of gravel dt.5/7/14, photos, work order and tender agreement dt.7/5/14, schedule-B, report accompanying the tender papers, work estimate details, M.B.No.2190 from page No.64-77 have been produced.
- b) As per the above documents, the date of commencement and the date of completion are 26/6/14 and 24/9/14 respectively. As per work order dt.7/5/14 stipulated date of commencement was the date of handing over site with the direction to the contractor to contact AEE within 7 days from the receipt of work order to obtain the mark out to start the work immediately. Therefore, the time stipulated for execution of work has not been complied as per the work order No.KSDB/EE/ DVG.Div/WO/2014-15/71 dt.7/5/14.
- c) Estimated cost is Rs.25 lakhs. As per contract certificate, the first and final bill amount is Rs.20,19,419/-. 1% I.T has been deducted. Adjusted amount is Rs.2,27,209/-. Cheque amount is Rs.17,42,210/- and cheque date is 28/11/2014.
- d) As per contract certificate, the date of recording measurement and also the date of check measurement is 9/10/14 recorded in page No.64-77 of M.B.No.2190. Considering the description of 15 items of work as shown in RA first and final bill, it can be safely opined that on a single day the entire measurements could not have been verified and recorded. It also becomes clear that there is no stage wise verification of work. According to completion certificate the date of completion is 20/9/14, but the date of

recording is 9.10/14, that is, nearly after 15 days after completion of the work. In M.B, the date of mark out is written as 26/6/14. The delay for commencement of work has not been explained. It is stated in M.B. that measurement relating to item No.1 and 2 have been recorded in page No.60 and 61 of the said M.B. However the said pages have not been produced, but even in the contract certificate it is noted that measurements have been recorded in page No.64-77 of M.B.No.2190. Therefore, there arises doubt as regards the very execution of work especially, the work specified in item No.1 and 2. Detailed estimate is not produced. In the absence of production of detailed estimate, it cannot be opined that the measurements recorded in M.B are in consonance with that specified in estimate. Therefore, there arises doubt as to whether documents have been prepared just for the purpose of passing the bills.

- e). No quality inspection report is produced. Actual date of execution of each stage of work cannot be ascertained from M.B. Therefore, the test reports of CC cubes, gravel and Grade-II and III metal would not in any way corroborate the contention of the respondent regarding the quality of work. Xerox copies of photographs are not clearly visible. Therefore it is seen that there is delay in commencement of work which has not been explained. There are irregularities and discrepancies in measurement book and contract certificate. Therefore, these irregularities and discrepancies make out that there are sufficient materials to proceed against the respondent.

L. Providing basic amenities to Harishchandra Nagara Slum in Bellary City under CESS Scheme.

- a) Copies of check list, completion report, CC with first and final bill, comparative statement, royalty calculation sheet, test report on CC block, test result on fine aggregate, work order and tender

agreement dt.7/9/12, schedule-B, report accompanying the tender papers, estimate, and M.B.No.2669 from page No.24-31 have been produced.

- b) As per the above documents, the date of commencement is 10/9/12 and the date of completion is 8/10/12. As per work order No.KSDB/EE/DVG.Div/WO/2012-13/345 dt.7/9/12 estimated cost is Rs.8,40,000/-. As per memorandum of payment, first and final bill amount is Rs.8,39,796/-, 1% of I.T has been deducted, and royalty amount of Rs.4391/- is shown. But in royalty calculation sheet the amount is shown as Rs.10,576/- for metal/stone and Rs.2,587/- for sand/Murram. Adjusted amount is Rs.1,01,552/-. Cheque amount is Rs.7,38,244/- and cheque date is 9/11/12. As per completion report, the officers who have executed the work are Sri.M.Shivashankar as Section Officer and Assistant Executive Engineer and Sri.R.K.Krishnamurthy as EE. As per report accompanying the tender papers, the name of the Divisional Accountant who has scrutinized the comparative statement is Sri.N.Mahadevaiah and the Assistant Engineer is Sri.B.Chandrappa. As per contract certificate, the measurement has been recorded on 10/10/12 in page No.24-29 of M.B.No.2669. Date of check measurement has not been written, but the Assistant Executive Engineer has affixed the signature with date as 10/10/12. Considering the quantum of work as shown in RA first and final bill, it is to be held impossible that on a single day the entire measurements have been verified and recorded. There is no stage wise verification of the work. In M.B. at page No.24, date of starting and the date of recording are shown as 10/9/12. In page No.26 date of recording has been shown as 10/10/12 and date of completion as 8/10/12. In page No.24 and 25, measurements relating to item No.1 to 4 and 9 have been mentioned. Therefore, there are discrepancies regarding the actual date of recording of measurement of each

item of work. Estimate reveals that the work specified was for providing compound wall. In estimate the length, breadth and depth has been specified as 208m, 0.75m and 1.35m for item No.1 to 3. The length specified for item No.4 to 8 is also 208 M. However, in M.B. the measurement of total length is recorded as 50, 58, 50 and 49.50 with regard to item No.1 to 8.

- c) No quality inspection report is produced. Test report dt.8/9/12 has been produced, but the date of testing has not been mentioned. They have been issued by a private agency i.e., Premier Technical Consultants'.

M. Providing basic amenities to (CC Road and CC drain) to Siraguppa Block No.1, Ashraya houses Slum at Siraguppa Town and Mabho Subani Oni at Thekkalkote Town at Bellary District.

- a) Copies of work order and tender agreement dt.22/5/14, schedule-B, report accompanying the tender paper, comparative statement, work estimate details, district tender bulletin, B.No.2677 from page No.71-80, check list, completion report, CC with second and final bill, comparative statement, royalty statement, test report of CC cubes, photos have been produced.
- b) As per the above documents, work order No.is KSDB/EE/DVG.Div/WO/2014-15/115 dt.22/5/14. Due date of completion is 3 months from the date of handing over site. As per completion report, date of commencement and date of completion are 12/6/14 and 11/9/14. The name of the contractor is Syed Abeed Pasha Quardi. The officers who have executed the work are Sri.G.Krishna Reddy, AE and AEE and Sri.R.K.Krishnamurthy, EE. As per Col.No.15(b) of the report accompanying tender papers, the Divisional Accountant who has scrutinized the comparative statement is Sri.H.G.Krishnamurthy, who has also affixed his signature to the contract certificate as

- Accounts Superintendent. Therefore there is delay in commencement of work which has not been properly explained.
- c) The estimated amount is Rs.25 lakhs. Entrusted amount is Rs.19,34,139/-. First and part bill has not been produced. Only second and final bill has been produced. According to contract certificate with second and final bill, total bill amount is Rs.19,02,123/-. The previous bill amount is Rs.8,07,429/-. Second bill amount is Rs.10,94,894/-. 1% of I.T and Rs.22,327/- royalty have been deducted. Adjusted amount is Rs.1,60,284/-. Cheque amount is Rs.9,34,610/- and cheque date is 7/10/14.
- d) In contract certificate, the date of recording measurement and date of check measurement are written as 11/9/14. In R.A second and final bill, the quantities and amounts of various items have been rounded off and fresh figures have been written without any attestation. Considering the work that has been carried out as per second and final bill, it seems highly impossible that measurements could have been verified on a single day and recorded. Even in the comparative statement as per schedule-B and as per actual execution the various amounts and quantities have been rounded off and rewritten without any attestation by the concerned authority.
- e) In M.B.No.2677 the first page number is not clearly visible. As per contract certificate measurements of second and final bill have been recorded at pages 69-79 of M.B.2677. Therefore, if the first page number is considered as 69, in the said page, date of mark out is shown as 12/6/14, date of completion as 4/9/14 and date of recording as 11/9/14. But in completion report the date of completion has been changed from 4/9/14 to 11/9/14. The M.B.book relating to first and part bill has not been produced. Therefore, it cannot be ascertained as to whether the work has been executed as per the quantity and amount are specified in estimate with regard to all the items of work.

- f) Quality inspection report is not produced. Test reports do not bear the date on which they have been issued. Dates of testing are mentioned as 29/8/14, 1/9/14, 6/9/14, 4/9/14, 15/7/14, 18/7/14, 10/7/14, 12/7/14. Therefore it can be gathered that one of the test report on CC cubes has been issued subsequent to date of completion, that is, 4/9/2014 as per M.B. In the absence of production of detailed estimate first and part bill and all the M.B. books, it cannot be accepted that the work has been executed as per estimate.

N. ಬಳ್ಳಾರಿ ನಗರದ ಬೆಳಗಲ್ಲ ಕ್ರಾಸ್ ಕೊಳಚೆ ಪ್ರದೇಶದಲ್ಲಿ ನಿರ್ಮಿಸಿದ 32 ಮನೆಗಳಿಗೆ ಹೊರ ವಿದ್ಯುದೀಕರಣ ಒದಗಿಸುವ ಕಾಮಗಾರಿ.

- a) Copies of work order, tender agreement, schedule-B, letter of acceptance, report accompanying the tender paper, tender notification,, estimate, M.B.No.2967 from page No.26-30,and page No.16-32, check list, CC with third and final bill, technical report, check list and contract certificate with first and part bill, and photos have been produced.
- b) As per the above documents, work order and tender agreement are dt.20/7/12. Date of commencement and the date of completion are 22/7/12 and 11/2/13. As per work order, the work had to be completed within 3 months from the date of mark out. Therefore, there is delay in execution of work. As per completion report, the officers who have executed the work are Sri.G.Krishna Reddy, AE and AEE, and Sri.R.K.Krishnamurthy, EE. As per report accompanying tender papers at Col.No.15(b) Sri.N.Mahadevaiah is the Divisional Accountant who has scrutinized the comparative statement.
- c) As per contract certificate with first and part bill, measurements have been recorded in page No.26-30 of M.B.No.2967. Date of recording measurement and date of check measurement are written as 9/8/12. As per CC with second and part bill, the

measurements have been recorded in page No.16-31 of M.B.No.3046. The date of recording and date of check measurement are written as 3/9/12. As per CC with third and final bill, measurements have been recorded in page No.101 to 111 of M.B.No.3047. The date of recording had been written as 15/3/13 and rewritten as 11/2/13. The date of check measurement is written as 11/2/13. Therefore, pertaining to each bill, measurements have been recorded on a single day and it has been check measured on the same day which seems highly improbable considering the quantum of work and the nature of work. It also becomes clear that there is no stage wise verification of work. In CC with third and final bill, the date of recording measurement has been altered. The concerned M.B.book has not been produced. Only M.B.No.2967 from page 26-30 relating to the first and part bill has been produced. M.B.No.3047 has not been produced. In the absence of production of said M.Bs, it cannot be concluded that the work has been executed as per estimate and quality has been maintained.

- d) In page No.26 of M.B.2967, there is no mention of date of mark out. Date of recording is mentioned as 9/8/12. In page No.16 of M.B.3046, relating to second and part bill date of recording is written as 3/9/12.
- e) Estimated cost is Rs.24,98,000/-. Entrusted amount is Rs.20,11,506/-. First bill amount is Rs.12,05,933/-. An amount of Rs.72,476/- has been deducted. Cheque amount is Rs.11,33,457/- and cheque date is 10/8/12. Second bill amount is Rs.5,01,813/-. Adjusted amount is Rs.30159/-. Cheque amount is 4,71,654/- and cheque date is 11/10/12. Third and final bill amount is Rs.3,03,760/-. Adjusted amount is Rs.18,256/-. Cheque amount is 2,85,504/- and cheque date is 28/3/13. 1% of the I.T. has been deducted in all the bills. Quality inspection report is not produced.

O. ಬಳ್ಳಾರಿ ನಗರದ ಆಂದ್ರಾಳ್ ಡಿ.ಸಿ.ಕಾಲೋನಿ ಕೊಳಚೆ ಪ್ರದೇಶದಲ್ಲಿ ನಿರ್ಮಿಸಿದ 230 ಮನೆಗಳ ಪೈಕಿ 115 (ಬ್ಲಾಕ್-2) ಮನೆಗಳಿಗೆ ಹೊರ ವಿದ್ಯುದೀಕರಣ ಒದಗಿಸುವ ಕಾಮಗಾರಿ.

- a) Copies of work order, tender agreement, schedule-B, letter of acceptance, report accompanying the tender paper, comparative statement, estimate, M.B.No.3046 from page No.87-93, and page No.54-61, CC with first and part bill, CC with second and part bill, and CC with third and final bill have been produced.
- b) As per the above documents, work order No.is KSDB/EE/DVG.Div/WO/2012-13/201 dt.20/7/12. Date of commencement is 22/7/12. The date of completion is 11/2/13. As per work order, the work had to be completed within 3 months from the date of mark out. Therefore, there is delay in completion of work. As per completion report, the officers who have executed the work are Sri.G.Krishna Reddy, AE and AEE, and Sri.R.K.Krishnamurthy, EE. As per report accompanying the tender papers at Col.No.15(b) Sri.N.Mahadevaiah is the Divisional Accountant who has scrutinized the comparative statement.
- c) Estimated cost is Rs.23,27,000/-. Entrusted amount is Rs.23,26,100/-. The first bill amount is Rs.10,73,677/-. Adjusted amount is Rs.64,528/-. Cheque amount is Rs.10,09,149/- and cheque date is 10/8/12. Second bill amount is Rs.5,82,000/-. Adjusted amount is Rs.34,978/-. Cheque amount is Rs.5,47,022/- and cheque date is 11/10/12. Third and final bill amount is Rs.2,36,953/-. Adjusted amount is Rs.14,242/-. Cheque amount is Rs.2,22,711/- and cheque date is 28/3/13.
- d) In CC with first and part bill, date of recording and date of check measurement are written as 9/8/12 in page No.41-44 of M.B.No.2967. In CC with second and part bill, date of recording is written as 3/9/12, recorded in page No.67-71 of M.B.No.3046. Date of check measurement is not written. In CC with third and final bill, the date of recording measurement has been over written as 11/2/13 in page No.87-93 of M.B.No.3046. Date of

check measurement has not been written. Therefore, it is seen that relating to each bill, on a single day entire measurements have been verified and recorded. Therefore, there arises doubt regarding stage wise verification of the work. M.B. book relating to only second and part bill and third and final bill have been produced. The date of recording in page No.87 and also in page No.93 is written as 11/2/13. In page No.54 relating to second and part bill, date of recording is mentioned as 3/9/12. However, in contract certificate with second and part bill, page numbers are mentioned as 67-71. In listed page No.54-61 M.B. number is not forthcoming. Except in page No.54, it is handwritten as 3046. Another M.B. has not been produced. Therefore due to these discrepancies there arises doubt regarding recording of measurements as per KPWD Code. In R.A.bills the figures have been rounded off and handwritten without any attestation. No quality inspection report is produced.

P. ಬಳ್ಳಾರಿ ನಗರದ ಹರಿಶ್ಚಂದ್ರನಗರ ಕೊಳಚೆ ಪ್ರದೇಶದಲ್ಲಿ ನಿರ್ಮಿಸಿದ 258 ಮನೆಗಳ ಪೈಕಿ 129 (ಬ್ಲಾಕ್-1) ಮನೆಗಳಿಗೆ ಹೊರ ವಿದ್ಯುದೀಕರಣ ಒದಗಿಸುವ ಕಾಮಗಾರಿ.

- a) Copies of check list, CC with first and part bill, CC with second and part bill, work order, tender agreement, schedule-B, letter of acceptance, report accompanying the tender papers, comparative statement, contractor's documents, tender notification, estimate, M.B.No.3046 from page No.32-38 have been produced.
- b) As per the above documents, work order No.is KSDB/EE/DVG./Tender/PBA/Agr.No.14/2012-3/204 dt.20/7/12. The due date of commencement is from the date of mark out to be intimated by AEE, and due date is completion is 3 months from the date of mark out. Date of starting is written as 22/7/12. The date of completion cannot be ascertained, as neither completion report nor final bill has been produced. In M.B. date of completion has not been mentioned. As per report

accompanying tender papers at Col.No.15(b), the names of Divisional Accountant and Executive Engineer who have scrutinized comparative statement are Sri.N.Mahadevaiah and Sri.R.K.Krishnamurthy. As per CC with first and part bill, the present bill amount is Rs.13,89,922/-. Adjusted amount is Rs.83,531/-. Cheque amount is 13,06,391/- and cheque date is 10/8/12. Second bill amount is Rs.5,79,934/-. Adjusted amount is Rs.34853/-. Cheque amount is Rs.5,45,081/- and cheque date is 4/10/12.

- c) As per work order, estimated cost is Rs.23,23,000/-. Entrusted amount is Rs.23,22,126/-. Third and final bill is not produced.
- d) In CC with first and part bill, date of recording and date of check measurement are mentioned as 9/8/12, in page No.31-32 of M.B.No.2967. In CC with second and part bill, the date of recording and date of check measurement are written as 3/9/12 in page No.32-37 of M.B.No.3046. Page No.32-38 have been produced. In page No.32, date of recording is written as 3/9/12. Neither the M.B. relating to first and part bill nor the M.B. relating to third and final bill have been produced. From the above contract certificates, it can be seen that the entire measurements for each bill have been verified, recorded and check measured on the same day which seems improbable. Since third and final bill, concerned M.B and completion report have not been produced, there arises serious doubt regarding the completion of work and that the work has been executed as per estimate. Except the contractor's pass book and other documents no other material document like quality inspection report has been produced. Infact many of the documents do not pertain to the present work. For example a document issued by HESCOM dt.4/6/2009 has been produced which relates to electrification of I.P sets under Ganga Kalyana Scheme in Ranibennur. Therefore, irrelevant documents have been produced and material documents have been withheld. Hence, there are prima facie

materials to corroborate the allegations of the complainant with regard to execution of various works in Bellary Sub-Division which comes within the jurisdiction of Davangere Division where the respondent No.1 was the Executive Engineer.

15. From the scrutiny of the documents relating to the above works, as discussed above, irregularities/deficiencies which are noticed in the alleged execution of the above works can be summarized as below:

- a) Material documents like estimate, measurement book, work order, quality inspection reports, and completion certificates have not been produced relating to many of the above referred works.
- b) There are alterations/tampering of documents, that is, alteration in date of commencement, date of completion, measurements, quantities, amount, etc., in estimate and M.B.
- c) There is no material to show that measurements have been checked by the Sub-Divisional Officer as per KPWD Code with regard to many of the works. There are also variations in between the measurement book and contract certificate with regard to the actual date of recording and the actual date of check measurement.
- d) With respect to some works 1% of income tax has been deducted whereas with respect to other works 2% of I.T has been deducted, as noted above.
- e) Photos are not clearly visible.
- f) In majority of the works from comparison of estimate, M.B, and R.A.bills it can be noticed that, the measurements vary with each other. This probabalises the allegation of the complainant that the works have not been executed as per estimate and are of substandard quality. It further substantiates the allegation of the complainant that, bills have been passed without verifying the M.B and other material documents.

g) There has been delay in execution of many works as discussed above.

16. Scrutiny of inspection reports on the Accounts of the Commissioner, Karnataka Slum Development Board, Bangalore submitted by Chief Engineer of Technical Wing in file No.3 for the year 2011-12, 2012-13 to 2013-14 2014-15 and 2015-16:

- a) The said inspection reports pertain to the inspection of the accounts of the office of the Commissioner, KSDB, Bangalore wherein few references regarding Davangere Division can be noticed. In the inspection report for the period from 2011-12 in page No.17 there is an observation in para-II(b) regarding irregular release of 1.30 crores as material advance without obtaining supporting documents under Asare Scheme in the flood affected areas in the North Karnataka Districts (Bellary, Bijapur, Bagalkot, Raichur and Koppal).
- b) In para 10 at page No.40, there is reference to diversion of Rs.27.52 lakhs out of IHSDP Scheme Funds. It has been observed that an amount of Rs.2 lakhs relating to EE, KSDB, Davangere as per cash book dt.10/11/11 has been diverted towards preparation DPR for RAY Scheme. It has further been explained that release of funds out of IHSDP Scheme funds for works other than IHSDP components of works amounts to diversion of funds.
- c) In inspection report for the periods 2012-13 to 2013-14, in part-I at page No.59 at Sl.No.92 there is a general observation that during the previous period there was an unfruitful expenditure of Rs.6.38 lakhs on road works taken up under the scheme 'Providing Basic Services (PBS) to Slum Scheme'. In page No.95 at para-XI there is a reference as 'construction of

houses and providing infrastructure facilities to non slum dwellers - diversion of funds to the tune of Rs.62.18 lakhs'. Observation has been made regarding the widening of 6 main roads taken up in Bellary City and construction of 520 houses at Andral D.C.colony (262 houses) and Harishchandra Nagar (258 houses) slums of Bellary City. It has been observed interalia that the works of construction of 262 houses and providing infrastructure facilities in Andral D.C.Colony were entrusted to Sri.K.Ravikumar, but IHSDP Scheme was meant for providing housing and infrastructure facilities to the slum dwellers in identified slums and not for general public. But in the instant case the beneficiaries are the families displaced consequent on widening of road for general public and not slum dwellers. It has also been observed in page No.96 and 97 as below:

It was further observed from the correspondence (January 2010) made by the Asst. Executive Engineer, KSDB, Bellary sub division with the Commissioner, Bellary City Corporation and Executive Engineer, KUWS&DB, Bellary that the Board had provided infrastructure facilities like laying of water pipes, drainage pipes, roads etc. in the land handed over by the Bellary city corporation for construction of these 32 houses. The expenditure incurred on the infrastructure facilities could not be ascertained in audit.

Thus, the Board incurred an expenditure of Rs.62.18 lakh for rehabilitation of non-slum dwellers which resulted in diversion of IHSDP funds to the tune of Rs.38.26 lakh and State grants to the tune of Rs.23.92 lakh meant for undertaking development works in the slums.

- d) In the inspection report for the period from 2014-15 in Sl.No.53 regarding SUDP works at Davangere, there is an observation that there was excess work slip and non levy of

penalty of Rs.25.01 lakhs. At Sl.No.60(a) it has been observed that release of interest fee mobilization advance of Rs.3.79 Crores under 'Asare Scheme' resulted in giving unintended benefit to the contractor. In Sl.No.60(b) it has been observed that there was irregular release of 1.30 crores as material advance without obtaining supporting documents under 'Asare Scheme'.

17. Therefore from the above observations in inspection report with respect to KSDB, Davangere Division also it can be opined that the allegation of the complainant regarding financial irregularities in execution of the various works undertaken in Bellary Sub-Division for the period from 2011 to 2015 is substantiated.
18. Therefore, there are sufficient materials to proceed against the respondent No.1 to 4, opining that there is lack of absolute integrity and dereliction of duty in discharge of their duties as public servants which attracts disciplinary proceedings under Rule 3 of Karnataka Civil Service (Conduct) Rules 1966.
19. Therefore, acting under Section 12(3) of Karnataka Lokayukta Act, 1984, recommendation is made to the Competent Authority for initiating disciplinary proceedings against respondent No.1 Sri R.K.Krishna Murthy, respondent No.2 Sri.B.Chandrappa, respondent No.3 Sri.G.Krishna Reddy, and respondent No.4 Sri.H.G.Krishnamurthy (retired), and to entrust the departmental inquiry to this authority under Rule 14-A of the Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957, with sanction as required under Rule 214(2)(b)(i) of Karnataka Civil Services Rules, as the respondent No.4 Sri.H.G.Krishnamurthy, has already been retired from Government service on 31/12/2018.

20. As per section 12(4) of the Karnataka Lokayukta Act, 1984, the Competent Authority shall intimate or cause to be intimated to this Authority, the action taken or proposed to be taken on this recommendation, within a period of **three months** from the date of receipt of this report.

Connected records are enclosed herewith.

B.S. Patil 2-2-20
(Justice B.S. Patil)

Upalokayukta-2

State of Karnataka, Bengaluru

Bm
29/12/2020