

KARNATAKA LOKAYUKTA**No.Compt/Uplok/BD-191/2020/DRE-1**Multi Storied Buildings,
Dr. B.R. Ambedkar Veedhi,
Bengaluru-560 001
Date : 4/3/2020**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.S.L.Anandappa, Assistant Engineer, Slum Development Board, Davangere Sub-Division, (retired)
- 4) Smt.B.N.Jyothi, Assistant Engineer, Slum Development Board, Davangere Sub-Division,
- 5) Sri.Mahendra, Assistant Executive Engineer, Slum Development Board, Davangere Sub-Division, (retired)
- 6) Sri.P.Madhukar, Assistant Executive Engineer, Slum Development Board, Davangere Sub-Division,
- 7) Sri.N.Hanumanthachar, Assistant Executive Engineer, Slum Development Board, Davangere/Bellary Sub-Division, (retired)
- 8) Sri.H.G.Krishnamurthy, Accounts Superintendent, (retired), Slum Development Board, Davangere Sub-Division, Davangere, (retired).

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 Davangere Sub-Division against the present respondents 1 to 8 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.S.L.Anandappa, Assistant Engineer, Slum Development Board, Davangere Sub-Division, (retired), (4) Smt.B.N.Jyothi, Assistant Engineer, Slum Development Board, Davangere Sub-Division, (5) Sri.Mahendra, Assistant Executive Engineer, Slum Development Board, Davangere Sub-Division, (retired), (6) Sri.P.Madhukar, Assistant Executive Engineer, Slum Development Board, Davangere Sub-Division, (7) Sri.N.Hanumanthachar, Assistant Executive Engineer, Slum Development Board, Davangere/Bellary Sub-Division, (retired), (8) Sri.H.G.Krishnamurthy, Accounts Superintendent, (retired), Slum Development Board, Davangere Sub-Division, Davangere, (retired).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 undertaken, 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 in BD-4411/2015, respondent No.2 Sri.B.Chandrappa, respondent No.3 Sri.S.L.Anandappa, respondent No.5 Smt.B.N.Jyothi, respondent No.8 Sri.Mahendra, Respondent No.10 Sri.B.Madhukar, respondent No.7 Sri.Hanumanthachar, respondent No.12 Sri.H.G.Krishnamurthy, Sri.N.Mahadevaiah, Accounts Superintendent (dead) were responsible for execution of the works relating to Davangere Sub-Division.
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 Davangere Sub-Division against the present respondents 1 to 8 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 KTPP 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 Sri.B.Chandrappa 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.S.L.Anandappa and respondent No.5 Sri.Mahendra in their comments have denied the complaint allegations and has contended that the works have been carried out in good quality as per the conditions of agreement. He has further relied upon the report submitted by the Chief Engineer, Technical Wing, KLA, Bangalore.
10. The respondent No.4 Smt.B.N.Jyothi in her comments has denied the allegations made in the complaint and has contended that works have been executed as per tender and specification. It is further contended that quality inspection report has also been obtained.
11. Respondent No.6 Sri.P.Madhukumar/Madhukar in his comments has stated that work No.24 and 25 have been executed by him. He has further contended that the said works have been executed as per tender notification and quality inspection report have been obtained. It is further stated that the said works pertaining to providing basic infrastructures to the houses of the residents belong to S.C/ST. He has further stated that no financial loss has been caused in execution of the above works.
12. The respondent No.7 Sri.N.Hanumanthachar has filed comments denying the allegations and has further contended that majority of the works have been executed by himself along with Sri.B.Chandrappa and Sri.Mahendra. He has further contended that all the works have been executed by inviting tenders and as per approved estimate. He has further contended that he has obtained quality inspection report.
13. The respondent No.8 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.

14. Sri.N.Mahadevaiah, another Accounts Superintendent has been reported dead. Death certificate has been produced.

15. The Superintendent of Police, Karnataka Lokayukta, Davangere was directed to enquire and submit report. Accordingly Superintendent of Police, Karnataka Lokayukta, Davangere has submitted report based on the report of the Investigating Officer, Police Inspector, KLA, Haveri along with documents. In the report it is stated that during the tenure of the respondent as Executive Engineer, K.S.D.B, Davangere Sub-Division from 2011-12 to 2013-14, following 22 works have been carried out:

- I) Providing basic amenities to "A-A" road in Shivanagar slum in Davangere City under C.E.S.S.Scheme during 2011-12.
- II) Providing basic amenities to "B-B" road in Shivanagar slum in Davangere City under C.E.S.S.Scheme during 2011-12.
- III) Providing basic amenities to (C.C. road and C.C.Drain) Sri Ramanagara slum in Davangere City under C.E.S.S.Scheme during 2011-12.
- IV) Providing basic amenities (C.C.Drain) to Babu Jagjeevanram Nagara Slum in Davangere City under C.E.S.S.Scheme during 2011-12.
- V) Providing basic amenities (C.C.Road) to Basapura Hallada Dande, Hosa A.K.Colony Slum in Davangere City under C.E.S.S.Scheme during 2011-12.
- VI) ದಾವಣಗೆರೆ ನಗರದ ಬಸಾಪುರ ಎ.ಕೆ.ಕಾಲೋನಿ ಹಾಗೂ ನಿಟ್ಟುವಳ್ಳಿ ಕೊರಚರಹಟ್ಟಿ ಕೊಳಚೆ ಪ್ರದೇಶಗಳಲ್ಲಿ ಕಿರುನೀರು ಸರಬರಾಜು ಹಾಗೂ ವಿದ್ಯುದೀಕರಣ ಕಾಮಗಾರಿ.

- VII) Providing basic amenities (Mini Water Supply and Street Lights) to Basappanagara and Indiranagara. In Davangere City under C.E.S.S.Scheme during 2011-12.
- VIII) Providing basic amenities (C.C Road) to Benkinagara Slum in Harihara Town, Davangere City under C.E.S.S.Scheme during 2011-12.
- IX) providing basic amenities (sinking of bore well) to Bharath Oil Mill compound slum in Harihara City.
- X) Providing Mini Water Supply to Bharath Oil Mill compound slum in Harihara City.
- XI) Providing basic amenities (CC Road and drain) to Haralapura slum (behind Bharath Oil Mill Compound) in Harihara Town at Davangere District.
- XII) Providing basic amenities (CC Road and drain) to Upparakeri State-II slum in Channagiri Town at Davangere District.
- XIII) Providing basic amenities (CC Road, drain and culverts) to Ranganatha Badavane slum in Channagiri Town at Davangere District.
- XIV) Providing basic amenities (CC Road and drain) to A.K.Colony slum in Channagiri Town at Davangere District.
- XV) Providing basic amenities (CC Road and drain) to A.K.Colony slum in Channagiri Town at Davangere District.
- XVI) Providing basic amenities (CC Road) to Bhalaraj Bhat slum in Honnali Town at Davangere District.
- XVII) Providing basic amenities (CC Road and drain) to Tungabhadra Badavane in Honnali Town at Davangere District.
- XVIII) Providing basic amenities (CC Road) to Agasana Katte in Harapanahalli Town at Davangere District.
- XIX) ಹರಪನಹಳ್ಳಿ ಪಟ್ಟಣದ ಸಿಕ್ಕೇರಿಗುಂಡಿ ಮತ್ತು ಚಾದರಕೇರಿ ಕೊಳಚೆ ಪ್ರದೇಶಗಳಲ್ಲಿ ಕಿರು ನೀರು ಸರಬರಾಜು ಮತ್ತು ವಿದ್ಯುದೀಕರಣ ಕಾಮಗಾರಿ.
- XX) Providing basic amenities (CC Road and drain) to Ijaari Sirasappa Colony in Harapanahalli Town at Davangere District.
- XXI) ಜಗಳೂರು ಪಟ್ಟಣದ ಇಮಾಂ ನಗರ ಮತ್ತು ಮಂಜುನಾಥ ನಗರ ಕೊಳಚೆ ಪ್ರದೇಶಗಳಲ್ಲಿ ಕಿರು ನೀರು ಸರಬರಾಜು ಹಾಗೂ ವಿದ್ಯುದೀಕರಣ ಕಾಮಗಾರಿ.
- XXII) Providing basic amenities (CC Road and drain) to Imam Nagara Slum in Jagalur Town at Davangere District.

16. Further it has been opined that all the works executed during the period of respondent in K.S.D.L. Davangere Division have been executed and implemented as per law. However, from the scrutiny of the documents produced by the Investigating Officer with respect to above 22 works following discrepancies are noticed.

I) Providing basic amenities to "A-A" road in Shivanagar slum in Davangere City under C.E.S.S.Scheme during 2011-12.

- a) Copies of completion report of the final bill, check list, technical report, Contract certificate with first and final bill, royalty statement, cement calculation, comparative statement, xerox copies of photographs, test reports, work order, tender agreement, schedule-B, detailed estimate, M.B.No.2362/92-98 have been produced
- b) As per completion report, the date of commencement is 17/12/2011 and actual date of completion is 16/4/12. The estimated cost is Rs.3.75 lakhs. The concerned Section Officer and Assistant Executive Engineer are B.Chandrappa and N.Hanumanthachar.
- c) In the check list, the date of recording measurement and date of check measurement have been left blank. The bill amount is mentioned as Rs.3,48,593/-. Both in completion certificate and check list, the date of commencement and stipulated date of completion seem to have been changed by erasing the earlier writings. Even in the printed technical report, the date of commencement, the amount and the date of completion have been hand written.
- d) In the contract certificate, the dates of recording measurement have been mentioned as 22/12/11, 18/1/12 and 16/4/12 and the dates of check measurement have been entered as 23/12/11, 19/1/12, and 16/4/12.
- e) Photographs are not clearly visible.

- f) As per test reports of cement, sand, 40 mm aggregate, 20 mm aggregate, the date of testing is 10/2/12. The cement concrete cubes have been tested on 22/2/12.
- g) Work order is dt.9/11/11. 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. As per completion report, the date of handing over site is 17/12/11.
- h) In the detailed estimate, all the figures have been rounded off. Especially the measurement relating to length which was mentioned as 75 has been rounded off and written as 70. Similarly the printed entries regarding quantity has been struck off and hand written entries have been made. However they do not bear the signature or initial of the officer who has made those changes. The entries in R.A.bill first and final and comparative statement are as per the said changed entries made in the detailed estimate which gives raise to suspicion as to whether the figures in detailed estimate have been changed as per the entries in measurement book and R.A. bill first and final.
- i) From the comparison of detailed estimate and measurement book, the following variations in quantities of different items specified in detailed estimate can be observed as below:

| item | Quantity as specified in detailed estimate | | | | Quantity as entered in M.B | | | |
|---|--|------|------|----------------------------------|----------------------------|-------------------|------|------|
| | L | B | D | Qty | L | B | D | Qty |
| 1.Earth work excavation for foundation of buildings, culverts, water sanitary lines and electrical conduits either in pits or in trenches 1.5m and above in which, in Ordinary Soil not exceeding 1.5m in depth including dressing the bottom and sides of pits and trenches, stacking the excavated soil clear from edges of excavation with lead upto 50 m after breaking of clods complete as per specifications, specification No.KBS 2.1(a)2.3.5 (I No.2.3 | 75.00 changed as 70 | 4.30 | 0.15 | 48.38 chang ed as 45.15 | 4 | (5.25+5.3 0)/2 | 0.15 | 3.17 |
| | | | | | 6.00 | (5.3+6.05)/2 | 0.15 | 5.11 |
| | | | | | 10.00 | (6.05+4.5 0)/2 | 0.15 | 7.91 |
| | | | | | 10.00 | (4.5+4.55)/2 | 0.15 | 6.79 |
| | | | | | 10.00 | (4.55+4.0 0)/3 | 0.15 | 6.63 |
| | | | | | 10.00 | (4.30+5.7 5)/2 | 0.15 | 7.54 |

| | | | | | | | | |
|---|--|------------------|-------|-------|--|-----------------|-------|--------------|
| P No.5) | | | | | 10.00 | $(5.75+5.05)/2$ | 0.15 | 8.10 |
| | | | | | 3.00 | $(5.05+4.80)/2$ | 0.15 | 2.22 |
| | | | | | | | total | 47.47 cum |
| | | | | | 1.66 cum is shown towards deduction for gaps of manholes, water tap, pits etc. and thereby showing the net quantity as 45.15 cum | | | |
| 2. Providing and Laying in position plain cement concrete of mix (1:3:6)1:4:8 using 40mm and down size graded granite metal machine mixed concrete laid in layers not exceeding 15 cm thick, well compacted in foundation and plinth including cost of materials labour HOM of machinery curing complete as per specification Specification No.KBS 4.1 4.2 (I No.4.2 P.No.12) | 75 changed as 70 | 0.30 | 0.15 | 3.15 | 4 | $(5.25+5.30)/2$ | 0.15 | 3.17 |
| | 75 changed as 70 | 4.00 | 0.15 | 42.00 | 6.00 | $(5.3+6.05)/2$ | 0.15 | 5.11 |
| | | | Total | 45.15 | 10.00 | $(6.05+4.50)/2$ | 0.15 | 7.91 |
| | | | | | 10.00 | $(4.5+4.55)/2$ | 0.15 | 6.79 |
| | | | | | 10.00 | $(4.55+4.00)/3$ | 0.15 | 6.63 |
| | | | | | 10.00 | $(4.30+5.75)/2$ | 0.15 | 7.54 |
| | | | | | 10.00 | $(5.75+5.05)/2$ | 0.15 | 8.10 |
| | | | | | 3.00 | $(5.05+4.80)/2$ | 0.15 | 2.22 |
| | | | | | | | total | 47.47 cum |
| | | | | | 1.66 cum is shown towards deduction for gaps of manholes, water tap, pits etc. and thereby showing the net quantity as 45.15 cum | | | |
| | 3.Providing and constructing precast concrete solid blocks with compressive strength not less than 35 kg/sqm with cement mortar 1:4 masonry (quoin, jamb, closer blocks) with solid concrete blocks of size 40x20x20 cms conforming to IS2185/1965 in superstructure including cost of materials, labour charges scaffolding curing complete as per specifications (I.No.5.27 P.No.23) | 75 changed as 70 | 0.60 | | 90.00 changed to 84.00 | 2x70.00 | 0.60 | |
| 4. Providing 12 mm thick cement plaster in single coat with CM 1:3 to brick masonry including rounding off corners wherever required smooth, rendering, providing and removing scaffolding | 75 changed as 70 | 0.60 | | 84.00 | 2x70.00 | 0.60 | | 84.00 sq.mtr |

| | | | | | | | | |
|---|----------------------------------|------|-----------------------|------------------------------------|--|---------------|-------|----------|
| including cost of materials, labour, curing complete as per specifications I.No.15.9 P.No.96) | | | | | | | | |
| 5. Providing and laying in position plain cement concrete of nominal mix 1:2:4 using 20mm and down size graded metal machine mixed, concrete laid in layers not exceeding 15 cms, thick well compacted, in foundation and plinth, Cilts, including cost of all materials, labour HOM of machinery curing complete as per specifications. Specification No.KBS 4.1 4.2 I.No.4.6 P.No.12) | For vent 2x75.00 changed to 70 | 0.30 | 0.08 changed to 0.085 | 3.60 found off and written as 3.57 | 4.00 | (5.60+5.70)/2 | 0.085 | 1.92 |
| | For coping 2x75.00 changed to 70 | 0.20 | 0.08 changed to 0.085 | 2.40 changed to 2.38 | 6.00 | (5.70+6.30)/2 | 0.085 | 3.06 |
| | For road 1x75.00 changed to 70 | 4.00 | 0.085 | 25.50 changed to 23.80 | 10.00 | (6.30+4.60)/2 | 0.085 | 4.63 |
| | | | total | 31.50 rounded off to 29.75 | 10.00 | (4.60+4.70)/2 | 0.085 | 3.95 |
| | | | | | 10.00 | (4.70+6.50)/2 | 0.085 | 11.76 |
| | | | | | 10.00 | (6.50+5.90)/2 | 0.085 | 5.27 |
| | | | | | 10.00 | (5.90+5.20)/2 | 0.085 | 4.72 |
| | | | | | 3.0 | (5.20+5.00)/2 | 0.085 | 1.30 |
| | | | | | | | total | 29.61cum |
| | | | | | 1.66 cum is shown towards deduction for gaps of manholes, water tap, pits etc. and thereby showing the net quantity as 45.15 cum | | | |

- j) Therefore, from the above comparison it can be made out that the original length mentioned in the estimate as 75.00 has been changed as 70.00 mtrs. In M.B., the measurements have been recorded upto 63 mtrs with a note that 1.66 cum is deducted for gaps, manholes, water tap pits etc., which is not found in the estimate.
- k) The measurements of breadth recorded in M.B are different from that mentioned in detailed estimate and therefore it can be noticed

that the breadth at the different stretches of the road are different. Even different measurements have been recorded in respect of depth at different stretches of road. Therefore the total quantity recorded in M.B. are similar to that mentioned in schedule-B. From the above variations in breadth and depth and also as regards the length, it can be opined that the work has not be carried out as per estimate.

II) Providing basic amenities to "B-B" road in Shivanagar slum in Davangere City under C.E.S.S.Scheme during 2011-12.

- a) Copies of completion report of the final bill, check list, technical report, Contract certificate with first and final bill, royalty statement, cement calculation, comparative statement, xerox copies of photographs, work order, agreement, schedule-B, detailed estimate with report, M.B.No.2523/78-86, test reports of cement, sand, 40mm aggregate, 20mm aggregate, CC cubes, have been produced. But quality inspection report has not been produced by Chief Engineer, Technical Wing.
- b) As per completion report, the date of commencement is 17/12/2011 and actual date of completion is 16/4/12. The estimated cost is Rs.5.50 lakhs. The concerned Section Officer and Assistant Executive Engineer are B.Chandrappa and N.Hanumanthachar.
- c) In the check list, the date of recording measurement and date of check measurement have been left blank. The bill amount is mentioned as Rs.5,36,992.00. Both in completion certificate and check list the date of commencement and stipulated date of completion seem to have been changed by erasing the earlier writings. Even in the printed technical report, the date of commencement, the amount and the date of completion have been hand written.

- d) In the contract certificate, the dates of recording measurement have been mentioned as 19/12/11, 11/1/12 and 16/4/12 and the dates of check measurement have been entered as 20/12/11, 12/1/12, and 16/4/12.
- e) Photographs are not clearly visible.
- f) Work order is dt.9/11/11. 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. As per completion report, the date of handing over site is 17/12/11.
- g) In the detailed estimate, all the figures have been rounded off. Especially the measurement relating to length which was mentioned as 110 has been rounded off and written as 103. Similarly the printed entries regarding quantity has been struck off and hand written entries have been made. However they do not bear the signature or initial of the officer who has made those changes. The entries in R.A.bill first and final and comparative statement are as per the said changed entries made in the detailed estimate which gives raise to suspicion as to whether the figures in detailed estimate have been changed as per the entries in measurement book and R.A. bill number first and final. In the report with estimate, it is stated that provision is made for C.C. 1:3:6, 40 mm foundation, road and drain, but in detailed estimate at item No.2 plain cement, concrete of mix 1:3:6 has been changed as 1:4:8.
- h) From the comparison of detailed estimate and measurement book the following variations in quantities of different items specified in detailed estimate can be observed as below:

| item | Quantity as specified in detailed estimate | | | | Quantity as entered in M.B | | | |
|---|--|------|------|---------------------------------|----------------------------|------------------|------|------|
| | L | B | D | Qty | L | B | D | Qty |
| 1.Earth work excavation for foundation of buildings, culverts, water sanitary lines and | 110.00 chan ged | 4.30 | 0.15 | 70.95 changed as 66.44 | 10 | (4.8+4.90)/ 2 | 0.15 | 7.27 |

| | | | | | | | | |
|---|---------------------|------|-------|---------------------------|-------|---------------|------|--------|
| electrical conduits either in pits or in trenches 1.5m and above in width, in Ordinary Soil not exceeding 1.5m in depth including dressing the bottom and sides of pits and trenches, stacking the excavated soil clear from edges of excavation with lead upto 50 m after breaking of clods complete as per specifications, No.KBS 2.1(a)2.3.5 (I No.2.3 P No.5) | as 103 | | | | | | | |
| | | | | | 10.00 | (4.90+5.25)/2 | 0.15 | 7.61 |
| | | | | | 10.00 | (5.25+4.75)/2 | 0.15 | 7.50 |
| | | | | | 10.00 | (4.75+4.55)/2 | 0.15 | 6.97 |
| | | | | | 10.00 | (4.55+4.65)/3 | 0.15 | 6.90 |
| | | | | | 10.00 | (4.65+4.55)/2 | 0.15 | 6.90 |
| | | | | | 10.00 | (4.55+4.65)/2 | 0.15 | 6.90 |
| | | | | | 10.00 | (4.65+4.45)/2 | 0.15 | 6.82 |
| | | | | | 10.00 | (4.45+4.55)/2 | 0.15 | 6.97 |
| | | | | | 6.00 | (4.85+5.25)/2 | 0.15 | 4.55 |
| 2. Providing and Laying in position plain cement concrete of mix (1:3:6)1:4:8 using 40mm and down size graded granite metal machine mixed concrete laid in layers not exceeding 15 cm thick, well compacted in foundation and plinth including cost of materials labour HOM of machinery curing complete as per specification No.KBS 4.1 4.2 (I No.4.2 P.No.12) | 110c hang ed as 103 | 0.30 | 0.15 | 4.95 change d as 4.64 | 10.00 | (4.80+4.90)/2 | 0.15 | 7.27 |
| | 110 chan ged as 103 | 4.00 | 0.15 | 66.00 change d as 61.80 | 10.00 | (4.90+5.25)/2 | 0.15 | 7.6 |
| | | | Total | 70.95 change d as 66.44 | 10.00 | (5.25+4.75)/2 | 0.15 | 7.50 |
| | | | | | 10.00 | (4.75+4.55)/2 | 0.15 | 6.97 |
| | | | | | 10.00 | (4.55+4.65)/3 | 0.15 | 6.90 |
| | | | | | 10.00 | (4.65+4.55)/2 | 0.15 | 6.90 |
| | | | | | 10.00 | (4.55+4.65)/2 | 0.15 | 6.90 |
| | | | | | 10.00 | (4.65+4.45)/2 | 0.15 | 6.82 |
| | | | | | 10.00 | (4.45+5.80)/2 | 0.15 | 6.97 |
| | | | | | 6.00 | (4.85+5.25)/2 | 0.15 | 4.55 |
| 3.Providing and constructing precast concrete solid blocks with compressive strength not less than 35 kg/sqm with cement mortar 1:4 masonry | 110c hang ed as 103 | 0.60 | | 432.00 change d to 123.60 | 2x103 | 0.60 | | 123.60 |

| | | | | | | | | |
|--|--|------|--|--------------------------------------|-------------------|-------------------|-------|------------------|
| (quoin, jamb, closer blocks) with solid concrete blocks of size 40x20x20 cms conforming to IS2185/1965 in superstructure including cost of materials, labour charges scaffolding curing complete as per specifications (I.No.5.27 P.No.23) | | | | | | | | |
| 4. Providing 12 mm thick cement plaster in single coat with CM 1:3 to brick masonry including rounding off corners wherever required smooth, rendering, providing and removing scaffolding including cost of materials, labour, curing complete as per specifications (I.No.15.9 P.No.96) | 110c hang ed as 103 | 0.60 | | 132.00 change d to 123.60 | 2x103 | 0.60 | | 123.60 sq.mtr |
| 5. Providing and laying in position plain cement concrete of nominal mix 1:2:4 using 20mm and down size graded metal machine mixed, concrete laid in layers not exceeding 15 cms, thick well compacted, in foundation and plinth, Cills, including cost of all materials, labour HOM of machinery curing complete as per specifications. Specification No.KBS 4.1 4.2 (I.No.4.6 P.No.12) | For vent 2x75 .00 chan ged to 70 | 0.30 | 0.08 chan ged to 0.08 5 | 5.28 change d as 5.26 | 10.00 | (5.30+5.40) /2 | 0.085 | 4.55 |
| | For copin g 2x75 .00 chan ged to 70 | 0.20 | 0.08 chan ged to 0.08 5 | 3.52 change d to 3.50 | 10.00 | (5.40+5.70) /2 | 0.085 | 4.72 |
| | For road 1x75 .00 chan ged to 70 | 4.00 | 0.08 5 | 37.40 change d to 37.08 | 10.00 | (5.70+5.20) /2 | 0.085 | 4.63 |
| | | | total | 46.20 rounde d off to 45.85 | 10.00 | (5.20+5.00) /2 | 0.085 | 4.33 |
| | | | | | 10.00 | (5.00+5.10) /2 | 0.085 | 4.29 |
| | | | | 10.00 | (5.10+5.00) /2 | 0.085 | 4.29 | |
| | | | | 10.00 | (5.00+5.10) /2 | 0.085 | 4.29 | |

| | | | | | | | | |
|--|--|--|--|--|-------|-------------------|-------|------|
| | | | | | 10.00 | (5.10+4.90) /2 | 0.085 | 4.25 |
| | | | | | 10.00 | (4.90+5.30) /2 | 0.085 | 4.34 |
| | | | | | 6.00 | (5.30+5.60) /2 | 0.085 | 2.78 |

- i) From the measurement book, it can be noticed that measurement regarding item No.1 has been recorded on 19/12/2011. The measurement of item No.2 has been recorded on 11/1/2012. Measurement of item No.3, 4 and 5 have been recorded on a single day and it has been check measured on 16/4/2012. The date of recording measurement of item No.1 to 3 cannot be found in the said M.B. Test reports have not been produced. No quality control report has been produced. From the variations in between the measurements as specified in estimate and that recorded in M.B., it can be noticed that the execution of the work is not in accordance with the measurement as specified in estimate. Almost all the figures in detailed estimate have been changed and hand written but there is no signature or initial of the authority who has made those changes. Therefore, there arises serious doubt regarding the genuineness of the entries made in the estimate produced by the Investigating Officer and the measurement recorded in M.B.

II) Providing basic amenities to (C.C. road and C.C.Drain) Sri Ramanagara slum in Davangere City under C.E.S.S.Scheme during 2011-12.

- a) Work order, schedule-B, approval order dt.11/7/12, estimate, detailed estimate with report, contract certificate with first and final bill, technical report, completion report, check list, comparative statement, cement calculation, royalty statement, photographs, test reports, M.B.book page No.88 to 92 have been produced.
- b) As per work order dt.11/7/12, stipulated date of completion is 3 months from the date of handing over. Sanctioned estimate amount is Rs.18,88,000/-. Tender has been approved on 11/7/2012 and

the Contractor is Sri.Gurumallappa. Contract price is Rs.18,87,894/-. As per contract certificate, measurement has been recorded in M.B.No.2523/88-91. Measurements have been recorded on 19/7/12, 23/7/12, and 16/8/12. The measurement have been checked on 20/7/12, 24/7/12, and 17/.8/12. As per technical report and completion report, the date of commencement is 17/7/12, and date of completion is 14/8/12. Sri.B.Chandrappa and N.Hanumanthachar are the Section Officer and A.E.E, respectively, who have executed the work. As per report accompanying the tender papers Sri.N.Mahadevaiah is the Divisional Accountant who has scrutinized the comparative statement.

- c) In comparative statement, the quantity as per schedule-D and quantity as per actual execution have been mentioned as one and the same, except item No.5 wherein the quantity as per schedule-B is shown as 136.80 sq.mtr and quantity as per actual execution is shown as 136.76 sq.mtr.
- d) The photographs are not clearly visible. As per test reports, cement test, sand test, 40 mm aggregate test and 20 mm aggregate test have been conducted on 23/7/12 and the said test reports have been issued on 24/7/12. Cement concrete cube tests have been conducted on 2/8/12 and report has been issued on 3/8/12.
- e) In M.B., at page No.88, date of completion has been entered as 14/8/12, and date of recording as 16/8/12. With regard to item No.1, it is stated that the measurements have been recorded in page No.97 and with regard to item No.2, it has been recorded in page No.98 of the said M.B. However, the said page No.97 and 98 have not been produced. Even as per contract certificate, the measurements have been recorded in page No.88 to 91 of M.B.No.2523. In the copy of M.B. produced, the Measurement book number is not disclosed. The measurement with respect to item No.3 to 6 have been entered in page No.88 to 91. The cheque is

issued on 29/8/2012. Therefore, it is to be gathered that the measurements have been recorded on 16/8/12 with respect to item No.3 to 6. There is no document evidencing recording of measurement of item No.1 and 2 either on 20/7/12 or 24/7/12 as written in contract certificate. The test reports of sand, cement, 40 mm aggregate and 20 mm aggregate have been issued on 24/7/12. But it is to be gathered that the work specified in item No.2 i.e. providing and laying in position plain cement concrete mix M-10 with OPC cement, with 40 mm and down size graded granite metal coarse aggregate has been done prior to 24/7/2012.

f) Further following variations in measurements can be observed from comparison of detailed estimate with measurement book.

g)

| item | Quantity as specified in detailed estimate | | | | Quantity as entered in M.B | | | |
|--|--|------|-------|--------|--|---|---|-----|
| | L | B | D | Qty | L | B | D | Qty |
| 1. Earth work excavation for foundation of buildings, culverts, water sanitary lines and electrical conduits either in pits or in trenches 1.5m and above in width, in Ordinary Soil not exceeding 4.5m in depth including dressing the bottom and sides of pits and trenches, stacking the excavated soil clear from edges of excavation with lead upto 50 m after breaking of clods complete as per specifications, specification No.KBS 2.1(a)2.3.5 (I No.2.3 P No.5) | 300.00 | 4.00 | 0.20 | 240.00 | It is stated in M.B. at page No.88 that measurement of this item has been recorded in page No.97 of M.B. as 450.00 cum. however, page No.97 is not produced. | | | |
| | 300.00 | 0.70 | 0.50 | 210.00 | | | | |
| | | | Total | 450.00 | | | | |
| | | | | | | | | |
| 2. Providing and Laying in position plain cement concrete of mix M-10 with OPC cement @220kgs with 40mm and down size graded granite metal coarse aggregate @ 0.892 cum and fine aggregates @0.465cum machine mixed concrete laid in layers not | 300.00 | 4.00 | 0.15 | 180.00 | It is stated in M.B. at page No.88 that measurement of this item has been recorded in page No.98 of M.B. as 243.00 cum. however, page No.98 is not produced. | | | |
| | 300.00 | 0.70 | 0.15 | 63.00 | | | | |
| | | | Total | 243.00 | | | | |
| | | | | | | | | |

| | | | | | | | | |
|---|------------|-------|------------|--------|---|--------|-------|------------|
| exceeding 15 cms thick, well compacted in foundation and plinth including cost of materials labour HOM of machinery curing complete as per specification Specification No.KBS 4.1 4.2 (I No.4.2 P.No.12) | | | | | | | | |
| 3.Providing and constructing precast concrete solid blocks with compressive strength not less than 35 kg/sqm with cement mortar 1:4 masonry (quoin, jamb, closer blocks) with solid concrete blocks of size 40x20x20 cms conforming to IS2185/1965 in superstructure including cost of materials, labour charges, scaffolding curing complete as per specifications (I.No.5.27 P.No.27) | 300.00 | 0.40 | | 240.00 | For drain | 35.70 | 0.40 | 28.56 |
| | | | | | 2 | 38.30 | 0.40 | 30.64 |
| | | | | | 2 | 40.40 | 0.40 | 32.32 |
| | | | | | 2 | 45.00 | 0.40 | 36.00 |
| | | | | | 2 | 48.00 | 0.40 | 38.40 |
| | | | | | 2 | 39.50 | 0.40 | 31.60 |
| | | | | | 2 | 53.10 | 0.40 | 42.48 |
| | | | | | | | Total | 240.00 sqm |
| | | | | | 4. Providing 12 mm thick cement plaster in single coat with CM 1:3 to brick masonry including rounding off corners wherever required smooth, rendering, providing and removing scaffolding including cost of materials, labour, curing complete as per specifications I.No.15.9 P.No.116) | 300.00 | 0.40 | |
| 2 | 35.70 | 0.40 | 28.56 | | | | | |
| 2 | 38.30 | 0.40 | 30.64 | | | | | |
| 2 | 40.40 | 0.40 | 32.32 | | | | | |
| 2 | 45.00 | 0.40 | 36.00 | | | | | |
| 2 | 48.00 | 0.40 | 38.40 | | | | | |
| 2 | 39.50 | 0.40 | 31.60 | | | | | |
| 2 | 53.10 | 0.40 | 42.48 | | | | | |
| | | Total | 240.00 sqm | | | | | |
| 5. Providing and laying in position plain cement concrete of mix M-15 with cement @240kgs with 20mm and down size graded granite metal coarse aggregates @0.878cum and fine aggregates @0.459cum machine mixed, concrete laid in layers not exceeding 15 cms, thick well compacted, in | For vent | 0.30 | 0.08 | 7.20 | For road | | | |
| | 300.00 | | | | 39.60 | 4.00 | 0.10 | 15.84 |
| | For coping | 0.20 | 0.08 | 9.60 | 40.00 | 4.00 | 0.10 | 16.00 |
| | 300.00 | | | | | | | |
| | For road | 4.00 | 0.10 | 120.00 | 42.40 | 4.00 | 0.10 | 16.96 |
| 300.00 | | | | | | | | |
| | | | total | 136.80 | 47.00 | 4.00 | 0.10 | 18.80 |
| | | | | | 46.00 | 4.00 | 0.10 | 18.40 |

| | | | | | | | | |
|---|--------|------|------|--------|---|-------|----------|------------|
| foundation and plinth, Cilts, including cost of all materials, labour HOM of machinery curing complete as per specifications. Specification No.KBS 4.1 4.2 I.No.4.6 P.No.12) | | | | | 40.70 | 4.00 | 0.10 | 16.28 |
| | | | | | 49.30 | 4.00 | 0.10 | 19.72 |
| | | | | | | | total | 122.00 cum |
| | | | | | Quantity of 120.03 cum is shown as deductions towards manholes gaps for water taps and plot form. | | | |
| | | | | | For drain, (i) Vent portion | | | |
| | | | | | 35.70 | 0.30 | 0.08 | 0.85 |
| | | | | | 38.30 | 0.30 | 0.08 | 0.91 |
| | | | | | 40.40 | 0.30 | 0.08 | 0.96 |
| | | | | | 45.00 | 0.30 | 0.08 | 1.08 |
| | | | | | 48.00 | 0.30 | 0.08 | 1.15 |
| | | | | | 39.50 | 0.30 | 0.08 | 0.94 |
| | | | | | 53.10 | 0.30 | 0.08 | 1.27 |
| | | | | | | | Total | 7.16 cum |
| | | | | | (ii) For cooping | | | |
| | | | | | 35.70 | 0.20 | 0.08 | 1.14 |
| | | | | | 38.30 | 0.20 | 0.08 | 1.22 |
| | | | | | 40.40 | 0.20 | 0.08 | 1.29 |
| | | | | | 45.00 | 0.20 | 0.08 | 1.44 |
| | | | | | 48.00 | 0.20 | 0.08 | 1.53 |
| | | | | | 39.50 | 0.20 | 0.08 | 1.26 |
| | | | | 53.10 | 0.20 | 0.08 | 1.69 | |
| | | | | | | Total | 9.57 cum | |
| 6. KSRB4-6.4:Providing and removing centering, shuttering, strutting, propping etc. and removal of form work for vertical surface with as walls at any thickness including attached pilasters, buttresses, plinth and string courses coat at all materials, labour complete as per specifications. Specification No.KBS4.6.2(pg no.171 no.4.31) | 300.00 | 0.00 | 0.25 | 150.00 | 2 | 39.60 | 0.25 | 19.80 |
| | | | | | 2 | 40.00 | 0.25 | 20.00 |
| | | | | | 2 | 42.40 | 0.25 | 21.20 |
| | | | | | 2 | 47.00 | 0.25 | 23.50 |
| | | | | | 2 | 46.00 | 0.25 | 23.00 |
| | | | | | 2 | 40.70 | 0.25 | 20.35 |
| | | | | | 2 | 49.30 | 0.25 | 24.65 |
| | | | | | | | Total | 152.50 sqm |

- h) Therefore from the comparison of the measurements, it can be safely opined that the measurements recorded in M.B do not tally with that specified estimate. Therefore from the entries in M.B., it is to be gathered that the measurements of item No. 3 to 6 have been recorded on a single day which is to be held improbable considering the nature of work specified in item No.3 to 5.
- i) Therefore the allegation of the complainant that the work has not been executed as per PWD guidelines is substantiated.

III) Providing basic amenities (C.C.Drain) to Babu Jagjeevanram Nagara Slum in Davangere City under C.E.S.S.Scheme during 2011-12.

- a) Report, technical report, check list, completion report, contract certificate with first and final bill, comparative statement, royalty statement, test report on CC cubes (M.20) photographs, schedule-B, work order, M.B.3056/page No.1 to 7, tender approval order and detailed estimate have been produced.
- b) The report dt.15/1/13 submitted by the Executive Engineer, KSDL, Davnagere to the Commissioner, DSDL Bangalore states that, the work has been completed and the measurements have been recorded in 3056. First and final bill has been submitted for Rs.24,96,387.00 and it has been recommended that since the work has been completed satisfactorily, the said amount may be released.
- c) As per technical report, the date of commencement is 8/11/12 and date of completion is 11/1/13. The page No.7 has been inserted both in technical report and check list. As per completion report, the date of commencement is 8/11/12 and the actual date of completion is 7/2/13. The officers who have executed the work are Sri.B.Chandrappa, Section Officer and Sri.Hanumanthachar, Assistant Executive Engineer. As per the report accompanying the tender papers, produced by the Chief Engineer, Technical Wing, Sri.N.Mahadevaiah is Divisional Accountant and Sri.R.K.Krishnamurthy is the Executive Engineer who have

scrutinized the comparative statement. The said officers have signed the first and final bill. As per contract certificate, the measurements have been recorded in M.B.No.3056 in page No.1 to 7. Even in contract certificate page No.7 has been inserted. The dates of recording measurement have been mentioned as 16/11/12, 19/11/12, 28/11/12, 20/12/12, and 11/1/13. The check measurement dates have been shown as 16/11/12, 19/11/12, 20/12/12 and 11/1/13. The cheque has been issued on 23/1/2013. In page No.2 of contract certificate, quantity and amounts with respect to item No.3 and also the total amount have been rounded off and rewritten. But there is no signature or initial of the officer who has made those changes.

- d) Even in comparative statement, the entries with respect to item No.3 have been rounded off and hand written entries have been made without the signature and initial of the concerned officer.
- e) Test report of CC cubes is issued by Premier Technical Consultants. The date of testing is 2/12/2012. The said test report has been issued on 25/11/2012 i.e., test report has been issued even prior to the date of testing.
- f) In schedule-B and detailed estimate, the quantity of item No.3 is specified as 149.40 cum. But in contract certificate and comparative statement it has been changed from 149.17 to 148.76 cum.
- g) As per work order dt.7/11/12, date of completion stipulated is 3 months from the date of handing over the site. The work order is dt.7/11/2012.
- h) As per M.B.3056 at page No.1, date of commencement is 8/11/12 and date of recording measurement of item No.1 and 2 is 16/11/12. On 19/12/12, the measurement of item No.6 and item No.3 have been recorded. The remaining portion of item No.6 has been recorded on 20/12/12 at page No.3 and 4. Measurement of item No.1, 2, remaining portion of item No.3, 4, 5, 6 have been recorded on 11/1/13 and it has been check measured on the same day. Even

in page No.6 with regard to item No.3, the measurement which was written as 149.17 mtr., has been rounded off and shown as 148.76. From the comparison of measurement as specified detailed estimate and as entered in M.B following variations have been observed.

| Item | Quantity as specified in detailed estimate | | | | Quantity as entered in M.B | | | |
|--|--|------|------|--------|----------------------------|------|-------|------------|
| | L | B | D | Qty | L | B | D | Qty |
| 1. Earth work excavation for foundation of buildings, culverts, water supply, sanitary lines and electrical conduits either in pits or in trenches 1.5m and above in width, in ordinary soil not exceeding 1.5m, depth including dressing the bottom and sides of pits and trenches, stacking the excavated soil clear from edges of excavation with lead upto 50m, after braking of clods complete as per specification. Specification no.KBS 2.1(a)/2.3.5 (1.No.2.3 P.No.5) | 498 | 1.00 | 0.75 | 373.50 | 231.80 | 1.00 | 0.75 | 173.85 |
| | | | | | 98.00 | 1.00 | 0.70 | 68.60 |
| | | | | | 96.80 | 1.00 | 0.70 | 67.76 |
| | | | | | 50.00 | 1.00 | 0.75 | 37.50 |
| | | | | | 12.00 | 1.00 | 0.70 | 8.40 |
| | | | | | 6.30 | 1.00 | 1.60 | 20.16 |
| | | | | | | | Total | 376.27 cum |
| 2. Providing and laying in position plain cement concrete of mix M-10 with OPC cement @ 220kgs, with 40mm and down size graded granite metal coars aggregates @ 0.892 cum and fine aggregates @ 0.465cum machine mixed concrete laid in layers not exceeding 15 cms. Thick well compacted, in foundation and plinth, including cost of all materials, labour, HOM of machinery, curing complete as per specification. Specification No.KBS 4.1 4.2 (P.No.12 1.No.4.2) | 498 | 1.00 | 0.20 | 99.60 | 231.80 | 1.00 | 0.20 | 46.36 |
| | | | | | 98.00 | 1.00 | 0.20 | 19.60 |
| | | | | | 96.80 | 1.00 | 0.20 | 19.36 |
| | | | | | 50.00 | 1.00 | 0.20 | 10.00 |
| | | | | | 12.00 | 1.00 | 0.20 | 2.40 |
| | | | | | 6.30 | 1.00 | 0.20 | 2.52 |
| | | | | | | | Total | 100.24 cum |
| 3. Ready mixed cement concrete M-20 for raft foundation, column footing, main and secondary beams (P.No.19 1.No.4.5) | 498 | 1.80 | 0.15 | 149.40 | 231.80 | 1.80 | 0.15 | 62.59 |
| | | | | | 98.00 | 1.80 | 0.15 | 26.46 |
| | | | | | 96.80 | 1.80 | 0.15 | 26.14 |
| | | | | | 50.00 | 1.80 | 0.15 | 13.80 |
| | | | | | 12.00 | 1.80 | 0.15 | 3.24 |

| | | | | | | | | |
|---|--------|------|------|---------|--------|--------|--------|--------------|
| | | | | | | | | |
| 4. Filling in foundation with granite/trap broken metal 100mm & down size with approved sand including hand packing ramming, watering including cost of all materials & labour with lead upto 59 m & lift of 1.5m complete as per specifications. (pg no.6 I.No.2.15) | 498 | 1.00 | 0.20 | 99.60 | 231.80 | 1.00 | 0.20 | 46.36 |
| | | | | | 98.00 | 1.00 | 0.20 | 19.60 |
| | | | | | 96.80 | 1.00 | 0.20 | 19.36 |
| | | | | | 50.00 | 1.00 | 0.20 | 10.00 |
| | | | | | 12.00 | 1.00 | 0.20 | 2.40 |
| | | | | | 6.30 | 1.00 | 0.20 | 2.52 |
| | | | | | | | Total | 100.24 cum |
| 5. Providing and removing centering, shuttering, strutting, propping etc., and removal of form work for sides and soffits of beams, beam haunchings, cantilever girders, bressumers and lintels not exceeding 1m in depth including cost of all materials, labour complete as per specification. Specification No.KBS 4.6.2 (P.No.17 I.No.4.34) | 498 | 0.00 | 0.60 | 1195.20 | 4 | 231.80 | 0.60 | 556.32 |
| | | | | | 4 | 98.00 | 0.60 | 235.20 |
| | | | | | 4 | 96.80 | 0.60 | 232.32 |
| | | | | | 4 | 50.00 | 0.60 | 120.00 |
| | | | | | 4 | 12.00 | 0.60 | 28.80 |
| | | | | | 2 | 6.30 | 1.50 | 18.90 |
| | | | | | 1 | 16.00 | 0.30 | 4.80 |
| | | | | | | | Total | 1196.34 cum |
| 6. Providing TMT. Steel (Cold, Twisted) reinforcement for RCC work including straightening, cutting, bending, hooking, placing in position, lapping and/or welding wherever required, tying with binding wire and anchoring to the adjoining members wherever necessary complete as per design (laps, hooks and wastage shall not be measured and paid) cost of materials, labour, HOM of machinery complete as per specifications Specification No.KBS 4.6.3 (P.No.19 I.No.4.46) | 149.40 | | | 112.05 | 1 | 17 | 231.80 | 3940.60 |
| | | | | | 1 | 17 | 98.00 | 1666.00 |
| | | | | | 1 | 17 | 96.80 | 1645.60 |
| | | | | | 1 | 17 | 50.00 | 850.00 |
| | | | | | 1 | 17 | 12.00 | 204.00 |
| | | | | | 1 | 231 | 1.80 | 4174.20 |
| | | | | | 1 | 891 | 1.80 | 1603.80 |
| | | | | | 1 | 923 | 1.80 | 1661.40 |
| | | | | | 1 | 501 | 1.80 | 901.80 |
| | | | | | 1 | 120 | 1.80 | 216.00 |
| | | | | | | | | 16863.40 cum |

i) Therefore, it is to be noticed that the measurement of the work as executed is not in accordance with the measurement specified in

| | | | | | |
|---|-----------|------|------|--------------|---|
| <p>1. Earth work excavation by manual means in ordinary soil involving an average horizontal throw upto 2 meters and an average life upto 0.5 m, excavated surface leveled and sides nearly dressed, the disposed earth to be leveled nearly after breaking of clods complete as per specifications. (Page No.146 I.No.19.1)</p> | 71.0 0 | 4.00 | 0.30 | 85.20 | <p>$1 \times 8.00 \times 6.15 \times 0.20 = 14.78$ cum $1 \times 36.20 \times 5.00 \times 0.30 = 54.30$ cum $1 \times 10.00 \times 5.40 \times 0.30 = 16.20$</p> <p>Total 85.28 cum</p> |
| <p>2. Providing and laying in position plain cement concrete of mix M-10 with OPC cement @ 220kgs, with 40mm and down size graded granite metal coarse aggregates @ 0.895 cum and fine aggregates @ 0.465cum machine mixed concrete laid in layers not exceeding 15 cms thick, well compacted, in foundation and plinth, including cost of all materials, labour, HOM of machinery, curing complete as per specification. Specification No.KBS 4.1 4.2 (P.No.12 I.No.4.2)</p> | 71.0 0 | 4.00 | 0.20 | 56.80c um | <p>Recorded on 7/12/12</p> <p>$1 \times 8.00 \times 6.15 \times 0.20 = 9.84$ cum $1 \times 36.20 \times 5.00 \times 0.20 = 6.20$ cum $1 \times 10.00 \times 5.40 \times 0.20 = 10.80$</p> <p>Total 56.84 cum</p> |
| <p>3. Providing and laying in position plain cement concrete of mix M-20 with OPC cement @ 300kgs, with 20mm and down size graded granite metal coarse aggregates @ 0.64 cum and fine aggregates @ 0.43cum with superplastisiser @ 3lts conforming to IS9 103-1999 reaffirmed-2008, machine mixed concrete laid in layers not exceeding 15 cms thick, well compacted, in foundation and plinth and cills, including cost of all materials, labour, HOM of machinery, curing complete as per specification. (P.No.12 I.No.4.5)</p> | 71.0 0 | 4.00 | 1.00 | 28.40 | <p>$1 \times 8.00 \times 6.15 \times 0.10 = 4.92$ cum $1 \times 36.20 \times 5.00 \times 0.10 = 18.10$ $1 \times 10.05 \times 5.35 \times 0.10 = 5.38$</p> <p>Total 28.40 cum</p> |

| | | | | | |
|---|-----------|------|------|----------------|---|
| 4. Filling in foundation with granite/trap broken metal 100mm & down size with approved sand including hand packing ramming, watering including cost of all materials & labour with lead upto 50 m & lift of 1.5m complete as per specifications. (pg no.6 I.No.2.15) | 71.0 0 | 4.00 | 0.20 | 56.80 | $1 \times 8.00 \times 6.15 \times 0.20 = 9.84$ $1 \times 36.20 \times 5.00 \times 0.20 = 36.20$ $1 \times 10.00 \times 5.40 \times 0.20 = 10.80$ cum Total 56.84 cum |
| 5. Providing and removing centering, shuttering, strutting, propping etc. and removal of form work for vertical surface such as walls at any thickness, including attached pilasters, buttresses, plinth and string courses cost of all materials, labour complet as per specifications Specification No.KBS 4,6,2 (pg no.17 I no.4.31) | 71.0 0 | 0.00 | 0.30 | 42.60 sqmtr | $2 \times 8.00 \times 0.50 = 8.00$ sq.mtr $2 \times 36.20 \times 0.50 = 36.20$ $2 \times 10.00 \times 0.50 = 10.00$ Total 54.20 sqmtr |
| 6. Lead of disposal of debris shall be payable @ carriage rate by mechanical means including loading and unloading No.KBS 4.6.3 (P.No.138 I.No.17.1) | | | | 85.20 cum | 85.20 cum |

- f) But as per contract certificate, in page No.2, the quantity of item No.1 to 6 have been shown as 82.20, 56.80, 28.40, 56.80, 42.60 and 85.20.
- g) As per M.B., the date of commencement is 3/12/12. Dates of recording are 3/12/12, 5/12/12, 7/12/12 and 24/12/12. Date of completion has been mentioned as 17/12/12 in page number 3 of M.B. Dates of check measurements are mentioned as 3/12/12, 5/12/12, 7/12/12 and 24/12/12.
- h) However agreement, completion certificate, test reports of other materials used for execution of work have not been produced. Since there are variations as regards the measurement in between the detailed estimate and measurement book, the allegation of the

complainant that the work has not been executed as per estimate is corroborated.

VI ದಾವಣಗೆರೆ ನಗರದ ಬಸಾಪುರ ಎ.ಕೆ.ಕಾಲೋನಿ ಹಾಗೂ ನಿಟ್ಟುವಳ್ಳಿ ಕೊರಚರಹಟ್ಟಿ ಕೊಳಚೆ ಪ್ರದೇಶಗಳಲ್ಲಿ ಕಿರುನೀರು ಸರಬರಾಜು ಹಾಗೂ ವಿದ್ಯುದೀಕರಣ ಕಾಮಗಾರಿ.

- a) Copies of following documents have been produced
Estimates, contract certificate with RA first and part, contract certificate with second and final bill, M.B.No.3053 from page No.6 to 44, agreement. Work order dt.20/7/12 is produced by Technical Wing.
- b) As per work order, the work had to be commenced within 7 days from the date of receipt of work order by taking over the site from Assistant Executive Engineer, KSDC and had to be completed within 3 months. Therefore, there is delay in commencement of work and also delay in completion of work. Even according to the check list produced with contract certificates, inspection report and quality test report have not been obtained. In check list annexed to RA second and final bill also, the date of completion has not been mentioned.
- c) As per report accompanying the tender papers and contract certificate Sri.N.Mahadevaiah, Divisional Accountant and Sri.R.K.Krishnamurthy is the Executive Engineer who have executed the work and passed the bill. Sri.B.Chandrappa has signed in capacity of Assistant Engineer and also as Assistant Executive Engineer R.K.Krishnamurthy has affixed signature as Executive Engineer.
- d) In contract certificate with first and part bill, the date of recording of measurement and the date of check measurement have been written as 10/9/2012. From RA first and part bill, it can be noticed that recordings have been made with respect to item No.5, 6, 42, and 60 to 68. As per said contract certificate measurements have been recorded in page No.6 to 10 of M.B.No.3053. From page No.6 to 10

of M.B, it can be seen that all the recordings have been made on 10/9/12. The date of commencement is written as 10/8/12. Therefore, there is delay of nearly 30 days in recording the measurement.

- e) The bill amount is Rs.12,30,204/-. Cheque amount is Rs.11,56,269/-. Cheque date is 13/9/12.
- f) As per contract certificate with second and final bill, date of recording and date of check measurement is 11/3/13. Measurements have been recorded from page No.29 to 45 of M.B.No.3053 as per the said document. From RA second and final bill, it can be noticed that item No.7 to 41, 43 to 59 have been recorded on a single day which is quite impossible. Therefore, there arises doubt as regards the authenticity of RA second and final bill and also as regards the entries made in measurement book.
- g) Completion certificate has been produced, wherein the officers who have executed the work are shown as Chandrappa, AE, Chandrappa AEE, and R.K.Krishnamurthy, EE.
- h) From M.B at page No.29, it is seen that date of completion is mentioned as 11/3/13. The date of agreement is written as 20/7/12. All the recordings have been made on 11/3/13. Therefore, there are sufficient grounds to substantiate the allegations of the complainant.

VII Providing basic amenities (Mini Water Supply and Street Lights) to Basappanagara and Indiranagara. In Davangere City under C.E.S.S.Scheme during 2011-12.

- a) Copies of the following documents have been produced.

Contract certificate with first and part bill, completion certificate, contract certificate with second and final bill, photos, credit bill, tax invoice, receipts issued by BESCOM, estimates, M.B.No.3053 from page No.1 to 5 and 12 to 28.

- b) Agreement and work order have not been produced. Therefore, the date of agreement, the stipulated date of commencement and stipulated date of completion cannot be ascertained. In completion report, the date of commencement and the date of completion are mentioned as 10/8/12 and 11/3/13 respectively. The names of officers who have executed the work are mentioned as Chandrappa, AE, Chandrappa AEE, R.K.Krishnamurthy, EE. As per the report accompanying the tender papers produced by the Technical Wing and contract certificates Sri.N.Mahadevaiah, was the Accountant Superintendent/Divisional Accountant, and Sri.R.K.Krishnamurthy, was the Executive Engineer.
- c) In contract certificate with R.A, first and part bill, the date of recording measurement and the date of check measurement are written as 3/9/12. B.Chandrappa has signed as the officer incharge of the work who has recorded the measurement. There is signature of Assistant Executive Engineer who has checked the measurements. It is recited that measurements have been recorded in page No.1 to 5 of M.B.No.3043. However in check list, M.B.number is mentioned as 3053. From R.A.first and part bill, it can be noticed that recordings have been made with respect to item No.1 to 6, 42, 60 to 68 on a single day which is quite impossible. Therefore, it becomes clear that the verification of stage wise work has not been conducted. In check list with first and part bill, the date of starting is written as 10/8/12. The date of work order is mentioned as 20/7/12. Due date of completion is mentioned as 3 months from the date of mark out. In M.B, date of mark out has not been mentioned. Date of starting is written as 10/8/12 and date of recording as 3/9/12. Therefore it is seen that nearly after 20 days of the commencement of work, the recording has been made and it has been check measured on the same day. Therefore, the entries in measurement book cannot be believed.

- d) The bill amount is Rs.12,32,000/-. Cheque amount is written as Rs.11,57,957/- after deducting an amount of Rs.74,043/-. Cheque date is written as 13/9/12. Therefore, it is to be observed that the same day recording has been made, it has been check measured, bill has been prepared and cheque has also been issued. Hence it becomes clear that those documents have been prepared only for the purpose of passing the bill.
- e) In contract certificate with second and final bill, the date of recording and the date of check measurement have been mentioned as 11/3/13. B.Chndrappa has signed both as officer incharge of the work who has recorded the measurement and also as Assistant Executive Engineer who has checked the measurement. As per R.A. second and final bill, the work specified in item No.7 to 41 and 43 to 59 have been executed and recording have been made in M.B. Therefore, considering the nature of work and quantum of work it is highly improbable that the measurements can be verified in a single day.
- f) In M.B. at page No.12, date of completion is written as 11/3/13 and date of recording as 11/3/13. The bill amount is Rs.12,33,988/-. Cheque amount is Rs.11,86,775/-. After deducting an amount of Rs.74,163/-. Cheque date is 30/3/13. From comparison of the quantity specified in estimate with that recorded in M.B. and as shown in R.A. first and part and second and final bills, it can be observed that they are nothing but reiteration of estimate. This can also be observed from the entries in comparative statement.
- g) Credit bill issued by Praveen Electrical Works has been produced which does not bear the date. Tax invoice issued by Larsen and toubro Ltd. dt.13/3/13 has been produced. No test report or quality control report has been report. In the check list also, it is noted that no inspection report and quality test report have been obtained. Therefore, the above discrepancies and irregularities corroborate the allegation of the complainant regarding the substandard work.

VIII Providing basic amenities (C.C Road) to Benkinagara Slum in Harihara Town, Davangere City under C.E.S.S.Scheme during 2011-12.

- a) As per check list first and part bill, the estimated amount is Rs.10 lakhs and tender price Rs.9,55,549/-. The date of commencement is 18/2/2013 and stipulated date for completion as per tender is 17/5/2013. As per check list and technical report for second and final bill, date of completion is 18/4/13. The bill amount is Rs.1,99,333/-
- b) As per contract certificate first and part bill, the bill amount is Rs.7,99,722/-. and the measurement had been recorded in M.B.book No.30-55 at page No.6-11 on 21/2/13, 23/3/13 and 5/4/13. The check measurement dates have been recorded as 21/2/13, 23/3/13 and 5/4/13.
- c) Contract certificate with second and final bill has been produced, wherein dates of recording measurement have been entered as 12/4/13 and 18/4/13 recorded in pages 12-19 of M.B.No.3055. The dates of check measurement have also been mentioned as 12/4/13 and 18/4/13.
- d) The test report issued by Sheetal Engineering Associates has been produced. As per the said report dt.30/3/13, date of testing of cement concrete pits is 29/3/13. As per completion report, the date of commencement is 18/2/13 and date of completion is 17/4/13. The officers responsible for execution of work are mentioned as B.Chandrappa A.E, N.Hanumanthachar AEE and R.K.Krishnamurthy, EE. And Sri.N.Mahadevaiah, Divisional Accountant.
- e) The said work has been approved on 14/12/12. As per work order stipulated date for completion is 3 months from the date of handing over site. Detailed estimate has been produced. M.B.No.3055 from page No.6 to 10 and 12 to 19 have been produced.

f) Following measurements have been recorded in M.B. as against the quantity specified in estimate as below:

| item | Quantity as specified in detailed estimate | | | | Quantity as entered in M.B | | | |
|--|--|------|------|--------|---|---|---|-----|
| | L | B | D | Qty | L | B | D | Qty |
| 1. Earth work excavation by manual means in ordinary soil involving an average horizontal throw upto 2 meters and an average lift upto 0.5 m, excavation surface leveled and sides neatly dressed, the disposed earth to be leveled neatly after breaking of clods complete as per specification. (P.No.146 I.No.19.1) | 142.00 | 4.00 | 0.30 | 170.40 | Date of recording 21/2/13 7 th cross $1 \times 79.00 \times 3.50 \times 0.30 = 82.95$ 8 th cross $1 \times 51.00 \times 3.50 \times 0.30 = 52.55$ Total 136.50 Date of recording 12/4/13 7 th cross $1 \times 1.60 \times 3.50 \times 0.30 = 1.68$ 8 th cross $1 \times 30.80 \times 3.50 \times 0.30 = 32.34$ Total 34.02 cum | | | |
| 2. Providing and laying in position plain cement concrete of mix M-10 with OPC cement @ 220kgs, with 40mm and down size graded granite metal coarse aggregates @ 0.895 cum and fine aggregates @ 0.465 cum machine | 142.00 | 4.00 | 0.20 | 113.60 | Date of recording 23/3/13 7 th cross $1 \times 79.00 \times 3.50 \times 0.20 = 55.30$ 8 th cross $1 \times 51.00 \times 3.50 \times 0.20 = 37.70$ Total 91.00 cum Date of recording 12/4/13 7 th cross $1 \times 1.60 \times 3.75 \times 0.20 = 1.12$ (not clearly visible) 8 th cross $1 \times 30.80 \times 3.50 \times 0.20 = 21.56$ Total 22.68 cum | | | |

| | | | | | |
|---|--------|------|------|--------|---|
| <p>mixed, concrete laid in layers not exceeding 15 cms thick well compacted, in foundation and plinth, including cost of all materials, labour, HOM of machinery, curing complete as per specification. Specification No.KBS 4.1 4.2 (P.No.12 I.No.4.2)</p> | | | | | |
| <p>3. Providing and laying in position plain cement concrete of mix M20 with OPC cement @ 300kgs, with 20mm and down size graded granite metal coarse aggregates @ 0.64 cum and fine aggregates @ 0.43cum with superplastisiser @ 3lts confirming to IS9103-1999 reaffirmed-2008, machine mixed concrete laid in layers not exceeding 15 cms thick well compacted, in foundation and plinth, and cills, including cost of all materials, labour, HOM of machinery, curing complete as per specification. (P.No.12 I.No.4.5)</p> | 142.00 | 4.00 | 0.10 | 56.80 | <p>Date of recording 5/4/13 7th cross $1 \times 79.00 \times 3.50 \times 0.10 = 27.65$ 8th cross $1 \times 51.00 \times 3.50 \times 0.10 = 17.85$ Total 45.50 cum Date of recording 18/4/13 7th cross $1 \times 8.60 \times 3.50 \times 0.10 = 28.21$ 8th cross $1 \times 81.80 \times 3.50 \times 0.10 = 28.63$ Total 56.84 cum</p> |
| <p>4. Filling in foundation with granite/trap broken metal 100mm & down size with approved sand including hand packing ramming, watering including cost of all materials</p> | 142.00 | 4.00 | 0.20 | 113.60 | <p>Recording dt.21/2/13 7th cross $1 \times 79.00 \times 3.50 \times 0.20 = 55.30$ 8th cross $1 \times 51.00 \times 3.00 \times 0.20 = 35.70$ Total 91.00 cum As per recording dt.12/4/13 7th cross $1 \times 1.60 \times 3.50 \times 0.20 = 1.12$ 8th cross $1 \times 30.80 \times 3.50 \times 0.20 = 21.56$</p> |

| | | | | | |
|--|--------|------|------|-------------|---|
| & labour with lead upto 50 m & lift of 1.5m complete as per specifications. (pg no.6 I.No.2.15) | | | | | Total 22.68 cum Total (limited to schedule-D) quantity-113.60 |
| 5.Providing and removing centering, shuttering, strutting, propping etc, and removal of form work for vertical surface such as walls at any thickness, including attached pilasters, buttresses, plinth and string courses cost of all materials, labour complete as per specification Specification No.KBS 4.6.2 (pg no.17 I no.4.31) | 142.00 | 0.00 | 0.30 | 85.20 sqmtr | Recorded on 5/4/13 7 th cross 2x78.00x0.30=46.20 8 th cross 2x35.00x0.30=21.00 Total 67.80 sqmtr Recorded on 18/4/13 7 th cross 2x71.00x0.30=42.60 8 th cross 2x71.00x0.30=42.60 Total 85.20 sqmtr |
| 6. Lead of disposal of debris shall be payable @ carriage rate by mechanical means including loading and unloading 0 to 50 km (P.No.138 I.No.17.1) | | | | 170.40 cum | Recorded on 5/4/13 136.50 Recorded on 15/4/13 170.40 |

g) Therefore, there are variations as regards the measurements in length, breadth and depth in between the detailed estimate and that recorded in M.B. therefore, the allegation of the complainant that the execution of work is not as per estimate is corroborated.

IX providing basic amenities (sinking of bore well) to Bharath Oil Mill compound slum in Harihara City.

a) Tender has been approved and work has been entrusted to the Contractor Sri.Kondareddy. As per check list of first and final bill, the date of commencement is 22/5/14. Date of completion is 19/6/14. Estimated cost was Rs.1.98 lakhs. Tender approved

amount is Rs.1,88,379/-. The quality inspection report has not been enclosed. As per contract certificate, measurements have been recorded in M.B.No.3059 in page No.44-48. But according to check list and technical report, measurements have been recorded in page No.44-51. The date of recording and the date of check measurement are one and the same and it is 19/6/14. Therefore, it is to be gathered that the measurement of the entire work has been recorded on a single day which is quite not possible considering the nature of work. It is pertinent to note that estimate itself has not been produced. Even in the contract certificate with first and final bill, the description of items of work has not been mentioned, but measurements are entered. Only a comparative statement has been produced.

- b) Completion certificate has been produced, wherein the date of commencement of work and date of completion of work have been left blank. The officers who have executed the work as shown as B.Chandrappa, A.E, N.Hanumanthachar, A.E.E, R.K.Krishnamurthy, Executive engineer. Measurement book from page No.44 to 49 have been produced. Since estimate is not produced, no opinion can be expressed as regards the correctness of recording of the quantity. The date of commencement is entered as 22/5/14 and date of completion is 19/6/14. Date of recording has been mentioned as 19/6/14. Therefore, even considering the entries made in measurement book, it seems highly improbable that, entire measurement could have been recorded on a single day. According to MB, the work had commenced on 22/5/14 itself but the measurement has been recorded nearly after 28 day from the date of commencement of work. The opinion of the Investigating Officer that the allegation of the complainant is baseless cannot be accepted.

X Providing Mini Water Supply to Bharath Oil Mill compound slum in Harihara City.

- a) As per check list, date of commencement is 8/8/14. Date of completion is 8/9/14. The dates of recording measurement are 28/8, 1/9, 6/9, and 8/9/14 and date of check measurement is dt.8/9/14. The quality inspection report has not been obtained. The estimated amount is Rs.7 lakhs and schedule-B amount is Rs.4,97,343/-.
- b) As per contract certificate, measurements have been recorded on 8/9/14 in page No.18 to 26 of M.B. 3055. The date of check measurement is entered as 8/9/14. Cheque date is 29/9/14. In completion certificate, the date of commencement has been over written. Date of completion is shown as 8/9/14. Name of the officers responsible for execution of work are shown as S.L.Anandappa, A.E, Mahendra, AEE, and R.K.Krishnamurthy, AEE. In the agreement the date of execution is let blank. Schedule-B has been produced. Copy of tender bulletin, estimate for pumping machinery, rising main, for cisterns for portable water supply by MWS and M.B. from page No.18 to 26 are produced. In MB, date of commencement is entered as 8/8/14 and date of completion as 8/9/14. Date of recording measurement has not been specifically mentioned in M.B, page No.22 below item No.28 regarding BESCO deposits, there are two signatures with dates written as 18/8/14 and it is further written as measurement confirmed 1/9/14. In page No.26 it is noted as measurement recorded on 8/9/14. Therefore it can be safely opined that recordings have not been made in measurement book as per K.P.W.D, code. The recordings made in M.B. with regard to rising main do not clearly reveal the length, breadth and depth specified in estimate.
- c) Therefore from the above discussion, there arises serious doubt about the genuineness of the recordings made in measurement book. There are discrepancies between the measurement book and contract certificate with regard to the date of recording. The date of commencement has been tampered and over written both in check

list and completion certificate. Therefore, it is to be opined that there are materials to believe the allegation of the complainant that the work has not been executed as per estimate.

XI Providing basic amenities (CC Road and drain) to Haralapura slum (behind Bharath Oil Mill Compound) in Harihara Town at Davangere District.

- a) Copies of Check list, technical report, contract certificate with first and part bill, check list, technical report, contract certificate with second and final bill, page No.19 to 29 of M.B.book, work order dt.22/2/2014 tender agreement dt.22/2/14 with schedule-B, royalty statement, comparative statement, completion report, test report on CC pits, photographs, report accompanying the tender papers, work estimate details have been produced.
- b) Tender agreement is dt.22/2/14. Work order is dt.22/2/14. As per work order, date of commencement is the date of handing over of site. Amount put to tender is Rs.17,51,184/-. Entrusted amount is Rs.14,79,746/-. Date of completion is shown as 3 months from the date of handing over site. In check list and contract certificate with first and part bill, the date of commencement of work is shown as 3/3/14. The measurements have been recorded in page No.19 to 27 of M.B.No.3054 on 10/3/14, 19/3/14, 15/4/14 and 5/5/14. As per contract certificate, the check measurement dates have been entered as 10/3/14, 19/3/14, 15/4/14, 5/5/14. The bill amount has been shown as Rs.10,27,915/-. Cheque date is mentioned as 15/5/14 in contract certificate.
- c) In check list and contract certificate with second and final bill, the measurement is shown to have recorded in M.B.No.3055 from page No.27 to 30 on 16/12/14 and 28/12/14. The dates of check measurements have been mentioned as 16/12/14 and 28/12/14. The bill amount is shown as Rs.4,47,958/-. The date of cheque is mentioned as 23/7/15. In check list, it is stated that quality control

report has been enclosed. However, no such quality control report has been produced. On the other hand test report on CC cubes has been produced, wherein the date of testing is mentioned as 1/5/14 and the report has been issued on 8/5/14. It has been issued by Premier Technical Consultants. As per check list and completion certificate, date of completion is 2/6/14.

- d) Detailed estimate is not produced. As per the print out of work estimate details, the total length of the road and drain proposed was 141.0 mtrs, the breadth of the road in the entire stretch of road specified was 3.8 mtrs., and the proposed depth is 0.25 mtrs.
- e) In M.B. at page No.20, date of commencement is shown as 3/3/14. The dates of recording have been entered as 10/3/14, 19/3/14, 15/4/14 and 5/5/14. In M.B. and contract certificate the following measurements have been recorded with reference to item No.1 to 12.

| Item No. | Measurement | Total quantity shown in contract certificate with second and final bill |
|---|---|---|
| 1. Earthwork excavation for foundation of buildings, culverts, water supply, sanitary lines and electrical conduits either in pits or in trenches 1.5m and above in width, in ordinary soil not exceeding 1.5m in depth including dressing the bottom and sides of pits and trenches, stacking the excavated soil clear from edges of excavation with lead upto 50m after breaking of clods complete as per specifications specification No.KBS 2.1(a)/2.3.5 -with all leads and lifts and as per the directions of Engineer-in-charge. | Drain : $1 \times 117.00 \times 90 \times 0.60 = 63.18$ WS : $1 \times 136.00 \times 0.60 \times 0.40 = 32.64$ Total : 95.82 cum Date of recording 16/12/14 $1 \times 25 \times 0.90 \times 0.10 = 27.00$ $1 \times 42 \times 3.80 \times 0.15 = 62.00$ Total 89.00 Total quantity 184.8 cuu | 184.82 cum |
| 2. Providing and Filling in foundation with granite/trap broken metal 100mm and down size, with approved sand including hand packing, ramming, watering, including cost of all materials and labour with all lead and lift, complete as per specification. Specification No.KBS-- with all leads and lifts and as per the directions of Engineer-in-charge. | $1 \times 115.20 \times 4.20 \times 0.20 = 96.77$ cum Recorded on 16/12/14 $1 \times 12.36 \times 4.20 \times 0.20 = 10.38$ Recording has been made & struck off Total 107.15 cum | 107.15 cum |
| 3. Providing and laying in position plain cement concrete of mix M10 with OPC cement @ 200kgs, with | Date of recording 10/3/14 Drain: $1 \times 117.00 \times 0.90 \times 0.15 = 15.80$ Road: $1 \times 115.20 \times 5.20 \times 0.20 = 96.77$ | 145.22 cum |

| | | |
|---|---|---|
| <p>40mm and down size graded granite metal coarse aggregates @0.892cum and fine aggregates @0.465cum machine mixed, machine mixed, concrete laid in layers not exceeding 15 cms, thick, well compacted, in foundation and plinth, cost of all materials, labour, HOM of machinery, curing complete as per specifications. Specification No.KBS 4.1, 4.2 --- with all leads and lifts and as per the directions of Engineer-in-charge.</p> | <p>Total 112.57 Date of recording 16/12/14 1x30.90x0.20x0.20x32.65 Total 145.22 cum (entries are not clearly legible)</p> | |
| <p>4.Providing and laying in position plain cement concrete of mix M20 with OPC cement @ 300kgs, with 20mm and down size graded granite metal coarse aggregates @0.64cum and fine aggregates @0.43cum with superplastisiser @3lts confirming to IS9103-1999 Reaffirmed-2008, machine mixed, concrete laid in layers not exceeding 15 cms, thick, well compacted, in foundation and plinth, and cills, including cost of all materials, labour, HOM of machinery, curing complete as per specifications. Specification No.KBS 4.1, 4.2 --- with all leads and lifts and as per the directions of Engineer-in-charge.</p> | <p>Date of recording 5/5/14 Road : 1x3.80x4.40x0.10=1.67 1x8.50x3.50x0.10=3.23 1x1.70x4.00x0.10=41.08 Drain : 1x117.00x1.30x0.15=22.82 Total 68.80 Date of recording 16/12/14 1x30.0x4.40x0.17=39.60 Entries are not legible there are instructions, erasing, and over writing. Total 108.4</p> | 108.4 cum |
| <p>5.Providing T.M.T steel reinforcement for R.C.C. work including straightening, cutting, bending, hooking, placing in position, lapping and/or welding wherever required, tying with binding wire and anchoring to the adjoining members wherever necessary complete as per design (laps, hooks and wastage shall not be measured and paid) cost of materials, labour, HOM of machinery complete as per specifications. Specification No.KBS 4.6,3 --do- for TMT Bars Fe 550 -- with all leads and lifts and as per the directions of Engineer-in-charge.</p> | <p>Date of recording 15/4/14 Drain : 1x8x117.00=936.00 1x7.2x0.95=742.90 Total 1678.90 @ 0.62 kgs/m=1.041 qtl Date of recording 16/12/14 1x682x0.95=647.90m @ 0.60 kg/m 1x500x0.95=475.0 m Total 1122.90 m =696 Not clearly legible.</p> | 16.801 has been rounded off and written as 16.80. |
| <p>6.Providing and removing centering, shuttering, strutting, propping etc., and removal of form work for vertical surface such as walls at any thickness, including attached pilasters, buttresses, plinth and string courses cost of all material, labour complete as per specifications. Specification No.KBS 4.6.2 -- with all leads and lifts and as per the directions of Engineer-in-charge.</p> | <p>Date of recording 5/5/14 Road : 2x115.00x0.30=69.00 Drain: 8x117.00x0.45=421.20 Total 490.20 sqmtr Date of recording 16/12/14 not clearly legible Total quantity is shown as 592.20</p> | 592.20 |
| <p>7.Providing and fixing 20mm thick compressible fiber board in expansion joint complete as per drawing & Technical Specification complete as per specifications MORTH</p> | <p>Date of recording 5/5/14 14x4.00=56.00 mtrs</p> | Previous quantity is shown as 56 and present quantity is shown as 26.60 total quantity shown as 56 is rounded |

| | | |
|---|---|--------------------------|
| Specification No.2605 --- with all leads and lifts and as per the directions of Engineer-in-charge. | | off and written as 29.40 |
| 8.Refilling available earth around pipe lines, cables in layers not exceeding 20cms in depth, compacting each deposited layer by ramming after watering with lead upto 50m and lift upto 1.5m. including cost of all labour complete as per specifications. --- with all leads and lifts and as per the directions of Engineer-in-charge. | Date of recording 19/3/14 1x136.00x0.60x0.40=32.64 cum | 32.64 |
| 9. 90mm outer dia 2kg/sqcm pressure pipe of approved make (PVC) -- with all leads and lifts and as per the directions of Engineer-in-charge. | Date of recording 10/3/14 1x136=136.00 mtrs Date of recording 16/12/14 1x5.0=5.0 mtrs Total 141 | 141 |
| 10.Loading and Unloading of Stone Boulder/Stone aggregates/Sand/Kanker/Moorum. KSRRB M100-1:Placing tipper at loading point, loading with front end loader, dumping turning for return trip, excluding time for haulage and return trip complete as per specifications.MORTH-100/Chapter 1 --- with all leads and lifts and as per the directions of Engineer-in-charge. | It is stated in page No.25 that quantity vide page No.20 is 95.82 cum and quantity vide page No.20 is 120.96 cum total 216.78 cum. however no measurement has been recorded with respect to item No.10 in page No.20, therefore measurement has not at all been recorded with respect to item No.10 in M.B. | It is shown as 208.33 |
| 11.Haulage of materials by tipper excluding cost of loading, unloading and stacking complete as per specifications.MORTH-100/Chapter 1 Case-II :Unsurfaced Graveled Road -- - with all leads and lifts and as per the directions of Engineer-in-charge. | In page No.26 recorded on 5/5/14 quantity is shown as 216.78 cum but quantity to be paid is shown as 208.33. | 208.33 |
| 12.Excavation for road formation KSRRB 300-3. Earthwork excavation and forming in embankment by manual means in ordinary soil (when earth is taken from bank cutting or from borrow pits) including breaking of clods, spreading to required line and level, forming, and cost of all labour complete as per specifications. (excluding watering and compacting of earth)(with all lead and lift) MORTH/Chapter 3 --- with all leads and lifts and as per the directions of Engineer-in-charge. | Date of recording 10/3/14 Road:1x115.20x4.20x0.25=120.96 cum Date of recording 16/12/14 1x12.37x4.20x0.25=12.98 Total 133.94 | 133.94 |

f) First of all the detailed estimate has not been produced. Hence it cannot be opined that measurements recorded in M.B are as per estimate. Secondly the recordings dt.16/12/14 in M.B. are not legible and there are several insertions and over writings. As

discussed above, no recordings are found in M.B. with respect to item No.10 and there is no recording of item No.7 in second and part of M.B., but measurement has been shown in second and part bill. There is total variation in the quantity with respect to item No.7. Even in contract certificate with second and part bill. No photographs of installation of fiber board as specified in item No.7 is produced. Therefore from the non production of the certified copy of the detailed estimate, an adverse inference is to be drawn. Therefore, from non production of detailed estimate and quality inspection report, it is to be opined that the allegation of the complainant that the work has not been executed as per estimate seems probable.

- g) As per completion report and report accompanying the tender papers, the officers who have executed the work and passed the bill are Sri.H.G.Krishnamurthy, Divisional Accountant, Sri.B.Chandrappa, AE, Sri.S.L.Anandappa, AE, Sri.N.Hanumanthachar, AEE, Sri.Mahendra, AEE and Sri.R.K.Krishnamurthy, EE.

XII Providing basic amenities (CC Road and drain) to Upparakeri State-II slum in Channagiri Town at Davangere District.

- a) Copies of work order, agreement, approval order, detailed estimate with general report, contract certificate with first and final bill, photographs, technical report, comparative statement, completion certificate, royalty statement, schedule-B, test report on CC cubes, M.B.No.3057 from page No.6 to 13 are produced.
- b) The work order date is 7/2/13. Stipulated date of completion is 3 months. Amount put to tender is Rs.14,32,136/-. Entrusted amount is Rs.14,98,877/-. Tender agreement is dt.7/2/13. Date of approval is 7/9/12.
- c) As per contract certificate with first and final bill, measurements have been recorded in M.B.No.3057 from page No.6 to 13 on

8/2/13, 11/2/13, 12/2/13 and 15/2/13. The dates of check measurement have not been mentioned. In the check list, dates of check measurements as mentioned as 8/2/13, 11/2/13, 12/2/13 and 15/2/13. The date of completion is shown as 15/2/13. Quality inspection report is shown to have been enclosed, but no such quality inspection report is produced.

- d) In completion report also, the date of commencement and date of completion are shown as 7/2/13 and 15/2/15 respectively. The officers who were entrusted with the work are mentioned as B.Chandrappa, AE, N.Hanumanthachar, AEE, and R.K.Krishnamurthy, EE. As per the report accompanying the tender papers submitted by Technical Wing and contract certificates, Sri.N.Mahadevaiah is the Accounts Superintendent /Divisional Accountant. As per test report on CC cubes issued by Sheetal Engineering Associates, date of testing is mentioned as 22/2/13, but the date of issuing report is 16/2/13 i.e., it is issued prior to date of testing.
- e) In M.B, date of commencement is entered as 7/2/13. Dates of recording are mentioned as 8/2/13, 11/2/13, 12/2/13, 15/2/13.

| item | Quantity as specified in detailed estimate | | | | Quantity as entered in M.B | | | |
|---|--|------|-------|---------------|--|---|---|-----|
| | L | B | D | Qty | L | B | D | Qty |
| 1.Earth work excavation for building, culverts, water supply, sanitary lines and electrical conduits either in pits or in trenches 1.5m and above in width, in Ordinary soil not exceeding 1.5m in depth including dressing the bottom and sides of pits and trenches, stacking the excavated soil clear from edges of excavation with lead upto 50m, after breaking of clods | Road 133.00 | 4.00 | 0.30 | 159.60 | CC Drain | | | |
| | Drain 133.00 | 0.90 | 0.60 | 143.64 | R/S :1x48.00x0.90x0.60=25.92 1x90.00x0.90x0.60=48.60 L/S :1x80.00x0.90x0.60=43.20 1x48.00x0.90x0.60=25.92 | | | |
| | | | Total | 303.24 cum | For Road 1x49.00x3.60x0.30=52.92 1x40.00x(3.60+4.50)/2x0.30=48.60 1x51.00x3.80x0.30=58.14 Total 303.30 | | | |

| | | | | | |
|---|-----------------|------|------|-------------|---|
| complete as per specifications. Specification No.KBS 2.1(a)2.3.5 (I.No.2.3 P.No.5) | | | | | |
| 2. Providing and laying in position plain cement concrete of mix M-10 with OPC cement @ 220kgs, with 40mm and down size graded granite metal coarse aggregates @ 0.895 cum and fine aggregates @ 0.465cum machine mixed concrete laid in layers not exceeding 15 cms thick well compacted, in foundation and plinth, including cost of all materials, labour, HOM of machinery, curing complete as per specification. Specification No.KBS 4.1 4.2 (P.No.12 I.No.4.2) | Road 133.00 | 4.00 | 0.20 | 106.40 | For Drain R/S :1x48.00x0.90x0.15=6.48 1x90.00x0.90x0.15=12.15 L/S :1x80.00x0.90x0.15=10.80 1x48.00x0.90x0.15=6.48 |
| | Drain 133.00 | 0.90 | 0.15 | 35.91 | |
| | | | | Total | 142.31 |
| 3. Providing and laying in position plain cement concrete of mix M20 with OPC cement @ 300kgs, with 20mm and down size graded granite metal coarse aggregates @ 0.64 cum and fine aggregates @ 0.43cum with superplastisiser @ 3ls confirming to IS9103-1999 reaffirmed-2008, machine mixed concrete laid in layers not exceeding 15 cms thick well compacted, in foundation and plinth, and cills, including cost of all materials, labour, HOM of machinery, curing complete as per specification. (P.No.12 I.No.4.5) | Road 133.00 | 4.00 | 0.10 | 53.20 | For drain 1x48.00x1.30x0.15=9.36 1x90.00x1.30x0.15=17.55 1x80.00x1.30x0.15=15.60 1x48.00x1.30x0.15=9.36 |
| | Drain 133.00 | 1.30 | 0.15 | 51.87 | |
| | | | | Total | 105.07 |
| 4. Providing T.M.T steel (cold, Twisted) reinforcement for R.C.C. work including straightening, cutting, bending, hooking, placing in position, lapping and/or welding wherever required, tying with binding wire and anchoring to the | 2x133.00 | 6 | | 1596.00 kgs | 1x8x48.00=384.00 1x8x90.00=720.00 1x256x1.35=345.60 1x486x1.35=656.10 1x8x80.00=640.00 1x8x48.00=384.00 1x421x1.35=568.35 1x245x1.35=330.75 Total 4028.80 cum |

| | | | | | |
|--|-------------------|------|-------|---------------|--|
| adjoining members wherever necessary complete as per design (laps, hooks and wastage shall not be measured and paid) cost of materials, labour, HOM of machinery complete as per specifications. Specification No.KBS 4,6,3 (P.No.19 I.No.4.46) | | | | | |
| 5. Providing and removing centering, shuttering, strutting, propping etc, and removal of form work for vertical surface such as walls at any thickness, including attached pilasters, buttresses, plinth and string courses cost of all materials, labour complete as per specification Specification No.KBS 4.6.2 (pg no.171 no.4.31) | Road 2x133.00 | 0.00 | 0.30 | 79.80 | For Drain 4x48.00x0.45=86.40 4x90.00x0.45=162.00 4x80.00x0.45=144.00 4x48.00x0.45=86.40 |
| | Drain 8x133.00 | 0.00 | 0.45 | 478.80 | |
| | | | Total | 558.60 | For Road 2x133.00x0.30=79.80 Total 558.60 sqm |
| 6. Construction of embankment with approved material Gravel/Murum with all lifts and leads, transporting to site, spreading grading to required slope and compacting to meet requirement Table 300-2 complete as per specifications. (which includes cost of gravel/murum, watering charges & compaction by vibratory roller) MORTH specification No.305 (I.No.19.60 P.No.153) | Road 133.00 | 4.00 | 0.10 | 53.20 cum | 1x49.00x3.60x0.10=17.64 1x40.00x(3.60+4.50)/0x0.10=16.20 1x51.00x3.80x0.10=19.38 Total 53.22cum |
| 7. Lead of disposal of debris shall be payable @ carriage rate by mechanical means including loading & unloading 0 to 5 km (pg No.138 I.no.17/1) | | | | 303.24 cum | 303.24 cum |

f) Therefore from the comparison of the above measurements in estimate and M.B. it can be noticed that there is difference in between the two measurements, regarding breadth of the road at various stretches of the road. The measurement of breadth at some

points are less than that specified in estimate. Therefore, this variation in measurements substantiates the allegation of the complainant that the work has not been executed as per estimate.

XIII Providing basic amenities (CC Road, drain and culverts) to Ranganatha Badavane slum in Channagiri Town at Davangere District.

a) Following documents have been produced:

Check list, technical report, contract certificate with first and part bill, royalty statement, test report of CC cubes, Check list, technical report, contract certificate with second and final bill, comparative statement, royalty statement, completion report, work order, schedule-B, detailed estimates, M.B.3057 from page No.14 to 32.

b) As per contract certificate with first and part bill, along with check list and technical report, date of commencement of work is 8/2/13. Estimated cost is Rs.15 lakhs. Measurements have been recorded on 11/2/13, 22/3/13 and 1/4/13 in M.B.3057 at page No.14 to 20. It is stated that quality inspection report has been enclosed. However no such quality inspection report has been produced. The present bill amount is shown as Rs.11,99,208.00. In contract certificate, the dates on which the measurements have been checked by the Sub-Divisional Officer have been left blank, but signature of the Assistant Executive Engineer is found. Xerox copies of photographs have been produced which are not clearly visible. Only the test report dt.30/3/13 of CC cubes issued by a private agency called Sheetal Engineering Associates has been produced. According to the said report date of testing of CC cubes is 30/3/13.

c) As per contract certificate with second and final bill and the check list, the date of completion is 18/4/13. In the check list and contract certificate, the dates of recording measurements and dates of check measurements have been entered as 8/4/13, 15/4/13 and 19/4/13 respectively. The total bill amount is written as

Rs.14,97,276/- and the present bill amount is shown as Rs.2,98,068/-. Cheque has been issued on 6/5/2013 for an amount of Rs.2,62,761/- after deducting Rs.35,307/-.

- d) In completion report, date of commencement and date of completion are entered as 8/2/13 and 18/4/13 respectively. The officers responsible for execution of the work are mentioned as B.Chandrappa AEE, (2) N.Hanum thachar, AEE, (3) R.K.Krishnamurthy, AE. As per the report accompanying the tender papers submitted by Technical Wing and contract certificates, Sri.N.Mahadevaiah is the Accounts Superintendent /Divisional Accountant. Work order is dated 7/2/13 issued to Sri.K.Kondareddy, Class-I Contractor, Davangere. Date of commencement is mentioned as date of handing over site and date of completion is mentioned as 3 months from the date of handing over site. Sanction estimate amount is Rs.15 lakhs and entrusted amount is Rs.14,98,599/-.
- e) M.B.No.3057 from page No.14 to 32 has been produced. In page No.14 dates of recording is entered as 11/2/13, 22/3/13, 8/4/13, 15/4/13 and 19/4/13.
- f) From comparison of detailed estimate with recordings made in M.B.Book, it is noticed that the breadth of road with respect to item No.1 and 2 specified in estimate is 4.00 mtrs, but in M.B, the measurement of the breadth of the road is recorded as 3.50 mtrs. Similarly with regard to the item No.6 i.e., construction of embankment in the estimate, breadth is specified as 4.00 mtrs but in M.B. at page No.15 it is recorded as 3.50 mtrs. Further as per M.B. the measurements with respect the said item No.1, 6 and 2 have been verified and recorded on the same day which is improbable considering the quantum of work and the nature of the work specified in the said items. The first and part bill details have been entered in page No.11. The cheque is dt.4/4/13 for Rs.10,53,986/- after deducting Rs.1,45,222/- out of the present bill

amount of Rs.11,99,208/-. Therefore, from comparison of the measurements in M.B., from page No.14 to 20, with the detailed estimate relating to construction of CC Road and drain, it can be observed that though the total quantity has been shown as specified in the estimate, the measurement of the road as recorded in M.B., is less than that specified in the estimate especially with respect to the breadth of the road.

- g) In page No.22 to 32, the measurements have been recorded with respect to construction of culvert. The quantities as specified in estimate and as entered in M.B. are reproduced below so as to make out that there are variations in between the said two entries.

| item | Quantity as specified in detailed estimate | | | | Quantity as entered in M.B | | | | |
|---|--|------|------|-------|----------------------------|-----------------------|------------------------|------------------------|----------------|
| | L | B | D | Qty | | | | | |
| 1. Earth work excavation for foundation of buildings, culverts, water supply, sanitary lines and electrical conduits either in pits or in trenches 1.5m and above in width, in ordinary soil not exceeding 1.5m in depth including dressing the bottom and sides of pits and trenches, stacking the excavated soil clear from edges of excavation with lead upto 50m, after breaking of clods complete as per specifications Specification No.KBS 2.1(a)2.3.5 (1 No.2.3 P.No.5) | 4x6 | 2.00 | 0.90 | 43.20 | 1x5.10x2.00x1.10=11.22 | 1x4.45x2.00x1.10=9.68 | 1x5.10x2.00x1.10=11.22 | 1x5.30x2.00x1.10=11.66 | Total 43.78 |
| 2. Filling in Foundation with granite/trap broken metal 100 mm and down size with approved sand including hand packing, ramming, watering, including cost of all materials, and labour with lead and lift complete as per specifications. (Page 6 1.No.2.15) | 4x6 | 2.00 | 0.15 | 7.20 | 1x5.10x2.00x0.18=1.84 | 1x4.40x2.00x0.18=1.58 | 1x5.10x2.00x0.18=1.84 | 1x5.30x2.00x0.18=1.91 | Total 7.17 cum |

| | | | | | |
|--|-----|------|------|-------|--|
| <p>3. Providing and laying in position plain cement concrete of mix M15 with OPC cement @160kgs, with 40mm and down size graded granite metal coarse aggregates @ 0.86cum and fine aggregates @0.58cum machine mixed, concrete laid in layers not exceeding 15cms thick, well compacted, in foundation and plinth, including cost of all materials, labour, HOM of machinery, curing complete as per specification Specification No.KBS 4.1, 4.2 (page 12, I.No.4.4)</p> | 4x6 | 2.00 | 0.15 | 7.20 | <p>1x5.10x2.00x0.18=1.84 1x4.40x2.00x0.18=1.58 1x5.10x2.00x0.18=1.84 1x5.30x2.00x0.18=1.91</p> <p>Total 7.17 cum</p> |
| <p>4. Providing and constructing granite/trap/basalt size stone masonry in foundation cement mortar 1:6, stone hammerd dressed in courses not less than 20 cms high, bond stones at two m, apart in each course including cost of materials labour, curing complete as per specifications. (Page No.24 I.No.5.6)</p> | 4x6 | 0.60 | 0.75 | 21.60 | <p>2x5.10x1.60x0.90=5.51 2x4.40x0.60x0.90=4.75 2x5.10x0.60x0.90=5.51 2x5.30x0.60x0.90=5.72</p> <p>Total 21.49 cum</p> |
| <p>5. Providing and laying in position plain cement concrete of mix M15 with OPC cement @240kgs, with 20mm and down size graded granite metal coarse aggregates @0.878cum and fine aggregates @0.459cum, machine mixed, concrete laid in layers not exceeding 15cms.thick, well compacted, in foundation and plinth and cills including cost of all materials, labour HOM of machinery, curing complete as per specifications (Page 12 I.No.4.6)</p> | 4x6 | 0.60 | 0.10 | 4.32 | <p>Bottom water way portion</p> <p>1x5.10x0.60x0.075=0.23 1x4.40x0.60x0.075=0.20 1x5.10x0.60x0.075=0.23 1x5.30x0.60x0.075=0.25</p> <p>Total 0.91 cum</p> <p>Bottom of slab</p> <p>2x5.10x0.60x0.15=0.92 2x4.40x0.60x0.15=0.79 2x5.10x0.60x0.15=0.92 2x5.30x0.60x0.15=0.99</p> <p>Total 3.62 cum Grand total 4.53 cum</p> |
| <p>6. Providing and laying in position reinforced cement concrete of design mix M20 with OPC cement @320kgs with 20mm and down size graded granite metal coarse aggregates @0.878cum and fine aggregates 0.459cum with superplastisiser @3lts confirming to IS9103-1999 Reaffirmed-2008, machine mixed, concrete laid in layers not exceeding 15 cms thick vibrated for all works in</p> | 4x6 | 1.80 | 0.20 | 8.64 | <p>1x5.10x1.80x0.84=2.20 1x4.40x1.80x0.24=1.90 1x5.10x1.80x0.84=2.20 1x5.40x1.80x0.24=2.33</p> <p>Total 8.63 cum</p> |

| | | | | | |
|--|-----|--------|------|-----------|---|
| foundation plinth and ground floor level for roof slabs, staircase, linties, retaining walls, return walls, walls (any thickness) including attached plasters, columns, piers, abutments, pillars, posts, struts, buttresses, string or lacing courses, parapets, coping, bed blocks, anchor blocks, plain window cills, filets etc., including cost of all materials, labour, HOM of machinery curing complete as per specifications (Page 13 I.No.4.11) | | | | | |
| 7. Providing and removing centering, shuttering, strutting, propping etc., and removal of form work for flat surface such as suspended floors, roofs, landing, balconies and likes thickness upto 200mm including cost of all materials, labour complete as per specifications. Specification No.KBS 4.6.2 (Page No.16 I.No.4.29) | 4x6 | 0.60 | | 14.40 | 1x5.10x0.60=3.06 1x4.40x0.60=2.64 1x5.10x0.60=3.06 1x5.30x0.60=3.18 Total 11.98 sqmtr |
| 8. Providing T.M.T. steel reinforcement for R.C.C. work including straightening, cutting, bending, hooking, placing in position, lapping and/or welding wherever required, tying with binding wire and anchoring to the adjoining members wherever necessary complete and as per design (laps, hooks and wastage shall not be measured and paid) cost of materials, labour, HOM of machinery complete as per specifications. (I.No.4.46 page No.19) | | 140.00 | 8.64 | 1209.60kg | Reinforcement for slab 12 mm dia top and bottom mesh 1. main : 2x55x1.80=198.00 Distn : 2x6x5.10=163.20 2. main : 2x44x1.80=158.40 Distn : 2x16x4.40=140.80 3. main : 2x50x1.80=180.00 Distn: not visible = 140.80 4. main : 2x51x1.80=183.60 Distn : 2x16x5.30=169.60 Total 1356.80 mtrs @ 0.89 kg/mtr = 120.55 kg |
| 9. Providing flush pointing to square rubble, course or uncoursed stone masonry with cement mortar 1:3, 20mm deep, after raking joints to depth of 20 mm nicely lining including cost of materials, labour, curing complete as per specifications (Page 116 I.No.15.1) | 4x2 | 6.00 | 0.50 | 24.00 | 2x5.10x0.60=6.12 2x4.40x0.60=5.28 2x5.10x0.60=6.12 2x5.30x0.60=6.38 Total 23.88 sqmtrs |
| 10. Lead for disposal of debris shall be payable at carriage rate by mechanical means including loading and unloading 0.00 to 4.00 KM-cum/k | | | | 43.20 | 43.20 |

- h) From the above entries it can be clearly made out that the work has been executed by reducing the measurement of length and varying the measurement with regard to breadth and depth as against the specified measurement in estimate. Therefore, even with regard to the construction of culvert it can be opined that it has not been executed as per estimate.

XIV Providing basic amenities (CC Road and drain) to A.K.Colony slum in Channagiri Town at Davangere District.

- a) Copies of following documents have been produced:
Contract certificate with first and final bill, test report of CC cubes dt.11/2/2013, work order dt.15/12/12, schedule-B detailed estimate, M.B.No.3054 from page No.1 to 6. Chief Engineer, Technical Wing has produced completion report, comparative statement, report accompanying the tender papers, and tender agreement.
- b) As per work order dt.15/12/12, the work was entrusted to Sri.K.Kondareddy, Class-I contractor, Davangere with estimated amount of Rs.10 lakhs. Entrusted amount is shown as Rs.9,99,394/-. Date of completion is mentioned as 3 months from the date of handing over of site.
- c) As per contract certificate with first and final bill, measurements have been recorded from page No.1 to 6 of M.B.No.3054 on 10/1/13, 8/1/13, 23/1/13, and 11/2/13. It is certified that on the same day measurements were checked by Assistant Executive Engineer.
- d) In memorandum of payment, the final bill amount is written as Rs.9,99,406/-. Cheque has been issued for Rs.8,71,232/- after deducting an amount of Rs.1,27,174/-. Cheque date is written as 22/2/2013.
- e) The xerox copies of the separate photographs of the drain and CC Road have been produced, from which it cannot be made out that

those photographs relates to the above single work wherein both CC road and drain were proposed to be constructed.

- f) Test report of only CC cubes is produced. The date of testing is mentioned as 10/3/13. The date of report is 11/2/13. As per M.B, at page No.3, the date of completion of work is 11/2/13. From measurement book it can be observed that even prior to 11/2/13 itself, the work had been completed. No quality inspection report has been produced.
- g) In measurement book, the date of commencement is entered as 15/12/12. The measurement with regard to item No.1 and 5 have been recorded and check measured on 10/1/13. The measurement of item No.2 has been recorded and check measured as per M.B. on 18/1/13. The measurement of item No.4 has been recorded on 23/1/13. The measurement of item No.3 and 6 have been recorded on 11/2/13. Therefore, considering the quantum of work and nature of work as specified in item No.1 to 6, it seems improbable that measurements have been verified on a single day with respect to the items as stated above and also that they have been checked on the same day.
- h) As per completion report, contract certificate and report accompanying the tender papers, the officers who have executed the work and passed the bill are Sri.B.Chandrappa, A.E, Sri.Hanumanthachar, AEE, Sri.R.K.Krishnamurthy, EE and Sri.N.Mahadevaiah, Accounts Superintendent/Divisional Accountant.

| item | Quantity as specified in detailed estimate | | | | Quantity as entered in M.B | | | | |
|--|--|------|------|-------|---|---|---|-----|--|
| | L | B | D | Qty | L | B | D | Qty | |
| 1. Earth work excavation for foundation of buildings, culverts, water supply, sanitary | Road 1x83.00 | 4.00 | 0.30 | 99.60 | Road 1x95.00x3.50x0.30=99.75 There is 9 is altered as 8 in length | | | | |

| | | | | | |
|---|------------------|------|-------|--------|---|
| lines and electrical conduits either in pits or in trenches 1.5m and above in width, in ordinary soil not exceeding 1.5m in depth including dressing the bottom and sides of pits and trenches, stacking the excavated soil clear from edges of excavation with lead upto 50m, after breaking of clods complete as per specifications Specification No.KBS 2.1(a)2.3.5 (I No.2.3 P.No.5) | Drain 2x83.00 | 0.90 | 0.60 | 89.64 | Drain 2x83.00x0.90x0.60=89.64 |
| | | | Total | 189.24 | Total 189.39 |
| 2. Providing and laying in position plain cement concrete of mix M10 with OPC cement @220kgs, with 40mm and down size graded granite metal coarse aggregates @ 0.895cum and fine aggregates @0.465cum machine mixed, concrete laid in layers not exceeding 15cms thick, well compacted, in foundation and plinth, including cost of all materials, labour, HOM of machinery, curing complete as per specification Specification No.KBS 4.1, 4.2 (page 12, I.No.4.2) | Road 1x83.00 | 4.00 | 0.20 | 66.40 | Road 1x95.00x3.50x0.20=66.50 There is 9 is altered as 8 in length |
| | Drain 2x83.00 | 0.90 | 0.15 | 22.41 | Drain 2x83.00x0.90x0.15=22.41 |
| | | | total | 88.81 | Total 88.91 cum |
| 3. Providing and laying in position plain cement concrete of mix M20 with OPC cement @300kgs, with 20mm and down size graded granite metal coarse aggregates @0.64cum and fine aggregates @0.43cum, with superplasticiser @3lts confirming to IS9103-1999 Reaffirmed-2008, machine mixed, concrete laid in layers not exceeding 15 cms thick well compacted in foundation and plinth and cills including cost of all materials, labour, HOM of machinery curing complete as per specifications (Page 12 I.No.4.5) | Road 1x83.00 | 4.00 | 0.10 | 33.20 | Road 1x95.00x2.50x0.10=33.25 There is 9 is altered as 8 in length |
| | Drain 2x83.00 | 1.30 | 0.15 | 32.37 | Drain 2x83.00x1.30x0.15=32.37 |
| | | | | 65.57 | Total 65.62 |
| | | | | | |

| | | | | | |
|--|-----------------|------|------|--------------|---|
| 4. Providing T.M.T. steel (Cold, Twisted) reinforcement for R.C.C. work including straightening, cutting, bending, hooking, placing in position, lapping and/or welding wherever required, tying with binding wire and anchoring to the adjoining members wherever necessary complete and as per design (laps, hooks and wastage shall not be measured and paid) cost of materials, labour, HOM of machinery complete as per specifications. Specification No.KBS 4.6.3 (Page No.19 I.No.4.46) | 2x83 | 5 | | 830.00 kg | Hg 1x7x83.00=581.00 1x7x59.30=415.10 1x7x23.70=165.90 Wt 2x336x1.35=907.20 Total ~2069.20 m @ 0.395 kgs/m = 870.33 kgs |
| 5.Filling in foundation with granite/trap broken metal 100mm & down size with approved sand including hand packing ramming, watering including cost of all materials & labour with lead upto 50m & lift of 1.5m complete as per specification (pg no.6 I.no.2.15) | Road 1x83 | 4.00 | 0.20 | 66.40 | 1x95x3.50x0.20=66.50 cum There is 9 is altered as 8 in length |
| 6. Providing and removing centering, shuttering, strutting, propping etc., and removal of form work for vertical surface such as walls at any thickness, including attached pilasters, buttresses, plinth and string courses cost of all materials labour complete as per specifications. Specification No.KBS 4.6.2 (pg No.17 I.No.4.31) | Road 2x82.00 | 0.00 | 0.30 | 49.80 | Road 2x83x0.30=49.80 Drain 8x83.00x0.45=298.80 Total 348.60 sqmtr |
| 7. Lead of disposal of debris shall be payable @ carriage rate by mechanical means including loading and unloading 0 to 5 km (pg no.138 I.No.17.1) | Drain 8x83 | 0.00 | 0.45 | 298.80 | 348.60 sqmtr |
| | | | | 189.24 | 189.24 |

- i) From the above comparison, it can be noticed that as regards length of the road i.e., '95 mtrs' has been altered as '85 mtrs' in M.B. which is also in variation with the length specified in estimate. Further from the total quantity mentioned with respect to item No.1 to 3 for road, in M.B, it can be noticed that the total quantity recorded

therein tallies if the length of the road is considered to have been recorded as 95 and not 85. Therefore, these variations and irregularities in recording of measurements create doubt as to whether measurements have been entered in M.B. without verification so as to adjust the total quantity to that specified in estimate. Moreover the agreement, completion certificate and quality inspection report have not been produced. Therefore, it can be opined that there are sufficient grounds to substantiate the allegation of the complainant that the work has not been executed as per estimate.

XV Providing basic amenities (CC Road and drain) to Upparakeri slum in Channagiri Town at Davangere District.

- a) Copies of following documents have been produced:
Contract certificate with first and final bill, report on cube strength on CC test, photos, tender agreement with schedule-B, work order dt.1/3/14, approval order, computer print out of work estimate details, M.B.No.3060 from page No.9 to 18. The Chief Engineer, Technical Wing has produced the copies of comparative statement, royalty statement, report accompanying the tender papers.
- b) Tender agreement is dt.28/2/2014 entered into between Executive Engineer, K.S.D.B, Davangere Division, Davangere and Sri.V.Gurumallappa, Class-I Contractor, Bellary. No recital regarding the date of commencement and stipulated date for completion, tender amount, contract price etc., are found in the agreement. In the tender agreement, date of agreement has been inserted in hand writing.
- c) Work order is dt.1/3/14. Date of agreement and agreement number have been left blank. Date of commencement is mentioned as the date of handing over of site and the date of completion as 3 months from the date of handing over site.

- d) Sanction estimate amount is Rs.50 lakhs. Entrusted amount is Rs.39,41,034/-. It is further stipulated that the work shall be completed within 3 months from the date of mark out excluding monsoon period. It is further stipulated that the contractor shall contact the Assistant Executive Engineer, K.S.D.B, Sub-Division within 7 days from the date of receipt of the work order and obtain mark out to start the work immediately, otherwise the date of agreement is considered as the date of commencement. As per M.B. date of commencement is 19/5/2014.
- e) As per contract certificate and completion report, Sri.B.Chandrappa AE, Sri.Hanumanthachar, AEE, Sri.R.K.Krishnamurthy EE, Sri.H.G.Krishnamurtthy are the officers who have executed the work and passed the bills.
- f) Report on cube strength CC test has been produced. There is no date on which it has been issued. The date of testing is mentioned as 9/6/2014. As per contract certificate, the first and final bill has been produced, wherein the dates of recording measurements are mentioned as 21/5/14, 24/5/14, 30/5/14 and 23/6/14. The dates of check measurement have been mentioned as 21/5/14, 24/5/14, 30/5/14 and 24/6/14. It is recited that measurements have been recorded in page No.9 to 19 of M.B.No.3060. The bill amount is shown as Rs.37,79,039/-, after deducting Rs.5,97,841/-. Cheque amount is shown as Rs.31,81,198/-. Cheque is issued on 7/7/14.
- g) The certified copy of the detailed estimate is not produced. A computer print out of work estimate details has been produced. Schedule-B has been produced.
- h) In M.B. at page No.9, date of commencement is mentioned as 19/5/14. Date of mark out has not been mentioned. Dates of recording are mentioned as 21/5/14 with respect to item No.12, 11, and 4, 24/5/14 with respect to item No.7, 9 and 2, 13/5/2014 with respect to item No.1, 24/6/14 with respect to item No.3, 5, 6, 8, and 10. There is no certification, signature and date of the Sub-

Divisional Officer for having checked the measurement on 21/5/14 in page No.9 to 11 as produced by Investigating Officer. However in page No.12 below the recordings made on 24/5/14, there seems to be a signature and date '21/5' after the words 'C/FC'. It is not clearly visible.

- i) Again in the M.B. produced by the Investigating Officer there is no certification of Sub-Divisional Officer for having checked the measurement on 30/5/14 as stated in contract certificate. In page No.13 of M.B., date of recording is mentioned as 24/6/14 and the date of completion is shown as 23/6/14. As per work order, the stipulated date of completion was 3 months from the date of mark out and the contractor had to obtain the mark out within 7 days from the date of work order or otherwise the date of agreement shall be the date of commencement. However, no completion report has been produced. As per entry in page No.13 of M.B. the date of commencement is 19/5/14 and the date of completion is 23/6/14. Therefore, the work has not been executed as per the conditions laid down in work order. In the M.B, the date of recording is mentioned as 24/6/14. However, in contract certificate it is mentioned as 23/6/14. Considering the quantum of work and the nature of work specified in the items as stated above, it seems improbable that on a single day measurements can be verified and recorded and can be check measured. Moreover the date of recording and the date of check measurement as mentioned in M.B. with that mentioned in contract certificate do not corroborate each other which gives raise to suspicion regarding the genuineness of entries made in M.B.
- j) There are variations in measurement and quantities as specified in estimate, as recorded in M.B and as mentioned in R.A first and final bill as below:

| item | Quantity as specified in schedule-B | Quantity as entered in M.B | RA first and final bill |
|------|-------------------------------------|----------------------------|-------------------------|
|------|-------------------------------------|----------------------------|-------------------------|

| | | | |
|---|---------------|------------|------------|
| 1. Providing T.M.T. steel reinforcement for R.C.C. work including straightening, cutting, bending, hooking, placing in position, lapping and/or welding wherever required, tying with binding wire and anchoring to the adjoining members wherever necessary complete as per design (laps, hooks and wastage shall not be measured and paid) cost of materials, labour, HOM of machinery complete as per specifications. Specification No.KBS 4.6.3. --do- for TMT Bars Fe 550 --- with all lead and lifts and as per the directions of Engineer-in-charge. | 52.20 | 45.98 | 45.98 |
| 2. Providing and laying in position plain cement concrete of mix M-10 with OPC cement @ 220kgs, with 40mm and down size graded granite metal coarse aggregates @ 0.892 cum and fine aggregates @ 0.465cum machine mixed concrete laid in layers not exceeding 15 cms thick well compacted, in foundation and plinth, cost of all materials, labour, HOM of machinery, curing complete as per specification. Specification No.KBS 4.1 4.2 --- with all lead and lifts and as per the directions of Engineer-in-charge. | 371.93 cum | 371.93 cum | 371.93 cum |
| 3. Providing and removing centering, shuttering, strutting, propping etc, and removal of form work for vertical surface such as walls at any thickness, including attached pilasters, buttresses, plinth and string courses cost of all materials, labour complete as per specifications. Specification No.KBS 4.6.2 --- with all lead and lifts and as per the directions of Engineer-in-charge. | 1827.00 sqmtr | 1462.73 | 1462.7 |
| 4. 90 mm outer dia 2kg/sqcm pressure pipe of approved make (PVC) --- with all lead and lifts and as per the directions of Engineer-in-charge. | 435 m | 435 | 435 |
| 5. Haulage of materials by tipper excluding cost of loading, unloading and stacking complete as per specifications. MORTH -100/Chapter 1 Cass-II : Unsurfaced Gravelled Road. --- with all lead and lifts and as per the directions of Engineer-in-charge. | 1213.65 t.k | 135.07 | 1035.1 |
| 6. Providing and laying in position plain cement concrete of mix M20 with OPC cement @300kgs, with 20mm and down size graded granite metal coarse aggregates @0.64cum and fine aggregates @0.43cum, with superplastisiser @3lts confirming to IS9103-1999 Reaffirmed-2008, machine mixed, concrete laid in layers not exceeding 15 cms thick well compacted in foundation, plinth and cills including cost of all materials, labour, HOM of machinery curing complete as per specifications. Specification No.KBS 4.1. 4.2 --- with all lead and lifts and as per the directions of Engineer-in-charge. | 339.30 cum | 326.21 | 326.21 |
| 7. Refilling available earth around pipe lines, cables in layers not exceeding 20 cms in depth, compacting each deposited layer by ramming after watering with lead upto 50m, and left upto 1.5m, including cost of all labour complete as per specifications. --- with all lead and lifts and as per the directions of Engineer-in-charge. | 104.40 cum | 104.40 | 104.40 |
| 8. Providing and fixing 20mm thick compressible fibre board in expansion joint complete as per drawing & Technical Specification complete as per specifications MORTH Specification No.2605 --- with all lead and lifts and as per the directions of Engineer-in-charge | 89.25 m | 49.05 | 49.05 |

| | | | |
|--|------------|--------|--------|
| 9. Providing and filling in foundation with granite/trap broken metal 100mm, and down size with approved sand including hand packing, ramming, watering, including cost of all materials and labour with all lead and lift, complete as per specifications. Specification No.KBS --- with all lead and lifts and as per the directions of Engineer-in-charge | 203.58 cum | 203.19 | 203.19 |
| 10. Loading and Unloading of Stone Boulder/Stone aggregates/Sand/Kanker/Moorum. KSRRBn M100-1: Placing tipper at loading point, loading with front end loader, dumping, turning for return trip, excluding time for haulage and return trip complete as per specifications. Morth-100/Chapter 1 – with all lead and lifts and as per the directions of Engineer-in-charge. | 809.1 cum | 808.65 | 808.65 |
| 11. Earthwork excavation for foundation of buildings, culverts, water supply, sanitary lines and electrical conduits either in pits or in trenches 1.5m and above in width, in ordinary soil not exceeding 1.5m in depth including dressing the bottom and sides of pits and trenches, stacking the excavated soil clear from edges of excavation with lead upto 50m after breaking of clods complete as per specification. Specification No.KBS 2.1(a)/2.3.5 – with all lead and lifts and as per the directions of Engineer-in-charge. | 574.20 cum | 574.20 | 574.20 |
| 12. Excavation for road formation KSRRB 300-3. Earthwork excavation and forming in embankment by manual means in ordinary soil (when earth is taken from bank cutting or from borrow pits) including breaking of clods, spreading to required line and level, forming, and cost of all labour complete as per specifications (excluding watering and compaction of earth)(with all lead and lift) MORTH/Chapter 3 – with all lead and lifts and as per the directions of Engineer-in-charge. | 339.3 | 338.85 | 338.85 |

k) Since detailed estimate is not given, whether the measurement recorded in M.B with regard to the length, width and depth of the road and drain is in accordance with the estimate or not cannot be ascertained. In the work estimate details, a computer print out without the signature of the approved authority with regard to excavation for road formation and for forming embankment, the length, breadth/width and depth/height the measurements are shown as 435 mtrs, 3.9 mtrs and 0.2 mtrs respectively and the total quantity is shown as 339.3 mtrs. But in M.B. different measurements have been recorded for different stretches of road with respect to item No.2, 3, and 6. No quality inspection report is produced. Therefore, it can be opined that, there are sufficient

materials to substantiate the allegation of the complainant with regard to the substandard quality of work.

XVI Providing basic amenities (CC Road) to Balaraj Ghat slum in Honnali Town at Davangere District

- a) Copies of following documents are produced:
Tender approval order dt.14/12/12, work order No.589/2012-13 dt.15/12/12 with schedule-B, contract certificate with first and part bill, check list and technical report, royalty statements, test report of CC cubes, photos, contract certificate with second and final bill, check list and technical report, completion report, detailed estimate, M.B.No.3056 from page No.12, 13, 15, 17, 18 to 23.
- b) Tender has been approved in favour of Sri.K.Kondareddy, on 14/12/12. Work order is dt.15/12/12. Sanctioned estimate amount is Rs.10,00,000/-. Entrusted amount is shown as Rs.9,98,203/-. Date of commencement is shown as the date of handing over site. Date of completion is shown as 3 months from the date of handing over site. Agreement is not produced. It is recited in the work order that the work should be completed within 3 months from the date of mark out excluding monsoon period. Further it is stipulated that the Contractor shall contact the A.E.E, K.S.D.B, Sub-Division, Davangere within 7 days from the date of receipt of the work order and obtain the mark out to start the work immediately or otherwise the date of agreement shall be considered as the date of commencement. However, in the completion report, the date of commencement is mentioned as 16/1/13 and date of completion as 10/4/2013. According to work order, date of agreement is 15/12/12. In M.B. the date of mark out is not mentioned. Therefore, it is to be gathered that there is delay in commencement of work and there is also delay in completion of work.
- c) As per contract certificate with first and part bill, measurements have been recorded in M.B.3056 from page 12 to 17. The dates of

recording are mentioned as 5/2/13, 22/3/13, and 1/4/13. In the contract certificate the dates on which measurements have been checked have not been entered, but there is signature of Assistant Executive Engineer. In check list the dates of check measurement have been mentioned as 5/2/13, 23/3/13 and 1/4/13. In M.B. the dates of recording are mentioned as 5/2/13 with respect to item No.1 and 4 and 22/3/2013 with respect to item No.2 and 3. There is signature with date as 5/2/13 below the words 'C/FC'. In page No.17 there is signature of AEE with date as 1/4/13 below the words 'C/FC'. Therefore, there arises doubt as regards the actual dates on which the measurements have been checked by the Sub-Divisional Officer. Page No.14 and 16 of measurement book are not produced.

- d) The bill amount is shown as Rs.7,99,767/-. Cheque dt.4/4/2013 is stated to have been issued for Rs.6,97,771/- after deducting Rs.1,01,996/-.
- e) As per contract certificate with second and final bill, the measurements have been recorded on 5/4/13 and 12/4/13 in page No.18 to 28 of M.B.No.3056. Check measurement dates are written as 5/4/13 and 12/4/13. In page No.18 of M.B. the date of recording is mentioned as 5/4/13 with regard to item No.1, 4 and 2. In page No.18 the date of completion has been left blank. AEE has signed in page No.19 with date as 16/4/13 below the words 'C/FC'. In page No.20 date of completion is mentioned as 10/4/13. Date of recording is mentioned as 12/4/13 with regard to R.A.bill No.2 and final. In page No.23 there is signature of the AEE with date as 10/4/13. Therefore, according to the recording in page No.20 to 23, the date of check measurement is prior to the date of recording. Therefore, there arises doubt as regards the contention of the respondent that measurements have been recorded and checked as per K.P.W.D.Code.

- f) The total bill amount is shown as Rs.9,97,783/-. Cheque amount is shown as Rs.1,72,755/- after deducting Rs.25,361/-. Cheque date is mentioned as 6/5/13.
- g) Xerox copies of Photographs are not clearly visible.
- h) As per completion report, the officers who were entrusted with the work are B.Chandrappa, AE, N.Hanumanthachar, AEE, R.K.Krishnamurthy, EE.
- i) Test report of cement concrete cubes dt.30/3/13 has been produced and the date of testing is mentioned as 20/3/13. As per M.B. the recording of measurement with respect to item No.1 to 4 had been completed even prior to 30/3/13.
- j) There is variation as regards the date of recording measurement with respect to item No.5 and 6 in M.B at page No.20 it is mentioned as 12/4/13. In page No.23 measurements with respect to item No.5 and 6 have been recorded. The date is mentioned as 10/4/13. Therefore, there arises doubt as to whether the work had been completed even prior to the receipt of test report of CC cubes. No quality control report has been produced.
- k) From comparison of measurements as specified in detailed estimate with that recorded in M.B it is noticed that length specified in estimate is 142.00 mtrs, but in M.B at page No.13 with respect to item No.1 and 4, the length is shown as 130.00 mtrs. In estimate the breadth is specified as 4.00 mtrs in M.B, at page No.13 it is recorded as 2.50. In page No.22 different measurements of length and breadth have been mentioned for item No.3. But the total quantity shown in the contract certificate and M.B. are same with that of the estimate. Therefore, it can be safely opined that there are sufficient grounds to believe that the work has not been executed as per estimate.

XVII. Providing basic amenities (CC Road and drain) to Tungabhadra Badavane in Honnali Town at Davangere District.

a) Copies of following documents have been produced:

Contract certificate with first and final bill, photos, test report on cube test, work order, completion report, schedule-B, computer print out of work estimate details, M.B.No.3056 from page No.24 to 32.

b) Work order is dt.22/2/14. Sanctioned estimate amount is Rs.25 lakhs. Entrusted amount is Rs.19,70,943/-. Date of completion is shown as 3 months from the date of handing over site. It is recited in the work order that the work should be completed within 3 months from the date of mark out excluding monsoon period. Further it is stipulated that the Contractor shall contact the A.E.E, K.S.D.B, Sub-Division, Davangere within 7 days from the date of receipt of the work order and obtain the mark out to start the work immediately or otherwise the date of agreement shall be considered as the date of commencement. Date of agreement is left blank in work order. Agreement is not produced. In M.B. at page No.24, date of agreement is entered as 22/2/14. Date of commencement is entered as 29/9/14. In page No.27 date of completion is written as 25/10/14. However no completion report is produced. Therefore, even according to the documents produced by the Investigating Officer there is delay in commencement of work and also in completion of work.

c) As per completion report, Sri.B.Chandrappa, AE, Sri.Mahendra, AEE and Sri.R.K.Krishnamurthy, EE and as per the report accompanying the tender papers produced by Technical Wing Sri.H.G.Krishnamurthy, Divisional Accountant/Accounts Superintendent are the officers who have executed the work and passed the bill.

d) Test report of cubes has been produced. The date on which it has been issued is not forthcoming. The date of testing is shown as 22/10/14. The report has been issued by a private agency called Premier Technical Consultant. No Quality Control report has been

produced. As per M.B. the work specified in item No.1, 12, 11, 2, 3, 4, had been completed even prior to the date of testing of cubes. Detail estimate is not produced so as to scrutinize whether the measurements recorded in M.B. are as specified in the estimate especially with regard to the length, breadth and depth of the road and drain. A computer print out of work estimate details has been produced. It does not bear the signature of the approving authority. From the perusal of the said documents at Sl.No.1, 2, 3, 4, 6, 8, it is to be gathered that the length of the road and drain specified was 210.0 mtrs. The breadth/width of the road specified was 4.0 and the breadth of the drain was 0.9 mtrs. The depth/height of the road and drain specified were 0.2 and 0.6 mtrs respectively. But in M.B. different measurements have been recorded.

- e) From comparison of quantity as specified in estimate, as entered in M.B. and as shown in contract certificate it is seen that in schedule-B item No.7 provided for TMT steel reinforcement for RCC work with quantity of 25.2, but in contract certificate the quantity is shown as 0. In M.B. at page No.30 it is written as not executed. The quantity of item No.1 is specified as 277.2 cum in schedule-B, but in contract certificate it is mentioned as 275.4. In M.B. the total quantity is shown as 275.40. As regards item No.6 in schedule-B quantity specified is 882 sq.mtrs. In contract certificate and M.B it is recorded as 405 sq.mtrs. From the scrutiny of the above documents it can be observed that the allegation of the complainant that the above work has not been executed as per estimate and it is of substandard quality is substantiated.

XVIII. Providing basic amenities (CC Road) to Agasana Katte in Harapanahalli Town at Davangere District.

- a) Copies of following documents have been produced:
Contract certificate with first and final bill, Test report on CC cubes, photos, M.B.No.3055 from page No.3 to 6, work order, schedule-B,

detailed estimate, Chief Engineer, Technical wing has produced the copies completion report, comparative statement, work order, tender agreement, report accompanying the tender papers, district tender bulletin,.

- b) Work order is No.587/12-13 dt.15/12/12. Date of agreement is hand written as 15/12/12. Date of completion is shown as 3 months from the date of handing over site. It is recited in the work order that the work should be completed within 3 months from the date of mark out excluding monsoon period. Further it is stipulated that the Contractor shall contact the A.E.E, K.S.D.B, Sub-Division, Davangere within 7 days from the date of receipt of the work order and obtain the mark out to start the work immediately or otherwise the date of agreement shall be considered as the date of commencement. Completion certificate is not produced.
- c) As per M.B. date of commencement is 17/12/12. Date of completion is mentioned as 24/1/13 at page No.3 of M.B. In work order entrusted amount is shown as Rs.9,97,168/-.
- d) In contract certificate, the dates of recording measurement are entered as 19/12/12, 24/12/12, and 24/1/13. The dates on which measurements have been checked by AEE, has been left blank. However, there is signature of the Assistant Executive Engineer. This creates doubt regarding the compliance of the provisions of KPWD code regarding maintaining of measurement book.
- e) No quality control report is produced. Test report on CC cubes is dt.25/12/2012. Date of testing is mentioned as 1/1/13. Therefore according to the said documents report has been issued prior to the date of testing, which creates doubt that the documents have been fabricated to suit the claim of the contractor. Copies of photographs do not corroborate the contention of the respondent that work has been executed as per estimate and is not of substandard quality.
- f) As per completion report, report accompanying the tender papers and contract certificate Sri.B.Chandrappa, AE,

Sri.Hanumanthachar, AEE, Sri.R.K.Krishnamurthy, EE,
Sri.N.Mahadevaiah, Divisional Accountant/Accounts
Superintendent are the officers who have executed the work and
passed the bill.

- g) In detailed estimate, figures have been altered without any signature or initial of the authority who has made alterations. No explanation regarding the said alteration has been offered. As per detailed estimate the length, breadth and depth of the road was specified as 143.00, 4.00 and 0.30. But in M.B. different measurements of breadth have been recorded for different stretches of road. In estimate the total quantity of item No.1 to 6 are specified as 171.60, 114.40, 57.20, 114.40 cum , 85.80 sqmtrs and 171.60 cum respectively. In M.B., the measurements have been recorded for item No.1 to 6 as 170.69, 114.27, 60.33, 114.27, 85.80, 170.69 respectively. In R.A first and final bill, the total quantities are mentioned, as recorded in M.B. except with regard to item No.3 where it is mentioned as 60.06. In detailed estimate the total quantity of item No.3 which was printed as 57.20 has been altered as 60.06. Therefore, prima facie there are materials to opine that there are irregularities and discrepancies in execution of the above work.

XIX.ಹರಪನಹಳ್ಳಿ ಪಟ್ಟಣದ ಸಿಕ್ಕೇರಿಗುಂಡಿ ಮತ್ತು ಚಾದರಕೇರಿ ಕೊಳಚೆ ಪ್ರದೇಶಗಳಲ್ಲಿ ಕೆರೆ ನೀರು ಸರಬರಾಜು ಮತ್ತು ವಿದ್ಯುದೀಕರಣ ಕಾಮಗಾರಿ.

- a) Copies of following documents have been produced:
Check list, completion report, technical report, contract certificate with first and final bill, photos, M.B.No.3059 from page No.1 to 17, work order No.21/12-13 dt.20/7/2012, schedule-B, estimate, estimates for mini water supply and street lights at Sikkerigundi Harapanahalli Town and Chadarakeri Harapanahalli Town,
- b) Work order is dt.20 July 12. Date of agreement is 20/7/2012. However agreement is not produced. Date of commencement is

mentioned as date of mark out and date of completion as 3 months from the date of mark out. Estimated amount is Rs.24.95 lakhs. Entrusted amount is 24,65,365/-. As per completion report, date of commencement and date of completion are 3/1/13 and 12/3/13. The officers who have executed the work are Sri.B.Chandrappa AE & AEE, and Sri.R.K.Krishnamurthy, EE and Sri.N.Mahadevaiah, Divisional Accountant/Accounts Superintendent. In contract certificate the date of recording and date of check measurement have been written as 12/3/13. Measurement book No.is mentioned as 3059 and page Nos. as 1 to 17. No.17 has been over written. Therefore, according to contract certificate the measurements of all the items No.1 to 68 have been verified and recorded on a single day which is impossible to believe. Therefore, the recording in measurement book cannot be believed.

- c) The total bill amount is Rs.24,65,365/-, cheque amount is Rs.23,19,492/- an amount of Rs.1,72,823/- is shown as deduction. Cheque date is written as 9/7/13. The quantity mentioned in first and final bill and recorded in M.B. are same as specified in estimate. In estimate for pumping machinery at item No.20, 25, and 27 alterations have been made and figures printed are rounded off and different figures have been hand written. There is no attestation of the same by the concerned authority. No quality inspection report is produced. Therefore, the allegation of the complainant with regard to substandard work seems probable.

XX. Providing basic amenities (CC Road and drain) to Ijaari Sirasappa Colony in Harapanahalli Town at Davangere District.

- a) The copies of following documents have been produced:

Contract certificate with first and part bill, report on cubes strength, photos, M.B.No.3059 from page No.48 to 51, work order, schedule-B, work estimate details. The Chief Engineer, Technical Wing has

- also produced copies of check list, CC with second and final bill, royalty statement, completion report, report accompanying the tender papers, tender agreement, page No.53-58 of M.B.3059.
- b) Work order is dt.31/1/14. Date of agreement is written as 31/1/14. Date of completion is mentioned as 3 months from the date of handing over site. It is recited in the work order that the work should be completed within 3 months from the date of mark out excluding monsoon period. Further it is stipulated that the Contractor shall contact the A.E.E, K.S.D.B, Sub-Division, Davangere within 7 days from the date of receipt of the work order and obtained the mark out to start the work immediately or otherwise the date of agreement shall be considered as the date of commencement.
- c) As per completion report, contract certificate and report accompanying the tender papers Sri.S.L.Anandappa, AE, Sri.Mahendra AEE, Sri.R.K.Krishnamurthy EE and Sri.H.G.Krishnamurthy, Divisional Accountant/ Accounts Superintendent have executed the work and passed the bill.
- d) In page No.53 date of recording is written as 16/12/14. Date of completion and date of commencement have not been written. There is signature of EE in page No.56 and below that there is writing as 'C & FC 28/12/15'.
- e) Though it is shown as first and part bill, from the bill details it can be noticed that it is the first and final bill. The bill amount is Rs.9,84,268/- after deducting Rs.1,54,971/-. Cheque amount is shown as Rs.8,29,297/- and cheque date as 14/11/2014. The dates of recording measurements are shown as 5/9, 8/9 and 13/9/2014. It is stated that measurements have been recorded in page No.48 to 52 of M.B.No.3059. Dates of check measurements are shown as 5/9, 8/9 and 13/9/2014. In M.B. at page No.48 date of commencement and date of completion have been left blank. Date of agreement has been changed as 31/1/14 from 30/1/14. Agreement

is not produced. Date of recording is mentioned as 5/9/14. In page No.49 date is mentioned as 8/9/14. In page No.51 the date of recording measurement is mentioned as 13/9/14, page No.52 is not produced. The recording is not completed in page No.51. Therefore, there is no document to show the actual date of commencement and the date of completion of the work. Even in the M.B. at page No.48 it is written as bill number 'first and part'. Final bill is not produced. Therefore, the entries in M.B. are contrary to the details mentioned in contract certificate. In the contract certificate, the quantity of item No.1, 2, 4, 6, 11 and 13 are shown as 0. As per schedule-B total quantity of item No.1 to 13 are 458.15, 266m, 277.428cum, 62.12cum, 135.128cum, 352.42, 53.76m, 159.6sqm, 159.6sqm, 250.04cum, 212.8sqm, 425.6sqm, 290.45cum, 262.34 cum respectively. But in the M.B. the total quantity of item No.1 to 13 are shown as 0, 0, 132.63, 0, 80.95, 0, 30, 138.84, 98.07, 106.72, 0, 201.55, 0 respectively. In M.B. measurements of item No.9, 12, 10, 3, 5, 7 have been recorded as 98.07cum, 201.55, 106.72sqm, 132.63, 81.45, 80.95 and 30.0 m respectively. The recording of measurements with respect to remaining items are not found in the M.B produced. Therefore, it can be safely opined that there are sufficient grounds to substantiate the allegation of the complainant.

XXI. ಜಗಲೂರು ಪಟ್ಟಣದ ಇಮಾಂ ನಗರ ಮತ್ತು ಮಂಜುನಾಥ ನಗರ ಕೊಳಚೆ ಪ್ರದೇಶಗಳಲ್ಲಿ ಕಿರು ನೀರು ಸರಬರಾಜು ಹಾಗೂ ವಿದ್ಯುದೀಕರಣ ಕಾಮಗಾರಿ.

a) Copies of following documents have been produced:

Check list, completion report, contract certificate with first and final bill, photos, M.B.No.3059 from page No.19 to 37, work order No.212 dt.20/7/12, schedule-B. The Chief Engineer, Technical Wing has also produced receipts, tender agreement, report accompanying the tender papers, page No.19-39 of M.B.

b) As per work order dt.20/7/12, estimate amount is Rs.24,96,000/-. Entrusted mount is 24,65,247/-. Date of agreement is written as

20/7/12. Date of commencement is shown as the date of mark out to be intimated by AEE KSDB Sub-Division, Davangere. Date of completion is 3 months from the date of mark out (excluding monsoon). As per completion report, the date of commencement and date of completion are 4/1/13 and 12/3/13 respectively. The officers who have executed the work are shown as Sri.B.Chandrappa AE and AEE, R.K.Krishnamurthy EE and Sri.N.Mahadevaiah, Divisional Accountant/Accounts Superintendent.

- c) As per contract certificate, the measurements have been recorded on 12/3/13 and the measurements have been checked on 12/3/13. When the items of work specified in schedule-B are considered it can be observed that it is quite impossible to record the measurements on a single day. It can also be observed that there is no stage wise verification of work. The page numbers of measurement book have been over written not only in contract certificate but also in check list. Therefore from the above discrepancies and irregularities there arises doubt as regards the entries in measurement book and the contention of the respondent that the measurements have been recorded and checked at the actual place of work.
- d) The total bill amount is written as Rs.24,65,247/-. The cheque amount is mentioned as Rs.22,92,433/-. The cheque date is mentioned as 19/7/13. From comparison of measurements specified in estimate, with that recorded in M.B. and as shown in contract certificate with first and final bill, it can be concluded that they are all one and the same. All the recordings have been made on a single day in M.B., and as per the recordings in M.B., first and final bill has been prepared which clearly demonstrate that the records have been prepared just to pass the bill. Therefore there are sufficient grounds to substantiate the allegations of the complainant.

XXII. Providing basic amenities (CC Road and drain) to Imam Nagara Slum in Jagalur Town at Davangere District.

- a) The copies of following documents have been produced:
Contract certificate with first and final bill, photos, test report on CC cubes, tender agreement with schedule-B, M.B.No.5060 from page No.1 to 9, work order dt.30/1/14, work estimate details.
- b) The work order No. is 985/2013-14 dt.31/1/14. Agreement date is 31/1/14. Estimate amount is Rs.25 lakhs. Entrusted amount is 19,83,812/-. It is recited in the work order that the work should be completed within 3 months from the date of mark out excluding monsoon period. Further it is stipulated that the Contractor shall contact the A.E.E, K.S.D.B, Sub-Division, Davangere within 7 days from the date of receipt of the work order and obtain the mark out to start the work immediately or otherwise the date of agreement shall be considered as the date of commencement. In M.B.at page No.1 the date of commencement is entered as 31/1/14, at page No.4 date of completion is entered as 25/2/14.
- c) As per completion report and contract certificate, Sri.B.Chandrappa AE, Sri.N.Hanumanthachar, AEE, Sri.R.K.Krishnamurthy, EE and Sri.H.G.Krishna murthy, Accounts Superintendent are the officers who have executed the work and pass the bill.
- d) As per test report on CC cubes dt.17/2/14. Date of testing is 17/2/14. No quality control report is produced. In M.B. the dates of recording with respect to item No.12, 7, 4, 1, 6 and 8 have been recorded on 3/2/14. The measurement of item No.6 has been recorded at page No.3 and 4 on 14/2/14. Only the measurement regarding item No.2 which specified for providing and removing centering, shuttering etc., has been recorded on 25/2/14. Moreover no quality inspection report has been produced.
- e) As per contract certificate with first and final bill, the measurements have been recorded on 3/2/14, 7/2/14, 14/2/14 and 25/2/14. In page No.1 to 8 of M.B.No.3060, same dates have

been mentioned as the dates of check measurement. The bill amount is written as Rs.19,03,450/-. Cheque amount has been shown as Rs.16,34,766/- and an amount of Rs.2,68,684/- has been shown as deduction. Cheque date is written as 11/3/14.

- f) No detailed estimate has been produced. In schedule-B the total quantity of item No.1 to 12 are specified as 55.2 cum, 966 sq.mtr, 414 cum, 230 M, 172.5 cum, 124.2 cum, 303.6 cum, 186.3 cum, 538.2 TKM, 27.6 47.25 M and 165.6 cum respectively. In contract certificate with first and final bill, the total quantity of item No.1 to 8 are shown as 55.20 cum, 587.55 cum, 393.34 cum, 230 M, 172.50 cum, 124.2 cum, 227.74 cum, and 186.3 cum respectively. The details of item No,9 to 12 are not found in contract certificate. In M.B. the total quantity of item No.1 to 10 and 12 are recorded as 55.2 cum, 587.55 sq.M, 393.34 cum, 230 M, 172.56 M, 124.20 cum, 227.74 cum, 393.34 cum, 27.60 cum and 165.6 cum. As regards item No.11 it is stated as not executed. Since no detailed estimate is produced, the correctness of measurements of length, breadth and depth as recorded in M.B cannot be ascertained.
- g) A computer print out of work estimate details has been produced. In Sl.No.1 the measurement of length, breadth and depth of road are shown as 230.0M, 3.6M and 0.2M. In Sl.No.2, length breadth and depth of drain are shown as 230.0M 0.9M and 0.6 respectively. But from M.B. at page No.1, it is seen that the measurement of road is recorded as 1x110.30x4.40x0.20 and 1x102.10x3.60x0.20. In page No.2 of M.B. with respect to item No.7, the measurements are recorded as 1x17.40x0.90x0.60, 1x85.00x0.90x0.60, 1x21.75, 0.90x0.60 and 72.50x0.90x0.60. Therefore, there are prima facie materials to opine that the allegation of the complainant that execution of work is not in accordance with estimate seems probable.

17. The Chief Engineer, Technical Wing has also produced the documents relating to following works:

XXIII. Providing basic amenities (Culvert) to Shiva Nagara Slum in Davangere City.

- a) The Chief Engineer, Technical Wing has produced copies of check list, technical report, completion report, Contract certificate with first and final bill, comparative statement, royalty statement, test reports, photos, work order and tender agreement dt.1/3/12, schedule-B, page No.8 to 27 of M.B.No.3054.
- b) As per completion report, date of commencement is 6/2/13. Date of site handed over is 6/2/13. Due date of completion is 5/5/13. Actual date of completion is 16/12/13. As per work order, the work had to be completed within 3 months from the date of handing over the site. Therefore, there is delay in execution of work.
- c) As per completion report and contract certificate, Sri.B.Chandrappa, AE, Sri.N.Hanumanthachar, AEE, Sri.R.K.Krishnamurthy, EE and Sri.H.G.Krishna murthy, Accounts Superintendent are the officers who have executed the work and pass the bill.
- d) As per the above documents, estimated cost is Rs.3.49 lakshs. Entrusted amount is Rs.3,48,912/-. The first and final bill amount is Rs.3,47,924/-. Adjusted amount is Rs.42,363/-. Cheque amount is Rs.3,05,561/-. Cheque date is 6/1/14.
- e) The dates of recording and date of check measurement are written as 9/10/13, 15/10/13, 8/11/13, 26/11/13, 30/11/13, 2/12/13, 16/12/13. The last date of check measurement is written as 17/12/13. Measurements have been stated to be recorded in page No.8-18 of M.B.No.3054.
- f) In the detailed estimate, the measurements, quantities, rate and amounts have been altered. There is no attestation of the officer who has made alterations. Detailed estimate is not produced. Therefore,

it cannot be ascertained as to whether the measurements recorded in M.B are in consonance with the estimate. Infact in page No.19, the name of the work is written as 'providing basic amenities to Haralapura slum'.

- g) No quality inspection report is produced. Test reports of cement, and sand, are dt.21/10/13. Date of testing is written as 22/10/13. Test report of CC cubes is dt.30/3/13. Date of testing is mentioned at one instance as 28/10/13 and at another place as 28/12/13. Therefore, there arises doubt regarding the genuineness of the said test reports issued by Sheetal Engineering Associates.
- h) In comparative statement, the same figures have been mentioned both as regards schedule-B and as per actual execution. Therefore, due to the above irregularities and non production of estimate the allegation of the complainant cannot be ruled out.

XXIV. Providing basic amenities to 100 S.C.P houses in Sy.N.o.117/5 (J.H.Patel extension) in channagiri Town (house No.1-50).

- a) The copies of check list, Contract certificate with first and final bill, comparative statement, royalty statement, completion report, test report of CC cubes, annexure-A measurement sheet, work order, tender agreement, schedule-B, report accompanying the tender papers, plan, photos, M.B.No.2565 page No.10 to 16 have been produced.
- b) As per the above documents, work order is dt.9/5/11. Estimated cost is 7.49 lakhs. Date of commencement is 25/5/11. Due date of completion is 3 months from the date of handing over.
- c) As per completion report, date of completion is 18/7/2011. The officers who have executed the work and passed the bill are Smt.B.N.Jyothi, AE, Sri.P.Madhukar, AEE, Sri.R.K.Krishnamurthy, EE and Sri.N.Mahadevaiah, Accounts Superintendent.

- d) The bill amount is Rs.745868/-. Adjusted amount is Rs.89574/-. Cheque amount is Rs.6,54,294/-. Cheque date is 16/9/11. 1% of I.T has been deducted.
- e) As per test reports of CC cubes, date of testing 6/7/11. No quality inspection report is produced. Detailed estimate has been produced. But measurement, quantity and amount have been changed without attestation of the concerned officer.
- f) In contract certificate, the dates of recording are written as 6/7/11 and 19/7/11 recorded in page No.10-16 of M.B.No.2565. Dates of check measurements are mentioned as 11/7/11 and 26/7/11. In M.B, detailed measurements have not been recorded. Therefore it cannot be concluded that measurements have been recorded as per KPWD code and actual execution of work is in accordance with the estimate. The xerox copies of photos do not show the actual execution of work in accordance with estimate.

XXV. Providing basic amenities to 100 S.C.P houses in Sy.N.o.117/5 (J.H.Patel extension) in channagiri Town (house No.51-100).

- a) The copies of check list, Contract certificate with first and final bill, comparative statement, royalty statement, completion report, test report of CC cubes, annexure-A measurement sheet, work order, tender agreement, schedule-B, report accompanying the tender papers, plan, photos, M.B.No.2565 page No.17 to 21 have been produced.
- b) As per the above documents, work order is dt.9/5/11. Estimated cost is 7.49 lakhs. Date of commencement is 27/5/11. Date of completion 19/7/11.
- c) As per completion report, date of completion is 18/7/2011. The officers who have executed the work and passed the bill are Smt.B.N.Jyothi, AE, Sri.P.Madhukar, AEE, Sri.R.K.Krishnamurthy, EE and Sri.N.Mahadevaiah, Accounts Superintendent.

- d) The bill amount is Rs.724114/-. Adjusted amount is Rs.88853/-. Cheque amount is Rs.6,35,261/-. Cheque date is 16/9/11. 1% of I.T has been deducted.
- e) As per test reports of CC cubes, date of testing 27/7/11 and 6/7/11. No quality inspection report is produced.
- f) Annexure-A to measurement sheet is produced. Since detailed estimate is not produced the measurements mentioned therein cannot be considered as in consonance with the estimate. Secondly a separate sheet containing measurements cannot be considered as a substitute for measurement book as specified in KPWD code.
- g) In contract certificate, the dates of recording are written as 11/7/11 and 19/7/11 recorded in page No.17-20 of M.B.No.2565. Dates of check measurements are mentioned as 11/7/11 and 26/7/11. In M.B, detailed measurements have not been recorded. Therefore it cannot be concluded that measurements have been recorded as per KPWD code and actual execution of work is in accordance with the estimate. The xerox copies of photos do not show the actual execution of work in accordance with estimate. In view of the above irregularities and discrepancies it is to be opined that there are materials to corroborate the allegation of the complainant.

XXVI. Providing basic amenities dismantling to 60 HUDCO houses behind Bharath Oil Mill Slum in Harihara Town.

- a) The copies of check list, Contract certificate with first and final bill, comparative statement, completion report, photos, work order, tender agreement, estimate, report accompanying the tender papers, tender bulletin, M.B.No.3056 page No.8 to 11 have been produced.
- b) As per the above documents, work order is dt.7/2/13. Estimated cost is 10 lakhs. Date of commencement is 7/2/13. Date of completion is 15/2/13.
- c) As per completion report, date of completion is 15/2/13. The officers who have executed the work and passed the bill are

Sri.B.Chandrappa AE, Sri.Hanumanthachar, AEE,
Sri.R.K.Krishnamurthy, EE and Sri.N.Mahadevaiah, Accounts
Superintendent.

- d) The bill amount is Rs.847959/-. Adjusted amount is Rs.63683/-. Cheque amount is Rs.784276/-. Cheque date is 15/3/13. 1% of I.T has been deducted.
- e) Dates of recording measurement are 7/2/13 and 14/2/13 recorded in page No.8-11 of M.B.No.3056. Date of check measurement is not written.
- f) From the comparative statement, it can be noticed that the quantities as per schedule-B and as per actual execution are one and the same. The measurements recorded in M.B are nothing but reiteration of estimate.

XXVII. Providing basic amenities (underground drainage and road side drain) to Shivanagara Slum in Davangere City under CESS Scheme.

- a) The copies of check list, technical report, completion report, CC with first and final bill, royalty statement, comparative statement, photos, work order, tender agreement, schedule-B, estimate, M.B.No.2565 page No.24 to 34 have been produced.
- b) As per the above documents, work order and tender agreement are dt.24/8/2012. Due date of commencement was the date of handing over site and due date of completion was 3 months from the date of handing over site. As per completion report, date of commencement is 24/8/12 and actual date of completion is 23/11/12. In M.B.at page No.27, the date of commencement and date of completion are written as 24/8/12 and 6/9/12.
- c) The name of the contractor is Sri.Kondareddy, Class-I Contractor, Davangere. As per completion and contract certificate, the officers who have executed the work and passed the bill are Sri.B.Chandrappa, Section Officer, Sri.Hanumanthachar, AEE,

Sri.R.K.Krishnamurthy, EE, and Sri.N.Mahadevaiah, Accounts Superintendent.

- d) The estimated cost is Rs.4.30 lakhs. Entrusted amount is Rs.4,29,805/-. As per CC with first and final bill, the bill amount is Rs.4,29,365/-. Adjusted amount is Rs.48,681/-. Cheque amount is Rs.3,80,684/-. Cheque date is 17/9/12.
- e) As per contract certificate measurements have been recorded on 28/8/12, 29/8/12, 31/8/12 and 6/9/12. The dates of check measurements have been written as 28/8/12, 31/8/12 and 6/9/12. It is stated that measurements have been recorded in page No.24 to 33 of M.B.No.2565. In the M.B, dates of recording are mentioned as 28/8/12 relating to item No.1, 2, and 7, 29/8/12 relating to item No.3, 8, 9, and 31/8/12 relating to item No.10. There are signatures of the AEE with date 28/8/12 and 31/8/12 below the writing 'C/FC' in page No.26. Therefore, there is variation as regards the date of recording and the date of check measurement inbetween the contract certificate and M.B. Though in page No.29 there are signatures with dt.6/9/12 of EE Sri.R.K.Krishnamurthy, it is seen that the measurements with respect to the said item No.1 to 4 and 5 had been recorded on earlier dates and further there is no signature of Sub-Divisional Officer on 6/9/12.
- f) In comparative statement, same quantities are mentioned both as per schedule-B and as per actual execution. From comparison of estimate with M.B, it can be noticed that the recordings in M.B are replica of estimate with respect to item No.1 to 9. However, with regard to item No.10 i.e., item No.2 of estimate providing road side drain works to Shivanagara Slum there is variation. In estimate the measurements specified are 2 numbers with length, breadth and depth as 85, 0.85 and 0.1 M each. In page No.26 of M.B., the measurements have been recorded as 1x85.00x1.00x0.17. Similarly with regard to item No.11 (item No.3 of estimate for providing road side drain works) the measurements are specified as 2 numbers of

85, 0.45 and 0.1 M each of length, breadth and depth with total quantity as 7.65 cum. In page No.31 of M.B., the measurements of item No.11 have been recorded as $80 \times 0.45 \times 0.10 = 3.82$ and cooping $2 \times 85.00 \times 0.22 \times 0.10 = 3.74$ total 7.56 cum. The recording in M.B. as regards item No.12 (item No.5 of estimate for providing road side drain works) is incomplete. Therefore there are variations between the estimate and the M.B. regarding the actual measurements which corroborate the contention of the complainant that work has not been executed as per estimate. No quality control report is produced. The xerox copies of photos do not depict the actual location and the quality of the work executed in the above place.

XXVIII. Construction of temporary sheds, toilets and bath rooms for the residence of HUDCO houses behind Bharath Oil Mill Slum in Harihara Town, Davangere district.

- a) The copies of work slip, EIRL, rate analysis, comparative statement, photos, CC with third and final bill, proposal for extension of time/fine proposal as per clause-II, another comparative statement, check list with second and part bill, royalty statement, check list with first and part bill, work order, tender agreement, schedule-B, report accompanying the tender papers, tender notification, estimate, have been produced.
- b) As per the above documents, it is seen that the work order No. is 344/2012-13 dt.7/9/12. The date of commencement is shown as 7/9/12, and due date of completion as per agreement was 6/12/12. Actual date of completion is shown as 11/11/13. In the proposal for extension of time, the reason for delay has been shown as delay in availability of land for construction of 10 number of sheds and non availability of land for construction of toilets and bathroom from municipal authorities. Though it is stated that the work has been completed, from the non production of M.B the same cannot be accepted. Further it is pertinent to note that 3 R.A. bills have been

produced. In the check list accompanying third and final bill, the M.B.number is mentioned as 3058, page numbers are mentioned as 14 to (blank). Therefore, the number of pages in which measurements have been recorded has not been completely mentioned. The date of recording measurement and also the date of check measurement are written as 11/11/13. However, considering the items of work that have been carried as per RA bill accompanying the said contract certificate and check list, it seems highly improbable that on a single day the measurements of all those items would have been verified and recorded.

- c) Further in the contract certificate accompanying the check list for second and final bill, it is mentioned as 2ನೇ ಹಾಗೂ ಅಂತಿಮ ಬಿಲ್ಲಿನ ಮೊತ್ತ above the same the word ಮುಂದುವರೆದ has been written. In the said check list, the date of recording or the date of check measurement have not been mentioned. In the contract certificate, the dates of recording are shown as 19/11/12 and 5/12/12 and the dates of check measurements are also written as 19/11 and 5/12. In the check list, accompanying the first and part bill, it is stated that completion report has been enclosed. The date of check measurement has not been mentioned. But in contract certificate, dates of check measurement have been hand written as 7/9/12 and 12/9/12, the dates on which measurements have been recorded. Therefore these discrepancies create doubt regarding the actual date of completion and actual execution of the work in accordance with estimate. This suspicion gets fortified from the non production of M.B.
- d) No quality inspection report is produced. Though the proposal for extension of time has been produced, the order extending time has not been produced. The xerox copies of photos are not at all visible. Therefore there is no document to show that the work executed is of prescribed quality and work has been executed as per estimate.

e) As per contract certificates, it is to be made out that the works have allegedly been executed and bills have passed by Sri.B.Chandrappa, AE, Sri.Hanumanthachar, AEE, Sri.R.K.Krishnamurthy, EE and Sri.H.G.Krishna Murthy and Sri.N.Mahadevaiah, Accounts Superintendents. No completion report is produced.

18. 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, agreement, 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.

19. 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 which 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 free 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'.
20. 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 Davangere Sub-Division for the period from 2011 to 2015 is substantiated.
21. Therefore, there are sufficient materials to proceed against the respondent No.1 to 8, 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.
22. 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, Executive Engineer, (2) Sri.B.Chandrappa, Assistant Engineer (3) Sri.S.L.Anandappa, Assistant Engineer, (retired), (4) Smt.B.N.Jyothi, Assistant Engineer, (5) Sri.Mahendra, Assistant Executive Engineer, (retired), (6) Sri.P.Madhukar, Assistant Executive Engineer, (7) Sri.N.Hanumanthachar, Assistant Executive Engineer, (retired), and (8) Sri.H.G.Krishnamurthy, Accounts Superintendent, (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.3 Sri.S.L.Anandappa, respondent No.5 Sri.Mahendra, respondent No.7 Sri.N.Hanumanthachar and respondent No.8 Sri.H.G.Krishnamurthy, have already been retired from Government service on 30/9/2019, 30/11/2017, 31/5/2016 and 31/12/2018 respectively.

23. 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 5-3-20
(Justice B.S. Patil)
Upalokayukta-2

State of Karnataka, Bengaluru

B.S. Patil
4/3/2020

