

KARNATAKA LOKAYUKTA

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No: Compt/Uplok/BD/2118/2017/DRE4

MS Building,
Dr.B.R.Ambedkar Veedhi,
Bengaluru, Date:24/01/2018

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

Sub: Proceedings against 1) Sri.Durga Prasad – Ex-
President Bethamangala Gram Panchayat,
2) Sri.Anantha Reddy – Panchayat Development
Officer, Paranda Halli Gram Panchayat and
3) Sri.B.K.Srinivas – Member, Bethamangala
Gram Panchayat, Bangarpet Taluk, Kolar
district, about their misconduct as Govt.
Servants – reg.

Suo moto investigation u/Sec. 7(2) of Karnataka Lokayukta Act, 1984 was taken up on the basis of charge sheet filed by the Police Inspector, Karnataka Lokayukta, Kolar (hereinafter referred to as Investigating Officer – 'I.O.' for short), against 1) Sri.Durga Prasad – Ex-President Bethamangala Gram Panchayat, 2) Sri.Anantha Reddy – Panchayat Development Officer, Paranda Halli Gram Panchayat and 3) Sri.B.K.Srinivas – Member, Bethamangala Gram Panchayat, Bangarpet Taluk, Kolar district, (hereinafter referred to as – 'respondents' – for short) for the offences punishable u/Sec.13(1)(c), 13(1)(d), 13(1)(e) r/w 13(2) of PC Act and Sec.120B, 109, 409 & 420 IPC.

Sgdr

2. Facts giving raise to the present proceedings are:-

- a) One Sri.Abdul Jabbar encroached the Government road within the limits of Bethamangala Gram Panchayat and formed house sites bearing No.23/1, 44/1, 45/1 & 66/1 in collusion with the respondents. Thereafter, he has sold those sites to Smt.Manikyamma, mother of 1st respondent during his tenure as Chairman of Bethamangala Gram Panchayat, under registered sale deeds dated:28/10/10 bearing documents no.4303 and 4304/2010-11 before the Sub-registrar, Bangarpet. It is alleged that, respondent No.2, who was working as Panchayat Development Officer, colluded in creating false documents and respondent No.3, Panchayath member knowing fully well that the sites were formed by encroaching the public road, signed as witness to the registered documents.
- b) In this regard, Sri.Adeel Ahmed s/o Late.Iqbal Ahmed, Member, Bethamangala Gram Panchayat (hereinafter referred to as 'complainant') filed a private complaint before the Hon'ble Principal & District Sessions Court, Kolar and Special Court for Lokayukta and the same was referred to Investigating Officer for investigation. The Investigating Officer registered FIR in Cr.No.4/2015; held investigation and submitted charge sheet to the Hon'ble Court and a copy of it is submitted to this Institution;

3. Said facts supported by the materials on record show that the respondents, being a Government servants, have failed to maintain absolute integrity besides devotion to duty and acted in a manner unbecoming of a Govt. servants, and thereby committed misconduct and made themselves liable for disciplinary action.

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4. Therefore, investigation was taken up against the respondents and an observation note was sent to them to show-cause as to why recommendation should not be made to the Competent Authority for initiating departmental inquiry against them in the matter. The respondents submitted their replies. The same have not been found convincing to drop the present proceeding.

5. As the respondents No.1 and 3 are respectively Ex-President and Ex-Member, Bethamangala Gram Panchayat, Bangarpet taluk, Kolar district, the Competent Authority requires to take action as per Karnataka Panchayath Raj Act.

6. Since said facts and materials on record prima-facie show that respondent No.2 has committed misconduct as per Rule 3(1)(i)(ii) and (iii) of KCS (Conduct) Rules 1966, now, acting under Section 12(3) of Karnataka Lokayukta Act, recommendation is made to the Competent Authority to initiate disciplinary proceedings against respondent No.2 and to entrust the inquiry to this Authority under Rule 14-A of Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957.

7. Further, as per Section 12(4) of Karnataka Lokayukta Act, 1984, the Competent Authority is required to intimate this Authority as early as


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possible but, within three months from the date of receipt of this report, the action taken or proposed to be taken on this report.

Copies of connected records are enclosed.


(JUSTICE SUBHASH B ADI)
Upalokayukta-2,
State of Karnataka.

