

KARNATAKA LOKAYUKTA

NO: COMPT/UPLOK/BGM/1412/2015/ARLO1

M.S.Building,
Dr.B.R.Ambedkar Veedhi,
Bangalore,
Date:25/01/16

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

Sub: Proceedings against Sri.M.C.Gudagoor –
Assistant Traffic Inspector in KSRTC
depot at Savanur in Haveri district,
about his misconduct as a Govt. servant
- reg.

On the basis of a report of the Additional Director General of Police in Karnataka Lokayukta at Bangalore, filed along with papers of investigation made by the Deputy Suptd. of Police in Karnataka Lokayukta at Haveri (hereinafter referred to as 'Investigation Officer i.e., I.O – for short'), alleging that Sri.M.C.Gudagoor – Assistant Traffic Inspector in KSRTC depot at Savanur in Haveri district (hereinafter referred to as 'respondent – for short'), being a Govt. servant, has committed misconduct, when approached by Sri.Kanthesh Navale s/o Narayanrao working as Conductor badge no.692, r/o Khandhaje Oni near Vittal temple at Savanur (hereinafter referred to as 'the complainant – for short'), an investigation was taken up after invoking Section 7(2) of Karnataka Lokayukta Act, 1984.

2. Brief facts of the case are:-

(a) The complainant while working as Conductor in KSRTC bus bearing registration no.KA 27 F 271 on 13/08/14 in Bommanahalli-Shiggaon road, 5 persons

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were boarded into the bus at the outskirts of Bommanahalli village in drunken condition. The said persons started making galata for issue of ticket in the intoxicated mood. When they were asked to take tickets, the Traffic Inspector viz., Sri.Ravindra Appannavar and respondent inspected the said bus, the said bus was at a distance of 1 km., from Shedagaravalli village. The said officers Sri.Ravindra Appannavar and respondent issued memo alleging that the complainant had not received ₹7/- each from the said 5 persons and not issued tickets. You – respondent have informed the complainant to meet you and demanded bribe amount from the complainant and submitted report in favour of the complainant though he has given his explanation to the said notice;

(b) On 18/08/2014, when he was at the said unit at about 8.40 am respondent demanded ₹10,000/- bribe for showing gestures, in order to discharge the complainant from the allegations;

(c) Then the complainant told that he cannot pay that much amount, he can pay only ₹8,000/-, then respondent asked the complainant to bring the said amount, which is in his possession, then the complainant told that he will pay the said amount on the next day;

(d) The said conversation between respondent and the complainant was recorded by him in his mobile;

(e) So, not willing to pay bribe to respondent, complainant on approaching Lokayukta Police on 19/08/14 at about 1 pm, handed over his mobile phone regarding demand of bribe by respondent, which was recorded in the said mobile. Then, I.O has given his digital voice recorder to the complainant and registered

N. Shrawda

a case on the basis of the written complaint given by the complainant against respondent in Cr.no.10/2014 for the offences punishable u/sec. 7, 13(1)(d) r/w 13(2) of PC Act, 1988 and submitted FIR to the Jurisdictional Magistrate. On the same day at about 5 pm complainant approached respondent at KSRTC depot, Savanur, then respondent had taken the tainted (bribe) amount from him in connection with his said work. The same is recorded in the digital voice recorder;

(f) Added to that, respondent failed to give any satisfactory reply or explanation or account for the said (tainted) bribe amount found then, when questioned by the I.O.;

(g) Thereafter, respondent was caught hold by the I.O as he was found with the tainted (bribe) amount on said date at said place;

(h) Then the said tainted (bribe) amount was seized from respondent under a mahazar by the I.O. in the presence of panchas on said date;

(i) Even there are statements of witnesses, including complainant, besides connected records and material filed by the I.O., which also show said repeated misconduct.

3. Said facts supported by the material on record show that the respondent, being a Govt. servant, has failed to maintain absolute integrity besides devotion to duty and acted in a manner unbecoming of a Government servant, and thereby repeatedly committed misconduct and liable for disciplinary action.


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4. Therefore, investigation was taken up against the respondent and an observation note was sent to him to show cause as to why recommendation should not be made to the Competent Authority for initiating departmental inquiry against him in the matter. For that, the respondent gave his reply. However, the same has not been found convincing to drop the proceedings.

5. Since said facts and material on record prima-facie show that the respondent has committed misconduct under Rule 3(1) (i), (ii) & (iii) of KCS (Conduct) Rules, 1966, now, acting under section 12(3) of the Karnataka Lokayukta Act, recommendation is made to the Competent Authority to initiate disciplinary proceedings against the respondent and to entrust the inquiry to this Authority under Rule 14-A of the Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957.

6. Further, as per Section 12(4) of Karnataka Lokayukta Act, 1984, the Competent Authority is required to intimate this Authority within **three months** from the date of receipt of this report, the action taken or proposed to be taken on this report.

Connected records are enclosed.


(JUSTICE N. ANANDA)
Upalokayukta-1, 25/1/2016
State of Karnataka.