

KARNATAKA LOKAYUKTA

Compt/Uplok/BGM-921/2012/ARE-5

Multi-storied Building,
Dr.B.R. Ambedkar Veedhi,
Bangalore,
Dated:29/08/2016**REPORT UNDER SECTION 12(3) OF THE KARNATAKA LOKAYUKTA
ACT, 1984**

Sub: Proceedings against 1) Basaiah Ningaiah Etagimath, the then Secretary, Beladadi Grama Panchayath, presently working in Hadali Grama Panchayath, 2) Hanumanth G.Nayak, the then President of Beladadi Grama Panchayath, 3) B.N.Kurthokoti, the then President of Beladadi Grama Panchayath, 4) B.I.Nekar, the then PDO, Beladhadi Grama Panchayath, presently retired, 5)M.R.Sompur, the then Assistant Director, Agriculture Department, Gadag, now retired, 6)Y.I.Sangama, the then J.E. Taluk Panchayath, Gadag, 7) M.N.Marula Siddeshwara, the then J.E. Taluk Panchayath, Gadag, presently Project Engineer, Z.P, Chikkaballapur-reg.

On the basis of complaint filed by Sri.Nazeer Ahamad R/o.Kalasapura, Gadag Taluk, Gadag District (hereinafter referred to as 'complainant' for short) against Basaiah Ningaiah Etagimath, the then Secretary, Beladadi Grama Panchayath, presently working in Hadali Grama Panchayath (hereinafter referred to as Respondent No.1) alleging misconduct, an investigation was taken up after invoking Section 9 of Karnataka Lokayukta Act, 1984.

2. According to the Complainant: -

An amount of Rs.29,43,949/- granted under MGNREG Scheme has been misappropriated by the Respondent.

3. Complaint was referred to TAC for investigation and report.

4. Investigation has been conducted by AEE-V, TAC, Karnataka Lokayukta (I.O. for short) on the instructions of C.E. I.O. has collected order dt 20.9.2013 of CEO, proceedings dt: 18.12.2013 of CEO and Investigation report of Executive Engineer PRE Division, Gadag dt: 27.12.2013. The report of I.O. and the documents collected by I.O. during investigation and the records disclose the following:

i) Out of 59 works complained, 11 works were inspected in detail and it is found that illegality has been committed in executing the said works and an amount of Rs.2,12,138/- has been misappropriated.

ii) Following Officers are responsible for the misappropriation of Rs.2,12,138/-:

1. Y.I.Sangam, Junior Engineer, PRE Sub Divn. Gadag.
2. B.I.Nekar, PDO,
3. Hanamanth Nayak, President.
4. M.N.Marula Siddeshwara, J.E.
5. B.N.Itagi Math , Secretary,
6. B.S.Kurthokoti President.

iii) Proceedings of meeting of CEO dt :18.12.2013 and order dt:20.9.2013 of CEO show that an amount of Rs.29,43,949/- has been misappropriated in executing works under MGNREG Scheme during 2011-12, and following officers responsible for the amount misappropriated:

1. H.G.Nayak, the then President of Beladadi Grama Panchayath- Rs.8,96,640/-
2. B.S.Kurthokoti, the then President of Beladadi Grama Panchayath- Rs.84,677/-
3. I.B.Nekar, the then PDO, of Beladadi Grama Panchayath- Rs.2, 68,543/- .
4. B.N.Itagi Math, the then I/c.PDO, of Beladadi Grama Panchayath- Rs.7,12,772/- .
5. M.R.Sompura, the then I/C. PDO, of Beladadi Grama Panchayath- Rs.3,51,527/- .
6. M.N.Marula Siddeshwara,, the then J.E. Taluk Panchayath, Gadag, Rs.2,52,001/-
7. Y.I.Sangama, the then J.E. Taluk Panchayath, Gadag, Rs.3,77,690/-.

5. After receiving the report of I.O. 1. H.G.Nayak, the then President of Beladadi Grama Panchayath, 2.B.N.Kurthokoti, the then President of Beladadi Grama Panchayath, 3. B.I.Nekar, the then PDO, of Beladhadi Grama Panchayath, 4. M.R.Sompura, the then I/C. PDO, 5.Y.I.Sangama, the then J.E. Taluk Panchayath, Gadag, 6. M.N.Marula Siddeshwara, the then J.E. Taluk Panchayath, Gadag, have been impleaded as Respondent Nos.2 to 7 and copy of Complaint, report of I.O. and report of Executive Engineer were sent to Respondent Nos.1 to 7 for their reply. Respondent Nos.2 to 7 have submitted replies denying the allegations. Respondent No.1 has not submitted reply though he has received our letter.


6. Respondent Nos.4 and 5 have retired.

7. In view of the above facts which prima facie disclose misconduct on the part of Respondent Nos.1 to 3 and 6, 7 replies of Respondent No.2, 3, 6 and 7 are not acceptable to drop the proceedings against them.

9. Since the said facts and materials on record prima facie show that the Respondent No. 1) Basaiah Ningaiah Etagimath, the then Secretary, Beladadi Grama Panchayath, presently working in Hadali Grama Panchayath, 2) Hanumanth G.Nayak, the then President of Beladadi Grama Panchayath, 3) B.N.Kurthokoti, the then President of Beladadi Grama Panchayath, 4) B.I.Nekar, the then PDO, Beladhadi Grama Panchayath- now retired, 5)M.R.Sompur, the then Assistant Director, Agriculture department, Gadag, now retired, 6)Y.I.Sangama, the then J.E. Taluk Panchayath, Gadag, 7) M.N.Marula Siddeshwara, the then J.E. Taluk Panchayath, Gadag, presently Project Engineer, Z.P, Chikkaballapur have committed misconduct under Rule 3(1) of KCS (Conduct) Rules 1966, recommendation is made under section 12(3) of Karnataka Lokayukta Act, 1984 to the Competent Authority to initiate disciplinary proceedings against Respondent Nos.1 to 3 and 6 and 7 and to entrust the inquiry to this Authority under Rule 14-A of Karnataka Civil Service (Classifications, control and Appeal) Rules, 1957 against 1) Basaiah Ningaiah Etagimath, the then Secretary, Beladadi Grama Panchayath, 6) Y.I.Sangama, the then J.E. Taluk Panchayath, Gadag, 7) M.N.Marula Siddeshwara, the then J.E. Taluk Panchayath, Gadag and also to initiate Disciplinary proceedings against Respondent No.4 Sri.B.I.Nekar, the then PDO now retired and Respondent No.5 Sri.M.R.Sompur, the then Asst.Director, Agriculture Department, now retired under Rule 214(2)(b) of KCSRs as they are retired and the act of misappropriation is a continuous misconduct and to entrust the inquiry to this Authority under Rule 14-A of Karnataka Civil Service (Classifications, control and Appeal) Rules, 1957 against them.

10. Further, as per section 12(4) of Karnataka Lokayukta Act, 1984, the Competent Authority to intimate this Authority within one month from the date of receipt of this report, the action taken or proposed to be taken on this report.

Connected records are enclosed.


(Justice N.ANANDA)
Upalokayukta-1,
KARNATAKA STATE,
BENGALURU.

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