

**KARNATAKA LOKAYUKTA**

Compt/Uplok/GLB-7257/2014/ARE-5

Multi-storied Building,  
Dr.B.R. Ambedkar Veedhi,  
Bangalore,  
Dated: 28 /11/2016

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

Sub: Proceedings against Sriyuths:1) Sri.Mallappa s/o Malakappa Hosamani- President, Tengli Gram panchayat, Tq:Chittapur, Dist:Gulbarga. 2) Smt. Kaveri w/o Shankar Rathod- P.D.O., Tengli Gram Panchayath, Tq:Chittapur. Dist:Gulbarga and 3) Sri Manikrao- Junior Engineer, Panchayat raj Engineering sub division, Kalagi, Tq:Chittapur. Dist:Gulbarga -regarding their misconduct as public servants -reg.

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On the basis of complaint filed by Sri Sidramayya S/o Gurulingayya Hiremath, S.D.M.C. President, Arajambaga village, Post:Kalgurti, Tq:Chittapur, Dist:Gulbarga, (hereinafter referred to as 'complainant' for short) against 1) Sri.Mallappa s/o Malakappa Hosamani- President, Tengli Gram panchayat, Tq:Chittapur. Dist:Gulbarga, 2) Smt. Kaveri w/o Shankar Rathod- P.D.O., Tengli Gram Panchayath, Tq:Chittapur, Dist:Gulbarga and 3) Sri Manikrao- Junior Engineer, Panchayat Raj Engineering sub division, Kalagi, Tq:Chittapur, Dist:Gulbarga (hereinafter referred to as Respondent Nos.1 to 3 respectively) alleging misconduct, an investigation was taken up after invoking Section 9 of Karnataka Lokayukta Act, 1984.

**2. According to the Complainant: -**

During 2013-2014 an amount of Rs.1,25,000/- has been released towards development of play ground for Government Higher Primary School, Arejambaga Village under M.G.N.R.E.G.S. But, only an amount of Rs.15,000/- has been spent for the work and the remaining amount has been misappropriated by the Respondents .

3. Respondent No.1 to 3 have submitted comments denying the allegations.

4. Complaint was referred to T.A.C for report. Investigation has been conducted by AEE-II, T.A.C., Lokayukta (I.O for short) on the instructions of C.E. The report of I.O. and the documents collected during investigation disclose that :

i) There are lapses in making entries in the M.B. only NMR and material amount have been recorded, but the measurement of the work has not been recorded.

ii) There are no documents for having credited amount of Rs.73,428-00 to the bank account of labourers or for having paid amount to labourers.

iii) There are no bills for having spent Rs.44,947/- towards materials.


iv) Respondents 1 and 2 have signed the NMR approving payment of Rs.73,428/- and Respondent No.3 has recorded payment of Rs.73,428/- towards NMR in M.B. without verifying whether the amount has been credited to the bank account of the labourers.

5. In view of the above comments of Respondent Nos.1 to 3 are not acceptable to drop the proceedings against them.

6. Since the said facts and materials on record prima facie show that Respondent No.1- Sri.Mallappa s/o Malakappa Hosamani- President, Tengli Gram panchayath, Tq:Chittapur, Dist:Gulbarga, Respondent No.2- Smt. Kaveri w/o Shankar Rathod- P.D.O., Tengli Gram Panchayath, Tq:Chittapur, Dist:Gulbarga and Respondent No.3- Sri Manikrao- Junior Engineer, Panchayath Raj Engineering Sub Division, Kalagi, Tq:Chittapur, Dist:Gulbarga 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.2 and 3 and to entrust the inquiry to this Authority under Rule 14-A of Karnataka Civil Service (Classifications, control and Appeal) Rules, 1957 against Respondent No.2 and 3. Further, the Competent Authority is directed to take action against Respondent No.1- Sri.Mallappa s/o Malakappa Hosamani- President, Tengli Gram panchayath under the provisions of Karnataka Panchayath Raj Act.

7. 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, 20/11  
KARNATAKA STATE,  
BENGALURU.