

**KARNATAKA LOKAYUKTA**

No.Compt/Uplok/GLB-9676/2018/ARE-5

Multi-storied Building  
Dr.B.R. Ambedkar Veedhi,  
Bangalore,  
Dated:25/03/2021.

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

Sub: Proceedings against 2)Anithamma w/o  
Mikhelappa, Member of  
Chikkakotnekal Grama Panchayath,  
Manvi Taluk and 3) Mohammed Isac,  
Panchayath Development Officer,  
Chikkakotnekal Grama Panchayath,  
Manvi Taluk -regarding their  
misconduct as public servants -reg.

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1. On the basis of complaint filed by one Sri.Sadanand s/o.Durgappa r/o Jagirpannur, Chikalparvi Post, Manvi Taluk, Raichur District (hereinafter referred to as 'complainant' for short) against 1)Raju I/c. Executive Officer, Taluk Panchayath, Manvi Taluk, Raichur District, (2)Anithamma W/o Mikhelappa, Member of Chikkakotnekal Grama Panchayath, Manvi Taluk and 3) Mohammed Isac, Panchayath Development Officer, Chikkakotnekal Grama Panchayath, Manvi Taluk (hereinafter referred to as Respondent No.1 to 3 respectively) alleging that the Respondents have committed misconduct, an investigation was taken up by invoking Section 9 of Karnataka Lokayukta Act, 1984.

**2. ACCORDING TO THE COMPLAINANT:**

Respondents have distributed the houses in Jagir Pannur village in the year 2015-16 under B.R. Ambedkar Housing scheme and while distributing 13 houses under this scheme to Jagir Pannur village beneficiaries, they have selected a beneficiary by name Kum.Prashanti D/o Mikhelappa (beneficiary code no.537130). But at that time she was student. Further, the grievance of the Complainant is that in the year 2011-12 under Indira Awas Scheme a house was allotted to Smt.Anithamma w/o Mikhelappa (beneficiary code no.187693). As a Grama Panchayath member Smt.Anithamma and her daughter and other family members were receiving all the benefits of Grama Panchayath by using her position thereby depriving the benefits to poor people who are eligible for this benefit and the poor people in the village have become sufferers without any shelter.

3. At the first instance Comments of Respondent No.1.Raju Incharge Executive Officer, Taluk Panchayath, Manvi Taluk Raichur District was called. In spite of sufficient opportunities given to him, he failed to file his comments.

4. Thereafter, as per the orders, dt: 15.7.2019 a report from Chief Executive Officer, Z.P., Raichur was called.

5. The Chief Executive Officer, Zilla Panchayath, Raichur has submitted his report dated: 6.09.2019. The Chief Executive Officer has reported that Smt.Anithamma W/o Mikhelappa was selected as a member of Chikkakotnekal Grama Panchayath from Jagir Pannur village. He has further stated regarding selection of Kum.Prashanthi d/o Mikhelappa and Smt.Anithamma as a beneficiary under Rajeev Gandhi Housing Scheme, by using the influence of her mother Smt.Anithamma. A sum of Rs.1,49,799/- was paid under this scheme for construction of house to the beneficiary Kum.Prashanthi and she has misused the amount without constructing any house in the year 2015-16. It is stated that Kum.Prashanthi was not eligible for that amount. The Respondent No.3-Sri.Mohammed Isac was working as Panchayath Development Officer, Chikkakotnekal Grama Panchayath during the relevant time and he has not followed the Rules for selecting the beneficiaries and for granting the subsidy amount. Therefore, he is responsible for the misuse of Rs.1,49,799/- by Kum. Prashanti d/o Mikhelappa of Jagir Pannur Village.

6. Thereafter, Smt.Anithamma w/o Mikhelappa, member of Chikkakotnekal Grama Panchayath, Manvi Taluk and Sri.Mohammad Isaq -PDO, Chikkakotnekal Grama Panchayath, Manvi Taluk have impleaded as Respondent No.2 and 3 respectively and their comments were called.

Inspite of sufficient opportunities, given to them, they failed to submit their comments to the Complaint allegations and the report of Chief Executive Officer,, Z.P., Raichur.

7. Further, with respect to Complaint allegations the Chief Executive Officer, Z.P. Raichur has submitted the report dt: 6.9.2019 which read thus:

“ ಶ್ರೀಮತಿ ಅನಿತಮ್ಮ ಗಂಡ ಮಿಖೇಲಪ್ಪ ಇವರ ಮಗಳಾದ ಪ್ರಶಾಂತಿ ತಂದೆ ಮಿಖೇಲಪ್ಪ ಇವರು 2011-12ನೇ ಸಾಲಿನ ಇಂದಿರಾ ಆವಾಸ್ ಯೋಜನೆಯಡಿಯಲ್ಲಿ ಫಲಾನುಭವಿಯಾಗಿ ಆಯ್ಕೆಯಾಗಿರುತ್ತಾರೆ. ಫಲಾನುಭವಿ ಪಟ್ಟಿಯ ಕ್ರ.ಸಂ. 95 ಫಲಾನುಭವಿ ಕೋಡ್ 187693.

ಸದರಿ ಫಲಾನುಭವಿಯ ಹೆಸರಿನಲ್ಲಿ ರಾಜೀವ ಗಾಂಧಿ ವಸತಿ ನಿಗಮದಿಂದ ಈ ಕೆಳಗಿನಂತೆ ನೇರವಾಗಿ ಹಂತವಾರು ಫಲಾನುಭವಿ ಖಾತೆಗೆ ಅನುದಾನ ಜಮಾ ಆಗಿರುತ್ತದೆ.

- ಎ) ದಿನಾಂಕ: 8.8.2012 ರೂ. 15000/-
- ಬಿ) ದಿನಾಂಕ: 6.9.2012 ರೂ.20,000/-
- ಸಿ) ದಿನಾಂಕ: 1.12.2012 ರೂ.15000-
- ಡಿ) ದಿನಾಂಕ:21.1.2013 ರೂ.25000/-

‘ಹೀಗೆ ಒಟ್ಟು ರೂ.75,000/-ಗಳನ್ನು ಫಲಾನುಭವಿ ಖಾತೆಗೆ ಜಮಾ ಮಾಡಲಾಗಿರುತ್ತದೆ.

ಕು:ಪ್ರಶಾಂತಿ ತಂದೆ ಮಿಖೇಲಪ್ಪ ಅವರು ಚಿಕ್ಕಕೊಟೇಕ್ಕಲ್ ಗ್ರಾಮ ಪಂಚಾಯತ್ ವ್ಯಾಪ್ತಿಯ ಜಾಗೀರಪನ್ನೂರು ಗ್ರಾಮದಿಂದ ಗ್ರಾಮ ಪಂಚಾಯತ್ ಸದಸ್ಯರಾಗಿ ಆಯ್ಕೆಯಾಗಿರುವ ಶ್ರೀಮತಿ ಅನಿತಮ್ಮ ಗಂಡ ಮಿಖೇಲಪ್ಪರವರ ಮಗಳಾಗಿರುತ್ತಾರೆ.

ಕು:ಪ್ರಶಾಂತಿ ತಂದೆ ಮಿಖೇಲಪ್ಪ ಇವರು 2015-16ನೇ ಸಾಲಿನ ಡಾ:ಬಿ.ಆರ್.ಅಂಬೇಡ್ಕರ್ ನಿವಾಸ್ ವಸತಿ ಯೋಜನೆ ಅಡಿಯಲ್ಲಿ ಫಲಾನುಭವಿಯಾಗಿ ದಿ:13.6.2016 ರಂದು ಜರುಗಿದ ಗ್ರಾಮ ಸಭೆಯಲ್ಲಿ ಫಲಾನುಭವಿಯಾಗಿ

ಆಯ್ಕೆಯಾಗಿರುತ್ತಾರೆ. (ಆದರ ವಸತಿ ಯೋಜನೆ ಅಡಿಯಲ್ಲಿ ಫಲಾನುಭವಿಗಳನ್ನು ಆಯ್ಕೆಗಾಗಿ ನಡೆಸಲಾದ ಗ್ರಾಮ ಸಭೆಯ ವಿಡಿಯೋ ಸಿಡಿ ಪ್ರತಿಯನ್ನು ಪಂಚಾಯತ್ ಅಭಿವೃದ್ಧಿ ಅಧಿಕಾರಿಗಳು ಗ್ರಾಮಪಂಚಾಯತ್‌ಗೆ ಭೇಟಿ ನೀಡಿದ ಸಮಯದಲ್ಲಿ ಸಲ್ಲಿಸಿರುವುದಿಲ್ಲ) ಸದರಿ ಗ್ರಾಮ ಸಭೆಯಲ್ಲಿ ಕು:ಪ್ರಶಾಂತಿ ತಂದೆ ಮಿಖೇಲಪ್ಪರವರು ಫಲಾನುಭವಿಯಾಗಿ ಆಯ್ಕೆಯಾಗಿರುತ್ತಾರೆ. ಗ್ರಾಮಸಭೆಯ ನಡವಳಿ ಕ್ರ.ಸಂ.61.

ಸದರಿ ಫಲಾನುಭವಿಯ ಹೆಸರಿನಲ್ಲಿ ರಾಜೀವ್ ಗಾಂಧಿ ವಸತಿ ನಿಗಮದಿಂದ ಈ ಕೆಳಗಿನಂತೆ ಫಲಾನುಭವಿ ಖಾತೆಗೆ ಅನುದಾನ ಜಮಾ ಆಗಿರುತ್ತದೆ.

ಎ) ದಿನಾಂಕ: 17.4.2017 ರೂ. 37300/-

ಬಿ) ದಿನಾಂಕ: 22.5.2017 ರೂ. 37500/-

ಸಿ) ದಿನಾಂಕ: 15.7.2017 ರೂ. 37500/-

ಡಿ) ದಿನಾಂಕ:1.9.2017 ರೂ. 37499/-

ಒಟ್ಟು ರೂ.1,49,799/-

ಗ್ರಾಮ ಪಂಚಾಯತ್ ಸದಸ್ಯರಾದ ಶ್ರೀಮತಿ ಅನಿತಮ್ಮ ಗಂಡ ಮಿಖೇಲಪ್ಪರವರು ತಮ್ಮ ಪ್ರಭಾವ ಬಳಸಿಕೊಂಡು ರಾಜೀವ್ ಗಾಂಧಿ ವಸತಿ ನಿಗಮದ ಮಾರ್ಗಸೂಚಿಯನ್ನು ಉಲ್ಲಂಘನೆ ಮಾಡಿರುತ್ತಾರೆ. ಮಾರ್ಗಸೂಚಿಯ ಅಧ್ಯಾಯ 01ರ 1.1 (III) ರಲ್ಲಿ, “ಅರ್ಜಿದಾರರ ಕುಟುಂಬವು ವಸತಿ ರಹಿತವಾಗಿದ್ದು ಅರ್ಜಿದಾರರು ಅಥವಾ ಕುಟುಂಬದ ಯಾವುದೇ ಸದಸ್ಯರು ಹೆಸರಿನಲ್ಲಿ ಕರ್ನಾಟಕ ಯಾವುದೇ ಭಾಗದಲ್ಲಿ ಸ್ವಂತ ಮನೆಯನ್ನು ಹೊಂದಿರಬಾರದು ಸ್ಪಷ್ಟವಾಗಿ ನಮೂದಿಸಲಾಗಿದೆ”, ಆದರೇ ಗ್ರಾಮ ಪಂಚಾಯತ್ ಸದಸ್ಯರಾದ ಶ್ರೀಮತಿ ಅನಿತಮ್ಮ ರವರು ಮಾರ್ಗಸೂಚಿಯನ್ನು ಉಲ್ಲಂಘಿಸಿ ತಮ್ಮ ಮಗಳಾದ ಪ್ರಶಾಂತಿ ತಂದೆ ಮಿಖೇಲಪ್ಪ ಇವರಿಗೆ ಮನೆ ಪಡೆದುಕೊಂಡಿರುವುದು ದೃಢಪಟ್ಟಿದೆ.

ಒಟ್ಟಾರೆಯಾಗಿ ಸದರಿ ಪ್ರಕರಣವನ್ನು ಪರಿಶೀಲಿಸಲಾಗಿ, ಗ್ರಾಮ ಪಂಚಾಯಿತಿ ಸದಸ್ಯರಾದ ಶ್ರೀಮತಿ ಅನಿತಮ್ಮ ಗಂಡ ಮಿಖೇಲಪ್ಪರವರು ತಮ್ಮ ಅಧಿಕಾರವನ್ನು ದುರ್ಬಳಕೆ ಮಾಡಿಕೊಂಡು ಎರಡನೇಬಾರಿಗೆ ಫಲಾನುಭವಿಯಾಗಿ ತಮ್ಮ ಅವಿವಾಹಿತ ಮಗಳಾದ ಕುಮಾರಿ ಪ್ರಶಾಂತಿರವರನ್ನು ಆಯ್ಕೆ ಮಾಡಿ ಮನೆ ನಿರ್ಮಿಸದೇ 2015-16ನೇ ಸಾಲಿನಲ್ಲಿ ಮಂಜೂರಾದ ಮನೆಯ ಸಂಪೂರ್ಣ ಮೊತ್ತ ರೂ.1,49,799/-ಗಳನ್ನು

ದುರುಪಯೋಗಪಡಿಸಿಕೊಂಡಿರುತ್ತಾರೆ. ಹಾಗೂ ಗ್ರಾಮ ಪಂಚಾಯತ್ ಅಭಿವೃದ್ಧಿ ಅಧಿಕಾರಿಗಳಾದ ಶ್ರೀ ಮಹಮ್ಮದ್ ಇಸಾಕ್ ರವರು ಫಲಾನುಭವಿ ಆಯ್ಕೆ ಹಾಗೂ ಅನುದಾನ ಪಾವತಿಯಲ್ಲಿ ನಿಯಮಗಳನ್ನು ಸರಿಯಾಗಿ ಪರಿಶೀಲನೆ ಹಾಗೂ ಪಾಲನೆ ಮಾಡದೇ ರೂ.1,49,799/- ದುರುಪಯೋಗಕ್ಕೆ ಭಾದ್ಯಸ್ಥರಾಗಿರುತ್ತಾರೆ ಎಂಬ ವಿಷಯವನ್ನು ಮಾನ್ಯರ ಅವಗಾಹನೆಗಾಗಿ ಸಲ್ಲಿಸಿದೆ.

8. The above report submitted by Chief Executive Officer, Z.P., Raichur reveals that Kum.Prashanti D/o Mikhelappa was selected as beneficiary under Dr.B.R.Ambedkar Housing Scheme by using the influence of her mother Smt. Anithamma who is the member of Grama Panchayath and Rs.1,49,799-00 was paid under this scheme for construction of house. The above report further depict that the beneficiary has not constructed the house and she misused the amount. Thereafter Notice was issued to her. In response to the notice she has deposited the amount of Rs.1,49,799/- through D.D.No.245221 dt: 6.9.2019 .

9. The Chief Executive Officer, Z.P. Raichur has further stated that the amount of Rs.1,49,799/-has been released during the year 2015-16 to Kum.Prashanti D/o Mikhelappa from Rajeev Gandhi Rural Housing Corporation and the same has been misused without constructing house. Kum.Prashanti was not eligible to get the house sanctioned. Respondent No.3 - Sri. Mohammed Isac who was working as Panchayath Development Officer, Chikkakotnekal Grama Panchayath during the relevant period has not followed the Rules for selecting the

beneficiaries, and granting the subsidy amount to them. Hence, he is responsible for the misuse of Rs.1,49,799/- by Kum. Prashanti D/o Mikhelappa of Jagir Pannur Village.

10. Further, the record depicts that the said Anithamma, Panchayath member is also selected as a beneficiary under Indira Awas Scheme in the year 2011-12 and Rs.75,000/- was deposited to her account. The records and the above report depict that the said Anithamma who is the member of Chikkakotnekal Grama Panchayath, misusing her power got the above benefits to herself and her daughter Kum.Prashanthi.

11. Respondents have not submitted their comments inspite of sufficient opportunities granted to them.


12. The Respondent No.2 Smt.Anithamma who is the member of Chikkakotnekal Grama Panchayath by misusing her power has got selected her daughter Kum.Prashanthi as a beneficiary in the year 2015-2016 under B.R.Ambedkar Housing Scheme.

13. The said facts and materials on record prima facie show that Respondent No.3) Mohammed Isac, Panchayath Development Officer, Chikkakotnekal Grama Panchayath, Manvi Taluk have committed misconduct under Rule 3(1) of KCS (Conduct) Rules, 1966. Respondent No.2- Smt.Anithamma w/o Mikhelappa, being member of Grama Panchayath Chikkakotnekal has misused her position and

illegally favoured her daughter Kum.Prashanti to get selected as a beneficiary in a housing scheme. Hence, recommendation is made under section 12(3) of Karnataka Lokayukta Act, 1984 to the Competent Authority to initiate disciplinary proceedings against Respondent No. 3 and to entrust the inquiry to this authority under Rule 14-A of Karnataka Civil Service (Classifications, control and Appeal) Rules, 1957. Further, recommendation is made to Competent Authority, to take appropriate action against Respondent No.2- Smt.Anithamma, Member of Chikkakotnekal Grama Panchayath as per the provisions of Karnataka Grama Swaraj & Panchayath Raj Act, 1993.

14. As per section 12(4) of Karnataka Lokayukta Act, 1984 the Competent Authority 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 B.S.PATIL)  
Upalokayukta-1,  
KARNATAKA STATE,  
BENGALURU.  
