

KARNATAKA LOKAYUKTA

No.COMPT/UPLOK/BD-8586/2015/DRE-5

M.S. Building,
Dr. B.R. Ambedkar Vccdhi,
Bengaluru, Dt. 31-05-2018

**SPECIAL REPORT UNDER SECTION 12(5) OF
KARNATAKA LOKAYUKTA ACT, 1984**

Sub: Report of Hon'ble Upalokayukta U/S.12(3) of Karnataka Lokayukta Act dated 24-9-2016 against Sri. Rangegowda, the then Tahasildar Hiriyyur Taluk, Chitradurga District.

On the basis of a complaint filed by Smt. Veelamma W/o. Veeluswami, Near Thamilu School, Huliyyaru Road, Hiriyyuru Town, Chitradurga District against Sri. Rangegowda, the then Tahasildar Hiriyyur Taluk, Chitradurga District, investigation U/S.9 of Karnataka Lokayukta Act was taken up.

2. Brief facts of the case:

It is alleged in the complaint that, Sy.No.31/5p2 of Hiriyyur village is in possession of complainant Smt. Veelamma. The land was measuring 3 acres 24 guntas out of that 1 acre 20 guntas are sold to Velliyappa Goundar, 1 acre 08 guntas were remaining. But thereafter words in encumbrance certificate it is changed as 1 acre 24 guntas. Therefore, in the Pahani measurement is mentioned as 1 acre 24 guntas. It is to be noted that, 4 guntas of Kharab land is not sold. Even Assistant Commissioner has ordered cancelation of mutation and directed the respondent to carry on mutation

procedure as per sale deed. But the respondent has not carried on the orders into effect. Therefore, prayed for taking action against the respondent.

3. On this complainant comments were called from the respondent. The respondent contended that, he has carried on the orders of Assistant Commissioner and even issued RTC extract. The complainant filed rejoinder contending that, according to checklist Pahani and mutations are not carried on. It must be carried on as per sale deed.

4. On perusing the entire documents it was found that, as per sale deed first of all mutation has been carried on for only 1 acre 20 guntas in the name of Vellyappa Goundar. The remaining 1 acre 8 guntas are to be kept in the name of complainant-Smt. Veelamma. However, the respondent - Tahasildar has carried on the mutation as "Division" 1 acre 20 guntas and 4 guntas are mutated in the name of Smt. Veelamma as sale deed. Though, 4 guntas are deducted from the name of Vasanthi Gowda D/o. Later Valliyappa Goundar it is not mentioned as per sale deed. The daughter of Vellyappa Goundar inherits the property purchased by her not extra property.

5. Since, it was found that, there was a dereliction of duty of respondent a report dated 27-9-2016 U/S.12(3) of Karnataka Lokayukta Act-1984 is sent to Prl. Secretary, Revenue Department, Bengaluru, recommending initiation of Departmental Enquiry and to entrust the enquiry to this Authority Under Rule 14(A) of

Karnataka Civil Services (Classification, Control and Appeal) Rules 1957.

6. As per Government Order No. RD 127 ADE 2016 dated 3-5-2017 the report U/S.12(3) of the Karnataka Lokayukta is rejected by the Government.

7. It is found necessary to make report U/S.12(5) of the Karnataka Lokayukta Act to bring to the notice of Your Excellency about the inaction on the part of State Government in rejecting the report made U/S.12(3) of Karnataka Lokayukta Act, which is not satisfactory.

8. Hence, this Special report is made to His Excellency the Governor of Karnataka by invoking provisions under Section 12(5) of the Karnataka Lokayukta Act, for taking further needful action.

Copies of connected records are enclosed.

N. Ananda
(JUSTICE N. ANANDA)
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31/5
Upalokayukta,
State of Karnataka.

