



## KARNATAKA LOKAYUKTA

No.Lok/Inq/14-A/119/2011/ARE-3

Multi-storeyed Building,  
Dr.B.R. AmbedkarVeedhi,  
Bengaluru, dt.24.01.2017RECOMMENDATION

Sub: Departmental inquiry against  
Dr. I.M. Rudribai, Obstetrician and  
Gynecologist, Government Hospital,  
Kadur Taluk, Chikmagalur District- reg.

- Ref: 1. Government Order No. HFW 48 MSA 2010  
dated 16.06.2011.  
2. Nomination Order No. LOK/INQ/14-A/  
119/2011 dated 06.07.2011.

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Government, by its Order dated 16.06.2011, initiated the disciplinary proceedings against Dr. I.M. Rudribai, Obstetrician and Gynecologist, Government Hospital, Kadur Taluk, Chickmagalur District (now retired) [hereinafter referred to as the 'Delinquent Government Official, for short 'DGO'] and entrusted the

S. J. J.

departmental inquiry to this Institution. This Institution, by nomination order dated 06.07.2011, nominated the Additional Registrar of Enquiries-3, Karnataka Lokayukta, Bengaluru, to conduct the departmental inquiry against the DGO for the alleged charge of misconduct alleged to have been committed by her.

2. The Inquiry Officer, after completing the departmental inquiry, has submitted his report dated 20.01.2017 inter alia holding that, the Disciplinary Authority has 'proved' charges framed against DGO.

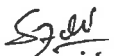
3. The charge of misconduct alleged against the DGO was that, while she was working as the then Obstetrician and Gynecologist, Government Hospital, Kadur Taluk, Chickmagalur District, demanded and accepted the bribe amount of Rs.2,500/- from one Shri K.K. Parameshwarappa s/o K.H. Kariyappa, r/o Kadur [hereinafter referred to as 'the complainant'], for discharging Smt. Nandini, daughter of the complainant who was admitted to the Government Hospital for

*Sgt.*

delivery. Thereby, the DGO failed to maintain absolute integrity and devotion to the duty and rendered herself as unbecoming a Government servant. Thus, she has committed misconduct within the meaning of Rule 3(1)(i) to (iii) of Karnataka Civil Service (Conduct) Rules, 1966.

4. The Disciplinary Authority, in order to prove the charge of misconduct, has examined 3 witnesses viz., complainant as PW1; shadow witness as PW2; and Investigating Officer as PW3. The DGO got herself examined as DW1.

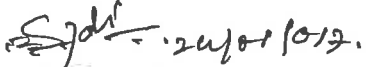
5. The Inquiry Officer, considering the of PWs 1 & 2 has found that their evidence corroborates each other, though PW2 has not stated that, she saw PW1 tendering the tainted amount to DGO, however her evidence proves that the DGO had received the tainted amount from the complainant. The evidence of PW1, complainant and PW3, Investigating Officer also shows that, she did demand and accept the bribe amount to discharge her official function.



6. In view of the findings of the Inquiry Officer and also considering the nature and gravity of the misconduct alleged against the DGO, it is hereby recommended to the Government that, the DGO - Dr. I.M. Rudribai, Obstetrician and Gynecologist, Government Hospital, Kadur Taluk, Chickmagalur District, who is stated to be retired, be punished with the penalty of "*denial of 25% of the pensionary benefit perpetually*" in exercise of powers under Rule 214(1)(a) of Karnataka Civil Service Rules.

7. Action taken in the matter is to be intimated to this Authority.

Connected records are enclosed herewith.

  
(Justice Subhash B. Adi)  
Upalokayukta,  
State of Karnataka.

Slg\*

**KARNATAKA LOKAYUKTA**

No. LOK/INQ/14-A/119/2011/ARE-3

M.S.Building,  
Dr. B.R.Ambedkar Veedhi,  
Bengaluru - 560001.  
Date: 20.01.2017**Enquiry report**Present: Sri.S. Renuka Prasad  
Additional Registrar Enquiries-3

- Sub: Departmental Enquiry against Dr.I.M. Rudribai,  
Obstetrician and Gynecologist, Government  
Hospital, Kadur Taluk Chikkmagalur District - reg.
- Ref: 1. Report under Section 12(3) of the Karnataka Lokayukta  
Act, 1984, in No. Compt/Uplok/MYS/87/2011/  
DRE-3 dated 15.4.2011
2. G.O. No. HFW 48 MSA 2010, Bengaluru dated  
16.6.2011
3. Nomination Order No.LOK/INQ/14-A/119/2011  
dated 06.07.2011 of Hon'ble Upalokayukta-1,  
Karnataka State, Bengaluru.

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1. The complainant Sri K.K. Parameshwarappa S/o K.H. Kariyappa R/o Kadur Town, Chikkmagalur District (hereinafter referred to as 'complainant') has filed a complaint to Lokayukta police Chikkmagalur on 25.01.2010 against Dr.I.M. Rudribai, Obstetrician and Gynecologist, Government Hospital, Kadur, Chikkmagalur District (hereinafter referred to as 'DGO' for short) making allegations against her that, his daughter, Nandini had undergone caesarean delivery and gave birth to a male child at Kadur Government Hospital on 20.01.2010 and the DGO has performed caesarean delivery to his daughter. In order to discharge his daughter, the DGO is demanding him/complainant Rs. 2500/-

- by way of bribe claiming that, she has performed caesarean delivery on his daughter and insisted him to pay Rs. 2500/- in order to discharge his daughter from the hospital. Hence, the complainant has filed a complaint against the DGO with Lokayukta police, Chikkamagalur, to take action against the DGO.
2. On registering a case against the DGO on the basis of the said complaint, a trap was held on the same day i.e., on 25.01.2010 in the chamber of the DGO in the Government hospital, Kadur and the DGO was trapped and caught red handed while demanding and accepting bribe of Rs. 2500/- from the complainant. The tainted money of Rs. 2500/- was recovered from the vanity purse of the DGO. Since it was disclosed during investigation, that, the DGO having demanded Rs. 2500/- as bribe from the complainant to show an official favour i.e., as a reward for having conducted caesarean delivery to the daughter of the complainant and in order to discharge her from the hospital, and thus received/accepted the said amount as bribe from the complainant, the Police Inspector, Lokayukta Police, Chikkamagalur having conducted investigation and on collecting sufficient materials, charge sheeted the DGO.
  3. The ADGP, Karnataka Lokayukta, Bengaluru has forwarded the copy of the charge sheet to the Hon'ble Upalokayukta. On the basis of the materials collected during investigation and materials placed before this authority, an investigation was taken up under Section 7(2) of the Karnataka Lokayukta Act. An observation note was served on the DGO, providing her, an opportunity to show-cause as to why recommendation should not be made to the Competent Authority, for initiating departmental proceedings against her. The DGO has submitted her reply denying the allegations made against ~~her~~ and taken up a contention that, she is innocent and she has

been falsely implicated. Since the explanation offered by the DGO was not satisfactory, a recommendation under Section 12(3) of the Karnataka Lokayukta Act was forwarded to the Competent Authority recommending to initiate disciplinary enquiry against her and to entrust the enquiry under Rule 14-A of KCS(CCA) Rules, to this authority to hold enquiry. Accordingly, the Government in the Department of Health and Family Welfare, vide Government order No. HFW 48 MSA 2010, Bengaluru dated 16.6.2011 initiated departmental proceedings against the DGO and entrusted the same to the Hon'ble Upalokayukta to hold enquiry. The Hon'ble Upalokayukta issued a nomination order dated 06.07.2011 nominating ARE-3 to frame charges and to conduct enquiry against the DGO. Accordingly, charges are framed against the DGO as under.

**“Charge**

*That you, Dr I.M. Rudribai, (here in after referred to as Delinquent Government Official, in short DGO), while working as Obstetrician and Gynecologist, Government Hospital, Kadur Taluk Chikkamagalur District demanded and accepted a bribe of Rs. 2,500/- on 25/01/2010 from complainant Sri K.K. Parameshwarappa S/o K.H. Kariappa, R/o Kadur, Kadur for discharging Smt. Nandini the daughter of the complainant who had delivered a male child in Government hospital, Chikkamagalur that is for doing an official act, and thereby you failed to maintain absolute integrity and devotion to duty and committed an act which is unbecoming of a Government Servant and thus you are guilty of misconduct under Rule 3(1)(i) to (iii) of KCS (Conduct)Rules 1966.*

**STATEMENT OF IMPUTATION OF MISCONDUCT:**

*The complainant Sri K.K. Parameshwarappa S/o K.H. Kariappa, R/o Kadur, Kadur filed a complaint on 25/01/2010 at about 9 am. before the Police Inspector, Karnataka Lokayukta,*

*Chikkamagalur alleging that Smt K.P. Nandini is his first daughter and her marriage was solemnized with one Sri Manjegowda about 2 years back and that Nandini was admitted in Kadur Government hospital for the delivery of her second child and that she delivered a male child on 20/01/2010 in the Kadur Government hospital and treatment was continued to her in the said hospital and one Dr I.M. Rudribai, Obstetrician and Gynecologist, Government Hospital, Kadur Taluk Chikkamagalur District (here in after referred to as Delinquent Government Servant, in short DGO) was giving treatment to her and that prior to the delivery she had given a bribe of Rs. 650/- to her and to the DGO and that on 20/01/2010 when he had been to the Government hospital, Kadur for enquiring about the condition and welfare of the mother and the child the DGO told him that she would discharge Nandini from the hospital on 26/01/2010 and that she insisted for the payment of bribe of Rs. 2,500/- before 26/1/2010 and when he pleaded his inability to pay the bribe the DGO did not plead to his request and insisted for the payment of bribe of Rs. 2,500/- saying that his daughter has delivered a male child.*

*As the complainant was not willing to pay any bribe to the DGO, he went to Police Inspector, Karnataka Lokayukta Chikkamagalur on 25/01/2010 and lodged a complaint. On the basis of the same a case was registered in Chikkamagalur Lokayukta Police Station Cr. No. 1/2010 for offences punishable under sections 7, 13(1) (d) r/w section 13(2) of the P.C. Act, 1988 and FIR was submitted to the concerned learned special judge.*

*After registering the case, investigating officer observed all the pre trap formalities and entrustment mahazar was conducted and you, the DGO was trapped on 25/01/2010 by the Investigating Officer after your demanding and accepting the bribe amount of Rs. 2,500/- from the complainant in the presence of shadow witness and the said bribe amount which you had received from the complainant was seized from your possession under the seizure mahazar after following the required post trap formalities. During the investigation the I.O has recorded the statements of Panchas and other witnesses and further statement of the complainant. The I.O during the investigation*



*has sent the seized articles to the chemical examiner and obtained and obtained the report from him and he has given the result as positive.*

*The materials collected by the I.O. during the investigation prima facie disclose that you, the DGO, demanded and accepted bribe of Rs. 2,500/- from the complainant on 25/01/2010 for doing an official act i.e., for discharging Smt. Nandini the daughter of the complainant who had delivered a male child in Government hospital, Chikkamagalur. Thus you, the DGO, have failed to maintain absolute integrity and devotion to duty and this act on your part is unbecoming of a Government servant. Hence, you have committed an act which amounted to misconduct as stated under Rule 3 (1) (i) to (iii) of KCS (Conduct) Rules 1966.*

*In this connection an observation note was sent to you, the DGO and you have submitted your reply which, after due consideration, was found not acceptable. Therefore, a recommendation was made to the Competent Authority under Section 12(3) of the Karnataka Lokayukta, Act 1984, to initiate Departmental Proceedings against you, the DGO. The Government after considering the recommendation made in the report, entrusted the matter to the Hon'ble Upalokayukta to conduct departmental/disciplinary proceedings against you, the DGO and to submit report. Hence the charge."*

4. The Articles of Charges and Statement of Imputations are duly served on the DGO. DGO appeared in response to the notice issued to her and First Oral Statement of the DGO was recorded. DGO has denied the charges framed against her. She has engaged the services of an advocate to appear on her behalf and to defend her, in the enquiry.
5. The DGO has filed her written statement on 03.03.2011 denying the allegations made against her and further taken up a contention

that, she is innocent and she has not committed any misconduct and she has been falsely implicated. Hence, she has totally denied the allegations made against her in the charges served on her, claiming that she is innocent.

6. The case was taken up for enquiry and during enquiry, on behalf of the Disciplinary authority 3 witnesses have been examined as PW1 to 3 and 10 documents came to be marked as Ex-P1 to P10. After closure of the evidence on behalf of the disciplinary authority, second oral statement of the DGO was recorded. The DGO has denied the evidence given by PW1 to PW3 against her, and further desired to adduce defence evidence. Hence DGO was permitted to examine herself in support of her defence.
7. The DGO has examined herself as DW-1 but no documents have been produced by her in support of her defence.
8. Thereafter, learned Presenting officer has filed written arguments. Even on behalf of the DGO, her counsel has submitted written arguments. I have also heard the learned counsel for DGO who also submitted his oral arguments. Thereafter, this matter is taken up for consideration.
9. The points that would arise for my consideration are:
  - Point No.1:** Whether the charge framed against the DGO is proved by the Disciplinary Authority?
  - Point No.2:** What order?
10. The above points are answered as under:
  - Point No.1:** In the affirmative
  - Point No.2:** As per final order.

**REASONS****Point No.1:-**

11. The DGO was working as Senior Specialist at General Hospital, Kadur , during the relevant period and she is a specialist in Obstetrician and Gynecology. The complainant K.H. Kariyappa got his pregnant daughter K.P. Nandini admitted to the said hospital for delivery and she gave birth to a male child on 20.01.2010. Her delivery was a caesarean delivery and the DGO has performed caesarean delivery on the daughter of the complainant on 20.01.2010.
12. According to the complainant, even prior to the delivery his daughter used to consult the DGO during pre-delivery stages also and the DGO used to treat his daughter and during these visits, it is the allegation that, the DGO had collected Rs. 650/- from him. After his daughter undergone caesarean delivery on 20.01.2010, he/complainant met the DGO and the DGO told him that, his daughter will be discharged on 26.01.2010 and by that time he should pay Rs. 2500/- to her. Though the complainant, pleaded his inability to pay that much amount, claiming that he is a poor man and he is not in a position to give money as demanded by her, the DGO has insisted him to pay Rs.2500/- within the discharge date. Hence the complainant approached Lokayukta Police on 25.01.2010 and filed complaint against the DGO as per Ex-P1.
13. On the basis of the complaint so filed by the complainant on 25.01.2010, the Police Inspector has registered a case in Cr. No. 1/2010, under Sections 7,13(1)(d) R/w 13(2) of P.C Act, 1988 and took up investigation.

14. An entrustment proceedings was conducted in the Police Station in the presence of two panch witnesses viz., Sri S, Sunil, and Smt. Jaibunnisa working as assistants in the office of the Executive Engineer, MESCOM, Chikkamagalur and in the said proceedings the bait money of Rs. 2500/- consisting 5 currency notes of Rs. 500/- each, given by the complainant were smeared with phenolphthalein powder making it as a tainted money and the said money was entrusted to the Complainant asking him to give the said money to the DGO when he meets her and only in case if the DGO demands for bribe. Panch witness Smt. Jaibunnisa was sent along with the Complainant as a shadow witness. In this regard, a detailed entrustment mahazar was also prepared in the Police Station, on the same day.
15. The complainant and the shadow witness went to the Government hospital, Kadur on the same day and met the DGO in her chambers. The DGO was in her chambers and on seeing the complainant, she enquired him about the money she has demanded, asking him as to whether he has brought money she has demanded and the complainant gave the tainted notes to the DGO and the DGO having received that money from the complainant, counted the same and kept that money in her vanity purse. The complainant on coming out of the chamber of the DGO gave pre-arranged signal to the police inspector who was standing in the hospital premises. On receiving the signal, the police inspector and his staff approached the complainant and enquired her. The complainant took them inside the hospital and showed the DGO and told the Police Inspector that, she has received money from him. The Police inspector having introduced himself to

the DGO, explained to her the purpose for which he has come there.

16. Thereafter, her hand wash was obtained asking her to wash her both hands fingers separately in two separate bowls containing sodium carbonate solution, which gave positive result. Thereafter the DGO was asked to produce the money she has received from the complainant and the DGO has produced her vanity bag before the Police Inspector saying that, the money she has received from the complainant is in the said purse. The Police Inspector asked shadow witness Jaibunnisa to search for money in the said purse and Jaibunnisa having opened the said purse took out money from the said purse produced by the DGO. On verification, it was confirmed that, those were the notes entrusted to the complainant during the entrustment proceedings. The Police inspector asked the DGO to give her explanation in writing regarding the seizure of tainted money from her possession/from her vanity bag. The DGO gave her statement in writing, stating that, she is not in a position to state anything about the trap conducted on her and she will furnish her opinion through her advocate before the court of law. Hence, the DGO has refused to give any explanation in writing regarding seizure of tainted money from her possession. Even the portion inside the vanity purse produced by the DGO where the tainted money was found kept, was swabbed with a cotton swab and the said cotton swab when dipped in sodium carbonate solution gave positive result. Thus, the recovery of tainted money from the vanity purse of the DGO has been established. A detailed trap mahazar was prepared as per Ex-P3 in the chamber of DGO in Government hospital, Kadur.

17. Even the shadow witness Smt. Jaibunnisa who accompanied the complainant, when enquired about the happenings, reiterated that she accompanied the complainant and went along with her and went inside the hospital and the DGO was available in her chambers. But she claimed that, since she was standing by the side of the door at a distance of about 4 feet from the complainant, she was not able to see what was going on inside the chamber of the DGO. According to her, she did not see the demand for money by the DGO and complainant giving money to her. According to her, the complainant on coming out of the chamber of the DGO told her that, the DGO has received Rs. 2500/- from her making a demand for bribe from her and he paid the money to her. She has further stated that, it was the complainant who told her that, the DGO having received money from him, kept that money in her vanity purse.
18. But the shadow witness has stated in detail regarding the recovery proceedings conducted by the Police Inspector after his arrival inside the chamber of the DGO on receiving signal from the complainant. She has stated that, the hand wash of the DGO was obtained which gave positive result and thereafter, since the complainant told the Police Inspector that, the DGO having received money from him, kept that money in her vanity purse, the Police Inspector asked her/PW2 to search the purse in order to ascertain the availability of tainted money in it and she having searched the said purse took out the tainted money and produced the same before the Police Inspector and on verification, it was confirmed that, those were the same notes entrusted to the complainant during the entrustment proceedings. The said money was also seized.

19. Both PW1 and PW2 have been thoroughly cross examined by the learned counsel for the DGO. During his cross examination, the complainant has admitted that, since he was not willing to pay the bribe amount as demanded by the DGO he went to Lokayukta Police Station on 22.01.2010<sup>cond</sup> informed the police about the demand being made by the DGO for bribe. He has further stated that, a tape recorder was given to him asking him to record the conversation containing demand for bribe from the DGO, but she could not operate the same and hence no conversation with the DGO could be recorded by him.
20. The complainant has further reiterated his evidence given in the chief examination that, both the hands of the DGO was made to dip in two separate bowls containing sodium carbonate solution and the solution turned into pink colour when the DGO dipped her both hand fingers separately in two bowls containing solution.
21. A specific suggestion has been put to the complainant/PW1 that, the purse from which the money was recovered does not belong to the DGO and it is created for the purpose of the case. A further suggestion was put to PW1 that, it was Jaibunnisa who on going inside the chamber of the DGO kept the purse on the table of the DGO without the knowledge of the DGO. These suggestions have been categorically denied by PW1. Even while cross examining PW2/Jaibunnisa, a similar suggestion was put to her that, she having accompanied the complainant went near the chamber of the DGO and while the complainant was talking with the attender, she/Jaibunnisa went inside the chamber of the DGO and taking advantage of the fact that, the DGO was examining a patient, she/Jaibunnisa kept the purse on the table of the DGO without her knowledge. A similar suggestion was put to her that, the said

purse from which tainted money was recovered does not belong to the DGO. But this suggestion has been categorically denied even by PW2. Though PW2 has stated in her chief examination that, she has taken out the tainted money from the purse of the DGO as per the instructions of the Police Inspector, during her cross examination she has stated that, she has not removed the amount from the purse of the DGO, but it was the Police Inspector who removed the amount from the purse of the DGO. But, the Police Inspector who is examined as PW3 has categorically stated that, after obtaining the hand wash of the DGO which gave positive result, he questioned the DGO about the money she has received from the complainant, the DGO has produced the purse and Jaibunnisa/PW2 took out the money from the said purse produced by the DGO.

22. On considering the evidence of PW1 to PW3, it is established that, the hand wash of both the hands of the DGO obtained during trap proceedings gave positive result since the sodium carbonate solution turned into pink colour when DGO dipped her both hands fingers separately in two bowls containing ~~the~~ sodium carbonate solution. Even the chemical examiner's report produced as per Ex-P10 discloses the presence of phenolphthalein in both RHFV and LHFV of the DGO since the presence of the phenolphthalein is detected in it. Therefore, it can be concluded that, the DGO has touched the tainted notes with her both hands. When this fact is considered with reference to the evidence of PW1/complainant who categorically stated that, since the DGO asked him about the money, he gave tainted notes to her and she having received the said notes with her right hand counted the same by using her both hands and kept that money in her vanity purse. Therefore, the



receipt of tainted money by the DGO from the complainant has been established.

23. So far as recovery of tainted money from the purse of the DGO as deposited by PW1 to 3 are concerned, they have categorically stated that, the DGO has produced her purse before the Police Inspector and the tainted money was recovered from the said purse. But, a defence was taken during the cross examination of PW1 to 3 that, the purse from which the tainted money was recovered does not belong to the DGO. A futile attempt has been made by way of suggesting to PW1 and 2 that, it was PW2 Jaibunnisa who kept that purse in the chamber of the DGO. But, this defence put to PW1 and 2 by way of defence, has been categorically denied by them.
24. The DGO while giving her defence evidence has admitted that, the money was recovered from the vanity purse which was found kept on the OPD table. But, she did not claim that, the said purse did not belong to her. She has not taken up any such contention during her defence evidence that, while she was attending a patient in her chamber, Jaibunnisa/PW2 came inside her chamber and kept that purse on her table without her knowledge. Therefore, the defense taken while cross examining PW1 and 2 has not been supported by DGO herself during her defence evidence. The DGO though has admitted that, she was made to wash her both hand fingers separately in two bowls containing solution, according to her she did not observe whether the solution in those two bowls turned to pink colour or not, because she was in such a situation and was under shock. Therefore, she has intelligently avoided disclosing the result of her hand wash obtained, during the trap proceedings.

25. Though during this enquiry, a specific defence was taken while cross examining PW1 and 2 that, the vanity purse from which tainted money was recovered in her chamber, does not belong to the DGO, but no such defence contention was taken while filing written statement. If really the said purse was not belonged to her, there was no impediment for her to take up such a contention while giving her explanation in writing as per Ex-P4. Except saying that she would furnish her opinion through her lawyer before a court of law, she has not taken up any such contention claiming that, the purse from which the money was recovered did not belong to her. Therefore, it was only an afterthought and while cross examining PW1 and PW2, such a contention was taken claiming that, the said purse does not belong to her. But, considering the materials made available on behalf of disciplinary authority during this enquiry, it has been conclusively established that, the purse from which tainted money was recovered belonged to the DGO and it was she who on receiving tainted money from the complainant, kept that money in her vanity purse. Therefore, it has been conclusively established that, the DGO has demanded the complainant for payment of Rs. 2500/- by way of bribe and she has demanded that amount from the complainant by way of reward since she has conducted caesarean delivery of the daughter of the complainant and received the amount of bribe and thus committed misconduct in demanding and accepting money from the complainant, by way of reward for having conducted caesarean delivery of the daughter of the complainant and in order to discharge her from the hospital after post delivery procedure and care was over.

26. It is pertinent to note that, the learned PDJ and Special Judge, Chikkmagalur in special case no. 05/2011 on holding detailed trial, proceeded to convict the DGO/accused holding her guilty of the offences charged against her and sentenced her by imposing both imprisonment and fine. The DGO has challenged the order of conviction and sentence passed against her by the Special Court, Chikkamagalur by filing appeal before the Hon'ble High Court of Karnataka in criminal appeal no. 855/2014, which is stated to be pending.

27. I have already discussed at length the evidence produced on behalf of the disciplinary authority and on considering the said evidence let in, in this enquiry and also considering the recovery of tainted money of Rs. 2500/- from the vanity purse/possession of the DGO and also considering the fact that, it is conclusively established that, the DGO has received that money from the complainant since the hand wash of the DGO obtained during trap proceedings gave positive result which are sufficient to conclude that, the DGO having demanded bribe of Rs. 2500/- from the complainant accepted the same and thus she/DGO has acted in a manner which is unbecoming of a Government servant and thereby, committed misconduct. Accordingly, I hold that, the charge leveled against the DGO has been established. Accordingly, I answer point no.1 in the affirmative.

**Point No.2:**

28. Having regard to the discussion made above, and in view of my findings on point no.1 as above, I pass the following

**ORDER**

- i) The Disciplinary Authority has proved the charge as framed against the DGO- Dr.I.M. Rudribai, Obstetrician and Gynecologist, Government Hospital, Kadur Taluk Chikkmagalur District
- ii) As per the service particulars furnished in the charge sheet, the date of birth of the DGO is 15.09.1953 and her date of retirement is 30.09.2013.
- iii) The order of conviction and sentence passed by the Special Court, Chikkamagalur dated 25.09.2014 in special case no. 5/2011, came to be passed after retirement of the DGO on 30.09.2013.
- iv) The appeal filed by the DGO challenging the order of her conviction and sentence in special case no. 5/2011, is pending before the Hon'ble High Court of Karnataka, in Criminal Appeal No. 855/2014.



(S. Renuka Prasad)

Additional Registrar of Enquiries-3  
Karnataka Lokayukta,  
Bengaluru

**ANNEXURES****I. Witnesses examined on behalf of the Disciplinary Authority:**

|             |                                            |
|-------------|--------------------------------------------|
| <b>PW-1</b> | Sri Parameshwarappa (complainant)          |
| <b>PW-2</b> | Smt. Jaibunnisa (shadow witness)           |
| <b>PW-3</b> | Sri P.L. Rudramuni (Investigating officer) |

**II. Witnesses examined on behalf of the DGO:**

|             |                    |
|-------------|--------------------|
| <b>DW-1</b> | Dr. Rudribai (DGO) |
|-------------|--------------------|

**III Documents marked on behalf of D.A.**


|                |                                                    |
|----------------|----------------------------------------------------|
| <b>Ex.P-1</b>  | Certified copy of the complaint                    |
| <b>Ex.P-2</b>  | Certified copy of the entrustment mahazar          |
| <b>Ex.P-3</b>  | Certified copy of the trap mahazar                 |
| <b>Ex.P-4</b>  | Certified copy of the records seized               |
| <b>Ex.P-5</b>  | Certified copy of the written statement of the DGO |
| <b>Ex.P-6</b>  | Certified copy of the seizure mahazar of photos    |
| <b>Ex.P-7</b>  | Certified copy of the mahazar                      |
| <b>Ex.P-8</b>  | Certified copy of the FIR                          |
| <b>Ex.P-9</b>  | Certified copy of the rough sketch                 |
| <b>Ex.P-10</b> | Certified copy of the FSL report                   |

**IV. Documents marked on behalf of DGO:**

Nil

**V. Material Objects marked on behalf of the D.A:**

Nil

  
(S. Renuka Prasad)  
Additional Registrar of Enquiries-3,  
Karnataka Lokayukta, Bengaluru.

