

**GOVERNMENT OF KARNATAKA**



**KARNATAKA LOKAYUKTA**

NO: LOK/INQ/14-A/300/2011/ARE-4

Multi Storied Building,  
Dr. B.R. Ambedkar Veedhi,  
Bengaluru-560 001,  
Date: 05/12/2017

**RECOMMENDATION**

Sub:- Departmental inquiry against Smt. Mary Anitha,  
Second Division Assistant, Commercial Tax  
Department, Bengaluru

Ref:- 1) Government Order No.ಆಇ 35 ವಾತೆತ 2011 Bengaluru  
dated 16/9/2011

2) Nomination order No.LOK/INQ/14-A/300/2011  
Bengaluru dated 24/9/2011 of Upalokayukta-1,  
State of Karnataka, Bengaluru

3) Inquiry Report dated 28/11/2017 of Additional  
Registrar of Enquiries-4, Karnataka Lokayukta,  
Bengaluru

The Government by its Order dated 16/9/2011, initiated the disciplinary proceedings against Smt. Mary Anitha, Second Division Assistant, Commercial Tax Department, Bengaluru (hereinafter referred to as Delinquent Government Official, for short as '**DGO**') and entrusted the Departmental Inquiry to this Institution.

2. This Institution by Nomination Order No.LOK/INQ/14-A/300/2011, Bengaluru dated 24/9/2011 nominated Additional Registrar of Enquiries-4, Karnataka Lokayukta, Bengaluru, as Inquiry Officer to frame charges and to conduct Departmental Inquiry against DGO for the alleged charge of misconduct, said to have been committed by him.

3. The DGO Smt. Mary Anitha, Second Division Assistant, Commercial Tax Department, Bengaluru was tried for the following charge:-

“That, you Smt. Mary Anitha, while working as Second Division Assistant in Commercial Tax Department, Bangalore the complainant namely Sri J.Mariyappa who was running a business under name and style of “SMS Bar and Restaurant” in the name of his wife Smt. Jayamma had deposited NSC for Rs.90,000/- in the office Commercial Tax Department on 14.3.2000 and in that connection, the complainant contacted you on 24.8.2006, then you asked bribe of Rs.10,000/- to search and give back the same and also asked to give Rs.5,000/- in advance and to give balance amount after the work is done and on 24/8/2006 took said bribe of Rs.5,000/- from the complainant to show official favour failing to maintain absolute integrity and devotion to duty, the act of which was unbecoming of Government Servant and thereby committed misconduct as enumerated U/R 3(1)(i) to (iii) of Karnataka Civil Service (Conduct) Rules, 1966.”

4. The Inquiry Officer (Additional Registrar of Enquiries-4) on proper appreciation of oral and documentary evidence has held that the Disciplinary Authority has proved the above charge against DGO Smt. Mary Anitha, Second Division Assistant, Commercial Tax Department, Bengaluru.

5. On re-consideration of report of inquiry, I do not find any reason to interfere with the findings recorded by the Inquiry Officer. It is hereby recommended to the Government to accept the report of Inquiry Officer.


6. As per the First Oral Statement submitted by DGO, she is due to retire from service on 30/4/2033. As per subsequent letter dated 2/4/2016 of DGO, she is due to retire from service on 30/9/2038.

7. As per the first oral statement of DGO Smt. Mary Anitha, recorded on 16/11/2013, she is shown as dismissed SDA, Department of Commercial Tax, Bengaluru. As per the Deposition of DGO recorded on 23/1/2017 she is in the occupation of private job.

8. In view of the above, and having regard to the nature of charge (demand and acceptance of bribe) proved against DGO Smt. Mary Anitha, it is hereby recommended to the Government to impose penalty of dismissal from service on DGO Smt. Mary Anitha, Second Division Assistant, Commercial Tax Department, Bengaluru, if she is still in service.

9. Action taken in the matter shall be intimated to this Authority.

Connected records are enclosed herewith.

  
(JUSTICE N. ANANDA) 6/12  
Upalokayukta-1,  
State of Karnataka,  
Bengaluru



**KARNATAKA LOKAYUKTA**

No.LOK/ARE-4/14-A/ENQ-300/2011

M.S.Building,  
Dr.B.R.Ambedkar Road  
Bangalore-560 001  
Date: 28/11/2017

**ENQUIRY REPORT**

**Present :** Sri. S. Gopalappa  
Additional Registrar of Enquiries-4 (Incharge)  
Karnataka Lokayukta  
Bangalore

**Sub:** Departmental Enquiry against

Smt. Mary Anitha,  
Second Division Assistant,  
Commercial Tax Department,  
Bangalore.

- Ref:** 1. Report u/s 12(3) of the K.L Act, 1984 in  
compt/Uplok/BCD/339/2007 dt. 9/10.08.2011.  
2. Govt. Order No. AE 35 VaTeT 2011 Bengaluru  
dt. 16.09.2011  
3. Nomination Order by Hon'ble Upalokayukta-  
I, dt. 24.09.2011

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1. On the basis of material placed by the Additional Director General of Police, Karnataka Lokayukta Bangalore, City Division that DGO committed misconduct as public servant in the official work of the complainant, an investigation was taken up u/s 7(3) of K.L. Act 1984.

2. After completion of the investigation, a report u/s 12(3) of the K.L Act, 1984 in Compt/Uplok/BCD/339/2007 dt. 9/10.08.2011 was sent to the Government.

3. In pursuance of the report, Government was pleased to issue G.O. dt. 16.09.2011 authorizing Hon'ble Uplokayukta to hold enquiry as per reference no.2. Hence in pursuance of Government order nomination was issued by Hon'ble Upalokayukta-1 on 24/09/2011 authorizing ARE-4 to hold enquiry and report as per reference no. 3.

4. On the basis of nomination articles of charge was prepared under Rule 11(3) of KCS (CCA) Rules 1957 and sent it to the DGO on 28/02/2012.

**ANNEXURE NO. I**  
**CHARGE**

*Smt. Mary Anitha, while working as Second Division Assistant in Commercial Tax Department, Bangalore the complainant namely Sri J. Mariyappa who was running a business under name and style of "SMS Bar and Restaurant" in the name of his wife Smt. Jayamma had deposited NSC for Rs. 90,000/ in the office of Commercial Tax Department on 14.3.2000 and in that connection, the complainant contacted you on 24.8.2006, then you asked bribe of Rs. 10,000/- to search and give back the same and also asked to give Rs. 5,000/- in advance and to give balance amount after the work is done and on 24.8.2006 took said bribe of Rs. 5,000/- from the complainant to show official favour failing to maintain absolute integrity and devotion to duty, the act of which is unbecoming of a Government servant and thereby you have committed misconduct as enumerated U/R 3(1) of KCS (Conduct) Rules, 1966.*

**ANNEXURE II**  
**STATEMENT OF IMPUTATIONS OF MISCONDUCT.**

*The complainant namely Sri J. Mariyappa who was running a business under name and style of "SMS Bar and Restaurant" in the name of his*

wife Smt. Jayamma had deposited NSC for Rs. 90,000/ in the office of Commercial Tax Department on 14.3.2000. The complainant approached the commercial Tax Department to get back the said NSCs. In that connection, the complainant contacted the DGO on 24.8.2006, The DGO demanded bribe of Rs. 10,000/- to search and give back the same and also asked to give Rs. 5,000/- in advance and to give balance amount after the work is done. The complainant was not willing to pay the bribe to the DGO. Therefore, he approached Lokayukta Police Inspector, Bangalore City Division (herein fter referred to as the Investigating Officer, for short, "the I.O.") and lodged a complaint. The I.O. registered the complaint in Cr.no. 32/2006 for the offences punishable u/s 7, 13(1)(d) r/w 13(2) of the Prevention of Corruption Act 1988. During the course of investigation into the said crime, after the tainted amount was given to the DGO by the complainant near VKG wine stores in front of Kamath Yatrivas Hotel at Gandhinagar in Bangalore, the I.O. trapped the DGO on 25.08.2006 in the presence of the complainant, panch witnesses and his staff and seized the tainted amount after mahazar after following post-trap formalities. The I.O. took statement of the DGO in writing and recorded statement of complainant, panch wintesses and others. After receiving report from the chemical examiner the I.O. submitted report of investigation. The facts and materials on record and the investigation report of the I.O. prima facie showed that the DGO being a Government Servant failed to maintain absolute integrity and devotion to duty and acted in a manner unbecoming of a Government Servant liable for disciplinary action. Therefore, suo-moto investigation was taken up u/s 7(2) of Karnataka Lokayukta Act and an observation note was sent to the DGO calling for her explanation. The reply given by the DGO was not convincing and not satisfactory to drop the proceedings. Therefore a report u/s 12(3) of the Karnataka Lokayukta Act was sent to the Competent Authority with a recommendation to initiate disciplinary

*proceedings against the DGO and to entrust the departmental enquiry to the Hon'ble Upalokayukta U/R 14-A of KCS(CCA) Rules 1957. Accordingly, the Competent Authority initiated disciplinary proceedings and entrusted the enquiry to the Hon'ble Upalokayukta, Hence, this charge.*

5. The said AOC was served on DGO on 09/04/2012. The DGO appeared before the enquiry officer, then her First oral statement under Rule 11(9) of KCS (CCA) Rules was recorded. DGO has denied the said charges.

6. DGO has not filed the written statement of defence. In the reply given to the observation note, DGO has stated that she has not committed any offence. A false complaint was registered against her.

7. In support of the disciplinary authority, PW 1 to 3 are examined. Ex. P1 to 8 are marked. The complainant was reported to be dead. After closure of the evidence by the disciplinary authority, second oral statement of DGO is recorded, under Rule 11(16) of KCS (CCA) Rules. The DGO submitted that she has defence evidence. She has examined herself as DW1 but marked no documents. Thereafter recording answers to questions under Rule 11(18) of KCS (CCA) Rules, 1957 was dispensed with.

8. Then the Learned Presiding Officer and Learned assistant for DGO filed their respective written brief and they were also heard orally.

9. Points for consideration

- i. Whether the charge is proved by the Disciplinary Authority?
- ii. What order ?



10. My answers to the above points are as follows;
- i. In the affirmative.
  - ii. As per final order for the following.

### REASONS

11. **Point no.1 :-** The Shadow witness who is examined as PW-1 has deposed that on 25/08/2006 Lokayukta police summoned himself and Meena Kumari to the police station at the time the complainant and I.O. were present the contents of the complaint was explained. The complainant presented Rs. 5,000/- (500 X 2) the numbers were noted down. The police staff applied phenolphthalein powder to the notes. Meena kumari kept the money into the left side pocket of the complainant. Hand wash of Meena Kumari was taken in sodium carbonate solution and it turned into pink colour. The I.O. gave instructions to themselves and complainant and drawn the pre-trap mahazar Ex P-1
12. Further PW-1 has deposed that they left Lokayukta Police station reached near the office of commercial taxes. Himself and complainant went to the 6<sup>th</sup> floor. But on the day the DGO was absent. The complainant when called the DGO, the DGO asked them to come to Kamat Yatrivas hotel. Then himself DGO and complainant went to Kamat Yatrivas first floor. The IO and others were sitting here and there. The conversation between the complainant and DGO was not audible to him. Then they came out of the hotel went to VKG Wines store, the complainant took out the money and handed it over to DGO. The DGO received the money from right hand and kept the same in her left hand. Then the complainant gave a signal to I.O. The I.O. and staff and other panchas came their introduced themselves to DGO and brought them to Lokayukta Office.

13. Further PW 1 has deposed that the amount which was in the hands of DGO tallied with the money entrusted to the complainant. Then the hand wash of DGO was taken in sodium carbonate solution and it turned into pink colour. DGO has given her statement Ex P 2. The I.O. collected the detailed list of NSC from the complainant as per Ex P 3. Then the I.O. has drawn the trap mahazar Ex P 4.
14. In the cross examination PW-1 has deposed that he reached Lokayukta office at 11.00 am. There was not written order by his higher authorities expect oral orders to go to Lokayukta office. He did not notice the number of staff members and officers in Lokayukta office. The I.O. Rammohan and staff were present. At that time the complainant J. Mariyappa and Meena Kumari were present. Lokayukta Police did not show any of the documents said to be produced by the complainant. But they gave information about the complaint. He has information about applying phenolphthalein powder and other procedure done in Lokayukta Police Station. He came to know about phenolphthalein powder and other procedure only when he went to the office and he has given evidence in special case. He admits that he also participated in other raid cases. He does not know who and all have put the signatures to the mahazar expect himself and Meenkaumari. He has denied that without knowing the contents of the pre trap mahazar he has put the signature at the request of Lokayukta police.
15. Further PW 1 has deposed that at 2.30 pm they left Lokayukta police station. He does not know the distance between Lokayukta police station and office of DGO. 9 to 10 of them were there in the team. But he does not know the names of all the person. The complainant and I.O informed that the office of DGO is situated in 6th floor, himself and complainant went to meet the DGO. He does not know how many other persons came to that floor. The staff informed that the DGO has not come to the office. When they reached the hotel it was 3.20 or 3.30 pm. After coming from

the 6<sup>th</sup> floor the complainant made a phone call from the coin booth and took him to kamat yatrivas hotel. He has not informed to the police that DGO asked them to come near Yatrivas. He does not know whether the complainant informed police that DGO asked them to come near yatri nivas.

16. Further PW 1 has deposed that he was simply following the complainant and they went to hotel kamat yatrivas but he does not know which floor it was. VKG wine shop is situated opposite to hotel. When the complainant and DGO met near wine shop it was 3.50 pm. He admits that the said road was busy with pedestrians and vehicle traffic. When the complainant and DGO met together they were not in kamat hotel. He was following complainant at a little distance. The Lokayukta police were standing here and there. He denied that he has not seen the complainant removing the spectacles. Earlier to the signal the complainant did not remove and wear the spectacles. He has denied that he does not know what was given by the complainant to the DGO. He did not see the complainant giving money to the DGO.
17. Further PW 1 has deposed that when police came to the spot it was 4.15 or 4.30 pm. He has denied that Lokayukta police forced the DGO to give her statement according to their instructions. He has denied that after coming to office from the spot the I.O. has taken his signatures without drawing mahazar. He has denied that he is in cordial relationship with the Lokayukta police, therefore he has put the signatures for the documents created by them.
18. PW 2 has deposed that on 25/8/2006 Lokayukta police summoned him to their police station. At that time the complainant PW 1 and one Maryiappa were present. The contents of the complainant were explained to him. The complainant presented Rs. 5000 (500 X 10) the numbers were noted down. The police staff applied phenolphthalein powder to the notes. She kept the money into the shirt left side pocket of the

complainant. Then her Hand wash was taken in sodium carbonate solution and it turned into pink colour. The I.O. gave instructions to themselves and complainant and drawn the pre-trap mahazar Ex P-1.

19. PW 2 has further deposed that then they reached near Kamat yatrivas hotel situated in Gandhinagar, Bengaluru and the complainant and DGO went to meet the I.O. Herself and I.O. were waiting near the hotel. Then the complainant PW 1 and DGO went inside the Kamat yatri nivas hotel and again they came out and stood near the wine store. From there the complainant gave a signal by removing the spectacles. Then they went near the complainant. The complainant informed the I.O. that he gave money to DGO and DGO is holding the same in her hand. Then the I.O. brought all of them to Lokayukta office.
20. Further PW 2 has deposed that on verification of the amount which was in the hands of DGO it was tallied with the money entrusted to the complainant. The I.O. took the hand wash of DGO in some solution and it turned into pink colour. DGO has given her statement Ex P2. I.O. has collected the detailed letter regarding NSC certificates as per exhibit Ex P 3. Then the I.O. has drawn the trap mahazar.
21. In the cross examination PW 2 has deposed that he had been to Lokayukta police station between 2 and 3 pm. At that time 4 to 5 persons were there in Lokayukta office. She does not know the name of I.O. She admits that I.O. has introduced the private persons to him. She admits that I.O. has not given FIR to her to read the same. I.O. informed that the trap has to be held against ladies staff and requested her to cooperate for investigation. She cannot say the note numbers. She admits that the I.O. explained about the chemical reaction. The I.O. explained about the experiment. The pre-trap mahazar was drawn between 2 and 3 pm. She does not know the name of other pancha.

22. Further PW 2 has deposed that they went to Gandhinagar yatri nivas hotel in a jeep type vehicle. He does not know the registration number. 4 to 5 of them travelled in the said vehicle. They stood in front of Kamat yatri nivas hotel. The vehicle was stopped about the distance of 15 feet. He does not know the details of adjacent buildings. Two persons went inside the hotel. She was sitting in the vehicle. After 5 to 10 minutes 4 persons came out along with the DGO. Again PW 2 has deposed that DGO alone came out of Kamat Yatrinivas hotel. She cannot say the distance between herself and wine store. She denied that it was busy road. According to PW 2 the traffic was thin because it was afternoon. The complainant gave a signal by removing his spectacles. Before giving the signal the complainant did not remove the spectacles and did not wipe it.
23. Further PW 2 has deposed that she did not get down from the vehicle near Kamat Yatri nivas hotel. But along with DGO and I.O she went back to office. When the police held DGO she came to know that the money was given to DGO. When they reached Lokayukta police station it was 4.30 to 5.00pm. She has denied that the DGO has not given her statement in writing. She does not know how many signatures she has put from the time when she left the Lokayukta police station and reached Kamat yatri nivas hotel and after coming to the office. The trap mahazar was drawn between 4.30 and 5.30 pm. She denied that she did not go to the Kamat yatri nivas hotel with I.O. and no raid was conducted in her presence. She has denied that at the request of I.O. she has put her signatures. She has denied that she is deposing falsely in order to help Lokayukta police.
24. The I.O. who is examined as PW3 has deposed that the complainant was running a bar and restaurant in the name of his wife. He purchased NSC certificates worth Rs. 90,000/- and deposited the same for security in the office of commissioner of commercial taxes. Since about one year he approached the office of commercial tax to receive back NSC. The DGO

assured to give NSCs. On 24/08/2006 when the complainant approached the DGO, in order to search for NSCs, the DGO demanded for Rs. 10,000 and asked the complainant to pay Rs. 5000/- in advance and remaining Rs. 5000/- after completion of the work.

25. Further PW 3 has deposed that on 25/8/2006 at 11.00 am he received the complaint Ex P5 registered crime no. 32/2006 and forwarded the FIR to the concerned authorities. He secured two panchas namely Suresh Babu and Meena Kumari introduced to the complainant and explained the contents of the complaint. The complainant presented Rs. 5000 (500 X 10) the panchas noted down the numbers. Constable Shankrappa applied phenolphthalein powder to the notes. Pancha Meena Kumari counted the same and kept into the shirt pocket of the complainant. The hand wash of Meena Kumari was taken in sodium carbonate solution and it turned into pink colour. He gave instructions to panchas and drawn the pre-trap mahazar Ex P 1. Photographs were taken in each and every stage.
26. Further PW 3 has deposed that at 2.30 pm, they left Lokayukta police station reached near the office of commercial taxes. The complainant and Suresh babu reached the office of DGO at 3.00 pm they came out and informed that DGO was on leave. The complaint telephoned to DGO, at that time DGO asked the complainant to come to Yatrinivas hotel. At 3.30 pm the DGO came and met the DGO. The complainant, DGO and Suresh Babu went to the first floor of kamat yatri nivas hotel. At 3.45 pm the complainant and DGO, Suresh babu came down and talking together near wine stores. At 3.50 pm the complainant gave a signal.
27. Further PW 3 has deposed that immediately they went near the complainant, the complainant shown the DGO and informed that she received the money. Himself and staff surrounded DGO. Through Head Constable Tayamma he arrest DGO introduced himself to her and brought her to Lokayukta police station. Further PW1 has deposed that on enquiry the DGO presented the money. The panchas verified the amount

and it was tallied with the money entrusted to the complainant. He seized the currency notes. Hand wash of the DGO taken to sodium carbonate solution and it turned pink colour. He collected NSC certificate details as per Ex P 3. DGO informed that the NSC certificates were in the office. Further PW 3 has deposed that DGO has given statement Ex P3. Further PW 3 has deposed that he has taken photographs at each and every stage of trap and prepared the rough sketch and drawn the trap mahazar. Then he has sent the seized articles for FSL. Received FSL report exhibit Ex P 8 and after receipt of PSO completion of investigation, he filed a charge sheet against DGO.

28. In the cross examination PW 3 has deposed that he has not produced any documents pertaining to NSC certificates. The name of DGO is mentioned as caseworker Anitha in the complaint. He does not know that during the year 2006 the commercial tax office was situated opposite to devatha plaza, near sagar theatre. He has denied that the same panch witnesses have acted as panchas in other trap cases also. He has not collected the documents to show that the DGO is the competent authority to issue NSC certificates. He admits that according the statement of complainant he registered the case. He admits on 02/09/2016 the Assistant Commissioner of Commercial taxes informed that NSC Certificate of Rs. 90,000/- was not given to that office and the business men are not coming under the jurisdiction of that office. PW 3 has voluntarily deposed that he collected the other documents when he submitted the final report. He has denied that the competent authority to return NSC certificates is the commercial tax office situated at Devatha Plaza and not within the jurisdiction of DGOs office. He denied that one Prabhakar was the friend of complainant and he assured the complainant to get back the certificates. He has denied that since DGO did not help the complainant, false complaint is filed and on the basis of false complaint he has created pre-trap and trap mahazar. He has denied that the DGO never demanded and received bribe amount from the complainant.

29. The DGO who is examined as DW-1 has deposed that from March 2006 she was working in Commercial Tax office, 6<sup>th</sup> floor, Gandhinagar. The complainant had given the NSC certificate to Commercial Tax office but not given to her. Therefore certificates were not available in her office and his license also was not within the jurisdiction of her office. She has not demanded bribe amount from the complainant to return NSC certificates. On 24/08/2006 and 25/08/2006 she was on leave.
30. Further DW 1 has deposed that complainant had telephoned her asked the location of the office and to show the same. Though she has informed about the address, forcibly the complainant called her to kamat yatri nivas. Therefore she had cup of tea and came out along with the complainant and asked him to go to the caseworker of the commercial tax office situated in Devatha mansion building. In spite of it the complainant forced her to go along with him. At that time she informed the complainant to go to the office. In spite of it the complainant forced her. Then she called an auto rickshaw and sat in auto rickshaw. At that time also the complainant forced to go office. She refused to go along with complainant because she was suffering from leg pain. Therefore the complainant invited her to go in auto rickshaw to show the office. But the complainant did not come in auto rickshaw and at that time the complainant forcibly pulled her hand and put the money into her hand. At that time the complainant intentionally held the trap. The work of complainant was not pending with her. And she has not committed any misconduct.
31. In the cross examination PW 1 has deposed that she has studied upto 2 PUC there was no personal enmity between herself and the complainant. She does not remember that when her hand wash was taken in solution, it was turned into pink color. PW 1 has deposed that Ex P2 is in her hand writing and bears her signature. PW 1 has deposed that the said



statement was taken forcibly. She has denied that for the first time she has stated that the statement is forcibly taken.

32. In the cross examination of PW 1 to 3 except the denials nothing much is elicited in order to disbelieve their evidence. The oral and documentary evidence on record clearly show that during the year 2000 the complainant deposited NSC certificates worth Rs. 90,000/- for security to do Bar and Restaurant Business in the name of his wife. Therefore naturally the date of maturity would be on 15/03/2006. To receive them back the complainant approached DGO. In order to search for NSC certificates DGO demanded bribe amount of Rs. 10,000/- Therefore the complaint was lodged on 28/04/2006. The I.O. registered crime no. 32/2006 forwarded the FIR to the concerned authorities, as per Ex P6. The I.O. scoured the presence of Panchas namely PW 1 & 2 introduced the complainant and explained the contents of the complaint. The complainant presented Rs. 5000 (500 X 10) the panchas noted down the numbers. Police staff applied phenolphthalein powder on the notes. PW 2 kept the money into the shirt pocket of the complainant her hand wash was taken in the sodium carbonate solution and it turned into pink colour.
33. Then all of them left Lokayukta Police station and reached near Gandhinagar the DGO was on leave, but met the complainant in Kamat yatri nivas hotel. Along with complainant and PW 1, DGO had a cup of tea in Kamat yatri nivas hotel, came out, near VKG Wine stores DGO received a sum of Rs. 5000/- from the complainant. At that time the I.O. held the DGO recovered the bribe amount from the possession of DGO after following the trap procedure.
34. The DGO has taken a contention that on 24/08/2006 and 25/08/2006 she was on leave, on 25/08/2006 the complainant telephoned asked about the location of commercial tax office and to show the same, inspite of telling the address the DGO forced her to come to Kamat yatri nivas

hotel, then near VKG wine stores, the complainant forcibly pulled her hand and kept the money in her hand.

35. DGO was not the lay-woman, she is responsible Government/public servant. If the money was kept money in her hand forcibly she would have thrown it away by the time the IO reached the spot. Until the IO reached the spot the money was in the hands of DGO. Then in the Office of Lokayukta police station, the amount was recovered from the possession of DGO. The name of PW-2 <sup>is</sup> Veena Kumari but PW-1 has deposed that her name as Meena Kumari. But the fact that PW-2 is a panch witness, ~~he~~ is not disputed. It is only a typographical error, hence makes no difference. Hence I proceed to answer this point in the affirmative.

**POINT No.2 :-** for the reasons discussed above I proceed to pass the following;

**ORDER**

The disciplinary Authority has proved the charges as framed against the DGO Smt. Mary Anitha, SDA, Commercial Tax department, Bengaluru.

Hence, this report is submitted to Hon'ble Upalokayukta – I for kind consideration.

Dated this the 28<sup>th</sup> November of 2017

-sd-

(S. Gopalappa)  
Additional Registrar Enquiries-4(Incharge),  
Karnataka Lokayukta,  
Bangalore.

**ANNEXURES**

**LIST OF WITNESSES EXAMINED ON BEHALF OF DISCIPLINARY AUTHORITY:**

PW-1 :- Sri. Suresh Babu.G.N.

PW-2 :-Smt. Veena Kumari

PW-3 :-Sri. B.S. Ram Mohan

**LIST OF WITNESSES EXAMINED ON BEHALF OF DGO**

DW-1 : Smt G Mary Anita

**LIST OF EXHIBITS MARKED ON BEHALF OF DISCIPLINARY AUTHORITY**

Ex.P-1 : Pre-trap Mahazar  
Ex.P-2 : Complaint copy  
Ex.P-3 : Copy of note numbers written on paper  
Ex.P-4 : Trap Mahazar copy  
Ex P-5 : Copy of letter written by J. Mariappa  
Ex P-6 : Copy of FIR  
Ex.P-7 : Copy of Sketch.  
Ex P-8 : FSL report dt. 18/09/2006.

Dated this the 28<sup>th</sup> day of November, 2017

-Sd-

(S. Gopalappa)

Additional Registrar Enquiries-4 (Incharge),  
Karnataka Lokayukta,  
Bangalore.

