



**KARNATAKA LOKAYUKTA, BENGALURU**

No:LOK/ARE-4/14-A/Enq.90/2011

M.S.Building,  
Dr.B.R.Ambedkar Veedhi,  
Bengaluru. Dated: 11/1/2018

**RECOMMENDATION**

Sub:Departmental Enquiry against Sri  
K.Veereshappa, the then Village Accountant,  
Gandabommanahalli, Kudligi Taluk, Bellary  
District ( now retd)-reg.

- Ref: 1) Government Order No. RD 25 BDP 2010  
dtd 26/4/2011 & its Corrigendum dtd  
20/5/2011 and another Corrigendum dtd  
24/7/2013
- 2) Nomination order by Hon'ble Upalokayukta  
dtd 1/6/2011

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The Government by order dtd 26/4/2011 and corrigendum dtd 20/5/2011 and 24/7/2013, initiated the disciplinary proceedings against the Delinquent Government Servant Sri K.Veereshappa, the then Village Accountant, Gandabommanahalli, Kudligi Taluk, Bellary District ( now retd) (hereinafter referred to as 'DGO' in short) and entrusted the disciplinary enquiry to this institution. Accordingly, by nomination order dtd 1/6/2011, Additional Registrar Enquiries-4 was nominated as an enquiry officer by this institution to conduct departmental enquiry against the DGO for the alleged charge of misconduct alleged to have been committed by him.

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The said enquiry officer, after completing the departmental enquiry, submitted his report dtd.10/1/2018, inter-alia holding that, the disciplinary authority has satisfactorily proved the charge of misconduct as alleged against the DGO.

The charge alleged against the DGO was that, while DGO was working as Village Accountant, Gandabomanahalli village, Kudligi taluk, Bellary District Sri Kotresh s/o Nagendrappa, r/o Yekkegundi village in Kudligi taluk (hereinafter referred to as 'complainant' in short) approached the DGO 12 to 14 days prior to the trap in connection with the issue of certificate as agricultural labourer for the purpose of purchasing agricultural land. The DGO demanded Rs.1,000/- to issue such certificate and on the said day he received Rs.500/- in advance. Thereafter, on 3/6/1999 DGO further received Rs.500/- from the complainant in the presence of shadow witness and thereby, the DGO has failed to maintain absolute integrity and devotion to the duty, the act of which is unbecoming of Government servants and thereby have committed misconduct under Rule 3(1)(i) to (iii) of KCS (Conduct) Rules, 1966".

The disciplinary authority, to prove the charge of misconduct against the DGO, has examined 3 witnesses, namely, complainant as PW1, panch witness as PW2, shadow witness as PW3 and got maked Ex.P1 to P6 in their evidence. DGO neither entered the witness box nor led any evidence or produced any documents before the enquiry officer.


*Std.*

The enquiry officer, considering the entire evidence on record, found, that, though there are some discrepancies in the cross examination of the complainant (PW1) however, his evidence and evidence of PW 2 independent witnesses satisfactorily prove the charges of misconduct alleged against the DGO.

In view of the findings of the enquiry officer and the nature and gravity of misconduct alleged against the DGO, it is hereby recommended to the Government that the **DGO Sri K.Veereshappa, the then Village Accountant, Gandabommanahalli, Kudligi Taluk, Bellary District who is stated to have been retired from government service be punished with penalty of denial of 25% of the pensionary benefit perpetually in exercise under Rule 214(1)(a) of the Karnataka Civil Services Rules.**

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

Connected records are enclosed herewith.

  
(Justice Subhas B Adi)  
Upalokayukta  
Karnataka State, Bengaluru



## KARNATAKA LOKAYUKTA

No.LOK/ARE-4/ENQ-90/2011

M.S.Building,  
Dr.B.R.Ambedkar Road  
Bangalore-560 001  
Date: 10/01/2018

### :: ENQUIRY REPORT ::

**Sub:** Departmental Enquiry against,

- 1) Sri K. Veereshappa  
The then Village Accountant  
Gandabommanahalli  
Kudligi Taluk  
Bellary District  
**(Now retired)**

- Ref:**
- 1) Report u/s 12(3) of the K.L Act, 1984 in  
Compt/Uplok/GLB/410/2007/ARLO-4  
dated:31/01/2011
  - 2) Govt. Order. No. RD 25 BDP 2010,  
Bangalore dated: 26/04/2011 and its  
Corrigendum dated: 20/05/2011 and  
another Corrigendum dated:  
24/07/2013
  - 3) Order No.LOK/INQ/14-A/90/2011  
Dated:01/06/2011 of the Hon'ble  
Upalokayukta

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This Departmental Enquiry is directed against Sri K. Veereshappa, the then Village Accountant, Gandabommanahalli, Kudligi Taluk, Bellary District, **(Now retired)** (herein after referred to as the Delinquent Government Official in short "DGO")

2. After completion of the investigation a report u/sec. 12(3) of the Karnataka Lokayukta Act was sent to the Government as per Reference No.1.

3. In view of the Government Order cited above at reference-2, the Hon'ble Upalokayukta, vide order dated: 01/06/2011 cited above at reference-3, nominated Additional Registrar of Enquiries-4 of the office of the Karnataka Lokayukta as the Enquiry Officer to frame charges and to conduct Inquiry against the aforesaid DGO. Additional Registrar Enquires-4 prepared Articles of Charge, Statement of Imputations of mis-conduct, list of documents proposed to be relied and list of witnesses proposed to be examined in support of Article of Charges. Copies of same were issued to the DGO calling upon him to appear before this Authority and to submit written statement of his defence.

4. The Article of Charges framed by ARE-4 against the DGO is as below:

**ANNEXURE NO. 1**  
**CHARGE**

*That, you DGO Sri K. Veeresh, while working as Village Accountant, Gandabommanahalli village, Kudligi taluk, Bellary District and that the complainant namely Sri Kotresh s/o Nagendrappa resident of Yekkegundi village in Kudligi taluk approached you about 12 to 14 days earlier to 01/06/99, you demanded bribe of Rs. 1000/- and accepted Rs. 500/- on that day to issue a certificate as agricultural labourer to the complainant for the purpose of purchasing land and on 03/06/1999 you DGO*

*accepted balance bribe of Rs. 500/- from the complainant to show official favour failing to maintain absolute integrity and devotion to duty, which act is unbecoming of a Government Servant and thus committed misconduct as enumerated u/Rule 3(1) (i) to (iii) of Karnataka Civil Service (Conduct) Rules, 1966.*

**ANNEXURE NO. II**

**STATEMENT OF IMPUTATIONS OF MISCONDUCT**

*The complainant namely N.Kotresh s/o Nagendrappa resident of Yekkegundi village, Kudligi taluk, Bellary district was an agricultural labourer and he was not having agricultural land. When the complainant wanted to purchase one acre of land he was in need of a certificate as agricultural labourer issued by the revenue authority. Accordingly, 12 to 14 days earlier to 01/06/1999, the complainant along with his friend namely Mujeeb approached the DGO and enquired about certificate as agricultural labourer. Then, the DGO asked the complainant to submit an application. The complainant gave application to the DGO. At that time, the DGO demanded bribe of Rs. 1,000/- from the complainant to issue certificate to him as agricultural labourer. The complainant expressed his inability to pay the said amount. Then, the DGO told him that unless bribe of Rs. 1,000/- is paid, such certificate will not be issued. On the evening of the same day, the complainant and his friend Sri Mujeeb and also his uncle Sri Kallappa went to the house of the DGO and paid Rs. 500/- and requested to issue certificate. Then, the DGO told the complainant to come after one week along balance bribe of Rs. 500/-. As*

the complainant was not willing to pay balance bribe amount, he approached the Lokayukta police inspector at Bellary (herein after referred as Investigating Officer, for short "the I.O."). On 01/06/1999 and lodged a complaint. On the basis of the said complaint, the I.O. registered case in Cr.No.3/99 for the offences punishable u/sec. 7,13(1)(d) r/w 13(2) of the Prevention of Corruption Act 1988. On 01/06/1999 itself, I.O. secured two panch witnesses namely Sri Venkatesh s/o Narasimhalu, SDA, District Central Jail, Bellary and Sri Prakash Naik s/o Bheemanaik, SDA, office of the Deputy Commissioner of Excise at Bellary. The I.O. conducted pre-trap formalities and prepared entrustment mahazar after applying phenolphthalein powder to currency notes of Rs. 500/-. Then the said tainted notes of Rs. 500 were entrusted to the complainant asking to pay the same to the DGO on demand. The witness namely Venkatesh was requested to act as shadow witness accompanying the complainant and to hear conversation and to watch transaction that takes place between the complainant and the DGO. Thereafter, the I.O. along with his staff, panch witnesses and the complainant went to Naduvinahalli village. The I.O. sent the complainant and shadow witness to approach the DGO. The complainant and shadow witness namely Venkatesh went to the house of the DGO and noticed that the door of the house was locked. Therefore, they returned back. Again, on 03/06/1999 the I.O. along with his staff members, panch witness and complainant went to Naduvinahalli village. On that day also, the I.O. sent the complainant and a panch witness namely



*Prakash Naik as shadow witness. The complainant's uncle namely Kallappa was also sent with them. They went to the house of the DGO. The complainant asked the DGO to issue agriculture labour certificate for which the DGO asked to give balance bribe of Rs. 500/-. The DGO told the complainant to hand over the bribe of Rs. 500/- to Sri Kallappa saying that he will collect the same from Sri Kallappa. Accordingly, the complainant handed over the tainted currency notes of Rs. 500/- to his uncle Sri Kallappa who in turn, gave the same to the DGO. After receiving the said amount, the I.O. kept the same on the table. Then, the complainant gave signal to the I.O. After receiving signal from the complainant, trap party entered the house of the DGO. Then, the complainant pointed the DGO stating about demand and acceptance of bribe from him. When the fingers of the hands of the DGO were washed separately with sodium carbonate solution it turned into pink colour. Further, when lungi and towel of the DGO were washed with sodium carbonate solution the washed solution turned into pink colour. Then, the tainted currency notes were recovered from the possession of the DGO. All these transactions were witnessed by both the panch witnesses. Then, the I.O. completed post-trap formalities and prepared mahazar. On questioning by the I.O., the DGO gave explanation in writing. During the course of investigation, the I.O. recorded statements of DGO and the other witnesses. The I.O. sent seized articles for chemical examination and report of the chemical examination was positive in support of the allegations made against the DGO. The materials collected in the*

*course of investigation showed a prima facie case. Thus, the DGO has failed to maintain absolute integrity and devotion to duty which act is unbecoming of a Government servant. Therefore, an observation note was sent to the DGO to show cause as to why recommendation should not be made to the Competent Authority to initiate departmental proceedings against him for the said misconduct. The DGO filed his reply denying the allegations made against him on the ground that he was acquitted in criminal case. But, his acquittal order was not an honourable acquittal and his reply was not convincing and satisfactory. Therefore, a recommendation was made to the Competent Authority u/sec. 12(3) of the Karnataka Lokayukta Act to initiate disciplinary proceedings. Accordingly, Competent Authority initiated disciplinary proceedings and entrusted enquiry u/R 14-A of Karnataka Civil Services (CCA) Rules. Hence, this charge.*

5. DGO appeared before this Enquiry Authority on 28/07/2011 and on the same day his First Oral Statement was recorded u/Rule 11(9) of KCS (CC&A) Rules, 1957. The DGO pleaded not guilty and claims to hold an enquiry.

6. DGO has not filed any written statement.

7. In order to substantiate the charge leveled against the DGO, the Disciplinary Authority examined in all three witnesses as PW1 to PW3 and got marked documents at Ex.P1 to P6. After closing the evidence of the Disciplinary Authority, the Second Oral Statement of DGO is recorded as required

u/Rule 11(16) of KCS (CC & A) Rules, 1957. The DGO did not choose to examine either himself or any witnesses on his behalf. Thereafter, questioning of this DGO is recorded as required u/Rule 11(18) of KCS (CC&A) Rules, 1957.

8. The Disciplinary Authority through the Presenting Officer and as well as the DGO submitted their separate written brief. In addition arguments on both the sides being heard. The point, that arise for the consideration of this enquiry authority are:-

Point NO.1:-Whether the Disciplinary Authority satisfactorily proved the charges framed against DGO?

Point NO.2:- What order?

9. My finding on the above points are as follows:-

Point No.1: In the “ **AFFIRMATIVE**”

Point No.2: As per the final order for the following:

**:: REASONS ::**

**10. Point NO.1:** The complainant who is examined as PW1 has deposed that, in the year 1999 DGO was working as Village Accountant in Gandabommanahalli village, Kudligi Taluk. His village Yakkegundhi was coming under the jurisdiction of Gandabommanahalli circle. He was in need of agricultural certificate to purchase the land, when he enquired the DGO to issue the certificate, the DGO demanded for illegal gratification of Rs. 1,000/-. Then himself and his friend Sri Mujeeb, his father-in-law-Sri Kallappa, again met the DGO

and paid Rs.500/-. Later he enquired the DGO, again DGO demanded to pay the balance amount. He was poor and he had no money and therefore, on 01/06/1999 he lodged the complaint/Ex.P1 to Lokayukta police. I.O. secured the presence of panchas namely Sri Venkatesh and Sri Prakash. He presented Rs. 500/-(Rs.50x10) before the panchas, the Lokayukta police applied phenolphthalein powder to the notes. Witness Sri Venaktesh counted the money kept it in his shirt pocket, hand wash of Sri Venkatesh was taken in sodium carbonate solution and it turned into pink colour. I.O. gave instructions to himself and panchas and drawn the pre-trap mahazar-Ex.P2.

11. Further PW1 has deposed that, all of them went near the house of the DGO, the house was locked. Therefore, came back to Bellary Lokayukta police station. Another mahazar-Ex.P3 was drawn. Then the I.O. left the money with him and gave instructions. He came to know that, on 03/06/1999 the DGO was in his village. Therefore, he went to the Lokayukta police and informed the matter, the I.O. secured the presence of panchas and all of them went to Naduvinahalli village. Himself, his father-in-law-Sri Kallappa and witness Sri Prakash went to meet the DGO, others were standing little away. He enquired the DGO about the certificate. DGO informed that, his certificate is ready, whether he has brought the money. He said yes. At that time, DGO asked him to give the money to Sri Kallappa, he gave money to Sri Kallappa in turn, Sri Kallappa gave the money to the DGO. Sri Kallappa received the same and kept it on the table and wiped his hands to his towel and lungi. He gave signal to the I.O.

12. Further PW1 has deposed that, immediately Lokayukta police came near him. On verification of the same, found on the table it was tallied with the money entrusted to him. The hand wash of the DGO was taken in some solution. But it did not turn into any colour. The towel and lungi were dipped into solution and it turned into light pink colour. On enquiry the DGO has given his statement as per Ex.P4, which is false. The I.O seized the copy of the certificate-Ex.P5 and drawn the Trap Mahazar-Ex.P6.

13. In the cross-examination PW1 has deposed that he doesn't know in C.C. No. 28/2000, the DGO was acquitted. He denies that, he submitted an application to the office of the Tahasildar for the certificate. According to him, he had given the application to the DGO. He has no documents to show that, he submitted an application to the DGO for the certificate. He admits that, before filing this complaint Gudekote Nadakacheri Deputy Tahasildar had issued the certificate-Ex.P5. He admits that, the Tahasildar and Deputy Tahasildar are the competent authorities to issue certificate.

14. PW1 admits that, Ex.P5 is issued as per the recommendation of Revenue Inspector. He doesn't know that the Village Accountant has no authority to issue the certificate. He denies that, he submitted an application to the Tahasildar, the Tahasildar, processed the application and issued Ex.P5. PW1 has voluntarily deposed that, he had not submitted an application to the Tahasildar. Further PW1 has denied that, he had not submitted any application to the DGO, he never met the DGO along with Sri Kallappa and Sri Mujeer, DGO never demanded and received Rs. 500/- from him.

15. PW1 has denied that, he was following up the stages in Special C.C. No. 28/2000. To purchase the agricultural land he has to apply for certificate from the Tahasildar. He was aware that, the panchayath Secretary was giving the certificate. He doesn't remember that, he addressed the application to the Tahasildar, Kudligi for certificate. He doesn't know that, the application was processed and forwarded to the Gudekote Deputy Tahasildar's office. But the application had come to Deputy Tahasildar office. Further he denies that, he was following up the application in Deputy Tahasildar's office. The certificate was required for him as early as possible.

16. PW1 admits that, DGO was the Village Accountant of Gandabommanahalli circle. He admits that, the office of the DGO is situate in Gandabommanahalli village. Further he denies that, always the DGO was available in Gandabommanahalli office. He denied that, 15 days before 01/06/1999 he had never met the DGO and never submitted an application. He was aware that, if there is any demand for illegal gratification, the matter has to be complained to the higher authorities of the Lokayukta. He did not file any complaint when the DGO demanded for Rs. 1,000/-12 to 15 days before 01/06/1999.

17. Further PW1 has deposed that, he doesn't know at what time they left his house on 01/06/1999. But when he reached the Lokayukta office it was 11.30 a.m. When he left his house he had not prepared the complaint. He wrote the complaint in Lokayukta police station. When they reached the Naduvanahalli village from Bellary it was 7 to 7.30. p.m. On that day the house of the DGO was locked. Therefore, they

came back to Bellary. He denies that, on 01/06/1999 from Naduvanahalli village directly he went to his house, without going to Lokayukta police station. From Lokayukta police station 5-6 persons of staff and panchas had been to Naduvanahalli village. When he was in contact with DGO he was telling that, he is from Hospete. In the morning on 03/06/1999 he came to know that, the DGO was in Naduvanahalli.

18. But PW1 he cannot say the exact time. Further he denies that, on 03/06/1999 in the afternoon he came to know that, the DGO was in Naduvanahalli. When they reached Naduvanahalli on 03/06/1999 it was 1.30 to 2 p.m. He admits that, after confirming that, the DGO was in Naduvanahalli village, he went to Bellary he doesn't know the distance between Naduvanahalli village and Bellary and what will be duration for travel.

19. Again PW1 has deposed that, it will take 1 to 1 ½ hours to travel from Naduvanahalli to Bellary. Further PW1 has deposed that, before going to Naduvanahalli he has shown the notes, when they were leaving Bellary to Naduvanahalli the I.O. has taken necessary articles. He doesn't know whether the hand wash of Sri Venkatesh was brought to Naduvanahalli or not. He denies that on 03/06/1999 when they reached Naduvanahalli it was 4.30 p.m. to 5 p.m. But it was 1.30 p.m. Lokayukta police, himself and panchas went to jeep in Bellary to Naduvanahalli.

20. PW1 doesn't know that, Ex.P2,P3 and P6 were type written in the same type-writer. He admits that, the same

typist has typed Ex.P2, P3 and P6. He further denies that, at the same place Ex.P2,P3 and P6 were type-written. He has deposed that, two were type-written in Bellary Lokayukta police station and one was type-written in Naduvanahalli. He further denies that, no mahazar was drawn in Naduvanahalli village. He cannot say the boundaries with residential house of the DGO. He went inside the house of the DGO, he observed that, there was a hall, kitchen and bathroom in the house. The house has front door and back door. First himself, Sri Kallappa and Sri Prakash went to the house of the DGO. He denies that, he did not go to the house of the DGO and DGO never demanded the money from him. He denies that, on 03/06/1999 the I.O. has not seized any objects from the house of the DGO. He denies that, when they had been to the house of the DGO, the DGO was wear pant and shirt. He denies that, DGO never demanded and received any money from him.

21. PW1 admits that, the hand wash of the DGO was taken in sodium carbonate solution. Further he has deposed that, the hand wash was not turned into any colour. He denies that, on 03/06/1999 when they had been to the house of the DGO, Ex.P5 was in his possession. He admits that, on 03/06/1999 Lokayukta police has seized the towel and lungi in the house of the DGO. He denied that, the seized towel and lungi were not pertaining to the DGO. He denies that, though the work was not pending before the DGO, with a malafide intention he has filed a false complaint. He denies that, the I.O. himself gave dictation to type Ex.P2, P3 and P6. Further except some



suggestions and denials nothing much is elicited from his mouth.

22. PW2 has deposed that, on 03/06/1999 Lokayukta police summoned him to their police station, introduced the complainant and pancha Sri Prakash and explained the contents of the complaint. The complainant presented Rs.500/- (Rs.50x10), I.O. applied powder to the notes, note numbers were noted down, witness Sri Prakash gave the money to the complainant. I.O. gave instructions to himself and another pancha and drawn the pre-trap mahazar-Ex.P2.

23. Further PW2 has deposed that, I.O. took all of them to the village of the DGO. The complainant and pancha Sri Prakash went to meet the DGO. He was standing at a little distance. The complainant came back and informed that, the DGO was not present in his private office. Therefore, all of them came back to the Lokayukta police station, Bellary. The I.O. left the money with the complainant and drawn the mahazar-Ex.P3.

24. Further PW2 has deposed that, three days later at 11 a.m. he went to the Lokayukta police station, again the same notes were given to the complainant through Sri Prakash. I.O., took all of them to the village of the DGO. The complainant and Sri Prakash went to the private house of the DGO. At 2.30 p.m., they received the signal immediately himself with Lokayukta police went to the room of the DGO. The DGO and pancha Sri Prakash shown the DGO and informed that, they gave the money. At that time, the money was laying on the table.

25. PW2 doesn't know why the money was laying on the table. Lokayukta Police have shown their Identity Card and informed that, the DGO was trapped. On verification the amount found on the table was tallied with the money entrusted to the complainant. The hand wash of the DGO was taken in some solution and it turned into red colour. The towel and lungi of the DGO were dipped into solution, it turned into red colour. The DGO has given his statement-Ex.P4. I.O. seized the certificate-Ex.P5 from the DGO. At the time, Lokayukta police have drawn the mahazar-Ex.P6. Lokayukta police arrested the DGO and released him on bail.

26. PW2 has not fully supported the Disciplinary Authority regarding the Entrustment Mahazar and Trap Mahazar. Hence, with the permission, the Presenting Officer cross-examined PW2. The cross-examination made by Presenting Officer, PW2 has admitted that, on 01/06/1999 the Lokayukta police summoned him to their office and on that day, he saw the complainant and witness Sri Prakash. Further he admits the allegations in the complaint that the complainant was in need of agricultural certificate, DGO demanded Rs. 1,000/- and had already received Rs. 500/-. He admits that, after the note numbers were noted down the tainted amount was given to him and he kept the money into the shirt pocket of the complainant.

27. PW2 admits that, his hand wash was taken in sodium carbonate solution and it turned into pink colour. He admits that, I.O. gave signal to himself and another pancha and drawn the Entrustment Mahazar-Ex.P2. He admits that, on the same day all of them went near the house of the DGO and

I.O. sent the complainant and pancha Sri Prakash to meet the DGO, they came back to Bellary. He admits that, I.O. left the tainted amount with the complainant and drawn mahazar-Ex.P3.

28. PW2 admits that, on 03/06/1999 again Lokayukta police summoned all of them. Along with them complainant's father-in-law Sri Kallappa also had come. He admits that, again the same money was verified and he kept the money into the pocket of the complainant. He admits that, the I.O. sent the complainant and pancha Sri Prakash went to meet the DGO. He admits that, the complainant gave a signal by lighting beedi and then the Lokayukta police and himself went to the residence of the DGO. He admits that, the complainant shown the DGO. I.O. Introduced himself and complainant and complainant narrated the incident.

29. PW2 admits that, when the hand wash of the DGO was taken in sodium carbonate solution it did not turned into any colour. He admits that, on enquiry, the DGO shown the money which was laying on the table. He admits that, the money was given to him and on verification it was tallied with the money entrusted to the complainant on 01/06/1999. He admits that, when the towel and lungi were dipped into solution it turned into pink colour. He further admits that, the statement given by DGO is false, according to the complainant and shadow witness. He admits that, the I.O. has drawn the Trap Mahazar-Ex.P6. He has deposed that, since the incident took place 10 years back, he could not give accurate the evidence.

30. In the cross-examination made by the DGO, PW2 has admits that on 01/06/1999 no proccdure was done in the village of the DGO. He admits that, when he had been to Lokayukta police station, the complaint lodged by Sri Kotresh was given to him to read. Except that, he has no personal information. He admits that, he did not see the DGO demanding and receiving and keeping money on the table. He admits that, on the basis of the information given by other, he has deposed that, the DGO has demanded and received and kept the money on the table. He has deposed that, when he had been to the house of the DGO, he saw the money on the table.

31. Further PW2 admits that, he has not seen who kept the money on the table and at what time. He admits that, the contents of the mahazars were dictated by I.O. He admits that, he has not given any dictation to type the mahazars. He doesn't know that, in criminal case the DGO was acquitted. He doesn't know that, the DGO has no authority to issue the certificate. He denies that, without giving the contents of the mahazars, he has put the signature.

32. CW3-Shadow witness and I.O-CW4 were reported to be dead. Hence, Sri S.K. Sindhogi, who was acquainted with the signature of the I.O. is examined as PW3.

33. PW3 has deposed that, from 1999 to 2013 he was working as SDA, FDA in Bellary Lokayukta Police station. At that time, one Sri Prabhakar, was the police inspector and one Sri Mallikarjuna was the Head constable. Both of them were no more. Police Inspector died on 27/04/2006 and Sri

Mallikarjuna died on 12/02/2008. Further he has deposed that, he is acquainted with the signatures of Sri Prabhakar and Sri Mallikarjuna. When Sri Prabhakar was working as Inspector, Head constable Sri Mallikarjuna was assisting him. Since he was working as SDA, FDA is acquainted with the signatures and hand-writing. Complaint-Ex.P1 bears the signatures of Sri Prabhakar to Ex.P1,P2,P3,P4,P5 and P6. Head Constable Sri Mallikarjuna has typed Ex.P2 and P3. He came to know that, the DGO demanded and received the bribe amount to issue agricultural certificate.

34. In the cross-examination PW3 denies that, at the time of the Entrustment Mahazar and Trap Mahazar, he was not present. Further PW3 has deposed that, he has no personal acquaintance with the DGO. Looking at the signature of the I.O. he has deposed that, this incident might have transpired, but he doesn't know the true facts.

35. In the evidence of PW1-complainant, except some suggestions and denials nothing much is elicited from his mouth to disbelieve his evidence. The evidence of PW1 is very clear that, he was in need of agricultural certificate. When he approached the DGO, DGO demanded for illegal gratification of Rs. 1,000/- and received Rs. 500/- from the complainant. Again when PW1 met the DGO, the DGO demanded for the bribe amount. Therefore, the complainant lodged the complaint-Ex.P1. The I.O. secured the panchas namely Sri Venkatesh and Sri Prakash, the complainant presented Rs. 500 (Rs.50x10) before the I.O. Pancha noted down the numbers, police applied the phenolphthalein powder to the notes. PW2 kept the money into the shirt pocket of the

complainant, hand wash of Sri Prakash was taken in sodium carbonate solution and it turned into pink colour. I.O. gave instructions to the complainant and panchas.

36. Then all of them went to Naduvanahalli on 01/06/1999. But on that day the DGO was no present. Therefore, on 03/06/1999 again all of them went near the house of the DGO. The complainant and shadow witness went to the house of the DGO, DGO demanded and received the bribe amount from the complainant. The I.O. seized the tainted amount from the possession of the DGO. DGO has not explained how the tainted amount was found in his house on the table and why his towel and lungi wash taken in sodium carbonate solution was turned into pink colour.

37. Therefore, I hold that, the DGO was working as Village Accountant in Gandabommanahalli circle, when the complainant approached the DGO about 12 to 14 days earlier to 01/06/1999, DGO demanded bribe of Rs. 1,000/- and accepted Rs. 500/- on that day to issue a certificate as agricultural labourer to the complainant for the purpose of purchasing land and on 03/06/1999 DGO accepted balance bribe of Rs. 500/- from the complainant to show official favour. DGO has failed to give any acceptable or satisfactory reasons for possession of the tainted amount.

38. Thus DGO has failed to maintain absolute integrity, devotion to duty and acted in a manner of unbecoming of a Government Servant. Hence, I answer this point in the **AFFIRMATIVE**.

**39. Point NO.2:-** For the reasons discussed above, I proceed to pass the following:-

**:: ORDER ::**

*The Disciplinary Authority has satisfactorily proved the charge in this case that, DGO- Sri K. Veereshappa, the then Village Accountant, Gandabommanahalli, Kudligi Taluk, Bellary District, **(Now retired)** committed mis-conduct as enumerated U/R 3(1) (i) to (iii) of the Karnataka Civil Service (Conduct) Rules, 1966.*

40. Hence this report is submitted to Hon'ble Upalokayukta-2 for kind perusal and for further action in the matter.

Dated this the 10<sup>th</sup> day of January, 18

-Sd/-  
(S. Gopalappa)  
I/c Additional Registrar Enquiries-4,  
Karnataka Lokayukta,  
Bangalore.

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

- PW-1 :- Sri Kotreshi (complainant)  
PW-2 :- Sri Venkatesh (pancha witness)  
PW-3:- Sri S.K.Sindhogi (witness)

**LIST OF WITNESSES EXAMINED ON BEHALF OF THE DEFENCE:**

NIL

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

- Ex.P-1: Certified copy of the complaint  
Ex.P-1(a): Relevant entry in Ex.P1  
Ex.P-2: Certified copy of the Entrustment Mahazar  
Ex.P-3: Certified copy of the Panchanama  
Ex.P-3(a,b): Relevant entries in Ex.P3  
Ex.P-4: Certified copy of the explanation of DGO  
Ex.P4(a): Relevant entry in Ex.P4  
Ex.P-5: Certified copy of the Agricultural certificate  
Ex.P-5(a): Relevant entry in Ex.P5  
Ex.P-6: Certified copy of the Trap Mahazar  
Ex.P-6(a,b): Relevant entries in Ex.P6

**LIST OF EXHIBITS MARKED ON BEHALF OF DGO:**

NIL

Dated this the 10<sup>th</sup> day of January, 18

-Sd/-  
(S. Gopalappa)  
I/c Additional Registrar Enquiries-4,  
Karnataka Lokayukta,  
Bangalore.