

KARNATAKA LOKAYUKTA

NO:UPLOK-1/DE/10/2017/ARE-9

M.S.Building,
Dr. B.R. Ambedkar Veedhi,
Bengaluru - 560 001.
Date:31.3.2022

:: ENQUIRY REPORT ::

:: Present ::

(PUSHPAVATHI.V)

**Additional Registrar of Enquiries -9
Karnataka Lokayukta,
Bengaluru**

Sub: Departmental Inquiry against Sri.
Yallappa, Panchayath development
officer, Kalliguddi Grama panchayath,
Gokak Taluk, Belagavi District - reg.

Ref: 1. G.O.No. Gra APa 549 Gra Pam Ka
2016 dated: 16.12.2016
2.Nomination Order No: UPLOK-
1/DE/10/2017/ARE-9 Bangalore
dated:6.1.2017 of Hon'ble
Upalokayukta-1

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This Departmental Inquiry is initiated against Sri.
Yallappa, Panchayath development officer, Kalliguddi Grama
panchayath, Gokak Taluk, Belagavi District (hereinafter
referred to as the Delinquent Government Official for short
"DGO").

2. In pursuance of the Government Order cited above at
reference No.1, Hon'ble Upalokayukta vide order dated
6.1.2017 cited above at reference No.2 has nominated
Additional Registrar of Enquiries-9 (in short ARE-9) to frame

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Articles of charges and to conduct the inquiry against the aforesaid DGO.

3. This Authority (ARE-9) has issued the Articles of charges, Statement of imputations of misconduct, list of witnesses proposed to be examined in support of the charges and list of documents proposed to be relied in support of the charges.

4. The Amended Article of charges issued by the ARE-9 against the DGO are as under :

ANNEXURE-I
AMMENDED CHARGE

2) ಅ.ಸ.ನೌ ಆದ ನೀವು -

1) ಸನ್ 2010-11 ಸಾಲಿನ ಬಸವ ವಸತಿ ಯೋಜನೆಯಲ್ಲಿ ಬಿಡುಗಡೆಯಾದ ಹಣದಲ್ಲಿ ಮಹದೇವಿ ಗೋಳಪ್ಪ ಮಳಲಿ, ರೇಣುಕಾ ರಾಮಚಂದ್ರ ಗಡ್ಡಿ, ಲಕ್ಷ್ಮಮ್ಮ ಲಕ್ಷ್ಮಣ ಬಿಳಕುಂದಿ, ಶ್ರೀಮತಿ ಕಸ್ತೂರಿ ಶಂಕ್ರಪ್ಪ ಬೆನಕಟ್ಟಿರವರು ಶ್ರೀಮತಿ ಗೀತಾ ಲಕ್ಷ್ಮಣ ಮಾವಿನಗಿಡದ ಫಲಾನುಭವಿಗಳಾಗಿ ಆಯ್ಕೆಯಾಗಿದ್ದು ಇವರಿಗೆ ಕ್ರಮವಾಗಿ ರೂ.77500/-, ರೂ.37500/- ರೂ.25000/-, ರೂ.25000/- ಮತ್ತು 25000/- ಮನೆಗಳನ್ನು ಕಟ್ಟಿದೇ ಇದ್ದರೂ ಹಣವನ್ನು ಬಿಡುಗಡೆ ಮಾಡಿರುತ್ತೀರಾ.

2) ಸನ್ 2011-12ರ ಇಂದಿರಾ ವಸತಿ ಯೋಜನೆಯಲ್ಲಿ ಶ್ರೀಮತಿ.ಶಾರದ ಭಾಸ್ಕರ ಹಾದಿಮನಿ, ಶ್ರೀಮತಿ ಯಮನವ್ವ ಬಾಳಪ್ಪ ನಡುಮನಿ ಶ್ರೀಮತಿ ಶೋಭ ಸತೀಶ ಗೋದಿಗೊಪ್ಪ ಇವರುಗಳಿಗೆ ಇವರು ಫಲಾನುಭವಿಯಾಗಿ ಮನೆಕಟ್ಟಿದೇ ಇದ್ದರೂ ರೂ.35000/-, ರೂ.75000/-, ರೂ.35000/- ಗಳನ್ನು ಬಿಡುಗಡೆ ಮಾಡಿರುತ್ತೀರಾ.

3) ಸನ್ 2012-13 ನೇ ಸಾಲಿನ ಬಸವ ವಸತಿಯೋಜನೆಯಡಿಯಲ್ಲಿ ಶ್ರೀಮತಿ ಗಂಗವ್ವ ಮಾಳೇಶ ಮಾವಿನಗಿಡದ, ಶ್ರೀಮತಿ ಸಕ್ಕುಬಾಯಿ ಭೀಮಪ್ಪ ಅಳಗೋಡ, ಶ್ರೀಮತಿ ಮಹಾದೇವಿ ಲಕ್ಷ್ಮಣ ಹಾದಿಮನಿ ಶಾಂತವ್ವ ಲಕ್ಷ್ಮಣ ಕುದರಿ, ಶಾಂತ ಅನಿಲ ಸಂಕ್ರೀ ರವರು ಫಲಾನುಭವಿಗಳಾಗಿ ಆಯ್ಕೆಯಾಗಿ ಇವರಿಗೆ ಕ್ರಮವಾಗಿ ರೂ.55000/-, ರೂ.35000/-, ರೂ.35000/- ರೂ.35000/- ಹಾಗೂ ರೂ.55,000/- ಮನೆಯನ್ನು ಕಟ್ಟಿದೇ ಇದ್ದರೂ ಹಣವನ್ನು ಬಿಡುಗಡೆ ಮಾಡಿರುತ್ತೀರಾ.

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4) ಪ್ರತಿ ಆಶ್ರಯ ಮನೆಗೆ ಮಂಜೂರಾದ ಅನುದಾನವನ್ನು 4 ಹಂತಗಳಲ್ಲಿ ಬಿಡುಗಡೆ ಮಾಡಬೇಕಾಗಿರುತ್ತದೆ. (1) ಮನೆ ಪಾಯದ ಕಾಮಗಾರಿಯ ಹಂತದಲ್ಲಿ, 2) ಮನೆಯ ಲಿಂಟಲ್ ಹಂತದಲ್ಲಿ 3) ಮನೆಯ ರೂಫ್ ಹಂತದಲ್ಲಿ ಹಾಗೂ 4) ಮನೆ ಕಟ್ಟಡವೂ ಸಂಪೂರ್ಣವಾದ ನಂತರ ಬಿಡುಗಡೆ ಮಾಡಬೇಕಾಗಿರುತ್ತದೆ. ಪ್ರಗತಿಯ ಹಂತಗಳಿಗನುಗುಣವಾಗಿ ಜಿ.ಪಿ.ಎಸ್ ಮಾಡುವ ಮೂಲಕ ಅಥವಾ ಪಿ.ಡಿ.ಒ. ರವರು ಖುದ್ದಾಗಿ ಪರಿಶೀಲಿಸಿ, ಮನೆಯ ಪ್ರಗತಿಯ ಛಾಯಚಿತ್ರಗಳನ್ನು ತೆಗೆದುಕೊಂಡು ಆಯಾ ಫಲಾನುಭವಿಗೆ ಆಯಾ ಕಂತಿನ ಹಣವನ್ನು ಬಿಡುಗಡೆ ಮಾಡಬೇಕಾಗಿರುತ್ತದೆ. ಈ ಎಲ್ಲಾ ಕಾರ್ಯಕ್ರಮದ ಜವಾಬ್ದಾರಿಯು ಪಂಚಾಯತಿ ಅಭಿವೃದ್ಧಿ ಅಧಿಕಾರಿಯ ನಿಯಂತ್ರಣದಲ್ಲಿದ್ದು. ಆದರೆ, ಮೇಲೆ ಹೇಳಿದ 17 ನಿದರ್ಶನಗಳಲ್ಲಿ ಬಹುತೇಕ ಫಲಾನುಭವಿಗಳು ಮನೆಯನ್ನು ಕಟ್ಟಿರುವುದಿಲ್ಲ. ಮತ್ತೆ ಕೆಲವೊಬ್ಬರು ಪಾಯದವರೆಗೆ ಮನೆ ಕಟ್ಟಿರುತ್ತಾರೆ. ಆದರೆ ಈ ಫಲಾನುಭವಿಗಳಿಗೆ ಹಣವನ್ನು ಬಿಡುಗಡೆ ಮಾಡಿದೆ.

ಆದ್ದರಿಂದ, ನೀವು ಕರ್ತವ್ಯಲೋಪವೆಸಗಿ ಸರ್ಕಾರಿ ನೌಕರರಿಗೆ ಉಚಿತವಲ್ಲದ ರೀತಿಯಲ್ಲಿ ನಡೆದುಕೊಂಡು ದುರ್ನಡತೆಯಿಂದ ವರ್ತಿಸಿ ಕರ್ನಾಟಕ ನಾಗರಿಕ ಸೇವಾ ನಿಯಮಗಳು (ನಡತೆ) 1966 ನಿಯಮ 3(1) (i) ರಿಂದ (iii) ರಡಿಯಲ್ಲಿ ದುರ್ನಡತೆಯನ್ನೆಸಗಿದ್ದೀರಿ.

ANNEXURE - 2

STATEMENT OF IMPUTATIONS OF MISCONDUCT

5. ಕಳ್ಳಿಗುದ್ದಿ ಗ್ರಾಮ ಪಂಚಾಯತಿಯ ಅಧ್ಯಕ್ಷರು, ಸದಸ್ಯರು ಮತ್ತು ಇತರೆ ಗ್ರಾಮ ಪಂಚಾಯತ್ ಅಧಿಕಾರಿಯವರು ತಮ್ಮ ಅಧಿಕಾರವನ್ನು ದುರುಪಯೋಗಪಡಿಸಿಕೊಂಡು ಸ್ವಜನ ಪಕ್ಷಪಾತ, ಬ್ರಷ್ಟಾಚಾರದಿಂದ ಸ್ವಹಿತವನ್ನು ಸಾಧಿಸುತ್ತಿದ್ದಾರೆ, ತಮ್ಮ ಸಂಬಂಧಿಕರಿಗೆ ಮಾತ್ರ ಅನುಕೂಲವಾಗುವಂತೆ, ಸರ್ಕಾರದ ಅನೇಕ ಯೋಜನೆಗಳಿಗೆ ತಮ್ಮ ಸಂಬಂಧಿಕರನ್ನೇ ಆಯ್ಕೆ ಮಾಡಿಕೊಂಡಿರುತ್ತಾರೆ, ಒಬ್ಬರೇ ಫಲಾನುಭವಿಗೆ 2-3 ಮನೆಗಳನ್ನು ಮಂಜೂರು ಮಾಡಿರುತ್ತಾರೆ. ವಸತಿ ಯೋಜನೆಯಡಿ ಮನೆಗಳನ್ನು ಕಟ್ಟಿದೆ ಇದ್ದರೂ ಸಹ, ಬಿಲ್ಲಿನ ಹಣವನ್ನು ಬಿಡುಗಡೆ ಮಾಡಲಾಗಿರುತ್ತದೆ. ಇದೆ ರೀತಿ ಕೃಷಿ ಹೊಂಡಗಳನ್ನು ಮತ್ತು ಶೌಚಾಲಯಗಳನ್ನು ಕಟ್ಟಿದೇ ಇದ್ದರೂ ಸಹ ಫಲಾನುಭವಿಗಳಿಗೆ ಹಣ ಬಿಡುಗಡೆ ಮಾಡಿದ್ದು, ಹಾಗೂ ಕೆರೆಯಲ್ಲಿ ಹೂಳೆತ್ತುವುದಕ್ಕೆ ರೂ.10 ಲಕ್ಷ ಮಂಜೂರಾಗಿದ್ದರೂ, ರೂ.1 ಲಕ್ಷ ಹಣವನ್ನೂ ಸಹ ಖರ್ಚು ಮಾಡಿರುವುದಿಲ್ಲ, ಗ್ರಾಮದ ರಸ್ತೆ ದೀಪದ ಬಲ್ಲುಗಳನ್ನು ಮತ್ತು ನೀರೆತ್ತುವ ಮೋಟಾರ್‌ಗಳ ಸ್ಕಾರ್ಟರ್‌ಗಳನ್ನು ಮತ್ತು ಪೈಪುಗಳನ್ನು ಖರೀದಿಸುವಲ್ಲಿ ಅವ್ಯವಹಾರವನ್ನು ಮಾಡಿರುತ್ತಾರೆಂದು ಆರೋಪಿಸಿದ್ದಾರೆ.

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6. ಸದರಿ ದೂರಿನ ಆಧಾರದ ಮೇಲೆ ಆಸನು ಆದ ನಿಮ್ಮ ಆಕ್ಷೇಪಣೆಯನ್ನು ಕರೆಯಲಾಗಿದ್ದು, ನಿಮ್ಮ ಆಕ್ಷೇಪಣೆಯನ್ನು ಸಲ್ಲಿಸಿರುತ್ತೀರಿ. ನಿಮ್ಮ ಆಕ್ಷೇಪಣೆಯಲ್ಲಿ ಕಳ್ಳಿಗುದ್ದಿ ಗ್ರಾಮ ಪಂಚಾಯತಿ ವ್ಯಾಪ್ತಿಯಲ್ಲಿ ಬರುವ ಬಸವ ವಸತಿ ಯೋಜನೆಯಡಿಯಲ್ಲಿ 17 ಫಲಾನುಭವಿಗಳಲ್ಲಿ 13 ಫಲಾನುಭವಿಗಳು ಮನೆ ನಿರ್ಮಿಸಿಕೊಂಡು ವಾಸವಾಗಿರುತ್ತಾರೆ. 4 ಫಲಾನುಭವಿಗಳಿಗೆ ಮನೆ ನಿರ್ಮಾಣ ಮಾಡಿಕೊಳ್ಳಲು ನೋಟೀಸ್ ನೀಡಲಾಗಿದೆ. ಕಳ್ಳಿಗುದ್ದಿ ಗ್ರಾಮದಲ್ಲಿನ ಕೆರೆಯ ಹೂಳೆತ್ತುವ ಕಾಮಗಾರಿಯನ್ನು ಕೈಗೊಂಡಿದ್ದು, ಅದರ ದಾಖಲಾತಿಗಳನ್ನು ಹಾಜರುಪಡಿಸಲಾಗಿದೆಯೆಂದು ತಿಳಿಸಿರುತ್ತೀರಿ.

7. ಸದರಿ ಆಕ್ಷೇಪಣೆಯ ಮೇಲೆ ದೂರುದಾರರಿಗೆ ಪ್ರತ್ಯುತ್ತರವನ್ನು ಸಲ್ಲಿಸಲು ತಿಳಿಸಲಾಗಿದ್ದು, ದೂರುದಾರರು ತಮ್ಮ ಪ್ರತ್ಯುತ್ತರವನ್ನು ಸಲ್ಲಿಸಿರುತ್ತಾರೆ. ಸದರಿ ಪ್ರತ್ಯುತ್ತರದಲ್ಲಿ ದೂರುದಾರರು, ದೂರಿನಂಶಗಳನ್ನೇ ಪುನರ್ ಉಚ್ಚರಿಸಿರುತ್ತಾರೆ. ನಂತರ ಈ ಪ್ರಕರಣದಲ್ಲಿ ದೂರುದಾರರು ಮಾಡಿರುವ ಆರೋಪಗಳ ಬಗ್ಗೆ ಸ್ಥಳ ತನಿಖೆ ನಡೆಸಿ ವರದಿ ಪಡೆಯುವುದು ಸೂಕ್ತವೆಂದು ಪರಿಗಣಿಸಿ, ಕಡತವನ್ನು ಪೊಲೀಸ್ ಅಧೀಕ್ಷಕರು, ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ, ಬೆಳಗಾವಿ ಅವರಿಗೆ ಕಳುಹಿಸಲಾಗಿದ್ದು, ಸದರಿ ಪೊಲೀಸ್ ಅಧೀಕ್ಷಕರು, ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ, ಬೆಳಗಾವಿ, ಯವರು ತನಿಖೆಯನ್ನು ಪೊಲೀಸ್ ಉಪಾಧೀಕ್ಷಕರು, ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ, ಬೆಳಗಾವಿ ಇವರಿಗೆ ವಹಿಸಿದ್ದು, ಸದರಿ ಅಧಿಕಾರಿಯವರು ದಿನಾಂಕ 26.3.16ರ ತಮ್ಮ ವರದಿಯನ್ನು ಸಲ್ಲಿಸಿರುತ್ತಾರೆ.

8. ತನಿಖಾಧಿಕಾರಿಯವರು ಕಳ್ಳಿಗುದ್ದಿ ಗ್ರಾಮಕ್ಕೆ ಬೇಟೆ ನೀಡಿ, ಬಸವ ವಸತಿ ಯೋಜನೆ, ಇಂದಿರಾ ವಸತಿ ಯೋಜನೆಯಡಿಗಳಲ್ಲಿ ಫಲಾನುಭವಿಗಳು ಕಟ್ಟಿಸಿರುವ ಮನೆಗಳನ್ನು ಪರಿಶೀಲಿಸಲು ಸ್ಥಳ ತನಿಖೆಯನ್ನು ಕೈಗೊಂಡಿದ್ದು, ಶ್ರೀಮತಿ ಗೀತಾ ಲಕ್ಷ್ಮಣ ಮಾವಿನಗಿಡದ ಇವರು 2010-11 ಸಾಲಿಗೆ ಬಸವ ವಸತಿ ಯೋಜನೆಯಡಿ ಫಲಾನುಭವಿಯಾಗಿದ್ದು, ಬಿಡುಗಡೆಯಾದ ಒಟ್ಟು ರೂ. 50,000/- ಅನುದಾನದಲ್ಲಿ ರೂ.25,000/- ಬಿಡುಗಡೆಯಾಗಿದ್ದು, ಸದರಿ ಶ್ರೀಮತಿ ಗೀತಾ ಲಕ್ಷ್ಮಣ ಮಾವಿನಗಿಡದ ಇವರು ಮನೆಯನ್ನು ಕಟ್ಟಿರುವುದಿಲ್ಲ. ಅದೇ ರೀತಿ ಶ್ರೀಮತಿ ಶಾರದ ಭಾಸ್ಕರ್ ಹಾದಿಮನಿ ಇವರು ಇಂದಿರಾ ವಸತಿ ಯೋಜನೆಯಡಿಯಲ್ಲಿ 2011-12 ಫಲಾನುಭವಿಯಾಗಿ ಆಯ್ಕೆಯಾಗಿದ್ದು, ಸದರಿಯವರಿಗೆ ಮನೆ ಕಟ್ಟಲು ರೂ.35000/- ಬಿಡುಗಡೆಯಾಗಿದ್ದು, ಇವರೂ ಸಹ ಮನೆ ಕಟ್ಟಿರುವುದಿಲ್ಲ. ಶ್ರೀಮತಿ ಶಾಂತವ್ವ ಲಕ್ಷ್ಮಣ ಕುದುರಿ ಅವರು ಬಸವ ವಸತಿ ಯೋಜನೆಯಡಿಯಲ್ಲಿ 2012-13ನೇ ಸಾಲಿಗೆ

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ಫಲಾನುಭವಿಯಾಗಿ ಆಯ್ಕೆಯಾಗಿದ್ದು, ರೂ.35,000/- ಹಣ ಬಿಡುಗಡೆ ಮಾಡಿರುತ್ತದೆ. ಇವರು ಪಾಯದ ಹಂತದವರೆಗೆ ಮಾತ್ರ ಮನೆ ಕಟ್ಟಲಾಗಿರುತ್ತಾರೆ. ಶ್ರೀಮತಿ ಶಾಂತ ಅನೀಲ ಶಂಕ್ರಿ ಇವರನ್ನು 2012-13 ಸಾಲಿನಲ್ಲಿ ಬಸವ ವಸತಿ ಯೋಜನೆಯಡಿಯಲ್ಲಿ ಫಲಾನುಭವಿ ಎಂದು ಆಯ್ಕೆ ಮಾಡಿದ್ದು, ಮನೆ ಕಟ್ಟಲು ಅನುದಾನದ ಮೊತ್ತ ರೂ.75,000/- ದಲ್ಲಿ ರೂ.55,000 ಬಿಡುಗಡೆ ಮಾಡಲಾಗಿದ್ದು, ಇವರು ಮನೆ ಕಟ್ಟಿರುವುದಿಲ್ಲ. ಶ್ರೀಮತಿ ಲಕ್ಷ್ಮಣ ಲಕ್ಷ್ಮಣ ಬಿಳಕುಂದಿ, ಶ್ರೀಮತಿ ಕಸ್ತೂರಿ ಶಂಕ್ರಪ್ಪ ಬೆನಕಟ್ಟಿ, ಶ್ರೀಮತಿ ಮಹದೇವಿ ಗೋಳಪ್ಪ ಮಳಲಿ, ಶ್ರೀಮತಿ ರೇಣುಕ ರಾಮಚಂದ್ರ ದಡ್ಡಿ, ಇವರುಗಳನ್ನು 2010-11 ನೇ ಸಾಲಿನ ಬಸವ ವಸತಿ ಯೋಜನೆಯಡಿಯಲ್ಲಿ ಫಲಾನುಭವಿಗಳಾಗಿ ಆಯ್ಕೆ ಮಾಡಲಾಗಿದ್ದು, ಇವರುಗಳಿಗೆ ಕ್ರಮವಾಗಿ ರೂ.74,500/-, ರೂ.37,500/-, ರೂ.25,000/- ರೂ.25,000/- ಬಿಡುಗಡೆ ಮಾಡಲಾಗಿದ್ದು, ಸದರಿಯವರುಗಳು ಮನೆ ಕಟ್ಟಿರುವುದಿಲ್ಲ. ಶ್ರೀಮತಿ ಗಂಗವ್ವ ಮಾಳೇಶ ಮಾವಿನಗಿಡದ, ಶ್ರೀಮತಿ ಸಕ್ಕಾಬಾಯಿ ಭೀಮಪ್ಪ ಅಳಗೋಡ, ಶ್ರೀಮತಿ ಮಹದೇವಿ ಲಕ್ಷ್ಮಣ ಹಾದಿಮನಿ, ಇವರುಗಳನ್ನು 2012-13ನೇ ಸಾಲಿನ ಬಸವ ವಸತಿ ಯೋಜನೆಯಡಿಯಲ್ಲಿ ಫಲಾನುಭವಿಗಳಾಗಿ ಆಯ್ಕೆ ಮಾಡಲಾಗಿದ್ದು, ಇವರುಗಳಿಗೆ ಕ್ರಮವಾಗಿ ರೂ.55,000/- ರೂ.35000, 35,000/- ಬಿಡುಗಡೆ ಮಾಡಲಾಗಿದ್ದರೂ ಸಹ ಇವರುಗಳು ಮನೆಗಳನ್ನು ಕಟ್ಟಿರುವುದಿಲ್ಲ. ಶ್ರೀಮತಿ ಯಮನವ್ವ ಬಾಳಪ್ಪ ನಡುಮನಿ ಹಾಗೂ ಶ್ರೀಮತಿ ಶೋಭಾ ಸತೀಶ ಗೋದಿಗೋಪ್ಪ ಇವರುಗಳನ್ನು ಇಂದಿರ ವಸತಿ ಯೋಜನೆಯಡಿಯಲ್ಲಿ 2011-12ನೇ ಸಾಲಿಗೆ ಫಲಾನುಭವಿಗಳಾಗಿ ಆಯ್ಕೆ ಮಾಡಲಾಗಿದ್ದು, ಇವರುಗಳಿಗೆ ಕ್ರಮವಾಗಿ ರೂ.75,000/- ರೂ.35,000, ಬಿಡುಗಡೆ ಮಾಡಲಾಗಿದ್ದು, ಇವರುಗಳು ಸಹ ಮನೆಗಳನ್ನು ಕಟ್ಟಿರುವುದಿಲ್ಲ.

9. ಪ್ರತಿ ಆಶ್ರಯ ಮನೆಗೆ ಮಂಜೂರಾದ ಅನುದಾನವನ್ನು 4 ಹಂತಗಳಲ್ಲಿ ಬಿಡುಗಡೆ ಮಾಡಬೇಕಾಗಿರುತ್ತದೆ. (1) ಮನೆ ಪಾಯದ ಕಾಮಗಾರಿಯ ಹಂತದಲ್ಲಿ, 2) ಮನೆಯ ಲಿಂಟಲ್ ಹಂತದಲ್ಲಿ 3) ಮನೆಯ ರೂಫ್ ಹಂತದಲ್ಲಿ ಹಾಗೂ 4) ಮನೆ ಕಟ್ಟಡವೂ ಸಂಪೂರ್ಣವಾದ ನಂತರ ಬಿಡುಗಡೆ ಮಾಡಬೇಕಾಗಿರುತ್ತದೆ. ಪ್ರಗತಿಯ ಹಂತಗಳಿಗನುಗುಣವಾಗಿ ಜಿ.ಪಿ.ಎಸ್ ಮಾಡುವ ಮೂಲಕ ಅಥವಾ ಪಿ.ಡಿ.ಒ. ರವರು ಖುದ್ದಾಗಿ ಪರಿಶೀಲಿಸಿ, ಮನೆಯ ಪ್ರಗತಿಯ ಛಾಯಚಿತ್ರಗಳನ್ನು ತೆಗೆದುಕೊಂಡು ಆಯಾ ಫಲಾನುಭವಿಗೆ ಆಯಾ ಕಂತಿನ ಹಣವನ್ನು ಬಿಡುಗಡೆ ಮಾಡಬೇಕಾಗಿರುತ್ತದೆ. ಈ ಎಲ್ಲಾ ಕಾರ್ಯಕ್ರಮದ ಜವಾಬ್ದಾರಿಯು ಪಂಚಾಯತಿ ಅಭಿವೃದ್ಧಿ ಅಧಿಕಾರಿಯ ನಿಯಂತ್ರಣದಲ್ಲಿರುತ್ತದೆ. ಆದರೆ, ಮೇಲೆ ಹೇಳಿದ 17 ನಿರ್ದರ್ಶನಗಳಲ್ಲಿ ಬಹುತೇಕ ಫಲಾನುಭವಿಗಳು ಮನೆಯನ್ನು ಕಟ್ಟಿರುವುದಿಲ್ಲ. ಮತ್ತೆ

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ಕೆಲವೊಬ್ಬರು ಪಾಯದವರೆಗೆ ಮನೆ ಕಟ್ಟಿರುತ್ತಾರೆ. ಆದರೆ ಈ ಫಲಾನುಭವಿಗಳಿಗೆ ಹಣವನ್ನು ಬಿಡುಗಡೆ ಮಾಡಲಾಗಿರುತ್ತದೆ.

9. ಆದ್ದರಿಂದ, ಆಸನಾ ಆದ ನೀವು ಯಾವುದೇ ಜವಾಬ್ದಾರಿಯನ್ನು ವಹಿಸದೆ ವಸತಿ ಯೋಜನೆಯಡಿಯಲ್ಲಿ ಮನೆ ಕಟ್ಟಿದ್ದರೂ ಫಲಾನುಭವಿಗಳಿಗೆ ಹಣವನ್ನು ಬಿಡುಗಡೆ ಮಾಡಿ ಕರ್ತವ್ಯಲೋಪವೆಸಗಿರುತ್ತೀರಿ. ತನಿಖಾಧಿಕಾರಿಯವರು ಕಳ್ಳಿಗುದ್ದು ಗ್ರಾಮದಲ್ಲಿನ ಒಂದೇ ಹೆಸರಿನ ಬಹಳಷ್ಟು ಮಂದಿ ಇರುವುದರಿಂದ, ಫಲಾನುಭವಿಗಳ ಆಯ್ಕೆಯಲ್ಲಿ ಒಂದೇ ಮನೆಯ ಹೆಸರಿನ ಬಹಳಷ್ಟು ಕುಟುಂಬಗಳು ಫಲಾನುಭವಿಗಳಾಗಿ ಆಯ್ಕೆಯಾಗುವ ಸಂಭವ ಇರುತ್ತದೆ. ಸ್ಥಾನಿಕ ವಿಚಾರಣೆಯಿಂದ ಹಾಗೂ ಅಧಿಕಾರಿಗಳ ಮಾಖಿಕ ವಿಚಾರಣೆಯಿಂದ ಅಧ್ಯಕ್ಷರಾಗಲೀ ಅಥವಾ ಯಾವುದೇ ಸದಸ್ಯರಾಗಲೀ ಸ್ವಪಕ್ಷಪಾತದಿಂದ ತಮ್ಮ ಸಂಬಂಧಿಕರಿಗೆ ಮನೆ ಮಂಜೂರಾತಿ ಮಾಡಿರುವ ಬಗ್ಗೆ ಯಾವುದೇ ಮಾಹಿತಿ ಇರುವುದಿಲ್ಲ.

11. 2013-14ನೇ ಸಾಲಿನಲ್ಲಿ, ಮ.ರಾ.ಗ್ರಾ.ಉ.ಖಾ.ಯೋಜನೆಯಡಿಯಲ್ಲಿ ಕಳ್ಳಿಗುದ್ದಿ ಗ್ರಾ.ಪಂ. ವ್ಯಾಪ್ತಿಯಲ್ಲಿ ಬರುವ ಚನ್ನಾಳ ತೋಟದ ಹತ್ತಿರ ಇರುವ ಸಾರ್ವಜನಿಕ ಕೆರೆಯನ್ನು ಪುನಸ್ಥೇತನಗೊಳಿಸುವ ಕಾಮಗಾರಿಯನ್ನು ಕೈಗೊಂಡಿರುವುದು ಕಂಡುಬಂದಿದೆ ಎಂದು, ಮಂಜೂರಾಗಿದ್ದ ರೂ.10 ಲಕ್ಷ ಮೊತ್ತದಲ್ಲಿ, ರೂ.6 ಲಕ್ಷ ಮೊತ್ತವನ್ನು ಅಕುಶಲ ಕಾರ್ಮಿಕರ ಮೊಬಲಗು ಇದ್ದು, ಸಾಮಗ್ರಿಗಳ ಬಾಬು ರೂ. 4 ಲಕ್ಷ ಇರುತ್ತದೆಂದು ಸದರಿ ಕಾಮಗಾರಿಯನ್ನು 12.12.2013ರಿಂದ ಪ್ರಾರಂಭಿಸಲು ಅನುಮತಿಗಾಗಿ ಪತ್ರವನ್ನು ಬರೆದಿದ್ದು, ದಿ.16.9.14ರವರೆಗೆ ಕಮೆಗಾರಿ ಕೈಗೊಂಡು ರೂ.3,24,250/- ಹಣವನ್ನು ಅಕುಶಲ ಕಾರ್ಮಿಕರ ಕೂಲಿಗಾಗಿ ವೆಚ್ಚ ಮಾಡಲಾಗಿರುತ್ತದೆಂದು ತನಿಖಾಧಿಕಾರಿಯವರು ತಿಳಿಸಿರುತ್ತಾರೆ. ಮುಂದುವರೆದು ಉಳಿದಂತೆ ಮುಂದಿನ ಕಾಮಗಾರಿಯನ್ನು ಸ್ಥಗಿತಗೊಳಿಸಲಾಗಿರುತ್ತದೆಂದು ತಿಳಿಸಿರುತ್ತಾರೆ.

12. ಕುಡಿಯುವ ನೀರು ಪೂರೈಕೆ ಸಂಬಂಧ 1)ಭವಾನಿ ಎಂಟರ್ ಪ್ರೈಸಸ್, ಗೋಕಾಕ, 2)ಶಕುಂತಲಾ ಟ್ರೇಡರ್ಸ್, ರಾಯಬಾಗ್, 3)ರೋಹಿಲೆ ಟ್ರೇಡರ್ಸ್, ಹಾರುಗೇರಿಯ ಅಂಗಡಿಗಳಲ್ಲಿ ಕೈಪಂಪ್ ಗಳ ಸಾಮಗ್ರಿಗಳನ್ನು ಖರೀದಿಸಿ ದುರಸ್ತಿ ಕಾಮಗಾರಿಗಳನ್ನು ಕೈಗೊಳ್ಳಲಾಗಿರುತ್ತದೆ. ಇದಲ್ಲದೆ, ವಿದ್ಯುತ್ ದೀಪಗಳ ಖರೀದಿಯನ್ನು ಮೆ:ರಾಜ್ ಎಲೆಕ್ಟ್ರಿಕಲ್ಸ್, ಗೋಕಾಕ, ಶ್ರೀ ರೇಣುಕ ಎಂಟರ್ ಪ್ರೈಸಸ್, ಕೌಜಲಗಿ ಇಲ್ಲಿ

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ಖರೀದಿಸಲಾಗಿರುತ್ತದೆ. ಈ ವಿದ್ಯುತ್ ದೀಪಗಳನ್ನು ಬಳಕೆ ಮಾಡಿರುವ ಬಗ್ಗೆ ತಮ್ಮ ವಿಚಾರಣೆಯಿಂದ ತಿಳಿದುಬಂದಿರುತ್ತದೆಂದು ತನಿಖಾಧಿಕಾರಿಯವರು ತಿಳಿಸಿರುತ್ತಾರೆ.

13. ಕೃಷಿ ಹೊಂಡಗಳ ನಿರ್ಮಾಣವನ್ನು ಉದ್ಯೋಗ ಖಾತ್ರಿ ಯೋಜನೆಯಡಿಯಲ್ಲಿ ಕೈಗೊಂಡಿರುವುದು ತಮ್ಮ ತನಿಖೆಯಿಂದ ಕಂಡುಬಂದಿರುತ್ತದೆಂದು ತಿಳಿಸಿರುತ್ತಾರೆ.

14. ಪ್ರಕರಣದಲ್ಲಿ ಹಾಜರುಪಡಿಸಿರುವ ದಾಖಲಾತಿಗಳನ್ನು ಹಾಗೂ ಇತರೆ ಸಾಕ್ಷ್ಯಧಾರಗಳನ್ನು ಪರಿಶೀಲಿಸಿದಲ್ಲಿ, ಗ್ರಾಮ ಪಂಚಾಯತಿಯ ಅಧ್ಯಕ್ಷರಾಗಲೀ, ಪಂಚಾಯತಿ ಅಭಿವೃದ್ಧಿ ಅಧಿಕಾರಿಯಾಗಲೀ ವಿವಿಧ ವಸತಿ ಯೋಜನೆಗಳಡಿಯಲ್ಲಿ ಫಲಾನುಭವಿಗಳಿಗೆ ಹಣವನ್ನು ಬಿಡುಗಡೆ ಮಾಡುವಾಗ ಕಡ್ಡಾಯವಾಗಿ ಪರಿಪಾಲಿಸಬೇಕಾದಂತಹ ಕ್ರಮಗಳನ್ನು ಪರಿಪಾಲಿಸಿರುವುದಿಲ್ಲ, ಮೇಲೆ ಹೇಳಿದಂತಹ ಫಲಾನುಭವಿಗಳು ಮನೆಯನ್ನು ಕಟ್ಟಿದೇ ಇದ್ದರೂ ಸಹ ಹಣವನ್ನು ಬಿಡುಗಡೆ ಮಾಡಿರುತ್ತಾರೆ. ಆದರೆ, ಕೆರೆ ಹೂಳೆತ್ತುವ ಕಾಮಗಾರಿಯಲ್ಲಿ ಅವ್ಯವಹಾರ ಉಂಟಾಗಿರುವ ಬಗ್ಗೆಯಾಗಲೀ, ಕುಡಿಯುವ ನೀರಿನ ಪೂರೈಕೆ ಮತ್ತು ವಿದ್ಯುತ್‌ದೀಪಗಳ ಖರೀದಿಯಲ್ಲಿ ಅವ್ಯವಹಾರವಾಗಿರುವ ಬಗ್ಗೆಯಾಗಲೀ ಕಂಡುಬಂದಿರುವುದಿಲ್ಲ.

15. ದೂರಿಸಂಶಗಳನ್ನು ಹಾಗೂ ದಾಖಲೆಗಳನ್ನು, ನೀವು ಸಲ್ಲಿಸಿರುವ ಉತ್ತರ/ಆಕ್ಷೇಪಣೆಯನ್ನು ಪರಿಶೀಲಿಸಲಾಗಿ, ಆಸನಾ ನಿಮ್ಮ ಮೇಲಿನ ಆಪಾದನೆಯನ್ನು ಕೈಬಿಡಲು ಯಾವುದೇ ಸಮಾಧಾನಕರ ಕಾರಣ ಕಂಡುಬರುವುದಿಲ್ಲ. ಆದ್ದರಿಂದ, ಸಾರ್ವಜನಿಕ/ಸರ್ಕಾರಿ ನೌಕರರಾಗಿ ನಿಮ್ಮ ಕರ್ತವ್ಯ ನಿರ್ವಹಣೆಯಲ್ಲಿ ನಿಷ್ಠೆ ಇಲ್ಲದೆ, ಕರ್ತವ್ಯಲೋಪ ಎಸಗಿ ಸಾರ್ವಜನಿಕ/ಸರ್ಕಾರಿ ನೌಕರರಿಗೆ ತರವಲ್ಲದ ರೀತಿಯಲ್ಲಿ ನಡೆದುಕೊಂಡಿರುತ್ತೀರೆಂದು ಮೇಲ್ನೋಟಕ್ಕೆ ಕಂಡುಬಂದಿರುತ್ತದೆ.

12. ಮೇಲ್ನೋಟಕ್ಕೆ ನಿಮ್ಮ-ಆಸನಾ ಆದ ವಿರುದ್ಧ ಇಲಾಖಾ ವಿಚಾರಣೆ ನಡೆಸುವ ಸಂಬಂಧ ಮುಂದುವರಿಯುವುದು ಅಗತ್ಯ ಎಂದು ಕಂಡುಬಂದಿದ್ದು, ಆಸನಾ ಆದ ನೀವು ಸರ್ಕಾರಿ/ಸಾರ್ವಜನಿಕ ಸೇವಕರಾಗಿದ್ದು ನಿಮ್ಮ ಕರ್ತವ್ಯ ಪಾಲನೆಯಲ್ಲಿ ಪರಿಪೂರ್ಣ ಕರ್ತವ್ಯ ನಿಷ್ಠೆಯನ್ನು ತೋರಿಸದೆ ಮತ್ತು ಸಾರ್ವಜನಿಕ ಸೇವಕರಿಗೆ ತರವಲ್ಲದ ರೀತಿಯಲ್ಲಿ ನಡೆದುಕೊಂಡಿರುವುದು ವೇದ್ಯವಾಗುತ್ತದೆ.

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16. ನಿಮ್ಮ ಕರ್ತವ್ಯ ಪರಿಪಾಲನೆಯಲ್ಲಿ ನಿಷ್ಠೆಯನ್ನು ತೋರದೆ, ಕರ್ತವ್ಯಲೋಪವೆಸಗಿ, ದುರ್ವರ್ತನೆ ತೋರಿಸಿ, ಸಾರ್ವಜನಿಕ/ಸರ್ಕಾರಿ ನೌಕರರಿಗೆ ತರವಲ್ಲದ ರೀತಿಯಲ್ಲಿ ನಡೆದುಕೊಂಡಿರುವುದು ಮೇಲ್ನೋಟಕ್ಕೆ ಕಂಡುಬರುತ್ತಿರುವುದರಿಂದ, ಕರ್ನಾಟಕ ನಾಗರೀಕ ಸೇವೆ (ನಡತೆ) ನಿಯಮ 1966 ರ ನಿಯಮ 3 (i) ರಿಂದ (iii) ರನ್ವಯ ಶಿಸ್ತು ಕ್ರಮಕ್ಕೆ ಬಾಧ್ಯರಾಗಿರುತ್ತೀರೆಂದು ಕಂಡುಬಂದಿದ್ದು, ನಿಮ್ಮ ವಿರುದ್ಧ ಶಿಸ್ತಿನ ಕ್ರಮ ಕೈಗೊಳ್ಳಲು ಹಾಗೂ ಕರ್ನಾಟಕ ನಾಗರೀಕ ಸೇವಾ (ವರ್ಗೀಕರಣ, ನಿರ್ಬಂಧ ಮತ್ತು ಮೇಲ್ಮನವಿ) ನಿಯಮಗಳು 1957ರ ನಿಯಮ 14-ಎ ರಡಿಯಲ್ಲಿ ನಿಮ್ಮ ವಿರುದ್ಧ ಇಲಾಖಾ ವಿಚಾರಣೆಯನ್ನು ನಡೆಸಲು ಗೌರವಾನ್ವಿತ ಉಪಲೋಕಾಯುಕ್ತರವರು ಸರ್ಕಾರಕ್ಕೆ ವರದಿಯನ್ನು ಸಲ್ಲಿಸಿದ ಮೇರೆಗೆ ಸರ್ಕಾರವು ಮೇಲೆ ಉಲ್ಲೇಖಿಸಿದ ಆದೇಶದಲ್ಲಿ ಇಲಾಖಾ ವಿಚಾರಣೆ ನಡೆಸಲು ಅನುಮತಿ ನೀಡಿರುತ್ತದೆ. ಅದರಂತೆ, ಗೌರವಾನ್ವಿತ ಉಪಲೋಕಾಯುಕ್ತರವರು, ಅಪರ ನಿಬಂಧಕರು, ವಿಚಾರಣೆಗಳು-09 ರವರಿಗೆ ವಿಚಾರಣೆ ನಡೆಸಿ ವರದಿಯನ್ನು ಸಲ್ಲಿಸಲು ಸೂಚಿಸಿರುತ್ತಾರೆ. ಆದ್ದರಿಂದ, ನಿಮ್ಮ ಮೇಲೆ ಈ ದೋಷಾರೋಪಣೆ.

5. The Amended Article of charge was issued to the DGO calling upon him to appear before this authority and to submit written statement.

6. The DGO appeared before this inquiry authority in pursuance to the service of the Article of charges. Plea of the DGO has been recorded and he pleaded not guilty and claimed for holding inquiry. Thereafter, he submitted written statement.

7. DGO has submitted written statement. In his written statement he has denied the charges made against them and has stated that complainant has concocted false case against him to harass him. He has further stated that he was not working at Kalliguddi grama panchayath during all the alleged period. He took charge of Kalliguddi grama panchayath on 1.12.2012. So, he cannot be held responsible for the period he has not worked at Kalliguddi grama panchayath and for the payments made, before he taking

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charge at Kalliguddi grama panchayath. He has further stated that during 2010-11 the procedure of making payment through GPS mode was not there. At that time the payment used to be made through cheques. The GPS system of payment was introduced in the year 2012. He has further stated that the payment for the beneficiaries of the year 2010-11 was not made by him during his tenure. The payment for the beneficiarics of the year 2011-12 and 2012-13 were done during his tenure through GPS system by following all the rules and regulations. So, he is not responsible for the alleged charges. Till today there is no loss caused by him to the Government in his service. Hence, he pray to drop the charges leveled against him.

8. The disciplinary authority has examined the complainant Sri.Hanumappa Venkappa Galabi, as PW.1; Investigation officer Sri. J.M.Karunakarashetty, the then Police Inspector, Karnataka Lokayukta, Belagavi and got marked documents as **Ex.P-1 to ExP-8.**

9. Thereafter, the Second Oral Statement of DGO has been recorded. Even though opportunity was given to DGO, he has not adduced defence evidence and has not marked any documents on behalf of him.

10. Heard submissions of Presenting Officer. DGO submitted defence statement; recorded questionnaire of DGO and further DGO has submitted written arguments. Perused the entire records. The point that arises for my consideration is:

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**Whether the Disciplinary Authority proves
the charge framed against the DGOs ?**

My finding on the above point is in the **AFFIRMATIVE**
for the following:

REASONS

11. The first allegation of the charge is that during the year 2010-11, under Basava Vasathi Scheme, the DGO had released Rs.77,500/- to Sri.Mahadevappa Golappa Malali, Rs.37500/-, to Smt.Renuka Ramachandra Gaddi, Rs.25000/- each to Smt.Lakkamma Lakshmana Belakundi and Smt.Kasthuri Shankrappa Benakatti, the beneficiaries though they did not construct houses.

12. The second allegation of the charge is that during the year 2011-12, under Indira vasathi scheme, the DGO had released Rs.35,000/- to Smt.Geetha Bhaskar Hadimane, Rs.75,000/- to Smt. Yamanavva Balappa Nadumane, Rs.35,000/- to Sri. Satisha Godikoppa, the beneficiaries though they did not construct houses.

13. The third allegation of the charge is that during the year 2012-13 under Basava Vasathi Scheme, the DGO had released Rs.55,000/- to Smt. Gangava Malesha Mavenagidadha; Rs.35,000/- each to Smt. Sakkubai Bhimma Alagoda, Smt. Mahadeva Lakshmana Hadimani, the beneficiaries though they did not construct houses.

14. The fourth allegation of the charge is that, the DGO has released the amount without uploading the stage wise photographs of construction to GPS.

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15. PW-1 during the chief examination has stated that under vasathi scheme, his mother was allotted a house. Smt.Durgavva's son Gopala, the then President had demanded Rs.10,000/-. As he refused to pay, the house which was allotted to his mother was cancelled. Thereafter, he asked information under RTI Act. But above said Gopala, his brothers Suresha and Venkatesh harassed him. He has also stated that, the amount has been withdrawn under NAREGA scheme in the name of dead person. During his chief examination itself he has identified complaint, form No. 1 and 2 and documents enclosed to complaint at Ex.P-1 to 4. He has been cross examined. The learned counsel for DGO has suggested to him that DGO has taken charge on 1.12.2012 and was not working in the Kalliguddi grama panchayath during the period of allegations. The suggestion has been specifically denied & nothing elicited leading defence of DGO in connection to allegations of charges.

16. Even otherwise PW-2 is the Investigating officer, it is on his report, section 12(3) report under Karnataka Lokayukta Act has been filed and charge has been framed. In his chief examination he has stated that he visited Kalliguddi grama panchayath on 17.2.2016, and inspected the documents. During the inspection, he found that Smt. Geetha Lakshmana Mavinagidadha was allotted a house under Basava Housing Scheme during 2010-11. Rs.25,000/- was paid to her out of allotted amount of Rs.50,000/-. She had not constructed house.

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17. He has further stated that Smt. Shantha Chidananda Mavinagidadha was allotted house under Basava housing scheme during 2010-11. Rs.49,500/- was paid to her out of allotted amount of Rs.50,000/-. She had constructed a house.

18. He has further stated that, Smt. Sharadha Bhaskar Hadimani was allotted a house under Indira Housing Scheme during 2011-12. Rs.35,000/- was psid to her out of allotted amount of Rs.50,000/-. She had not constructed any house.

19. He has further stated that, Smt. Shanthavva Lakshmanna Khudri was allotted a house under Basava Housing Scheme during 2012-13. Rs.35,000/- was paid to her out of allotted amount of Rs.75,000/-. She constructed a house which was under foundation level.

20. He has further stated that, Smt. Shobha Ramachandra Halagodi was allotted a house under Basava Housing Scheme during 2010-11. Rs.25,000/- was paid to her out of allotted amount of Rs.50,000/-. She had constructed a house.

21. He has further stated that, Smt. Shantha Anila Sankri was allotted with a house under Basava Housing Scheme during 2012-13. Rs.55,000/- was paid to her out of allotted amount of Rs.75,000/-. She had not constructed house.

22. He has further stated that, Smt.Lakshnavva Lakshmana Belakundi was allotted a house under Basava Housing Scheme during 2010-11. Rs.74,500/- was paid to

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her out of allotted amount of Rs.75,000/-. She had not constructed any house

23. He has further stated that, Smt. Gangavva Malesh Mavinagidadha was allotted a house under Basava Housing Scheme during 2012-13. Rs.55,000/- was paid to her out of allotted amount of Rs.75,000/-. She had not constructed any house

24. He has further stated that, Smt. Sakkubai Bhimappa Alagodi was allotted a house under Basava Housing Scheme during 2012-13. Rs.35,000/- was paid to her out of allotted amount of Rs.75,000/-. She had not constructed any house

25. He has further stated that, Smt. Mahadevi Lakshmana Hadimani was allotted a house under Basava housing scheme during 2012-13. Rs.35,000/- was paid to her out of allotted amount of Rs.75,000/-. She had not constructed any house.

26. He has further stated that, Smt. Kasthuri Shankarappa Benakatti was allotted a house under Basava Housing Scheme during 2010-11. Rs.37,500/- was paid to her out of allotted amount of Rs.75,000/-. She had not constructed any house

27. He has further stated that, Smt. Geetha Yalappa Halimani was allotted a house under Basava Housing Scheme during 2011-12. Rs.75,000/- was paid to her out of allotted amount of Rs.75,000/-. She had constructed a house

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28. He has further stated that, Smt. Mahadevi Goolappa Malali was allotted a house under Basava Housing Scheme during 2010-11. Rs.25,000/- was paid to her out of allotted amount of Rs.50,000/-. She had not constructed any house

29. He has further stated that, Smt. Renuka Ramachandra dhaddi was allotted a house under Basava Housing Scheme during 2010-11. Rs.25,000/- was paid to her out of allotted amount of Rs.50,000/-. She had not constructed any house.

30. He has further stated that, Smt. Uddavvi Siddappa Mavinagidadha was allotted a house under Basava Housing Scheme during 2010-11. Rs.49,500/- was paid to her out of allotted amount of Rs.75,000/-. She had constructed a house

31. He has further stated that, Smt. Yamunavva Balappa Nadumani was allotted a house under Indira Housing Scheme during 2011-12. Rs.75,000/- was paid to her out of allotted amount of Rs.75,000/-. She had not constructed any house

32. He has further stated that Smt. Shobha Sathish Godigoppa was allotted a house under Basava Housing scheme during 2011-12. Rs.35,000/- was paid to her out of allotted amount of Rs.75,000/-. She had not constructed any house.

33. So, in his chief examination he has reiterated the charges in respect of Smt. Lakshnavva Lakshmana

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Belakundi, Smt. Gangavva Malesha Mavinagidadha, Smt. Sakkubai Bhimmappa Alagodi, Smt. Mahadevi Lakshmana Hadimani Smt. Kasthuri Shankarappa Benakatti, Smt. Mahadevi Gulappa Malali, Smt. Renuka Ramachandra Ghaddi, Smt. Yamunavva Balappa Nadumani, Smt. Shobha Satisha Godigoppa. In addition, he has stated that Smt. Geetha Lakshmana Mavinagidadha, Smt. Sharadha Bhaskara Hadimani, Smt. Shanthavva Lakshmana Kuduri, Smt. Shobha Ramachandra Alagodi, Smt. Shantha Anila Sankri, Smt. Geetha Yelappa Hadimani, Smt. Uddappa Siddappa Mavinagidadha were also allotted houses and were paid some amount but they did not complete construction. He has also stated that this DGO along with the then president had uploaded to GPS the old houses of Smt. Geetha Lakshmana Mavinagidadha, Smt. Sharadha Bhaskara Hadimani, Smt. Shanthavva lakshmana Kudhari, Smt. Shantha anila sankri, Smt. Lakshnavva Lakshmana Belakundi, Smt. Gangavva Malesha Mavinagidadha, Smt. Sakkubai Bhimappa Alagodi, Smt. Mahadevi Lakshman Hadimani, Smt. Kasturi Shankarappa Benakatti, Smt. Mahadevi Gulappa malali, Smt. Renuka Ramachandra Gaddi, Smt. Yamunavva Balappa Nadumani, Smt. Shobha Satisha Godigoppa to the GPS without verifying the same and has become responsible for release of amount.

34. During the cross examination he has admitted that during 2010-11, houses have been allotted to Smt. Geetha lakshmana Mavinagidadha, Smt. Shantha Chidananda Mavinagidadha, Smt. Shobha Ramachandra Halagodi, Smt. Lakshnavva Lakshmana Belakundi, Smt. Kasthuri Shankara

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Benakatti, Smt. Mahadeva Goolappa malali, Smt. Renuka Ramachandra Gaddi, Smt. Uddavva Siddappa Mavinagidadha.

35. He has also admitted that during 2011-12, houses have been allotted to Smt. Sharadha Bhaskara Hadimani, Smt. Geetha Yellappa Halimani, Smt. Yamunavva Balappa Nadumani, Smt. Shobha Satisha Godigoppa. He has also admitted that during 2012-13 houses have been allotted to Smt. Shanthavva Lakshmana Kudri, Smt. Shantha Anila Sankri, Smt. Gangavva Malesha Mavinagidadha Smt. Sakkubai Bhimma Alagodi, Smt. Mahadevi Lakshamana Hadimani.

36. He has further admitted that the DGO has assumed charge of Panchayath development officer of Kalliguddi grama panchayath on 1.12.2012. He has further admitted that the beneficiaries were selected even before DGO assumed charge. He has further admitted that the photographs of construction were uploaded to GPS after 2012. But, he has denied specifically that the beneficiaries were selected during 2010-11 and 2011-12 and that the amount was released even before the DGO assumed charge.

37. To the question that, on GPS mode process introduced in the year 2012, on uploading the stage wise photographs of the construction of houses, the Rajeev Ghandi housing corporation has released the amount directly to the account of beneficiaries, he has stated that DGO had not uploaded the photos to GPS properly.

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38. He has further admitted that, 6th photograph in Ex.P.6 (page 175) is of the completed house of Smt. Shantha Anila Sankri. But, says that, she did not construct the house.

39. He has further admitted that, 9th photograph in Ex.P.6 (page 177) is of the completed house of Smt. Sakkubai Bheemappa Alagodi. But, says that, she did not construct the house.

40. He has further admitted that, 8th photograph in Ex.P.6 (page 176) is of the completed house of Smt. Gangavva Malesha Mavinagidada. But, says that, she did not construct the house.

41. He has further admitted that, page 205 to 207 of Ex.P.8 are the details with regard to payment made to beneficiaries. But he has denied the suggestion that the information furnished in Ex.P.8 is correct.

42. He has stated that, he did not verify whether Rajiv Gandhi Housing Corporation had issued notice to the DGO on the allegations that he did not upload the stage-wise photographs through GPS.

43. He has further stated that, he has not collected information as to the PDOs who were working before him in Kalliguddi Grama Panchayath. He has denied the suggestions specifically that the DGOs did not commit misconduct, dereliction of duty. He has further denied that, DGO released amount in accordance with rules and that he has filed false report against him.

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44. I have perused Page 270 to 277 of the record furnished before this authority, they are the photographs of the houses of beneficiaries to whom the amount is alleged to be released.

45. Ex.P8 show that Rs.25,000/- has been released to Smt. Mahadevi Gulappa Malali by stating that house is completed. But Sl.No.13 (part of Ex.P-6 Page No. 179 of the file) is photograph said to be of the house of this beneficiary Smt. Mahadevi Gulappa Malali. This photograph shows that the old house is under repair and it is not of new house. I have also perused GPS status, where one photograph is uploaded on 4.5.2015. Said GPS status also shows that old house is altered, even repair work is not completed. This show though this beneficiary has not constructed any house, Rs.25,000/- has been released.

46. Ex.P.8 show that Rs.25,000/- has been released to Smt. Renuka Ramachandra Daddi. Sl.No.14 (part of Ex.P-6 Page No. 179 of the file) space reserved for attaching photograph of house shows that it is of this beneficiary. Here no photograph is attached, but an endorsement is made that amount is released and direction is given to the beneficiary to construct the house soon, for which the beneficiary has agreed. I have perused GPS status, no photograph is uploaded. This shows though this beneficiary has not constructed any house, Rs.25,000/- has been released.

47. Ex.P.8 shows that Rs.74,500/- is released to beneficiary Smt. Lakshnavva Lakshmana Belakundi. Sl. No.7 (part of Ex.P-6 Page No. 176 of the file) photograph above

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shows that this is the house of Smt. Lakshnavva Lakshmana Belakundi. This photograph shows that this is the old house and not newly constructed. I have perused GPS status, on 15.11.2012 photograph is uploaded of 4th stage which is reserved for uploading the completed house, which shows the old house is altered even repair work is not completed. This shows though this beneficiary has not constructed house, and a sum of Rs.74,500/- has been released.

48. Ex.P.8 show that Rs.37,500/- has been released to Smt. Kasthuri Shankarappa Banakatti. Sl.No.11 (part of Ex.P-6 Page No. 178 of the file) reserved for attaching photograph of house shows that it is of this beneficiary. Here no photograph is attached, but an endorsement is made that amount is released and direction is given to the beneficiary to construct the house soon, for which the beneficiary had agreed. I have perused GPS status, no photographs are uploaded. This shows that though this beneficiary had not constructed the house, Rs. Rs.37,500/- has been released.

49. Ex.P.8 shows that an amount Rs.25,000/- is released to this beneficiary Smt. Geetha Lakshmana Mavinagidada. Sl.No.1 (part of Ex.P-6 Page No. 173 of the file) photograph is said to be the house of Smt. Geetha Lakshmana Mavinagidada. This document shows that this is the photograph of old house and not a newly constructed house. I have perused the GPS status. On 28.9.2013 photograph is uploaded of 4th stage which is reserved for uploading the completed house, the same shows that old house is altered and even repair work is not completed. This

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shows that though this beneficiary has not constructed any house, Rs.25,000/- has been released.

50. Ex.P.8 shows that Rs.35,000/- has been released to Smt. Sharada Bhaskara Hadimani. Sl. No.3 (part of Ex.P-6 Page No. 174 of the file) is said to be the photograph of house of this beneficiary. This document shows that the house is old one and not newly constructed. I have perused GPS status. No photographs are uploaded. This shows that though this beneficiary has not constructed any house, Rs.35,000/- has been released.

51. Ex.P.8 shows that Rs.75,000/- has been released to Smt. Yamunavva Balappa Nadumani. Sl. No.16 (part of Ex.P-6 Page No. 180 of the file) is said to be photograph of this beneficiary. This photograph shows that house is newly constructed and completed. I have perused GPS status, but no photographs are uploaded. This shows that though this beneficiary has not constructed the house, Rs.75,000/- has been released.

52. Ex.P.8 show that Rs.30,000/- has been released to Smt. Shobha Satheesha Godigoppa. (Sl.No.17 (part of Ex.P-6 Page No. 181 of the file) shown to be of the house of this beneficiary). Here no photograph is attached, but an endorsement is made that the amount is released and direction is given to the beneficiary to construct house soon, for which the beneficiary had agreed. I have perused GPS status, no GPS status is uploaded. This shows that though this beneficiary has not constructed house, Rs.30,000/- has been released.

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53. Ex.P.8 shows that Rs.55,000/- has been released to Smt. Gangavva Malesha Mavinagidada. Sl.No.8 (part of Ex.P-6 Page No. 176 of the file) is the photograph of a house said to be of this beneficiary. This photograph shows that this is the old house and not newly constructed. I have perused GPS status, no GPS status is uploaded. This shows that though this beneficiary has not constructed house, Rs.55,000/- has been released.

54. Ex.P.8 shows that Rs.35,000/- has been released to Smt. Sakkubai Bheemappa Alagodi. Sl. No.9 (part of Ex.P-6 Page No. 177 of the file) is said to be of the photograph of house of this beneficiary. This photograph shows that the house is a old one and not a newly constructed one. I have perused GPS status, no GPS status is uploaded. This shows that though this beneficiary has not constructed the house, Rs.35,000/- has been released.

55. Ex.P.8 shows that Rs. 35,000/- has been released to Mahadevi Lakshmana Hadimani. Sl. No.10 (part of Ex.P-6 Page No. 177 of the file) space reserved for attaching photograph of house show that it is of this beneficiary. But, photograph of house of Mahadevi Lakshmana Hadimani is not found in the record and even in GPS status. This shows that though this beneficiary has not constructed the house, Rs.35,000/- has been released.

56. Ex.P.8 show that Rs.35,000/- has been released to Smt. Shantavva Lakshmana Kudari. Sl. No.4 Sl. No.9 (part of Ex.P-6 Page No. 174 of the file) is said to be the house of this beneficiary. This photograph shows that the construction is

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at foundation level. I have perused GPS status, no GPS status is uploaded. This shows that though this beneficiary has not constructed the house, Rs. Rs.35,000/- has been released.

57. Ex.P.8 show that Rs.55,000/- has been released to Smt. Shantavva Anila Sankri. Sl. No.6 (part of Ex.P-6 Page No. 175 of the file) is said to be the photograph of house of this beneficiary. This document shows the house is old and not newly constructed. I have perused GPS status, no GPS status is uploaded. This shows that though this beneficiary has not constructed house, Rs.55,000/- has been released.

58. As said above, the stage wise photographs of houses of many beneficiaries are not uploaded. Even though the photograph of house of Smt. Shantha Chidananda Mavinagidada has been uploaded on 15.01.2013 the same relates to 4th stage but it is uploaed in the space reserved for completed house. At the outset, the GPS status of beneficiaries photographs of whose houses are uploaded show that all the 4 stages photographs are not uploaded. Of course, the procedure of uploading photographs through GPS were introduced in the year 2012. Even if it is taken into consideration, after 2012, the stage wise photographs ought to have been uploaded at places reserved for specific stage. But here in this case, the photographs of incomplete houses and old houses were uploaded to 4th stage which was reserved for uploading completed house. Admittedly, the DGO has taken charge on 1.12.2012 as Panchayath development officer of Kalliguddi grama panchayath. All the uploads above

31.3.2012

stated were made during the tenure of DGO as Panchayath development officer of Kalliguddi Grama Panchayath. As admitted by the DGO, after uploading of photographs, the Rajiv Gandhi Rural Housing Corporation has released the amount. The photographs uploaded show that the DGO has uploaded the photographs of incomplete and old houses. On the basis of which, the Rajiv Gandhi Rural Housing Corporation has released amount. The DGO should not have uploaded the 4th stage photographs at the space reserved for uploading the completed stage photograph. This act of DGO i.e, uploading photographs of incomplete and old houses to GPS, made the Rajiv Gandhi Rural Housing Corporation to release the amount to the beneficiaries. Thus, on overall examination of the evidence on record it shows that the disciplinary authority has established the charge leveled against DGO. Hence I proceed to record the following:-

FINDINGS

59. The Disciplinary Authority has proved the charges leveled against DGO. Hence, this report is submitted to Hon'ble Upalokayukta for further action.

60. Date of retirement of DGO is 31.7.2021

Pushpa V. 31.3.2021

(PUSHPAVATHI.V)

Additional Registrar Enquiries-9
Karnataka Lokayukta, Bengaluru.

i) List of witnesses examined on behalf of Disciplinary Authority.

PW.1	PW-1 Sri. Hanumappa Venkappa Gulabi, Agriculturist, Kalliguddi grama, Gokak Taluk, Belagavi District Original
PW-2	PW-2 Sri. J.M.Karunakarashetty, S/o Manjaiah Shetty, the then Dy.SP, Karnataka Lokayukta Belagavi Original

ii) List of Documents marked on behalf of Disciplinary Authority.

Ex.P1	Ex.p-1 is the detailed complaint dated: 21.7.2014 submitted by villagers of Kalliguddi grama to Karnataka Lokayukta office
Ex.P 2 and 3	Ex.P-2 and 3 are the complaint in form No. 1 and 2 submitted by Sri. Hanumappa Venkappa Gulabi, to Karnataka Lokayukta office
Ex.P-4	Ex.P-4 are the documents submitted by PW-1 along with the complaint
Ex.P-5	Ex.P-5 is the investigation report dated: 26.3.2016 submitted by PW-2
Ex.P 6	Ex.P-6 are the documents and photographs submitted by PW-2 along with the investigation report
Ex.P-7	Ex.P-7 is the report dated: 28.3.2016 submitted by Superintendent of Police, Karnataka Lokayukta Belagavi
Ex.P-8	Ex.P-8 are the supporting documents of PDO and present submitted to this office.

iii) List of witnesses examined on behalf of DGO.

	NIL
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31.3.2022

iv) List of documents marked on behalf of DGO

	NIL
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Regd. V 31.3.2017
(PUSHPAVATHI.V)

Additional Registrar Enquiries-9
Karnataka Lokayukta,
Bcngaluru.

GOVERNMENT OF KARNATAKA



KARNATAKA LOKAYUKTA

No.UPLOK-1/DE/10/2017/ARE-9

Multi Storied Building,
Dr. B.R. Ambedkar Veedhi,
Bengaluru-560 001
Date: **31/03/2022**

RECOMMENDATION

Sub:- Departmental inquiry against;
Sri Yallappa, Panchayath Development Officer,
Kalliguddi Grama Panchayath, Gokak Taluk, Bclagavi
District – Reg.

Ref:- 1) Govt. Order No. ಗೃಲಪ 549 ಗ್ರಾಪಂಚಾ 2016 Bengaluru
dated 16/12/2016.

2) Nomination order No.UPLOK-1/DE/10/2017,
Bengaluru dated 06/01/2017 of Upalokayukta-1,
State of Karnataka, Bengaluru

3) Inquiry Report dated 31/3/2022 of Additional
Registrar of Enquiries-9, Karnataka Lokayukta,
Bengaluru

The Government by its order dated 16/12/2016 initiated the disciplinary proceedings against Sri Yallappa, Panchayath Development Officer, Kalliguddi Grama Panchayath, Gokak Taluk, Belagavi District (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.UPLOK-1/DE/10/2017, Bengaluru dated 6/1/2017 nominated Additional Registrar of Enquiries-9, Karnataka Lokayukta, Bengaluru, as the 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 charges framed against the DGO Sri Yallappa, Panchayath Development Officer, Kalliguddi Grama Panchayath, Gokak Taluk, Belagavi District, are to the effect that;

- (i) During the year 2010-11, (1) Smt. Mahadevi Golappa Malali; (2) Smt. Renuka Ramachandra Gaddi; (3) Smt. Lakkamma Lakshmana Bilikundi; (4) Smt. Kasthuri Shankrappa Benakatti; (5) Smt. Geetha Lakshmana Mavinagidad were selected as beneficiaries under Basava Housing Scheme from Kalliguddi Grama Panchayath. The DGO has released the amount of Rs.77,500/-; Rs.37,500/-; Rs.25,000/-; Rs.25,000/- and Rs.25,000/- to the above beneficiaries, respectively, though they did not construct the houses.
- (ii) The DGO has released a sum of Rs.35,000/-; Rs.75,000/- and Rs.35,000/- to Smt. Sharada Bhaskar Hadimani; Smt. Yamanavva Balappa Nadumani and Smt. Shobha Sathish Godikoppa, respectively though the above persons who were selected as beneficiaries under Indira Awas Scheme for the year 2011-12 have not constructed the houses.
- (iii) The DGO has released a sum of Rs.55,000/-; Rs.35,000/-; Rs.35,000/-; Rs.35,000/- and Rs.55,000/- to Smt. Gangavva Malesha Mavinagidad; Smt. Sakkubai Bhimappa Alagod; Smt. Mahadevi Lakshmana Hadimani; Smt. Shanthavva Lakshmana Kudari and Smt. Shantha Anil Sankri, respectively though the above persons who were selected as beneficiaries under the Basava Housing Scheme for the year 2012-13, have not constructed the houses.
- (iv) The amount of subsidy in respect of beneficiaries under Housing Scheme shall have to be released at 4 stages viz., (1) foundation level; (2) lintel level; (3) Roof level and (4) after completion of house. After completion of each level, the Panchayath Development Officer ought to have verified the construction personally and took photographs of each stage of construction and ought to have uploaded the same. Though 17 of the above beneficiaries have not constructed the houses and some of them have

constructed put up the foundation, the amounts were released to the beneficiaries by the DGO.

4. The Inquiry Officer (Additional Registrar of Enquiries-9) on proper appreciation of oral and documentary evidence has held that the Disciplinary Authority has proved the above charge against DGO Sri Yallappa, Panchayath Development Officer, Kalliguddi Grama Panchayath, Gokak Taluk, Belagavi District.
5. On re-consideration of inquiry report and taking note of the totality of the circumstances of the case, 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 First Oral Statement submitted by DGO, he has retired from service on 31/7/2021.
7. Having Regard to the nature of charge proved against DGO Sri Yallappa, Panchayath Development Officer, Kalliguddi Grama Panchayath, Gokak Taluk, Belagavi District, it is recommended to the Government for imposing penalty of withholding 15% of pension payable to DGO for a period of 5 years.
8. Action taken in the matter shall be intimated to this Authority.

Connected records are enclosed herewith.


(JUSTICE B.S.PATIL)
Upalokayukta,
State of Karnataka,
Bengaluru

Costs of production