

**GOVERNMENT OF KARNATAKA**



**KARNATAKA LOKAYUKTA**

NO:LOK/INQ/14-A/103/2012/ ARE-1

Multi Storied Building,  
Dr. B.R. Ambedkar Veedhi,  
Bengaluru-560 001,  
Date: 03/01/2018

**RECOMMENDATION**

Sub:- Departmental inquiry against;

- (1) Sri R.P. Patil, Assistant Executive Engineer, No.1, GLBC Division, Ghataprabha, Karnataka Neeravari Nigama Niyamitha, Raibagh, Belgaum District – now Assistant Executive Engineer, Workshop and Mechanical Sub Division, Karnataka Neeravari Nigam Niyamitha, Dharwad.
- (2) Sri P.K. Jogannanavar, Assistant Engineer, No.1, GLBC Division, Karnataka Neeravari Nigama Niyamitha, Ghataprabha, Belgaum District;
- (3) Sri H.N.N. Prasad, Assistant Engineer, No.1, GLBC Division, Karnataka Neeravari Nigama Niyamitha, Ghataprabha, Belgaum District;
- (4) Sri R.M. Bhat, the then Assistant Engineer, Now Technical Assistant, MRBC Division No.3, Karnataka Neeravari Nigama Niyamitha, Byahatti, Hubli Taluk, Dharwad District – now working as Assistant Executive Engineer, Workshop & Mechanical Sub Division, Karnataka Neeravari Nigama Niyamitha, Naviluthirtha, Belgaum District;
- (5) Sri N.G. Bhat, Assistant Engineer, No.3, Varahi Planning Sub Division, Karnataka Niravari Nigam Niyamitha, Siddapura, Kundapura Taluk, Udupi District;
- (6) Sri M.M. Komannanavar, Assistant Executive Engineer, No.4, Lift Irrigation Sub Division, Karnataka Neeravari Nigama Niyamitha, Soundatti, Dharwad District;
- (7) Sri L.S. Malaganna, Assistant Executive Engineer, Minor Irrigation Sub Division, Gokak, Belgaum District;

- (8) Sri Purushothama Das Hegde, the then Executive Engineer, now Superintending Engineer, State Quality Control Coordinator, Karnataka Rural Road Development Organization, Rajkumar Road, Bangalore 10;
- (9) Sri P.N. Badigera, Assistant Executive Engineer, No.1, GLBC Sub Division, Ghataprabha – now awaiting posting, “Kalikamba” Flat No.2, Vidyanagar, behind LET, Gokak, Belgaum District;
- (10) Sri M.M. Arakeri, Assistant Executive Engineer, No.3, Rehabilitation and Reconstruction Sub Division, Karnataka Neeravari Nigama Niyamitha, Hipparagi, Jamakhandi Taluk, Bagalkote District;
- (11) Sri B.D. Thippeswamy, Executive Engineer (Retired) House Address No.1898/6, 2<sup>nd</sup> Cross, Siddaveerappa Layout, Davanagere 577 004;
- (12) Sri S.J. Dharanendra Kumar, Executive Engineer, No.4, GRBCC Division, Karnataka Neeravari Nigama Niyamitha, Chikkodi, Belgaum District;
- (13) Sri B.Prabhakar Shetty, Executive Engineer, House No.3626/1, 8<sup>th</sup> Main, 5<sup>th</sup> Cross, ‘B’ Block, Davanagere 577 004, now PWD Special Division, Shimoga;
- (14) Sri M.R. Vaddar, Executive Engineer, Quality Control Division, Hidkal Dam, Presently working as Executive Engineer, PWD Division, Bagalkote – Reg.

Ref:- 1) Government Order No.ಜಸಂಇ 01 ಸೇಇವಿ 2012, Bengaluru dated 09/02/2012 and its Corrigendum dated 21/09/2012

2) Nomination order No.LOK/INQ/14-A/103/2012, Bengaluru dated 6/3/2012 of Upalokayukta-1, State of Karnataka, Bengaluru

3) Inquiry Report dated 28/12/2017 of Additional Registrar of Enquiries-1, Karnataka Lokayukta, Bengaluru

The Government by its Order dated 9/2/2012, initiated the disciplinary proceedings against;

- (1) Sri R.P. Patil, Assistant Executive Engineer, No.1, GLBC Division, Ghataprabha, Karnataka Neeravari Nigama Niyamitha, Raibagh, Belgaum District – now Assistant Executive Engineer, Workshop and Mechanical Sub Division, Karnataka Neeravari Nigam Niyamitha, Dharwad;
- (2) Sri P.K. Jogannanavar, Assistant Engineer, No.1, GLBC Division, Karnataka Neeravari Nigama Niyamitha, Ghataprabha, Belgaum District;
- (3) Sri H.N.N. Prasad, Assistant Engineer, No.1, GLBC Division, Karnataka Neeravari Nigama Niyamitha, Ghataprabha, Belgaum District;
- (4) Sri R.M. Bhat, the then Assistant Engineer, Now Technical Assistant, MRBC Division No.3, Karnataka Neeravari Nigama Niyamitha, Byahatti, Hubli Taluk, Dharwad District – now working as Assistant Executive Engineer, Workshop & Mechanical Sub Division, Karnataka Neeravari Nigama Niyamitha, Naviluthirtha, Belgaum District;
- (5) Sri N.G. Bhat, Assistant Engineer, No.3, Varahi Planning Sub Division, Karnataka Niravari Nigam Niyamitha, Siddapura, Kundapura Taluk, Udupi District;
- (6) Sri M.M. Komannanavar, Assistant Executive Engineer, No.4, Lift Irrigation Sub Division, Karnataka Neeravari Nigama Niyamitha, Soundatti, Dharwad District;
- (7) Sri L.S. Malaganna, Assistant Executive Engineer, Minor Irrigation Sub Division, Gokak, Belgaum District;
- (8) Sri Purushothama Das Hegde, the then Executive Engineer, now Superintending Engineer, State Quality Control Coordinator, Karnataka Rural Road Development Organization, Rajkumar Road, Bangalore 10;
- (9) Sri P.N. Badigera, Assistant Executive Engineer, No.1, GLBC Sub Division, Ghataprabha – now awaiting posting, Kalikamba Flat No.2, Vidyanagar, behind LET, Gokak, Belgaum District;
- (10) Sri M.M. Arakeri, Assistant Executive Engineer, No.3, Rehabilitation and Reconstruction Sub Division, Karnataka

Neeravari Nigama Niyamitha, Hipparagi, Jamakhandi Taluk,  
Bagalkote District;

- (11) Sri B.D. Thippeswamy, Executive Engineer (Retired) House  
Address No.1898/6, 2<sup>nd</sup> Cross, Siddaveerappa Layout,  
Davanagere 577 004;
- (12) Sri S.J. Dharanendra Kumar, Executive Engineer, No.4,  
GRBCC Division, Karnataka Neeravari Nigama Niyamitha,  
Chikkodi, Belgaum District;
- (13) Sri B.Prabhakar Shetty, Executive Engineer, House  
No.3626/1, 8<sup>th</sup> Main, 5<sup>th</sup> Cross, 'B' Block, Davanagere 577  
004, now PWD Special Division, Shimoga;
- (14) Sri M.R. Vaddar, Executive Engineer, Quality Control  
Division, Hidkal Dam, Presently working as Executive  
Engineer, PWD Division, Bagalkote

(hereinafter referred to as Delinquent Government Officials 1 to 14,  
for short as **'DGOs 1 to 14 respectively'**) and entrusted the  
Departmental Inquiry to this Institution.

2. This Institution by Nomination Order No.LOK/INQ/14-A/  
103/2012, Bengaluru dated 6/3/2012 nominated Additional  
Registrar of Enquiries-3, Karnataka Lokayukta, Bengaluru, as the  
Inquiry Officer to frame charges and to conduct Departmental  
Inquiry against DGOs 1 to 14 for the alleged charge of misconduct,  
said to have been committed by them. Subsequently, by Order No.  
LOK/INQ/14-A/2014 dated 14/3/2014, the Additional Registrar of  
Enquiries-1, Karnataka Lokayukta, Bengaluru was re-nominated  
as Inquiry Officer to conduct departmental inquiry against DGOs 1  
to 14.

3. The DGO-1 Sri R.P. Patil, Assistant Executive Engineer;  
DGO-2 Sri P.K. Jogannanavar, Assistant Engineer; DGO-3 Sri  
H.N.N. Prasad, Assistant Engineer; DGO-4 Sri R.M. Bhat, the then

Assistant Engineer; DGO-5 Sri N.G. Bhat, Assistant Engineer; DGO-6 Sri M.M. Komannanavar, Assistant Executive Engineer; DGO-7 Sri L.S. Malaganna, Assistant Executive Engineer; DGO-8 Sri Purushothama Das Hegde, the then Executive Engineer; DGO-9 Sri P.N. Badigera, Assistant Executive Engineer; DGO-10 Sri M.M. Arakeri, Assistant Executive Engineer; DGO-12 Sri S.J. Dharanendra Kumar, Executive Engineer; DGO-13 Sri B.Prabhakar Shetty, Executive Engineer; and DGO-14 Sri M.R. Vaddar, Executive Engineer were tried for the following charges:-

“That you Sri R.P Patil (hereinafter referred to as Delinquent Government Official-1, in short DGO-1), while working as AEE, No.1, GLBC Dn., Ghataprabha, Karnataka Niravari Nigama Niyamitha of Irrigation Department at Raibagh, Belgaum District failed to monitor the work of providing cement concrete lining of Raibagh High Level Distributory (RHLD) and failed to check and inspect the fraudulent measurements recorded by the Assistant Executive Engineer and without verifying the same blindly and fraudulently certified for payment of Rs.49,52,911/- and thereby you failed to maintain absolute integrity and devotion to duty and committed an act which is unbecoming of a Government Servant and thus you are guilty of misconduct under Rule 3(1)(i) to (iii) of KCS (Conduct) Rules, 1966.

That you, Sri P.K. Jogannanavar (hereinafter referred to as Delinquent Government Official-2, in short DGO-2), while working as AE, GLBC Dn. No.1 Ghataprabha, Karnataka Niravari Nigama Niyamitha of Irrigation Department at Raibagh, Belgaum District failed to properly supervise the work of providing

cement concrete lining of RHL D from Zero Km. to 20 Kms. and recorded fraudulent measurements in the measurement book causing loss to the Government exchequer to the tune of Rs.38,39,657/- and thereby you failed to maintain absolute integrity and devotion to duty and committed an act which is unbecoming of a Government Servant and thus you are guilty of misconduct under Rule 3(1)(i) to (iii) of KCS (Conduct) Rules, 1966.

That you Sri H.N. Nageshwar Prasad (hereinafter referred to as Delinquent Government Official-3, in short DGO-3), while working as AE, GLBC Sub-Dn. No.1, Ghataprabha, Karnataka Niravari Nigama Niyamitha of Irrigation Department at Raibagh, Belgaum District failed to properly supervise the work of providing cement concrete lining of RHL D from 23 Kms. to 41 Kms. and recorded fraudulent measurements in the measurement book causing loss to the Government exchequer to the tune of Rs.30,18,407/- and thereby you failed to maintain absolute integrity and devotion to duty and committed an act which is unbecoming of a Government Servant and thus you are guilty of misconduct under Rule 3(1)(i) to (iii) of KCS (Conduct) Rules, 1966.

That you Sri P.N. Badiger (hereinafter referred to as Delinquent Government official-9, in short DGO-9), while working as Assistant Executive Engineer, presently working as GLBC Sub Dn. No.1, Ghataprabha failed in monitoring the work and certified the Bills of the Contractor for payment in excess of quantity and amount to the tune of

Rs.14,84,561/- and thereby you failed to maintain absolute integrity and devotion to duty and committed an act which is unbecoming of a Government Servant and thus you are guilty of misconduct under Rule 3(1)(i) to (iii) of KCS (Conduct) Rules, 1966.

That you Sri M.M. Arakere (hereinafter referred to as Delinquent Government Official-10, in short DGO-10), while working as Assistant Executive Engineer, presently working as Assistant Executive Engineer, R&R Sub Dn. No.3 at Hipparagi in Jamakhandi Taluk of Bagalkot District failed to monitor the work and certified the Bills of the contractor for payment in excess of the quantity and amount to the tune of Rs.4,20,581/- and thereby you failed to maintain absolute integrity and devotion to duty and committed an act which is unbecoming of a Government Servant and thus you are guilty of misconduct under Rule 3(1)(i) to (iii) of KCS (Conduct) Rules, 1966.

That you Sri S.J. Dharenendrakumar (hereinafter referred to as Delinquent Government Official-12, in short DGO-12), while working as Executive Engineer, presently working as Executive Engineer, GRBCC Dn. No.4 at Chikkodi in Belgaum District passed the Bills of the Contractors without properly check measuring the fraudulent measurements and paid in excess of the quantity and the amount to the tune of Rs.2,63,886/- and thereby you failed to maintain absolute integrity and devotion to duty and committed an act which is unbecoming of a Government Servant and thus you are guilty of

misconduct under Rule 3(1)(i) to (iii) of KCS (Conduct) Rules, 1966.

That you Sri B. Prabhakar Shetty, (hereinafter referred to as Delinquent Government Official-13, in short DGO-13), while working as Executive Engineer, passed the Bills of the Contractors without properly check measuring the fraudulent measurements and paid in excess of the quantity and the amount to the tune of Rs.1,56,695/- and thereby you failed to maintain absolute integrity and devotion to duty and committed an act which is unbecoming of a Government Servant and thus you are guilty of misconduct under Rule 3(1)(i) to (iii) of KCS (Conduct) Rules, 1966.

That you Sri R.M. Bhat (hereinafter referred to as Delinquent Government Official-4, in short DGO-4), while working as Assistant Engineer, Quality Control Sub Dn. 3, Gokak, now Technical Assistant, MRBC Division No.3, KNNN, Byahatti, Hubli Taluk, Dharwad District, now working as Assistant Executive Engineer, Workshop and Mechanical Sub Dn., KNNN, Navelu Thirtha, Belgaum District; you Sri N.G. Bhat (hereinafter referred to as Delinquent Government Official-5, in short DGO-5), while working as AE Quality Control Sub Dn. No.3, Gokak, presently working as Asst. Engineer, Varahi Planning Sub Dn. KNNN, Siddapura, Kundapura Taluk, Udupi District; you Sri M.M. Komannanavar (hereinafter referred to as Delinquent Government Official-6, in short DGO-6), while working as Assistant Executive Engineer, Quality Control Sub Dn. No.3, Gokak, presently working as



Assistant Executive Engineer, No.4, Lift Irrigation Sub Dn. KNNN, Saudatti, Dharwad; you Sri L.S.Malaganna (hereinafter referred to as Delinquent Government Official-7, in short DGO-7), while working as Assistant Executive Engineer, Quality Control Sub Dn. No.3, Gokak, presently working as Assistant Executive Engineer, Minor Irrigation Sub Dn. Gokak, Belgaum District; you Sri Purushotham Das Hegde (hereinafter referred to as Delinquent Government Official-8, in short DGO-8) the then Executive Engineer, Quality Control, Hidkal Dam, Belgaum and presently working as Superintending Engineer, State Quality Control Coordinating officer, Karnataka Rural Road Development Institute, Rajkumar Road, Bangalore 10; and you Sri M.R. Vaddar (hereinafter referred to as Delinquent Government Official-14, in short DGO-14) the then Executive Engineer, Quality Control Dn. Hidkal Dam, Belgaum presently working as Executive Engineer, PWD Bagalkot, issued false test results and thus all of you are responsible for the above substandard works, payments and excess payments and thereby you failed to maintain absolute integrity and devotion to duty and committed an act which is unbecoming of a Government Servant and thus you are guilty of misconduct under Rule 3(1)(i) to (iii) of KCS (Conduct) Rules, 1966.”

4. The Inquiry Officer (Additional Registrar of Enquiries-1) on proper appreciation of oral and documentary evidence has held that the charge framed against DGOs 1 to 10 and 12 to 14 is proved.

5. The Inquiry officer has held that DGOs 1 to 10 and 12 to 14 have committed dereliction of duty in the execution of work of providing cement concrete lining of Raibagh High Level Distributory (RHLD) and responsible for causing loss in a sum of Rs.85,98,002/- to the State exchequer.

6. The Inquiry Officer has held that the inquiry proceedings against DGO-11 Sri B.D. Thippeswamy, Executive Engineer (Retired) is dropped vide Order No. ಜಸಂಇ 01 ಸೇಇಎ 2012, dated 21/9/2012 of the Disciplinary Authority.

7. 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.

8. As per the First Oral Statements submitted by DGOs 1 to 10 and 12 to 14;

- (i) DGO-1 Sri R.P. Patil, Assistant Executive Engineer has retired from service on 31/12/2014 (during the pendency of inquiry);
- (ii) DGO-2 Sri P.K. Jogannanavar, Assistant Engineer, is due to retire from service on 31/7/2038;
- (iii) DGO-3 Sri H.N.N. Prasad, Assistant Engineer, is due to retire from service on 30/9/2023,
- (iv) DGO-4 Sri R.M. Bhat, the then Assistant Engineer, is due to retire from service on 31/7/2019;
- (v) DGO-5 Sri N.G. Bhat, Assistant Engineer, is due to retire from service on 31/5/2034;

- (vi) DGO-6 Sri M.M. Komannanavar, Assistant Executive Engineer, is due to retire from service on 30/6/2019;
- (vii) DGO-7 Sri L.S. Malaganna, Assistant Executive Engineer has retired from service on 31/10/2017 (during the pendency of inquiry);
- (viii) DGO-8 Sri Purushothama Das Hegde, the then Executive Engineer is due to retire from service on 30/4/2030;
- (ix) DGO-9 Sri P.N. Badigera, Assistant Executive Engineer, is due to retire from service on 28/2/2018;
- (x) DGO-10 Sri M.M. Arakeri, Assistant Executive Engineer, is due to retire from service on 31/10/2027;
- (xi) DGO-12 Sri S.J. Dharanendra Kumar, Executive Engineer has retired from service on 30/9/2015 (during the pendency of inquiry);
- (xii) DGO-13 Sri B.Prabhakar Shetty, Executive Engineer has retired from service on 30/4/2015 (during the pendency of inquiry); and
- (xiii) DGO-14 Sri M.R. Vaddar, Executive Engineer is due to retire from service on 30/6/2021.

9. Having regard to the nature of charges proved against DGOs 1 to 10 and 12 to 14,

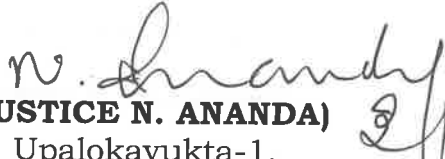
- (i) it is hereby recommended to the Government to impose penalty of recovering the financial loss of Rs.6,61,385/- each from the pension and retirement benefits payable to DGO-1 Sri R.P. Patil, Assistant Executive Engineer; DGO-7 Sri L.S. Malaganna, Assistant Executive Engineer; DGO-12 Sri S.J. Dharanendra Kumar, Executive Engineer; and DGO-13 Sri B.Prabhakar Shetty, Executive Engineer;

(ii) it is hereby recommended to the Government to impose penalty of recovering the financial loss of Rs.6,61,385/- each from the salary and other allowances payable to DGO-2 Sri P.K. Jogannavar, Assistant Engineer; DGO-3 Sri H.N.N. Prasad, Assistant Engineer; DGO-5 Sri N.G. Bhat, Assistant Engineer ; DGO-8 Sri Purushothama Das Hegde, the then Executive Engineer; DGO-10 Sri M.M. Arakeri, Assistant Executive Engineer and DGO-14 Sri M.R. Vaddar, Executive Engineer.

(iii) it is hereby recommended to the Government to impose penalty of recovering the financial loss of Rs.6,61,385/- each from the salary and other allowances and pension payable to DGO-4 Sri R.M. Bhat, the then Assistant Engineer; DGO-6 Sri M.M.Komannavar. Asst. Executive Engineer and DGO-9 Sri P.N. Badigera, Assistant Executive Engineer.

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

Connected records are enclosed herewith.

  
**(JUSTICE N. ANANDA)**  
Upalokayukta-1,  
State of Karnataka,  
Bengaluru