

1177/2017

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KARNATAKA LOKAYUKTA

No.UPLOK-1/DE/1177/2017/ARE-13

M.S. Building,
Dr. B.R.Ambedkar Road,
Bangalore-56001,
Date: 24/10/2019.

: Present:

Patil MohanKumar Bhimanagouda
Additional Registrar Enquiries-13,
Karnataka Lokayukta,
Bangalore.

:: ENQUIRY REPORT ::

Sub:- Departmental Enquiry against,
Sri H.H. Awari, Assistant Director
(Technical), KRIDL, Kalaburgi
District.

Ref : 1) Report u/s 12(3) of the K.L Act, 1984 in
Compt/Uplok/GLB-5342/2013/DRE-3,
dated.29/06/2017.

2) Govt. Order No.ಗ್ರಾಅಪ 16 ಕಗ್ರಾಮೂ/2017,
Bengaluru, dated:30/11/2017.

3) Nomination Order No.UPLOK-1/
DE/1177/2017, Bengaluru dated
20/12/2017.

1. This Departmental Enquiry is directed against Sri H.H. Awari, Assistant Director (Technical), KRIDL, Kalaburgi District (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 Upa Lokayukta-1, vide order dated: 20/12/2017 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 Enquiry against the aforesaid DGO. The 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 Articles of Charge. Copies of same were issued to the DGO calling upon him to appear before this Authority and to submit written statement of his defence. The AOC was duly served on the DGO. Initially the DGO appeared and his FOS was recorded on 16/02/2018. However, later on he remained absent, hence he was placed Ex-parte.
4. As per order of Hon'ble UPLOK-1 & 2/DE/Transfers/2018, dated 06/08/2018 this enquiry file was transferred from ARE-4 to ARE-13.
5. The Article of Charges framed by ARE-4 against the DGO is as below:

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ANNEXURE NO-1

CHARGE

6. That, you-DGO/Sri H.H. Awari, Assistant Director (Technical), KRIDL, Kalaburgi, following discrepancies have been made out in execution of the work during the tenure of you-DGO up to July 2012 and committed misconduct as under:-

- 1) You-DGO has passed three bills pertaining to the alleged work. Monthly Running Account Bill No.1 to 3 is passed on 30/11/2011, 30/04/2012 and 30/07/2012.
- 2) Date of recording of measurement in the M.B. Book pertaining to Bill No-1 to 3 is mentioned as 30/11/2011, 30/04/2012 and 30/07/2012.
- 3) The date of commencement of work is not mentioned in the M.B. Book.
- 4) All the three bills have been passed on the same day of recording the measurements, which seems to be impractical and doubtful.
- 5) Measurements are found to be recorded on a single day. No day to day periodical and stage wise measurements are recorded in the M.B. Book.

- 6) The date of measurements mentioned in the M.B. Book with respect to bill No-1 and 2 are found to be interpolated and overwritten.
- 7) There is no mention of the name and date below the signature of you-DGO in all the bills and also in M.B. Book.
- 8) Number of corrections in each page of M.B. Book is not mentioned.
- 9) You-DGO has not produced the photographs of three stages of construction i.e., before, during and after laying of CC road and drainages mentioned in bill No-1 to 3.

Thereby the DGO being a Government Servant failed to maintain absolute integrity and devotion to the duty, the act which is unbecoming of a Government Servant and thereby committed misconduct as enumerated U/R 3(1)(i) to (iii) of Karnataka Civil Service (Conduct) Rules 1966.

ANNEXURE No-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT

7. On the basis of a complaint filed by Sri Kereppa S/o Jatteppa Halimani R/o Hipparaga S.N. Hipparaga S.N. Post, Jewargi Taluk, Kalaburgi District (herein after referred to as 'complainant' for

short), against you-DGO, an investigation was taken up u/sec. 9 of the Karnataka Lokayukta Act 1984, by invoking powers vested u/sec 7(2) of the said Act.

8. The brief facts of the complainant's are that:

The complainant alleges that for about 5 to 6 months, the formation of CC road and drainages taken up under Suvarna Gramodaya Yojane at Hipparaga (SN) Village, Jewargi Taluk has been stopped. CC road and drainage from Girki Bhavi up to borewell has not been formed. Public are facing problem to use the said road. Due to stagnation of drainage water near the house of the complainant, there is brooding of mosquitoes which may lead to spreading of Malaria and Dengue fever. By alleging illegalities and misappropriation of funds in executing the said works, complainant has prayed to take action against you-DGO.

9. You-DGO has submitted your comments dated:14/04/2014 stating that the alleged work of execution of Suvarna Gramodaya Yojane, 3rd phase at Hipparaga (SN) Village, Jewargi Taluk is taken up with estimated cost of Rs.85.51 lakhs and the entire funds have been released. You-DGO has been transferred from Jewargi Sub-Division and has handed over charge to Shri Jaffer Ahamed, Karya Dalapathi, KRIDL, Gulbarga-1. During your tenure upto July-2012 an amount of Rs.12,99,261/- is spent for laying CC road and CC

drainage. By stating that the remaining works are still under progress has sought to drop you from the proceedings.

10. The matter was referred to S.P. Karnataka Lokayukta, Kalaburgi for investigation, who in turn has submitted his report dated 09/06/2015 along with the report of I.O/Shri. Shanthinath B.P., Police Inspector, Karnataka Lokayukta, Kalaburgi dated 29/05/2015 stating that the works executed are in good condition and the allegations made in the complaint are false. You-DGO submitted documents and photographs along with his report.

11. On perusal of the materials on record following discrepancies have been made out in execution of the work during the tenure of you-DGO up to July-2012.

- 1) You-DGO has passed three bills pertaining to the alleged work. Monthly Running Account Bill No.1 to 3 is passed on 30/11/2011, 30/04/2012 and 30/07/2012.
- 2) Date of recording of measurements in the M.B. Book pertaining to Bill No.1 to 3 is mentioned as 30/11/2011, 30/04/2012 and 30/07/2012.
- 3) The date of commencement of work is not mentioned in the M.B. Book.

- 4) All the three bills have been passed on the same day of recording the measurements, which seems to be impractical and doubtful.
- 5) Measurements are found to be recorded on a single day. No day to day periodical and stage wise measurements are recorded in the M.B. Book.
- 6) The date of measurements mentioned in the M.B. Book with respect to bill No-1 and 2 are found to be interpolated and overwritten.
- 7) There is no mention of the name and date below the signature of you-DGO in all the bills and also in M.B. Book.
- 8) Number of corrections in each page of M.B. Book is not mentioned.
- 9) You-DGO has not produced the photographs of three stages of construction i.e., before, during and after laying of CC road and drainages mentioned in bill No-1 to 3.

12. In view of the above, the comments submitted by you-DGO is not acceptable to drop the proceedings against you-DGO.

13. There are prima-facie materials against you-DGO for the above said misconduct. Hence, you-DGO has failed to maintain absolute integrity, devotion to duty and has acted in a manner which is unbecoming of a Government Servant for which you made yourself liable for departmental action.

14. Since the said facts and materials on record prima-facie show that you-DGO being Public/Government Servant, has committed misconduct as per Rule 3(1)(i) to (iii) of the KCS (Conduct) Rules, 1966, now, acting under section 12(3) of the Karnataka Lokayukta Act, recommendation is made to the Competent Authority to initiate disciplinary proceedings against you-DGO and to entrust the inquiry to this Authority under Rule 14-A of the Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957. In turn Competent Authority initiated disciplinary proceedings against you-DGO and entrusted the Enquiry to this institution vide Reference No-1 and Hon'ble Upa Lokayukta nominated this Enquiry Authority, to conduct enquiry and report vide reference No-2. Hence, this charge.

15. The AOC was duly served on the DGO. Initially the DGO appeared and his FOS was recorded on 16/02/2018. However, later on he remained absent, hence he was placed Ex-parte. Since the DGO later on remained Ex-parte the question of recording SOS, defence evidence and Questionnaire does not arise.

16. In order to substantiate the charge, the Disciplinary Authority examined two witnesses as PW-1 and PW-2, got marked the documents at Ex.P-1 to P-11 and closed their side. Since the DGO later on remained Ex-parte, the question of recording SOS, defence evidence and questionnaire as provided U/Rule 11(9), 11(16), 11(17) and Rule 11(18) of Karnataka Civil Services (CC & A) Rules 1957 does not arise.

17. Upon consideration of the charge leveled against the DGO, the evidence led by the Disciplinary Authority by way of oral and documentary evidence, the only point that arises for my consideration is as under:

Point No-1) Whether the Disciplinary Authority has satisfactorily proved that, the DGO Sri H.H. Awari while working as Assistant Director (Technical), KRIDL, Kalaburgi, has committed the following discrepancies in the execution of the work pertaining to the construction of CC road and CC drainage taken up under Suvarna Gramodaya Yojane at Hipparaga (SN) Village, Taluka Jewargi, District Kalaburgi, which are as follows:

- 1) **The DGO has passed three bills pertaining to the alleged work, Monthly Running Account Bill No.1 to 3 are passed on 30/11/2011, 30/04/2012 and 30/07/2012.**
- 2) **The date of recording of measurements in the M.B. Book pertaining to Bill No-1 to 3 is mentioned as 30/11/2011, 30/04/2012 and 30/07/2012.**
- 3) **The date of commencement of work is not mentioned in the M.B. Book.**
- 4) **All the three bills have been passed on the same day of recording the measurements, which seems to be impractical and doubtful.**
- 5) **The Measurements are found to be recorded on a single day. No day to day periodical and stage wise measurements are recorded in the M.B. Book.**
- 6) **The date of measurements mentioned in the M.B. Book with respect to bill No-1 and 2 are found to be interpolated and overwritten.**

7) *There is no mention of the name and date below the signature of the DGO in all the bills and also in M.B. Book.*

8) *The Number of corrections in each page of M.B. Book is not mentioned.*

9) *The DGO has not produced the photographs of three stages of construction i.e., before, during and after laying of CC road and drainages mentioned in bill No-1 to 3 and thereby failed to maintain absolute integrity and devotion to duty, which act is unbecoming of a Government Servant and thus committed misconduct as enumerated U/R 3 (1) (i) to (iii) of Karnataka Civil Service (Conduct) Rules, 1966.*

18. My finding on the above point is held in **"Affirmative"** for the following:

:: REASONS ::

19. **Point No-1:-** The case of the Disciplinary Authority in brief is that,

The complaint is filed by name Sri Kereppa S/o Jettappa Halimani resident of Hipparaga (SN) Village, Taluka Jewargi. The complainant has been examined as PW-1. However, the complainant has turned hostile to the case of the Disciplinary Authority. He states that, due to lack of funds the work of CC road and CC drainage taken up under Suvarna Gramodaya Yojane at Hipparaga (SN) Village, Taluka Jewargi, District Kalaburgi was suspended for some days and thereafter when the DGO and his successor received the funds they have completed the work. He further states that, the work quality is good and he had lodged the complaint on the wrong information. The Learned Presenting Officer treated the witness as partly hostile and cross examined.

20. The complainant has identified his complaint at Ex.P-1 and Form No-I and II at Ex.P-2 and P-3. He has identified his signatures on Ex.P-1 to P-3.

21. The Disciplinary Authority in support of its contention has examined PW-2/Sri Shanthinath S/o Bapugouda Payaprappa, the Police Inspector, of Karnataka Lokayukta, Kalaburgi. He states that, from 03/12/2012 to 01/10/2015 he has worked as Police Inspector, Karnataka Lokayukta, Kalaburgi. The complainant by name Sri Kereppa S/o Jettappa Halimani resident of Hipparaga (SN) Village, Taluka Jewargi had lodged a complaint and it was forwarded to him by the Superintendent of Police, Karnataka Lokayukta, Kalaburgi.

On 02/09/2014 he wrote a letter to Deputy Director, Karnataka Rural Infrastructure Development Limited and got the documents pertaining to CC road and CC drainage taken up under Suvarna Gramodaya Yojane at Hipparaga (SN) Village, Taluka Jewargi, District Kalaburgi. He has produced the copy of letter addressed to the Deputy Director, Karnataka Rural Infrastructure Development Limited which is at Ex.P-4. The Deputy Director of Karnataka Rural Infrastructure Development Limited has furnished the documents. PW-2 has identified the said documents and they have been commonly marked as Ex.P-5. These documents are totally 161 pages with page numbers 28 to 186 written in red ink. PW-2 further states that, on 07/04/2015 he requested the Assistant Executive Engineer, PWD, Kalaburgi to assist him in inspection of the CC road and drainage. Accordingly, the Assistant Executive Engineer deputed Assistant Engineer, PWD Sub Division, Kalaburgi by name Sri M.D. Mahimood. The I.O has shown the records to the Assistant Engineer Sri M.D. Mahimood.

22. PW-2 further states that, on 08/04/2015 he visited the spot along with PWD Assistant Engineer, Sri M.D. Mahimood, the complainant and other persons and conducted the inspection and also prepared the spot panchanama as Ex.P-7. He has taken the photographs of the CC roads and CC drainage. There are totally 23 photographs which have been commonly marked as Ex.P-8. PW-2 further states that, the PWD, Assistant Engineer, Sri M.D.

Mahimood has given his report on 18/05/2015. He identifies the said report which has been marked as Ex.P-9. After completing the investigation he has submitted his report to the Superintendent of Police, Karnataka Lokayukta, Kalaburgi. The said report is marked as Ex.P-10 and his signature is marked as Ex.P-10(a). The Superintendent of Police, Karnataka Lokayukta, Kalaburgi has submitted his report along with the report of PW-2. He has identified the said report at Ex.P-11.

23. In this case, the matter was referred to Superintendent Police, Karnataka Lokayukta, Kalaburgi for investigation, who in turn has submitted his report dated 09/06/2015 along with the report of I.O/Shri. Shanthinath B.P, Police Inspector, Karnataka Lokayukta, Kalaburgi dated 29/05/2015 stating that, the works executed are in good condition and the allegations made in the complaint are false. The I.O submitted documents and photographs along with his report.

24. However, the report of the I.O cannot be accepted, because on careful perusal of documents at Ex.P-5, it is observed that, there are several discrepancies in the M.B. Book written by the DGO. The document at Ex.P-5 consists of 161 pages marked in red ink as page No.28 to 186. These documents consist the following documents.

They are ,

1. Face sheet issued by KRIDL,
2. General report pertaining to implementation of Suvarna Gramodaya Yojane at Hipparaga (SN) Village of Jewargi Taluka.
3. Recapitulation sheet.
4. Detailed and abstract estimate of cement concrete road in Hipparaga (SN) Village of Jewargi Taluka.
5. Monthly running account bills pertaining to implementation of Suvarna Gramodaya Yojane at Hipparaga (SN) Village.
6. M.B. Book pertaining to the CC road and CC drainage under the Suvarna Gramodaya Yojane at Hipparaga (SN) Village.

25. I have carefully gone through the documents at Ex.P-5 consisting of the above referred documents. It is pertinent to note that, there are several discrepancies and omissions with regard to writing of the M.B. Book by the DGO. On careful perusal of the materials on record, the following discrepancies have been found in execution of the work during the tenure of the DGO for the period up to July-2012, pertaining to the implementation of Suvarna Gramodaya Yojane in Hipparaga (SN) Village of Jewargi Taluka and they are as follows,

- 1) The DGO has passed three bills pertaining to the said work. The Monthly Running Account Bills No.1 to 3 are passed on 30/11/2011, 30/04/2012 and 30/07/2012.
- 2) The date of recording of measurements in the M.B. Book pertaining to Bill No.1 to 3 are mentioned as 30/11/2011, 30/04/2012 and 30/07/2012.
- 3) The DGO has not mentioned the date of commencement of the work in the M.B. Book.
- 4) The DGO has got all the three bills passed on the same day of recording the measurements in Measurement Book, which appears to be impractical and doubtful.
- 5) The DGO has recorded the measurements on a single day. The DGO has not recorded the measurements on day to day periodical bases.
- 6) The DGO has not recorded the stage wise measurements in the Measurement Book.
- 7) The DGO has over written the date of measurements in M.B. Book with respect to bill No.1 and 2 and they appear to be interpolated.

8) The DGO has not mentioned the name and date below his signature in all the bills and also in the M.B. Book.

9) The DGO has not mentioned the number of corrections in each page of M.B. Book.

10) The DGO has not produced the photographs of three stages of construction i.e., before, during and after laying of CC road and drainages mentioned in bill No-1 to 3.

26. On careful perusal of the above referred discrepancies, it is observed that, the DGO has not properly implemented the CC road and CC drainages in Hipparaga (SN) Village, Taluka Jewargi under the implementation of Suvarana Gramodaya Yojane.

27. On careful perusal of the records at Ex.P-5, especially the M.B. Book, it is observed that, the DGO during his tenure has not properly maintained the Measurement Book. He has not properly maintained monthly running accounts bills. The date of commencement of the work is not mentioned in the M.B. Book. It appears that, all the 3 bills have been passed on the same day of recording the measurements. This appears to be doubtful and impractical. It appears that, the measurements have not been

recorded as per the KPWD Code. All the measurements appear to have been recorded on a single day. The dates of measurements mentioned in the M.B. Book are over written. The DGO has not mentioned his name and date below the signature in the bills and M.B. Book. The DGO has not mentioned the number of corrections in each page of the M.B. Book. It is also observed that, the DGO has not produced the photographs of the three stages of construction of CC road and drainages. The DGO ought to have produced the photographs before the construction, during the construction and after laying of CC road and drainages as mentioned in bill No.1 to 3. Hence, on careful perusal of these discrepancies, I am of the opinion that, the DGO has not carried out the works as per the guidelines. Therefore I am of the opinion that, the DGO during his tenure as Assistant Director (Technical), KRIDL, Kalaburgi Division has not properly implemented the formation of CC Road and CC drainages taken up under the Suvarna Gramodaya Yojane at Hipparaga (SN) Village of Jewargi Taluka, District Kalaburgi. Though the complainant has turned hostile and the I.O has filed the negative report, I am of the opinion that, the documents at Ex.P-5, especially the running account bills and M.B. Book clearly show that, the accounts and M.B. Book have not been properly maintained and there are several discrepancies referred above. Hence, the conduct of the DGO amounts to misconduct and dereliction of duty.

28. For the reasons stated above the DGO, being the Government/Public Servant has failed to maintain absolute integrity besides devotion to duty and acted in a manner unbecoming of Government servant. On appreciation of entire oral and documentary evidence, I hold that the charge leveled against the DGO is established. Hence, I answer point No.1 in the "**Affirmative**".

:: ORDER ::

The Disciplinary Authority has proved the charge against the DGO Sri H.H. Awari, Assistant Director (Technical), KRIDL, Kalaburgi District.

29. This report is submitted to Hon'ble Upa Lokayukta-1 in a sealed cover for kind perusal and for further action in the matter.

Dated this the 24th day of October 2019

(Patil MohanKumar Bhimanagouda)

Additional Registrar Enquiries-13

Karnataka Lokayukta

Bangalore

ANNEXURE

Witness examined on behalf of the Disciplinary Authority
PW-1: Sri. Kereppa Halimani (Original)
PW-2: Sri. Shanthinath Payaprappa (Original)
Witness examined on behalf of the DGO
Nil
Documents marked on behalf of the Disciplinary Authority
Ex.P-1: Complaint (Original). Ex.P-1(a): Signature of the complainant.
Ex.P-2: Form No-I (Original) Ex.P-2 (a): Signature of the complainant.
Ex. P-3: Form No-II (Original) Ex.P-3(a): Signature of the Complainant.
Ex. P-4: The copy of letter addressed to the Deputy Director, Karnataka Rural Infrastructure Development Limited dated 02/09/2014 (Xerox)
Ex.P-5 : Face sheet, General Report, recapitulation sheet of KRIDL, Jewargi connected documents (from page No.28 to 186) Page no.43 certified copy, page no.44-104 xerox copies, page no.105 certified copy, page no-106 xerox copy, page no-107 certified copy, page no.108 xerox copy, page no.109 certified copy, page no.110-159 xerox copies, page no-160 certified copy, page no. 161-165 xerox copies, page no-166 certified copy, page no.167-169 xerox copies, page no-170 certified copy, page no.171-191 xerox copies, page no.192 certified copy, page no.193-200 xerox copies, page no-201 certified copy.
Ex.P-6 : Letter of SP, KLA, Kalaburgi addressed to Assistant Executive Engineer, PWD, Kalaburgi dated 07/04/2015(Certified copy)

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Ex.P-7: Spot Panchanama dated 08/04/2015(Original)
Ex.P-8: photographs (Total 23) (Original)
Ex.P-9: Report of Assistant Engineer, PWD, dated 18/05/2015 (Original)
Ex.P-10: The report of I.O to the S.P, Karnataka Lokayukta, Kalaburgi dated 29/05/2015 (Original)
Ex.P-10(a): Signature of the I.O.
Ex.P-11: The report of Superintendent of Police, Karnataka Lokayukta, Kalaburgi. (Original)
Ex.P-11(a): Signature of the S.P.
Documents marked on behalf of the DGO
Ex.D-1: Xerox copy of letter of complainant dated 9/01/2014.

Dated this the 24th day of October 2019

(Patil MohanKumar Bhimanagouda)

Additional Registrar Enquiries-13

Karnataka Lokayukta

Bangalore



KARNATAKA LOKAYUKTA

No.UPLOK-1/DE/1177/2017/ARE-13

Multi Storied Buildings,
Dr.B.R.Ambedkar Veedhi,
Bengaluru-560 001,
Date: **28/10/2019**

RECOMMENDATION

Sub:- Departmental inquiry against Sri H.H. Awari, the then Assistant Director (Technical), Karnataka Rural Infrastructure Development Limited, Kalaburagi – Reg.

Ref:-1) Government Order No. ಗ್ರಾಅಪ:16:ಕಗ್ರಾಮೂ:2017, Bengaluru dated 30/11/2017.

- 2) Nomination order No.UPLOK-1/DE/1177/2017 Bengaluru dated 20/12/2017 of Upalokayukta-1, State of Karnataka, Bengaluru.
- 3) Inquiry Report dated 24/10/2019 of Additional Registrar of Enquiries-13, Karnataka Lokayukta, Bengaluru

The Government by its Order dated 30/11/2017 initiated the disciplinary proceedings against Sri H.H. Awari, the then Assistant Director (Technical), Karnataka Rural Infrastructure Development Limited, Kalaburagi (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/1177/2017 dated 20/12/2017 nominated Additional Registrar of Enquiries-4, 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. Subsequently by Order No. UPLOK-1 & 2/DE/Transfers/2018 dated 06/08/2018 the Additional Registrar of Enquiries-13 was re-nominated as Inquiry Officer to conduct Departmental inquiry against DGO.

3. The DGO Sri H.H. Awari, the then Assistant Director (Technical), Karnataka Rural Infrastructure Development Limited, Kalaburagi was tried for the following charges:-

“That, you-DGO/ Sri H.H. Awari, Assistant Director (Technical), KRIDL, Kalaburagi, following discrepancies have been made out in execution of the work during the tenure of you-DGO up to July 2012 and committed misconduct as under:-

- 1) You-DGO has passed three bills pertaining to the alleged work. Monthly Running Account Bill No. 1 to 3 is passed on 30/11/2011, 30/04/2012 and 30/07/2012.
- 2) Date of recording of measurement in the M.B. Book pertaining to Bill No.1 to 3 is mentioned as 30/11/2011, 30/04/2012 and 30/07/2012.
- 3) The date of commencement of work is not mentioned in the M.B. Book.
- 4) All the three bills have been passed on the same day of recording the measurements, which seems to be impractical and doubtful.
- 5) Measurements are found to be recorded on a single day. No day to day periodical and stage wise measurements are recorded in the M.B. Book.
- 6) The date of measurements mentioned in the M.B. Book with respect to Bill No.1 and 2 are found to be interpolated and overwritten.
- 7) There is no mention of the name and date below the signature of you-DGO in all the bills and also in M.B. Book.

8) Number of corrections in each page of M.B. Book is not mentioned.

9) You-DGO has not produced the photographs of three stages of construction i.e., before, during and after laying of CC road and drainages mentioned in Bill No. 1 to 3.

Thereby, you-DGO being a Government Servant failed to maintain absolute integrity and devotion to the duty, the act which is unbecoming of a 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-13) on proper appreciation of oral and documentary evidence has held that the Disciplinary Authority has proved the above charges against DGO Sri H.H. Awari, the then Assistant Director (Technical), Karnataka Rural Infrastructure Development Limited, Kalaburagi.

5. On re-consideration of inquiry report, 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.

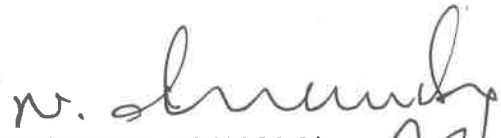
6. As per the First Oral Statement submitted by DGO Sri H.H. Awari, he has retired from service on 30/04/2018 (during the pendency of inquiry).

7. Having regard to the nature of charges proved against DGO Sri H.H. Awari, it is hereby recommended to the Government for

imposing penalty of permanently withholding 10% of pension payable to DGO against Sri H.H. Awari, Assistant Director (Technical), Karnataka Rural Infrastructure Development Limited, Kalaburagi.

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

Connected records are enclosed herewith.


(JUSTICE N. ANANDA) 28/10
Upalokayukta-1,
State of Karnataka,
Bengaluru