

ಕರ್ನಾಟಕ ಸರ್ಕಾರ



ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ

ನಂ: ಉಪಲೋಕ್-2/ಡಿಇ/1204/2017/ಎ.ಆರ್.ಇ-11

ಬಹುಮಹಡಿಗಳ ಕಟ್ಟಡ,
ಡಾ:ಬಿ.ಆರ್.ಅಂಬೇಡ್ಕರ್ ವೀದಿ,
ಬೆಂಗಳೂರು-560001.
ದಿನಾಂಕ: 29ನೇ ಡಿಸೆಂಬರ್ 2023.

-:: ಶಿಫಾರಸ್ಸು ::-

ವಿಷಯ: ಆಪಾದಿತ ಸರ್ಕಾರಿ ನೌಕರರಾದ ಶ್ರೀ. ಜವರಯ್ಯ ಎಲ್. ಜಿ. ಕಿರಿಯ ಆರೋಗ್ಯ ಪರಿವೀಕ್ಷಕರು, ಮೈಸೂರು ಮಹಾ ನಗರಪಾಲಿಕೆ, 7ನೇ ವಲಯ, ಮೈಸೂರು ಇವರ ವಿರುದ್ಧದ ಇಲಾಖಾ ವಿಚಾರಣೆ ಕುರಿತು.

ಉಲ್ಲೇಖ: (1) ಆದೇಶ ಸಂಖ್ಯೆ: ಆಕುಕ 31 ಹೆಚ್‌ಪಿಸಿ 2017, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 13/10/2017.

(2) ಉಪಲೋಕಾಯುಕ್ತ, ಕರ್ನಾಟಕ ರಾಜ್ಯ ಬೆಂಗಳೂರು ರವರ ನಾಮನಿರ್ದೇಶನ ಆದೇಶ ಸಂಖ್ಯೆ: ಉಪಲೋಕ್-2/ಡಿಇ-1204/2017, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 29/12/2017.

(3) ಅಪರ ನಿಬಂಧಕರು ವಿಚಾರಣೆಗಳು-11, ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ ಬೆಂಗಳೂರು ರವರ ವಿಚಾರಣಾ ವರದಿ ದಿನಾಂಕ: 29/12/2023.

ಸರ್ಕಾರದ ಆದೇಶ ದಿನಾಂಕ: 13/10/2017 ರಂತೆ ಶ್ರೀ. ಜವರಯ್ಯ ಎಲ್. ಜಿ. ಕಿರಿಯ ಆರೋಗ್ಯ ಪರಿವೀಕ್ಷಕರು, ಮೈಸೂರು ಮಹಾ ನಗರಪಾಲಿಕೆ, 7ನೇ ವಲಯ, ಮೈಸೂರು (ಇನ್ನು ಮುಂದೆ ಆಪಾದಿತ ಸರ್ಕಾರಿ ನೌಕರರು ಅಂದರೆ ಚಿಕ್ಕದಾಗಿ 'ಆ.ಸ.ನೌಕರರು' ಎಂದು ಸಂಭೋದಿಸಲಾಗುವುದು) ರವರ ವಿರುದ್ಧ ಶಿಸ್ತು ಪ್ರಕ್ರಿಯೆಯನ್ನು ಕೈಗೊಂಡು ವಿಚಾರಣೆ ಮಾಡಿ, ವರದಿ ಸಲ್ಲಿಸುವಂತೆ ಈ ಸಂಸ್ಥೆಗೆ ಇಲಾಖಾ ವಿಚಾರಣೆಯನ್ನು ವಹಿಸಿರುತ್ತದೆ.

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2. ಈ ಸಂಸ್ಥೆಯ ನಾಮನಿರ್ದೇಶನ ಆದೇಶ ಸಂಖ್ಯೆ: ಉಪಲೋಕ್-2/ಡಿಇ/1204/2017, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 29/12/2017ರ ರೀತ್ಯಾ ಅಪರ ನಿಬಂಧಕರು ವಿಚಾರಣೆಗಳು-11 ರವರಿಗೆ ಆ.ಸ.ನೌಕರರ ವಿರುದ್ಧ ದೋಷಾರೋಪಣಾ ಪಟ್ಟಿ ತಯಾರು ಮಾಡಿ, ವಿಚಾರಣೆ ನಡೆಸಿ, ವರದಿ ಸಲ್ಲಿಸುವಂತೆ ಆದೇಶ ಹೊರಡಿಸಲಾಗಿರುತ್ತದೆ.

3. ಆ.ಸ.ನೌಕರರಾದ ಶ್ರೀ. ಜವರಯ್ಯ ಎಲ್. ಜಿ. ಕಿರಿಯ ಆರೋಗ್ಯ ಪರಿವೀಕ್ಷಕರು, ಮೈಸೂರು ಮಹಾನಗರಪಾಲಿಕೆ, 7ನೇ ವಲಯ, ಮೈಸೂರು ರವರ ವಿರುದ್ಧ ಈ ಕೆಳಗಿನ ದೋಷಾರೋಪಣೆಗಾಗಿ ಇಲಾಖಾ ವಿಚಾರಣೆಯನ್ನು ನಡೆಸಲಾಯಿತು.

ಅನುಬಂಧ-1

ದೋಷಾರೋಪಣೆ

ಆಪಾದಿತ ಸರ್ಕಾರಿ ನೌಕರರಾದ ಜವರಯ್ಯ ಎಲ್.ಜಿ. ಆದ ನೀವು ಮೈಸೂರಿನಲ್ಲಿ ಮೈಸೂರು ಮಹಾನಗರ ಪಾಲಿಕೆಯ 7ನೇ ವಲಯ ಕಛೇರಿಯಲ್ಲಿ ಕಿರಿಯ ಆರೋಗ್ಯ ಪರಿವೀಕ್ಷಕರಾಗಿ 2014ರಲ್ಲಿ ಕರ್ತವ್ಯ ನಿರ್ವಹಿಸುತ್ತಿದ್ದ ಅವಧಿಯಲ್ಲಿ ದೂರುದಾರರಾದ ಶ್ರೀ ಮಣಿಕಂಠ ರವರು ಮೈಸೂರು ಮಹಾನಗರ ಪಾಲಿಕೆಯ 7ನೇ ವಲಯ ಕಛೇರಿಯಲ್ಲಿ "ಡಿ" ದರ್ಜೆಯ ನೌಕರರಾಗಿ ಕಾರ್ಯ ನಿರ್ವಹಿಸಿಕೊಂಡಿದ್ದು ನೀವು ದೂರುದಾರರ ಮೇಲಧಿಕಾರಿಯಾಗಿದ್ದು ದೂರುದಾರರ ಬಾಪ್ತು 2014 ನೆಯ ಇಸವಿ ಮೇ ತಿಂಗಳಿನಲ್ಲಿ 6 ದಿನಗಳ ಕರ್ತವ್ಯದ ಅವಧಿಯನ್ನು ವೇತನರಹಿತವಾಗಿ ನೀವು ಪರಿಗಣಿಸಿದ್ದು ಅದನ್ನು ವೇತನಸಹಿತ ಅವಧಿಯಾಗಿ ಮಾರ್ಪಡಿಸಲು ನೀವು ದಿನಾಂಕ 24/07/2014 ಕ್ಕಿಂತ ಮುನ್ನ ದೂರುದಾರರಿಂದ ರೂಪಾಯಿ 2,000/- ಲಂಚ ಬೇಕೆಂದು ಒತ್ತಾಯಿಸಿ ತರುವಾಯ ದೂರುದಾರರಿಂದ ದಿನಾಂಕ 24/07/2014 ರಂದು ಸಂಜೆ 5.00 ರಿಂದ 5.10 ಗಂಟೆಯ ಅವಧಿಯಲ್ಲಿ ಮೈಸೂರು ಮಹಾನಗರ ಪಾಲಿಕೆಯ ಪ್ರಧಾನ ಕಛೇರಿಯ ಹಾಲ್ ಒಳಗೆ ಲಂಚಕ್ಕೆಂದು ಒತ್ತಾಯಿಸಿ ರೂಪಾಯಿ 1,000/- ಗಳನ್ನು ದೂರುದಾರರಿಂದ ಪಡೆದುಕೊಂಡು ನಿಮ್ಮ ಸ್ವಾದೀನದಲ್ಲಿ ಹೊಂದಿ ಆ ಹಣವನ್ನು ನೀವು ಹೊಂದಿದ್ದ ಬಗ್ಗೆ ಮೈಸೂರು ಲೋಕಾಯುಕ್ತ ಆರಕ್ಷಕ ತಾಣೆಯ ಅಪರಾಧ ಸಂಖ್ಯೆ 10/2014 ರಲ್ಲಿನ ತನಿಖಾಧಿಕಾರಿಯಾದ ಮೈಸೂರು ಲೋಕಾಯುಕ್ತ ಆರಕ್ಷಕ ತಾಣೆಯ ಆರಕ್ಷಕ ನಿರೀಕ್ಷಕರ ಮುಂದೆ ಸದರಿ ಪ್ರಕರಣದ ತನಿಖಾ ಕಾಲದಲ್ಲಿ ನೀವು ತೃಪ್ತಿದಾಯಕ ಉತ್ತರವನ್ನು ನೀಡಲು ವಿಫಲರಾಗಿ ಕರ್ತವ್ಯಲೋಪನೆಸಗಿ ಸರ್ಕಾರಿ ನೌಕರನಿಗೆ ತಕ್ಕುದಲ್ಲದ ರೀತಿಯಲ್ಲಿ ನಡೆದುಕೊಂಡು ದುರ್ನಡತೆಯಿಂದ ವರ್ತಿಸಿ, ಕರ್ನಾಟಕ ನಾಗರಿಕ ಸೇವಾ ನಿಯಮಗಳು (ನಡತೆ) 1966 ನಿಯಮ 3(1) (i) ರಿಂದ (iii)ರಡಿಯಲ್ಲಿ ದುರ್ನಡತೆಯನ್ನೆಸಗಿರುತ್ತೀರಿ.

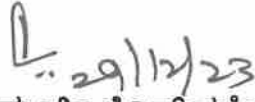


4. ವಿಚಾರಣಾಧಿಕಾರಿಯಾದ (ಅಪರ ನಿಬಂಧಕರು ವಿಚಾರಣೆಗಳು-11), ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ, ಬೆಂಗಳೂರು ರವರು ಮೌಖಿಕ ಮತ್ತು ದಾಖಲಾತಿಗಳ ಸಾಕ್ಷ್ಯಗಳನ್ನು ಕೂಲಂಕುಷವಾಗಿ ಪರಿಶೀಲಿಸಿ, ಆ.ಸ.ನೌಕರರಾದ ಶ್ರೀ. ಜವರಯ್ಯ ಎಲ್. ಜಿ. ಕಿರಿಯ ಆರೋಗ್ಯ ಪರಿವೀಕ್ಷಕರು, ಮೈಸೂರು ಮಹಾ ನಗರಪಾಲಿಕೆ, 7ನೇ ವಲಯ, ಮೈಸೂರು ರವರ ವಿರುದ್ಧ ಮೇಲ್ಕಾಣಿಸಿದ ದೋಷಾರೋಪಣೆಯನ್ನು ರುಜುವಾತುಪಡಿಸುವಲ್ಲಿ ಶಿಸ್ತು ಪ್ರಾಧಿಕಾರವು 'ಸಫಲವಾಗಿರುತ್ತದೆ' ಎಂದು ಅಭಿಪ್ರಾಯಿಸಿದ್ದಾರೆ.
5. ವಿಚಾರಣಾಧಿಕಾರಿಗಳು ಸಲ್ಲಿಸಿರುವ ವಿಚಾರಣಾ ವರದಿಯನ್ನು ಪರಿಶೀಲಿಸಲಾಗಿ, ವಿಚಾರಣಾಧಿಕಾರಿಗಳು ಆ.ಸ.ನೌಕರರ ವಿರುದ್ಧ ದೋಷಾರೋಪಣೆಯನ್ನು ರುಜುವಾತುಪಡಿಸಲು ನಾಲ್ವರು ಸಾಕ್ಷಿಗಳನ್ನು ಅಂದರೆ ಪಿ.ಡಬ್ಲ್ಯೂ-1 ರಿಂದ ಪಿ.ಡಬ್ಲ್ಯೂ-4 ರವರುಗಳನ್ನು ವಿಚಾರಣೆಗೆ ಒಳಪಡಿಸಿ ಹಾಗೂ ನಿಶಾನೆ ಪಿ-1 ರಿಂದ ಪಿ-14 ರಂತೆ ದಾಖಲಾತಿಗಳನ್ನು ಗುರುತಿಸಲಾಗಿದೆ. ಆರೋಪಿತ ಸರ್ಕಾರಿ ನೌಕರರು ಸ್ವತಃ ತಾವೇ ಡಿ.ಡಬ್ಲ್ಯೂ-1 ಸಾಕ್ಷಿಯಾಗಿ ವಿಚಾರಣೆಗೆ ಒಳಪಡಿಸಿಕೊಂಡು ನಿಶಾನೆ ಡಿ-1 ದಾಖಲಾತಿಯನ್ನು ಗುರುತಿಸಲಾಗಿದೆ.
6. ಆ.ಸ.ನೌಕರರ ವಿರುದ್ಧ ಆಪಾದಿಸಿದ ಆರೋಪಗಳ ಬಗ್ಗೆ ವಿಚಾರಣಾಧಿಕಾರಿಗಳು ಸಲ್ಲಿಸಿರುವ ವಿಚಾರಣಾ ವರದಿ ಹಾಗೂ ಅದಕ್ಕೆ ಪೂರಕವಾಗಿ ಸಲ್ಲಿಸಿರುವ ದಾಖಲಾತಿಗಳನ್ನು ಕೂಲಂಕುಷವಾಗಿ ಪರಿಶೀಲಿಸಲಾಗಿ, ವಿಚಾರಣಾಧಿಕಾರಿಗಳು ಸಲ್ಲಿಸಿರುವ ವಿಚಾರಣಾ ವರದಿಯಲ್ಲಿ ಹಸ್ತಕ್ಷೇಪ ಮಾಡಲು ಯಾವುದೇ ಸಕಾರಣಗಳು ಕಂಡುಬಂದಿರುವುದಿಲ್ಲ. ಆದ್ದರಿಂದ, ವಿಚಾರಣಾಧಿಕಾರಿಗಳು ಸಲ್ಲಿಸಿರುವ ವಿಚಾರಣಾ ವರದಿಯನ್ನು ಅಂಗೀಕರಿಸುವಂತೆ ಈ ಮೂಲಕ ಸರ್ಕಾರಕ್ಕೆ ಶಿಫಾರಸ್ಸು ಮಾಡಿದೆ.
7. ಆ.ಸ.ನೌಕರರ ಪ್ರಥಮ ಮೌಖಿಕ ಹೇಳಿಕೆಯ ಪ್ರಕಾರ ವಿಚಾರಣಾಧಿಕಾರಿಗಳು ಸಲ್ಲಿಸಿರುವ ಮಾಹಿತಿಯಂತೆ, ದಿನಾಂಕ: 31/10/2022 ರಂದು ನಿವೃತ್ತಿ ಹೊಂದಿರುತ್ತಾರೆ.
8. ಆ.ಸ.ನೌಕರರಾದ ಶ್ರೀ. ಜವರಯ್ಯ ಎಲ್. ಜಿ. ಕಿರಿಯ ಆರೋಗ್ಯ ಪರಿವೀಕ್ಷಕರು, ಮೈಸೂರು ಮಹಾ ನಗರಪಾಲಿಕೆ, 7ನೇ ವಲಯ, ಮೈಸೂರು ರವರ ವಿರುದ್ಧ ಸಾಭೀತಾಗಿರುವ ಆರೋಪದ ಸ್ವರೂಪವನ್ನು ಹಾಗೂ ಸಂದರ್ಭಗಳ ಸಂಪೂರ್ಣತೆಯನ್ನು ಪರಿಗಣಿಸಿ, ಆರೋಪಗಳನ್ನು ರುಜುವಾತುಪಡಿಸುವಲ್ಲಿ 'ಸಫಲವಾಗಿರುತ್ತದೆ' ಎಂದು ನಿರ್ಣಯಿಸಿದೆ:-

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‘ಆ.ಸ.ನೌಕರರಾದ ಶ್ರೀ. ಜವರಯ್ಯ ಎಲ್. ಜಿ. ಕಿರಿಯ ಆರೋಗ್ಯ ಪರಿವೀಕ್ಷಕರು, ಮೈಸೂರು ಮಹಾ ನಗರಪಾಲಿಕೆ, 7ನೇ ವಲಯ, ಮೈಸೂರು ರವರಿಗೆ ಸರ್ಕಾರಿ ಸೇವೆಯಿಂದ ಕಡ್ಡಾಯ ನಿವೃತ್ತಿಗೊಳಿಸುವ ದಂಡನೆಯನ್ನು ವಿಧಿಸಲು ಸರ್ಕಾರಕ್ಕೆ ಶಿಫಾರಸ್ಸು ಮಾಡಿದೆ’.

9. ಸದರಿ ವಿಷಯದಲ್ಲಿ ತೆಗೆದುಕೊಂಡ ಕ್ರಮವನ್ನು ಈ ಪ್ರಾಧಿಕಾರಕ್ಕೆ ತಿಳಿಸತಕ್ಕದ್ದು.
ಸಂಬಂಧಪಟ್ಟ ದಾಖಲೆಗಳನ್ನು ಇದರೊಂದಿಗೆ ಲಗತ್ತಿಸಿದೆ.


(ನ್ಯಾಯಮೂರ್ತಿ ಕೆ.ಎನ್.ಘಣೇಂದ್ರ)
ಉಪಲೋಕಾಯುಕ್ತ-1,
ಕರ್ನಾಟಕ ರಾಜ್ಯ.

KARNATAKA LOKAYUKTA

NO. UPLOK-2/DE/1204/2017/ARE-11

M.S.Building,
Dr. B.R. Ambedkar Veedhi,
Bengaluru-560 001,
Date: 29/12/2023.

:: ENQUIRY REPORT ::

Sub: Departmental Enquiry against
Sri Javaraiah L.G., Junior Health Inspector,
Mysuru City Corporation, Range Office-7,
Mysuru -reg.

Ref: 1. Report under section 12(3) of the KLA Act.
1984 in No.Compt/Uplok/MYS/476/
2015/DRE-4, dated:08/08/2016.

2. Order No. ಆಕುಕ 31 ಹೆಚ್‌ಪಿಸಿ 2017, ಬೆಂಗಳೂರು,
ದಿ:13/10/2017.

3. Nomination Order No. UPLOK-
2/DE/1204/2017, Bengaluru, dated
29/12/2017.

1. The Departmental Enquiry is initiated against Sri Javaraiah L.G., Junior Health Inspector, Mysuru City Corporation, Range Office-7, Mysuru (hereinafter referred to as the Delinquent Government Officials, in short DGO) on the basis of the complaint dated 24/07/2014. The allegation in the complaint is that Sri Javaraiah L.G. while working as Junior Health Inspector in Office of Mysuru City Corporation, Mysuru District in the year 2014,


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the DGO being the higher officer of the complainant who was working as 'D' group employee in his office, he was deputing him to work every day by obtaining attendance. For that, DGO was collecting bribe of Rs.700/- per month but, due to financial difficulties at home the complainant was not able to pay bribe for 3 months. In view of that, DGO ordered Loss of Pay for complainant for 6 days in the month of May-2014 and when the complainant enquired about the same DGO demanded bribe of Rs.2,000/- and received Rs.1,000/- and asked for paying the balance amount of Rs.1,000/- for doing the said work and the complainant recorded the said conversation in his mobile.

2. As the complainant was not willing to pay the amount, after contacting Lokayukta Police, Mysuru lodged complaint before Police Inspector, Karnataka Lokayukta Police Station, Mysuru (hereinafter referred to as "Investigating Officer"). On the said complaint Investigating Officer registered case in Cr.No.10/2014 against the DGO for the offences punishable under section 7, 13(1)(d) r/w 13(2) of P.C. Act, 1988.
3. The Investigating Officer took up investigation and on 24/07/2014 at 5.00 to 5.10 p.m., DGO was caught red handed while demanding and accepting illegal gratification of Rs.1,000/- from the complainant in the office of DGO and the said amount was seized under a mahazar after following post trap formalities by the Investigating Officer, Karnataka Lokayukta, Mysuru. The DGO has failed to give satisfactory or convincing explanation for the said tainted amount found then, when questioned by the said I.O. After


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completion of investigation the investigating officer has filed charge sheet against the DGO in the concerned jurisdictional Court.

4. The Hon'ble Upalokayukta invoking power vested under section 7(2) of the Karnataka Lokayukta Act, 1984, took up investigation and on perusal of complaint, FIR, Mahazars, FSL report and other documents, found prima facie case and forwarded report dated 08/08/2016 U/s 12(3) of Karnataka Lokayukta Act, 1984 recommended the competent authority to initiate disciplinary proceedings against the DGO and to entrust the enquiry to the Hon'ble Upalokayukta, Karnataka under Rule 14-A of the KCS (CC& A) Rules 1957. The Competent Authority by order dated 13/10/2017 entrusted the matter to the Hon'ble Upalokayukta.
5. The Hon'ble Upalokayukta by order dated 29/12/2017, nominated Additional Registrar Enquiries-11 to conduct the enquiry.
6. The Articles of charge as framed by Additional Registrar Enquiries-11 is as follows:

ಅನುಬಂಧ-1

ದೋಷಾರೋಪಣೆ

ಆಪಾದಿತ ಸರ್ಕಾರಿ ನೌಕರರಾದ ಜವರಯ್ಯ.ಎಲ್.ಜಿ. ಆದ ನೀವು ಮೈಸೂರಿನಲ್ಲಿ ಮೈಸೂರು ಮಹಾನಗರ ಪಾಲಿಕೆಯ 6ನೆಯ ವಲಯ ಕಛೇರಿಯಲ್ಲಿ ಕಿರಿಯ ಆರೋಗ್ಯ ಪರಿವೀಕ್ಷಕರಾಗಿ 2014ರಲ್ಲಿ ಕರ್ತವ್ಯ ನಿರ್ವಹಿಸುತ್ತಿದ್ದ ಅವಧಿಯಲ್ಲಿ ದೂರುದಾರರಾದ ಶ್ರೀ ಮಣಿಕಂಠ ರವರು ಮೈಸೂರು ಮಹಾನಗರ ಪಾಲಿಕೆಯ 7ನೆಯ ವಲಯ ಕಛೇರಿಯಲ್ಲಿ "ಡಿ" ದರ್ಜೆಯ ನೌಕರರಾಗಿ ಕಾರ್ಯ ನಿರ್ವಹಿಸಿಕೊಂಡಿದ್ದು ನೀವು ದೂರುದಾರರ ಮೇಲಧಿಕಾರಿಯಾಗಿದ್ದು ದೂರುದಾರರ


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ಬಾಪ್ತು 2014 ನೆಯ ಇಸವಿ ಮೇ ತಿಂಗಳಿನಲ್ಲಿ 6 ದಿನಗಳ ಕರ್ತವ್ಯದ ಅವಧಿಯನ್ನು ವೇತನರಹಿತವಾಗಿ ನೀವು ಪರಿಗಣಿಸಿದ್ದು ಅದನ್ನು ವೇತನಸಹಿತ ಅವಧಿಯಾಗಿ ಮಾರ್ಪಡಿಸಲು ನೀವು ದಿನಾಂಕ 24/07/2014 ಕ್ಕಿಂತ ಮುನ್ನ ದೂರುದಾರರಿಂದ ರೂಪಾಯಿ 2,000/- ಲಂಚ ಬೇಕೆಂದು ಒತ್ತಾಯಿಸಿ ತರುವಾಯ ದೂರುದಾರರಿಂದ ದಿನಾಂಕ 24/07/2014 ರಂದು ಸಂಜೆ 5.00 ರಿಂದ 5.10 ಗಂಟೆಯ ಅವಧಿಯಲ್ಲಿ ಮೈಸೂರು ಮಹಾನಗರ ಪಾಲಿಕೆಯ ಪ್ರಧಾನ ಕಛೇರಿಯ ಹಾಲ್ ಒಳಗೆ ಲಂಚಕ್ಕೆಂದು ಒತ್ತಾಯಿಸಿ ರೂಪಾಯಿ 1,000/- ಗಳನ್ನು ದೂರುದಾರರಿಂದ ಪಡೆದುಕೊಂಡು ನಿಮ್ಮ ಸ್ವಾದೀನದಲ್ಲಿ ಹೊಂದಿ ಆ ಹಣವನ್ನು ನೀವು ಹೊಂದಿದ್ದ ಬಗ್ಗೆ ಮೈಸೂರು ಲೋಕಾಯುಕ್ತ ಆರಕ್ಷಕ ತಾಣೆಯ ಅಪರಾಧ ಸಂಖ್ಯೆ 10/2014 ರಲ್ಲಿನ ತನಿಖಾಧಿಕಾರಿಯಾದ ಮೈಸೂರು ಲೋಕಾಯುಕ್ತ ಆರಕ್ಷಕ ತಾಣೆಯ ಆರಕ್ಷಕ ನಿರೀಕ್ಷಕರ ಮುಂದೆ ಸದರಿ ಪ್ರಕರಣದ ತನಿಖಾ ಕಾಲದಲ್ಲಿ ನೀವು ತೃಪ್ತಿದಾಯಕ ಉತ್ತರವನ್ನು ನೀಡಲು ವಿಫಲರಾಗಿ ಕರ್ತವ್ಯಲೋಪನೆಗಾಗಿ ಸರ್ಕಾರಿ ನೌಕರನಿಗೆ ತಕ್ಕುದಲ್ಲದ ರೀತಿಯಲ್ಲಿ ನಡೆದುಕೊಂಡು ದುರ್ನಡತೆಯಿಂದ ವರ್ತಿಸಿ, ಕರ್ನಾಟಕ ನಾಗರಿಕ ಸೇವಾ ನಿಯಮಗಳು (ನಡತೆ) 1966 ನಿಯಮ 3(1) (i) ರಿಂದ (iii)ರಡಿಯಲ್ಲಿ ದುರ್ನಡತೆಯನ್ನೆಸಗಿರುತ್ತೀರಿ.

7. The statement of imputations of misconduct as framed by Additional Registrar Enquiries-11 is as follows:-

ಅನುಬಂಧ-2

ದೋಷಾರೋಪಣೆ ವಿವರ

ದೂರುದಾರರಾದ ಶ್ರೀ ಮಣಿಕಂಠ ಬಿನ್ ಲೇಟ್ ನಾಗರಾಜ, ನಂ.43, 9ನೇ ಕ್ರಾಸ್, ರಾಘವೇಂದ್ರ ಬಡಾವಣೆ, ಕಲ್ಯಾಣಗಿರಿ ಮುಖ್ಯರಸ್ತೆ, ಮೈಸೂರು ರವರ ತಂದೆಯಾದ ನಾಗರಾಜ ರವರು ಮೈಸೂರು ಮಹಾನಗರ ಪಾಲಿಕೆಯಲ್ಲಿ ಕರ್ತವ್ಯ ನಿರ್ವಹಿಸುತ್ತಿದ್ದ ಅವಧಿಯಲ್ಲಿ ಮೃತಪಟ್ಟ ಕಾರಣ ಅನುಕಂಪ ಆಧಾರದ ಮೇಲೆ ದೂರುದಾರರಿಗೆ ಕೆಲಸವು ದೊರೆತಿದ್ದು, ದಿನಾಂಕ 03-03-2000 ರಿಂದ ಮೈಸೂರು ಮಹಾನಗರ ಪಾಲಿಕೆಯ ವಲಯ ಕಛೇರಿ-6ರಲ್ಲಿ ಮಲೇರಿಯ ಪ್ರತಿರೋಧ ಔಷಧಿ ಸಿಂಪಡಿಸುವ ಕೆಲಸ


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ಮಾಡಿಕೊಂಡಿದ್ದು, ನೀವು ದೂರುದಾರರ ಮೇಲಧಿಕಾರಿಯಾಗಿದ್ದು ದೂರುದಾರರು ಪ್ರತಿ ತಿಂಗಳು ಕರ್ತವ್ಯ ನಿರ್ವಹಿಸಿದರೂ ಸಹ ನೀವು ಪ್ರತಿ ತಿಂಗಳು ಸಂಬಳದ ಬಗ್ಗೆ ಲೆಕ್ಕ ಪರಿಶೋಧನೆ ಮಾಡಿಸಬೇಕೆಂದು ಪ್ರತಿ ತಿಂಗಳು ದೂರುದಾರರಿಂದ ರೂ.700/- ಗಳಿಂದ ರೂ.800/-ಗಳನ್ನು ವಸೂಲಿ ಮಾಡುತ್ತಿದ್ದು 2014ನೆಯ ಇಸವಿಯ ಏಪ್ರಿಲ್, ಮೇ ಮತ್ತು ಜೂನ್ ತಿಂಗಳುಗಳಲ್ಲಿ ನಿಮಗೆ ನೀಡುತ್ತಿದ್ದ ಹಣವನ್ನು ನೀಡಲು ದೂರುದಾರರಿಗೆ ಸಾಧ್ಯವಾಗದಿದ್ದ ಕಾರಣ ಮೇ ತಿಂಗಳಿನಲ್ಲಿ 6 ದಿನಗಳ ಸಂಬಳವನ್ನು ನೀಡಬೇಕೆಂದು ಆದೇಶ ಹೊರಡಿಸಿದ್ದನ್ನು ದೂರುದಾರರು ನಿಮ್ಮನ್ನು ಕೇಳಿದಾಗ ಹಿಂದಿನ ಬಾಕಿಯ ಬಗ್ಗೆ ನೀವು ರೂ.2,000/-ಗಳ ಹಣ ನೀಡುವಂತೆ ಒತ್ತಾಯಿಸಿದ್ದು, ದೂರುದಾರರು ಸದ್ಯ ರೂ.1,000/- ಹಣವನ್ನು ನೀಡುವುದಾಗಿಯೂ, ನಂತರ ಉಳಿದ ಹಣವನ್ನು ನೀಡುವುದಾಗಿ ತಿಳಿಸಿರುವ ಸಂಭಾಷಣೆಯನ್ನು ಮೊಬೈಲ್‌ನಲ್ಲಿ ಧ್ವನಿಮುದ್ರಿಸಿಕೊಂಡು ತನಿಖಾಧಿಕಾರಿಯಾದ ಮೈಸೂರು ಲೋಕಾಯುಕ್ತ ಆರಕ್ಷಕ ತಾಣೆಯ ಆರಕ್ಷಕ ಉಪ ನಿರೀಕ್ಷಕರಿಗೆ ದಿನಾಂಕ 24-07-2014ರಂದು ದೂರನ್ನು ಸಲ್ಲಿಸಿರುತ್ತಾರೆ.

ದೂರುದಾರರು ಸಲ್ಲಿಸಿದ ದೂರನ್ನು ತನಿಖಾಧಿಕಾರಿಯವರು ಮೈಸೂರು ಲೋಕಾಯುಕ್ತ ಪೊಲೀಸರು ಆರಕ್ಷಕ ತಾಣೆಯ ಅಪರಾಧ ಸಂಖ್ಯೆ 10/2015 ರಲ್ಲಿ ಲಂಚ ಪ್ರತಿಬಂಧಕ ಕಾಯ್ದೆ ವಿಧಿ 7ರಡಿಯಲ್ಲಿ ಪ್ರಕರಣ ನೋಂದಾಯಿಸಿ ಪ್ರಥಮ ವರ್ತಮಾನ ವರದಿಯನ್ನು ಸಂಬಂಧಪಟ್ಟ ನ್ಯಾಯಾಲಯಕ್ಕೆ ಸಲ್ಲಿಸಿರುತ್ತಾರೆ.

ದೂರು ನೋಂದಾಯಿಸಿದ ನಂತರ ತನಿಖಾಧಿಕಾರಿಯವರು ಒಬ್ಬರು ನೆರಳು ಸಾಕ್ಷಿ ಹಾಗೂ ಒಬ್ಬರು ಪಂಚ ಸಾಕ್ಷಿಯನ್ನು ಮೈಸೂರು ಲೋಕಾಯುಕ್ತ ಆರಕ್ಷಕ ತಾಣೆಗೆ ಬರಮಾಡಿಕೊಂಡು ದೂರುದಾರರಿಗೆ ಪರಿಚಯ ಮಾಡಿಕೊಟ್ಟು ದೂರಿನ ಸಾರಾಂಶವನ್ನು ತಿಳಿಸಿದ್ದು ನಂತರ ದೂರುದಾರರು ರೂಪಾಯಿ ಐದು ನೂರು ಮುಖ ಬೆಲೆಯ ಎರಡು ನೋಟುಗಳನ್ನು ಹಾಜರುಪಡಿಸಿದ್ದು, ನೋಟಿನ ಸಂಖ್ಯೆಗಳನ್ನು ಒಂದು ಬಿಳಿ ಹಾಳೆಯ ಮೇಲೆ ತನಿಖಾಧಿಕಾರಿಯವರು ದಾಖಲಿಸಿಕೊಂಡು ನಂತರ ಫಿರ್ಯಾದಿಯ, ನೆರಳು ಸಾಕ್ಷಿ ಮತ್ತು ಪಂಚ ಸಾಕ್ಷಿ ಹಾಗೂ ತನಿಖಾಧಿಕಾರಿಯವರ ಸಿಬ್ಬಂದಿಗಳ ಸಮಕ್ಷಮ ಪ್ರಾಯೋಗಿಕ ಪಂಚನಾಮೆಯನ್ನು ಜರುಗಿಸಿ ನಂತರ ಅದೇ ದಿನ ಎಂದರೆ ದಿನಾಂಕ 24/07/2014 ರಂದು ಮೇಲ್ಕಂಡ ನಿಮ್ಮ ಕಛೇರಿಯ ಬಳಿಗೆ ತಮ್ಮ ಸಿಬ್ಬಂದಿಗಳು, ದೂರುದಾರರು, ನೆರಳು ಸಾಕ್ಷಿ ಮತ್ತು ಪಂಚ ಸಾಕ್ಷಿಯ ಸಮೇತ ಮದ್ಯಾಹ್ನ 3.00 ಗಂಟೆಯ ವೇಳೆಯಲ್ಲಿ ಬಂದಿದ್ದು ಅಂದು ನೀವು ಮೇಲ್ಕಂಡ ನಿಮ್ಮ ಕಛೇರಿಗೆ ಸಂಜೆ 5.00 ಗಂಟೆಗೆ ಬಂದಿದ್ದು ನಂತರ ಅಂದು ಸಂಜೆ 5.00 ರಿಂದ 5.10 ಗಂಟೆಯ ಅವಧಿಯಲ್ಲಿ ನಿಮ್ಮ ಕಛೇರಿಯ ಹಾಲ್ ಒಳಗೆ ನೀವು ನೆರಳು ಸಾಕ್ಷಿಯ ಸಮಕ್ಷಮ ದೂರುದಾರರಿಂದ ಲಂಚದ ಬಗ್ಗೆ ಕೇಳಿ ರೂಪಾಯಿ 1,000.00


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ಗಳನ್ನು ನೀವು ದೂರುದಾರರಿಂದ ಪಡೆದುಕೊಂಡಿದ್ದು ಸದರಿ ಹಣವನ್ನು ತನಿಖಾಧಿಕಾರಿಯವರು ನಿಮ್ಮಿಂದ ಸ್ವಾದೀನಪಡಿಸಿಕೊಂಡು ನಂತರ ನೀರು ಮತ್ತು ಸೋಡಿಯಂ ಕಾರ್ಬೋನೇಟ್ ಬಳಸಿ ತಯಾರಿಸಲಾದ ದ್ರಾವಣದಲ್ಲಿ ನಿಮ್ಮ ಬಲಗೈ ಬೆರಳುಗಳನ್ನು ಮತ್ತು ಎಡಗೈ ಬೆರಳುಗಳನ್ನು ಹಾಗೂ ನಿಮ್ಮ ಪ್ಯಾಂಟಿನ ಎಡ ಭಾಗದ ಜೇಬನ್ನು ಪ್ರತ್ಯೇಕವಾಗಿ ತೊಳಸಲಾಗಿ ಆ ದ್ರಾವಣಗಳು ತಿಳಿ ಗುಲಾಬಿ ಬಣ್ಣಕ್ಕೆ ತಿರುಗಿತು ಬಣ್ಣಕ್ಕೆ ತಿರುಗಿದ್ದು ಆ ಬಗ್ಗೆ ತನಿಖಾಧಿಕಾರಿಯವರು ಪಂಚನಾಮೆಯನ್ನು ಮೇಲ್ಕಂಡ ನಿಮ್ಮ ಕಛೇರಿಯಲ್ಲಿ ಜರುಗಿಸಿದ್ದು ನೀವು ತನಿಖಾಧಿಕಾರಿಯವರ ಮುಂದೆ ಲಿಖಿತ ಹೇಳಿಕೆಯನ್ನು ಬರೆದುಕೊಟ್ಟಿದ್ದು ಆ ಹೇಳಿಕೆಯ ಅಂಶಗಳು ಸಮಂಜಸವಲ್ಲವೆಂದು ಕಂಡು ಬಂದಿದ್ದು ತನಿಖಾ ಕಾಲದಲ್ಲಿ ತನಿಖಾಧಿಕಾರಿಯವರು ದೂರುದಾರರ, ನೆರಳು ಸಾಕ್ಷಿ ಮತ್ತು ಪಂಚ ಸಾಕ್ಷಿ ಹಾಗೂ ಇತರ ಸಾಕ್ಷಿಗಳ ಹೇಳಿಕೆಗಳನ್ನು ದಾಖಲು ಮಾಡಿಕೊಂಡು ತನಿಖಾ ಕಾಲದಲ್ಲಿ ವಶಪಡಿಸಿಕೊಂಡ ಮುದ್ದೆಮಾಲುಗಳನ್ನು ರಾಸಾಯನಿಕ ತಜ್ಞರಿಗೆ ಕಳುಹಿಸಿಕೊಟ್ಟಿರುತ್ತಾರೆ.

ತನಿಖಾಧಿಕಾರಿಯವರು ತನಿಖಾ ಕಾಲದಲ್ಲಿ ವಶಪಡಿಸಿಕೊಂಡ ಎಲ್ಲಾ ದಾಖಲಾತಿಗಳ ಪ್ರಕಾರ ನೀವು ದೂರುದಾರರ ಕೆಲಸವನ್ನು ಮಾಡಿಕೊಡಲು ದಿನಾಂಕ: 24-07-2014ರಂದು ರೂ.1,000/- ಲಂಚದ ಹಣವನ್ನು ನಿಮ್ಮ ಕಛೇರಿಯಲ್ಲಿ ಸಂಜೆ 5.00 ರಿಂದ 5.10 ಗಂಟೆಯ ಅವಧಿಯಲ್ಲಿ ದೂರುದಾರರಿಂದ ಪಡೆದುಕೊಳ್ಳುವಾಗ ನೆರಳು ಸಾಕ್ಷಿಯ ಸಮಕ್ಷಮದಲ್ಲಿ ಸಿಕ್ಕಿಬಿದ್ದಿದ್ದು ಆ ರೀತಿಯಾಗಿ ನೀವು ಕರ್ತವ್ಯ ಲೋಪವನ್ನೆಸಗಿ ಸರ್ಕಾರಿ ನೌಕರನಿಗೆ ತಕ್ಕುದಲ್ಲದ ರೀತಿಯಲ್ಲಿ ನಡೆದುಕೊಂಡು ದುರ್ನಡತೆಯಿಂದ ವರ್ತಿಸಿ, ಕರ್ನಾಟಕ ನಾಗರಿಕ ಸೇವಾ ನಿಯಮಗಳು (ನಡತೆ) 1966 ನಿಯಮ 3(1) ರಡಿಯಲ್ಲಿ ದುರ್ನಡತೆಯೆನ್ನಿಸಿರುವುದು ಮೇಲ್ಕೊಟ್ಟಕ್ಕೆ ಕಂಡುಬಂದಿರುತ್ತದೆ.

ಸದರಿ ದೂರಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ನಿಮಗೆ ಪರಿಶೀಲನಾ ಟಿಪ್ಪಣಿಯನ್ನು ಕಳುಹಿಸಿ, ಉತ್ತರವನ್ನು ಸಲ್ಲಿಸುವಂತೆ ಸೂಚಿಸಿದ್ದು, ಅದರಂತೆ ನೀವು ಉತ್ತರವನ್ನು ಸಲ್ಲಿಸಿದ್ದು, ಸದರಿ ಉತ್ತರವನ್ನು ಒಪ್ಪಲು ಬಾರದ ಕಾರಣ ನಿಮ್ಮ ಸಕ್ಷಮ ಪ್ರಾಧಿಕಾರಕ್ಕೆ ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ ಕಾಯ್ದೆ ವಿಧಿ 12(3) ರಡಿಯಲ್ಲಿ ವರದಿಯನ್ನು ಗೌರವಾನ್ವಿತ ಉಪಲೋಕಾಯುಕ್ತ -2 ರವರು ಸಲ್ಲಿಸಿ ಆಪಾದಿತರ ವಿರುದ್ಧ ಶಿಸ್ತು ಕ್ರಮವನ್ನು ಜರುಗಿಸಲು ತಿಳಿಸಲಾಗಿದ್ದು ಸಕ್ಷಮ ಪ್ರಾಧಿಕಾರವು ಸದರಿ ಶಿಫಾರಸ್ಸನ್ನು ಒಪ್ಪಿ ನಿಮ್ಮ ವಿರುದ್ಧ ಶಿಸ್ತು ಕ್ರಮ ಕೈಗೊಂಡು ವರದಿಯನ್ನು ಸಲ್ಲಿಸುವಂತೆ ಗೌರವಾನ್ವಿತ ಉಪಲೋಕಾಯುಕ್ತರವರಿಗೆ ವಹಿಸಿರುತ್ತದೆಯಾದುದರಿಂದ ನಿಮ್ಮ ವಿರುದ್ಧ ಈ ಮೇಲ್ಕಂಡ ದೋಷಾರೋಪಣೆ.

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8. Notice of Articles of charge, statement of imputation of misconduct with list of witnesses and documents was served upon the DGO. In response to the service of articles of charge, DGO entered appearance before this authority on 23/07/2018, DGO engaged advocate for defence. In the course of first oral statement of the DGO recorded on 23/07/2018, they pleaded not guilty and claimed to be enquired. **The date of Retirement of DGO is 31/10/2029.**
9. The DGO has filed his written statement denying the allegations made against him in the articles of charge and statement of imputations of misconduct. DGO has further contended that, he has been serving the Government without any blemish for several years. It is submitted that the Lokayukta Police, Mysuru had conducted investigation and filed a charge sheet before the III rd Additional District and Sessions Judge. The Trial was conducted in Spl Case 60/15 wherein the DGO has been acquitted. The charges in this case and in the criminal trial are identical and the witnesses and evidence to be produced are also the same.
10. DGO has further contended that, he has never demanded any bribe from any person, more specifically from Sri.N.Manikantha, the Complainant. Further the complaint was registered against the DGO by Sri. N. Manikantha with ill-will and an ulterior motive and upon the instigation by people having vested interests. That there is no iota of evidence that he was demanding or receiving a bribe amount from the complainant on a monthly basis. The Complainant has made bald allegations against him.

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11. DGC has further contended that, he is a victim of circumstances and has been implicated falsely in this case due to the Complainant and the prejudiced investigation of the Lokayukta Police. The voice conversation alleged to be recorded by the complainant could be concocted by the Complainant himself or by any other person interested in this case.
12. DGC has further contended that, the voice identification done by Smt. Veena.B.M, who is the superior of the DGO, could lead to the miscarriage of justice as she does not have the expertise to do the same. The contents of the alleged conversation in the CD are denied by him. He has served the department with utmost sincerity and honesty. That there is no misconduct on his part and he prayed that he may be exonerated from the imputation of charges levelled against him in the interest of justice and equity.
13. The points that arise for consideration are as follows:-
- 1. Whether the disciplinary authority proves that the DGO Sri Javaraiah L.G. while working as Junior Health Inspector in Office of Mysuru City Corporation, Mysuru District in the year 2014, the DGO being the higher officer of the complainant who was working as 'D' group employee in his office, he was deputing him to work every day by obtaining attendance. For that, DGO was collecting bribe of Rs.700/- per month but, due to financial difficulties at home the complainant was not able to pay bribe for 3 months. In view of that, DGO ordered Loss of Pay for complainant for 6 days in the**


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month of May-2014 and when the complainant enquired about the same DGO demanded bribe of Rs.2,000/- and received Rs.1,000/- and asked for paying the balance amount of Rs.1,000/- for doing the said work and the complainant recorded the said conversation in his mobile and the complainant not willing to pay the said amount, lodged complaint before Police Inspector, Karnataka Lokayukta Police Station, Mysuru, who registered case in Cr.No.10/2014 and took up investigation and on 24/07/2014, DGO was caught red handed while demanding and accepting illegal gratification of Rs.1,000/- from the complainant in the office of DGO and the said amount was seized by the Investigating Officer and the DGO has failed to give satisfactory or convincing explanation for the said tainted amount found them, when questioned by the said I.O., and by this the DGO has committed misconduct, dereliction of duty, acted in a manner unbecoming of a Government Servant and not maintained absolute integrity, violating Rule 3(1)(i) to (iii) of K.C.S.(conduct) Rules, 1966?

2. What findings?

14. (a) The disciplinary authority has examined Sri.N.Manikanta/Complainant as PW-1, Sri.M.Subbaraju/Panch Witness as PW-2, Sri.Arun Kumar H.S./Shadow Witness as PW-3 and Sri.Gopalkrishna/Investigating Officer as PW-4 and got exhibited Ex.P-1 to 14 on it's behalf.

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(b) The DGO has examined himself as DW-1 and has got marked documents Ex.D-1 on his behalf.

(c) Since DGO has adduced evidence by examining himself incriminating circumstances which appeared against him in the evidence of PW-1 to 4 is not put to him by way of questionnaire and the same is dispensed.

15. Heard both side arguments and perused the written argument filed by the counsel for the DGO and perused all the documents.

16. The answers to the above points are:

1. In the Affirmative.

2. As per final findings for the following:-

REASONS

17. **Point No.1:-** (a) PW-1/Complainant Sri.N.Manikanta has deposed in his evidence that, his father was working as disinfectant sprayer for drainages in Mysuru City Corporation and he expired before his retirement, so complainant got job on compassionate grounds and DGO was his higher officer who was giving his monthly salary. That the DGO was receiving Rs.800/- as bribe per month for giving his salary. That in the year 2014 the DGO demanded to pay Rs.2,000/- for the salary of April, May and June as bribe and he had compelled him in the month of June 2014 to give the amount. That since he had not paid the amount he has done loss of pay for 6 days in the month of May 2014. That he gave Rs.1,000/- in June 2014 by going to the office of DGO and told him that he would arrange for the balance of


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Rs.1,000/-. That since he was not willing to pay the balance Rs.1,000/- he has lodged complaint before lokayukta police on 24/07/2014 as per Ex.P-1. That the I.O. has registered the case in Cr.No.10/2014. That before that he had recorded the conversation between himself and DGO in his mobile and made the I.O. hear the same at the time of lodging the complaint.

18. PW-1 further deposed that, I.O. has called for panch witnesses M.Subbaraju and Arun Kumar to lokayukta police station and briefed them about the complaint and they have agreed to act as panch witnesses. The I.O. has burnt the recordings to CD and he has produced two notes of Rs.500/- denomination before the I.O. and on the dictation of M.Subbaraju, Arun Kumar panch witness has written the same in a sheet as per Ex.P-2. The I.O. has got some powder smeared on those notes and kept the same in his left side shirt pocket through M.Subbaraju. The I.O. gave him one voice recorder and instructed him to switch it on while meeting the DGO.
19. PW-1 further deposed that, the I.O. instructed him to give the money on demand by DGO and after acceptance to give signal by wiping his head with both hands and further instructed Arun Kumar to accompany him. PW-1 has further deposed that, the I.O. got the hands of M.Subbaraju washed in solution and the solution turned to pink colour and I.O. has seized the same in a bottle and has drawn pre-trap mahazar in this regard as per Ex.P-3.
20. PW-1 further deposed that, later on all of them left the lokayukta police station and reached Mysuru City Corporation at 3.10 p.m. That he and Arun Kumar went to chamber of DGO and since he was


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not there he has called him through mobile phone of 'D' group employee Krishna. That DGO told him that he is in the hospital and asked him to wait there. That at 5.00 p.m. DGO came to his chamber and seeing him asked him to come afterwards. Later on the DGO demanded the balance amount and he gave the tainted notes to him, he received it with his right hand and counted it with his both hands and kept it in his left side pant pocket. That he gave signal by wiping his head with his both hands. Immediately I.O., his staff and panch witness M.Subbaraju came there. The I.O. showed his I.D. card and his staff caught hold of the hands of the DGO, the I.O. got prepared sodium carbonate solution in two bowls and has taken the sample of the same and got both the hands of DGO washed separately in two bowls and the solution in both bowls turned to pink colour and I.O. as seized the same.

21. PW-1 further deposed that, the I.O. enquired about the amount to the DGO, he told that it is in his left side pant pocket and the DGO removed it from his left side pant pocket and gave it to the I.O., I.O. has seized the notes. That the DGO has given explanation with respect to the possession of the above said notes as per Ex.P-4. The I.O. has prepared rough sketch of the spot as per Ex.P-5. The I.O. got the pant of the DGO seized by making alternate arrangement and got the left side pant pocket dipped in the solution and the solution turned to pink colour and I.O. has seized the solution in a bottle and also seized the pant. That the I.O. has drawn trap mahazar with respect to the above proceedings as per Ex.P-6. That later on I.O. has brought all of them along with DGO to Mysuru Lokayukta Police Station and as taken photos with respect to the above proceedings.


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- (b) Nothing material is elicited by the learned counsel for DGO during the cross examination of PW2 to discredit his testimony or put forth the defence of DGO.
22. (a) PW-2/Panch Witness Sri.M.Subbaraju has deposed in his evidence that, on 24/07/2014 he and his colleague Arun Kumar went to lokayukta police station Mysuru at 1.30 p.m. That I.O. and complainant were present and complainant had lodged complaint alleging demand of bribe by the DGO. The I.O. played voice recorder in the mobile of the complainant and made them hear the same and it contained conversation with respect to demand of bribe. The complainant produced two notes of Rs.500/- denomination and he has counted them and Arun Kumar has written the number of the notes in Ex.P-2 sheet. The I.O. has put phenolphthalein powder on either side of the currency notes and he has kept the notes in the left side shirt pocket of the complainant. The I.O. has got prepared sodium carbonate solution and has taken sample of the same and got his hands washed in the solution and solution turned to pink colour. The I.O. has seized the sample.
23. PW-2 further deposed that, the I.O. has instructed PW-1 to go to the DGO and give the amount only on demand and after acceptance to give signal by wiping his head and I.O. has given one voice recorder to PW-1 and asked him to switch it on while meeting the DGO. The I.O. has got the voice recordings in the mobile of the complainant played through the laptop and got it burnt to CD and has seized the CD and got it transcribed. That I.O. has drawn pre-trap mahazar with respect to the above proceedings as per Ex.P-3. That later on all of them went


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to the Mysuru City Corporation from lokayukta police station and reached there at 3.30 p.m. That complainant and Arun Kumar went inside, he and I.O. were waiting outside the complainant contacted DGO, he told that he would come after sometime. That at 5.30 p.m. DGO came to his office and after sometime the complainant gave signal, the lokayukta staff told this to him. That he went inside the DGO chamber along with I.O., the complainant was present there and he showed the DGO and told that he has given Rs.1,000/- to him.

24. PW-2 further deposed that, the I.O. introduced himself to the DGO and enquired DGO where he has kept the amount and DGO told that he has kept it in the left side pant pocket and I.O. got Rs.1,000/- notes removed from the left side pant pocket of DGO through his staff and they were tainted notes and I.O. has seized them. The I.O. has got prepared sodium carbonate solution in four bowls and taken sample of the same and in two bowls he has got the left and right hands of DGO washed separately and they have turned to pink colour and I.O. has seized the same. The I.O. has seized pant of DGO by making alternate arrangement and has got it dipped in the solution and it turned to pink colour and I.O. has seized the solution and the pant. I.O. enquired DGO about the notes and he has given explanation as per Ex.P-4. That when the I.O. enquired complainant about the voice recorder he told that by mistake he has not switched it on. The I.O. has drawn trap mahazar with respect to the above proceedings as per Ex.P-6. After the above said proceedings he went to his home. That later on after some days the I.O. called him and Arun Kumar to the lokayukta police station and one Veena the Officer

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of Mysuru City Corporation was also present. The I.O. played voice recordings in CD before her and made her hear the voice and Veena had identified the voice of DGO and I.O. has drawn trap mahazar in this regard as per Ex.P-7 and he has signed the mahazar.

(b) Nothing material is elicited by the learned counsel for DGO during the cross examination of PW2 to discredit his testimony or put forth the defence of DGO.

25 (a) PW-3/Shadow Witness Sri.Arun Kumar H.S. has deposed in his evidence that, he knows the complainant. That on 24/07/2014, the Lokayukta Police had called an official by giving requisition to the Principal of Maharani's Arts College, Mysuru, where he was working as SDA. That another pancha/PW-2 was also working in his college as FDA. That they went to the police station at about 1:30 p.m. The complainant/PW-1 was also there. The police introduced them to PW-1 and told that PW-1 has given complaint with respect to demand of bribe of Rs.1,000/- for releasing the salary. The police also played the mobile given by PW-1 to the police containing conversation of demand of bribe. They heard the said conversation. The police sealed and seized the CD made by converting the conversation containing in the mobile.

26. PW-3 further deposed that, PW-1 gave 2 notes of Rs. 500/- each to the police. The police applied powder to the said notes. PW-2 noted the number of the currency notes. PW-2 kept the said amount in the left side shirt pocket of PW-1. The police told PW-1 to give the amount, only if demanded. The I.O. gave him the notes and he has noted number and denomination of notes in a sheet as per Ex.P-2.

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The I.O. got phenolphthalein powder smeared on both sides of notes and gave it to PW-2 to keep it in the left side shirt pocket. That after PW-2 has kept the tainted notes in the pocket of PW-1 the I.O. got hands of PW-2 washed in chemical solution and it turned to pink colour. The I.O. seized the sample. The I.O. instructed PW-1 to give the tainted notes to DGO only on demand and after acceptance of the tainted notes to give signal by wiping his head with his hands. The I.O. gave voice recorder to PW-1 and instructed to record the conversation after meeting DGO and asked him to follow PW-1 and act as shadow witness by observing PW-1 and DGO. The I.O. has drawn pre-trap mahazar in this regard as per Ex.P-3.

27. PW-3 further deposed that, all of them left the station and reached the corporation building at 3:00 p.m. The I.O. sent PW-1 and him to the office of DGO. PW-1 came to know DGO was not present in the office. PW-1 called DGO through his attender Krishna and came to know that DGO was in the hospital and he would come back at 5:00 p.m. That at 5:00 p.m PW-1 went to the office of DGO and he accompanied him. PW-1 talked with DGO and DGO enquired about the money for which PW-1 gave Rs.1,000/- tainted notes to DGO. The DGO received the said notes and kept it inside the pant pocket. PW-1 gave signal by wiping his head with his hands then the I.O. came to the office of DGO and PW-1 showed DGO to I.O. and told that DGO has demanded the money and he has given it to him. The I.O. showed the identity card to DGO and enquired DGO about tainted notes. The I.O. got prepared solutions in 2 bowls and washed both the hands of DGO separately in bowls and both the solutions turned to pink colour. The I.O. seized the solutions separately. The I.O.


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enquired about the notes with the DGO and DGO gave the tainted notes to I.O. by removing it from his pant pocket. That he and PW-2 tallied the tainted notes with Ex.P-2 sheet and they were tallying with each other. So, the I.O. seized the same. The I.O. seized the pant of DGO by making alternative arrangement. The I.O. dipped the pant in the solution and it turned to pink colour. The I.O. seized the solution and the pant. The I.O. informed about the arrest of DGO to his higher officer.

28. PW-3 further deposed that, The DGO has given explanation to I.O. as per Ex.P-4. PW-1 denied the contents of Ex.P-4. The I.O. has drawn trap mahazar as per Ex.P-6. The I.O. asked them to come after 2-3 months to the police station. That he and PW-2 went to the station and one officer from the corporation was present. The DGO was also present. The I.O. played the voice recorder before them and the higher officer of DGO. The higher officer of DGO identified the voice of DGO. The I.O. has drawn mahazar in this regard as per Ex.P-7. The I.O. has taken photos of pre-trap and trap proceedings as per Ex.P-8.

(b) Nothing material is elicited by the learned counsel for DGO during the cross examination of PW-3 to discredit his testimony or put forth the defence of DGO.

29. (a) PW-4/Investigating Officer, Sri.Gopalkrishna has deposed in his evidence that, he has worked as Police Inspector in Karnataka Lokayukta, Mysuru from 2009 to 2015. That on 24/07/2014, at 12:00 p.m. complainant/PW-1 came to his police station, and told that he was working as sweeper and he was taken on companionate

A handwritten signature in blue ink, followed by the date '29/12' written below it.

ground after his father's death and when he asked DGO who was working as Health Inspector in Mysuru Corporation, he has demanded bribe of Rs.2,000/- to put up his salary. Further told that he has given Rs.1,000/- to DGO and he asked to pay balance of Rs.1,000/- and not willing to pay the amount he has lodged the complaint and he also gave one voice recorder containing conversation of DGO with him.

30. PW-4 further deposed that, PW-1 gave typed complaint as per Ex.P-1 and he registered the same as crime number 10/2014 in FIR as per Ex.P-9 for offences u/s 7 of P.C.Act, 1988, after confirming the contents of the voice recorder. That he sent the said complaint and FIR along with the documents in closed envelope to the jurisdictional court. That he secured 2 panch witnesses, PW-2 and PW3, by sending requisition to Principal, Maharani College, Mysuru. The panch witnesses reported before him at about 01:25 p.m. and he introduced himself and PW-1 to them and also briefed them about the contents of the complaint and gave copy of complaint to them to read and verify the same. The said witnesses, PW-2 and PW-3 have agreed to act as witnesses. That he played the voice recorder using laptop and got the conversation heard in presence of the panch witnesses. That he got the said conversation burnt to CD and transcribed the same. That he seized the CD. PW-1 gave him 2 notes of Rs.500/- each i.e., total Rs.1,000/- to lay the trap. That he got the number of the currency notes noted in a sheet by his staff as per Ex.P-2. That he got phenolphthalein powder applied to both sides of the currency notes through his staff. That he got the same kept in the front left side shirt pocket of PW-1 through PW-2. That he got

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sodium carbonate solution prepared through his staff and took sample of the same and also sample of the sodium carbonate powder. That he got the hands of PW-2 washed in sodium carbonate solution and the solution turned to pink colour and he took sample of the same and he told PW-1 to PW-3 about the reaction between phenolphthalein powder and sodium carbonate solution.

31. PW-4 further deposed that, he also instructed him to pay the amount only on demand by DGO and after acceptance, give signal by wiping his head with both the hands. He instructed PW-3 to follow PW-1 and act as shadow witness. All of them washed their hands thoroughly with soap and he got photographs taken of entire proceedings. That he drew pre-trap mahazar as per Ex.P-3. That all of them left the station and went near the office of DGO.
32. PW-4 further deposed that, they reached there at about 03:00 p.m, and stopped at a distance from office of DGO. He repeated his instructions to PW-1 and 3. That he gave voice recorder to PW-1 and instructed him to switch it on while meeting the DGO and he sent PW-1 to the office of DGO. That after sometime at 3:35 p.m., PW-1 came out of the office and told that DGO was not inside the office and when he called to his friend Krishna he told him that DGO is near Narayana Hrudayala Hospital and asked him to wait near the office till 05:30 p.m. that he sent PW-1 and PW-3 inside the office of DGO at 5:00 p.m. Later on at 5:10 p.m, PW-1 came out and gave signal by wiping his head with both hands. All of them went near PW-1 and PW-1 took them inside where the DGO was sitting. PW-1 showed them the DGO and told that when PW-1 asked about his work, the


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DGO demanded money, and PW-1 gave him the money. The DGO received the tainted money with his both hands and counted it and kept in his left side pant pocket.

33. PW-4 further deposed that, he showed his identity card to DGO and told him the purpose for coming and asked him to co-operate. That he collected the name, designation and address of DGO. That he asked PW-3 about the happenings, and he too told the same.
34. PW-4 further deposed that, he got sodium carbonate solution prepared in 2 bowls separately through his staff. He took sample of the same. That he got both the hands of DGO dipped separately in the solutions and the solutions in both the bowls turned to light pink colour. That he took sample of the same and he seized the amount, from DGO, by taking it from DGO. That he got the tainted notes removed from the left pant pocket of DGO through PW-2 and the said notes were tallying with the numbers of the notes mentioned in pre-trap panchanama. That he seized the notes and also got the portion of pant pocket of DGO where tainted money was kept dipped in sodium carbonate solution. That the solution turned to light pink colour and he seized the pant, after having made arrangement of alternate pant to DGO, and also seized samples of the solution. He prepared rough sketch of the spot as per Ex.P-5. He took photographs of the trap proceedings.
35. PW-4 further deposed that, he took the voice recorder from PW-1. There was no recordings in it as he has not switched it on. That he took the explanation from DGO as per Ex.P-4. PW-1 and 3 on seeing the explanation, said that it is false. That he has drawn trap mahazar

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as per Ex.P-6 and arrested the DGO and followed the arrest procedure.

36. PW-4 further deposed that, he has received the service details of complainant as per Ex.P-10. That he collected the service details and attendance register extract of DGO as per Ex.P-11.

37. PW-4 further deposed that, on 28/07/2014, he got the sketch prepared from PWD Engineer as per Ex.P-12. That he sent the articles for chemical examination and received the report dated 25/08/2014 as per Ex.P-13. That he has received CDRs of DGO and Krishna, friend of complainant as per Ex.P-14.

38. PW-4 further deposed that, on 16/09/2014, PW-2, PW-3 and Smt.Veena, Assistant Commissioner, Range-6, Mysuru City Corporation reported before him, he played the voice recorder before them and Smt.Veena, Assistant Commissioner, Range-6, Mysuru City Corporation has identified the voice of DGO. That he has drawn mahazar in this regard as per Ex.P-7. That he has recorded the statement of witnesses and filed the charge sheet against the DGO after obtaining sanction.

(b) Nothing material is elicited by the learned counsel for DGO during the cross examination of PW4 to discredit his testimony or put forth the defence of DGO.

39. The DGO has got himself examined as DW-1 and has filed his affidavit in lieu of his chief examination and reiterated the written statement averments and further stated that, the true facts of the matter are


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that the complainant was unauthorizedly absent from duty for five days in May 2014 which is forthcoming from the audited statement of his attendance. Further stated that, there is no voice recording containing the demand for bribe allegedly made by me. The pre-trap recording does not contain my voice and it is denied that my voice was identified by Assistant Commissioner by name Veena. Furthermore, there exists no voice recording pertaining to the alleged trap. That he being the Government servant as worked without any black spot and he has not committed any misconduct or dereliction of duty. Hence, prays to exonerate him from the charges. In support of his contention he has got marked certified copy of the Judgment of Spl.C.C. No.60/2015 on the file of III ADJ and Special Juge, Mysuru as per Ex.D-1.

40. On over all evaluation of the oral and documentary evidence adduced by both the parties, the evidence of PW-1/complainant, PW-2/panch witness, PW3/shadow witness and PW-4/I.O., reveals that on 24/07/2014 PW1/complainant has lodged complaint stating that he was working as sweeper and he was taken on compassionate ground after his father's death and when he asked DGO who was working as Health Inspector in Mysuru Corporation, he has demanded bribe of Rs.2,000/- to put up his salary. Further told that he has given Rs.1,000/- to DGO and he asked to pay balance of Rs.1,000/- and not willing to pay the amount he has lodged the complaint and produced the recordings containing demand of bribe by DGO and lodged complaint in this regard as per Ex.P-1 before PW-4. Further their evidence reveals that PW3/I.O. has called for PW-2 and PW-3 to act as panch witness and PW-1 has produced 2 notes of Rs.500/-


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each i.e., total Rs.1,000/- to lay the trap and PW-4 got the number of the notes noted in a sheet as per Ex.P-2 and got phenolphthalein powder smeared on the either side of the currency notes and got it kept in the front left side shirt pocket of PW-1 through PW-2. That PW4/I.O. got sodium carbonate solution prepared and got both hands of PW2 washed in the solution and the solution turned to pink colour and he has seized the sample. Further their evidence reveals that PW-4/I.O. has played the voice recordings before PW1, PW-2 and PW-3 and made them hear the conversation and got the same transcribed and burnt it to CD and seized the CD. Further their evidence reveals that PW-4/I.O. has instructed PW-1 to give the amount only on demand by DGO and after acceptance to give signal by wiping his head with both the hands and instructed PW-3 to accompany PW-1 and act as shadow witness and see what transpires between PW-1 and DGO and has drawn pre-trap mahazar as per Ex.P-3. Further their evidence reveals that all of them left the lokayukta police station and reached the office of DGO and PW-1 and PW-3 went inside the office of DGO.

41. Further their evidence reveals that they reached there at about 03:00 p.m, and stopped at a distance from office of DGO and PW4/I.O. repeated his instructions to PW-1 and 3 and gave voice recorder to PW-1 and instructed him to switch it on while meeting the DGO and he sent PW-1 to the office of DGO. That after sometime at 3:35 p.m., PW-1 came out of the office and told that DGO was not inside the office and when he called to his friend Krishna he told him that DGO is near Narayana Hrudayala Hospital and asked him to wait near the


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office till 05:30 p.m. That PW4/I.O. sent PW-1 and PW-3 inside the office of DGO at 5:00 p.m.

42. PW-1/Complainant has deposed that at 5.00 p.m. DGO came to his chamber and seeing him asked him to come afterwards. Later on the DGO demanded the balance amount and he gave the tainted notes to him, he received it with his right hand and counted it with his both hands and kept it in his left side pant pocket. That he gave signal by wiping his head with his both hands. Immediately I.O., his staff and panchna witness M.Subbaraju came there. There is clear evidence of demand and acceptance of bribe by DGO in the evidence of PW1/complainant. Nothing material is elicited from him to discredit his testimony or to put forth the defence of DGO by the DGO counsel.
43. PW-3/Shadow witness who is an independent eye witness, who accompanied PW-1 has deposed in his evidence that at 5:00 p.m PW-1 went to the office of DGO and he accompanied him. PW-1 talked with DGO and DGO enquired about the money for which PW-1 gave Rs.1,000/- tainted notes to DGO. The DGO received the said notes and kept it inside the pant pocket. PW-1 gave signal by wiping his head with his hands then the I.O. came to the office of DGO and PW-1 showed DGO to I.O. and told that DGO has demanded the money and he has given it to him. Later on lokayukta police came there and caught both hands of DGO.
44. PW-3/Shadow witness who is the independent eye witness has clearly deposed about the demand of bribe amount by DGO with respect to work of complainant and acceptance of the same by DGO. Nothing is elicited in the cross examination of PW-3 to discredit his

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testimony or to put forth the defence of DGO. He has stated that the explanation given by the DGO is false. PW-3 in his cross examination has clearly stated that the PW-1 gave the tainted amount to DGO and the DGO received the same.

45. As such from the evidence of PW-1/complainant and PW3/shadow witness who is an independent eye witness, there is clear, cogent and convincing evidence with respect to demand and acceptance of bribe by DGO to do official work of the PW-1/complainant.
46. Further the evidence of PW-1 to 4 reveals that after receiving the signal, PW-2/panch witness and PW-4/I.O. and staff came to the spot and about seizure of tainted notes from pant pocket of DGO and about hand wash of DGO and the solution changing to pink colour and seizure of the sample and also about seizure of the pant of DGO and about wash of the pant pocket in sodium carbonate solution and the solution changing to pink colour and seizure of the solution, tainted notes and pant from DGO. Further their evidence reveals that PW-4/I.O. has taken explanation of DGO as per Ex.P-4 and drawing of trap mahazar with respect to above proceedings as per Ex.P-6.
47. From the evidence of PW1/Complainant, PW2/panch witness, PW3/Shadow witness and PW4/Investigating Officer the disciplinary authority has proved the pre-trap mahazar proceedings as per Ex.F-3 and trap proceedings as per Ex.P-6. Except minor discrepancies which does not go to the root of the Disciplinary Authority case, nothing material is elicited from the cross examination of PW-1 to PW-4 to discredit their testimony with respect to conducting of trap proceedings, Pre-trap mahazar Ex.P-3 and post trap mahazar Ex.P-5.

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48. The specific defence of the DGO is that no work of complainant was pending before him and further contented that he has never demanded any bribe from the complainant. Further the complaint was registered against the DGO by the complainant with ill-will and an ulterior motive and upon the instigation by people having vested interests. That there is no iota of evidence that he was demanding or receiving a bribe amount from the complainant on a monthly basis. Further contented that, he is a victim of circumstances and has been implicated falsely in this case due to the Complainant and the prejudiced investigation of the Lokayukta Police. The voice conversation alleged to be recorded by the complainant could be concocted by the Complainant himself or by any other person interested in this case.
49. It is further contented by the DGO that he has explanation as per ExP4. In support of his contention the DGO has examined himself as DW-1 and reiterated the written statement averments. The DGO after the trap has given explanation as per Ex.P-4. On perusal of the same it reveals that PW1 has given Rs 1000/- to him on the day of trap and doesn't know why he has given it and after keeping the amount in his hands he immediately left the spot. By this the DGO has admitted that he received Rs.1,000/- tainted notes from complainant on the date of trap. But, to prove his contention that it was forcibly given by PW1/complainant is concerned, the DGO except his self-serving evidence has not placed any material before this authority. PW-1/complainant and PW-3/shadow witness have clearly denied Ex.P-4 explanation given by DGO as false. Nothing is elicited from them in their cross examination by DGO counsel to prove the said


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explanation. The DGO has not placed any clear, cogent and convincing evidence to establish his defence. As such I am not inclined to accept the defence of the DGO.

50. Further if the DGO had nothing to do with the complainant then why he has asked for the money from him and received it and kept it in his pant pocket. From this inference can be drawn that he has demanded illegal gratification or bribe to put up the salary of the complainant for official favour. As such I am not inclined to believe the defence taken by the DGO and DGO has failed to prove his defence by placing clear, cogent, convincing evidence. On the contrary the disciplinary authority by way of evidence of PW-1 to 4 has clearly proved the demand and acceptance of bribe by DGO for official favour.
51. Ex.D-1 which is certified copy of judgment dated 13/12/2017 on the file of III Additional District and Sessions court and Special Judge Mysuru shows that the DGO herein to face trial in the said case has been acquitted. Upon perusal of Ex.D-1 it is not found that DGO herein have been honourably acquitted. Nothing is found in Ex.D-1 that DGO herein was not found in possession of tainted cash. In these circumstances Ex.D-1 will not lend assurance to the defence to put forward by the DGO. Evidence of DGO would not lend support to his defence.
52. It is well settled that in the criminal trial proof beyond reasonable doubt is the yardstick which needs to be applied while appreciating evidence. Preponderance of probabilities is the yardstick which needs to be applied while appreciating evidence in the inquiry of this

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nature. In order to establish the charge for the offence punishable under section 7, for the offence defined under section 13(1)(d) which is punishable under section 13(2) of The Prevention of Corruption Act, 1988, prosecution has to establish demand and acceptance of illegal gratification in order to extend official favour. Mere possession of tainted cash in the absence of demand will not attract the charge for the offence punishable under section 7, for the offence defined under section 13(1)(d) which is punishable under section 13(2) of The Prevention of Corruption Act, 1988. Evidence of PW1 & PW3 establishes demand and acceptance of bribe by DGO. Evidence of PWs 2 to 4 establishes possession of tainted cash by DGO. Evidence of PWs 1 to 4 establishes change of colour of both hands finger wash and pant pocket wash of DGO and also recovery of tainted cash from the possession of DGO. Further Ex.P-13 i.e., FSL report reveals the presence of phenolphthalein in the right and left hand wash and pant pocket wash of DGO and currency notes which corroborates the case of the disciplinary authority. Mere possession of tainted cash in the absence of satisfactory explanation attracts misconduct within the purview of Rule 3 (1)(i) to (iii) of The Karnataka Civil Services (Conduct) Rules, 1966. In the presence of evidence of PWs 1 to 4 as discussed above I am not persuaded to accept the defence put forward in the course of written statement and also contentions raised in the course of written argument of DGO.

53. Thus, this Additional Registrar Enquiries, finds that, evidence of P.Ws 1 to 4, Ex.P-1 to P-14, as reasoned above, has proved that the DGO had demanded and accepted bribe of Rs.1,000/- from the complainant on 24/07/2014. The disciplinary authority has proved


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the charges against the DGO. Accordingly, this point is answered in the Affirmative.

54. **Point No.2** :- For the aforesaid reasons, this Additional Registrar (Enquiries) proceeds to record the following.

FINDINGS

The disciplinary authority has proved the charges against the DGO Sri Javaraiah L.G.

The date of Retirement of DGO is 31/10/2029.

Submitted to Hon'ble Upalokayukta for kind approval, and necessary action in the matter.


(J.P. Archana)

Additional Registrar (Enquiries-11),
Karnataka Lokayukta,
Bangalore.

ANNEXURES

List of witnesses examined on behalf of the Disciplinary Authority:-

PW1:- Sri. N.Manikanta
PW2:- Sri. M.Subbaraju
PW3:- Sri. Arun Kumar H.S.
PW4:- Sri. Gopalkrishna

List of witnesses examined on behalf of the Defence:-

DW1:- Sri Javaraiah L.G. (DGO)


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List of documents marked on behalf of Disciplinary Authority:-

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| Ex F1 | Xerox copy of complaint dated 24/07/2014. |
| Ex F2 | Xerox copy of list of currency notes. |
| Ex F3 | Xerox copy of pre-trap mahazar dated 24/07/2014. |
| Ex F4 | Xerox copy of statement of DGO dated 24/07/2014. |
| Ex F5 | Xerox copy of rough sketch. |
| Ex F6 | Xerox copy of trap mahazar dated 24/07/2014. |
| Ex F7 | Xerox copy of Voice Identification Mahazar dated 16/09/2014. |
| Ex F8 | Xerox copy of photos. |
| Ex F9 | Xerox copy of FIR in Cr.No.10/2014. |
| Ex F10 | Xerox copy of service details of complainant. |
| Ex F11 | Xerox copy of service details and attendance register of DGO. |
| Ex F12 | Xerox copy of sketch prepared by PWD Engineer. |
| Ex F13 | Xerox copy of Chemical Examiner's Report. |
| Ex F14 | Xerox copy of CDRs of DGO and Krishna, friend of complainant. |

List of documents marked on behalf of Defence:-

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| Ex D1 | Certified copy of Judgment of Spl.C.C. No.60/2015 on the file of III ADJ and Special Juced, Mysuru. |
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(J.P. Archana)

Additional Registrar (Enquiries-11),
Karnataka Lokayukta, Bangalore.