

**KARNATAKA LOKAYUKTA**

No.UPLOK-1/DE/133/2017/ARE-13

M.S. Building,  
Dr. B.R.Ambedkar Road,  
Bangalore-56001,  
Date: 29/01/2020.**: Present:****Patil Mohankumar Bhimanagouda**  
Additional Registrar Enquiries-13,  
Karnataka Lokayukta,  
Bangalore.**:: ENQUIRY REPORT ::**

- Sub:-** Departmental Enquiry against,
1. Sri Bhajanthri, Panchayath  
Development Officer, Harnala  
Grama Panchayath, Sindagi  
Taluk, Vijayapura District and
  2. Sri B.M. Patil, the then Junior  
Engineer, Taluk Panchayath,  
Sindagi Taluk, Vijayapura District.

- Ref :** 1) Report u/s 12(3) of the K.L Act,  
1984 in Compt/Uplok/BGM/2679/  
2014/PP, dated:11/11/2016.
- 2) Govt Order No. ಗ್ರಾಅಪ/803/ಗ್ರಾಪಂಕಾ/2016,  
Bengaluru, dated 21/01/2017.
  - 3) Nomination Order No.UPLOK-1/DE  
/133/2017, Bengaluru, Dated:  
30/01/2017.

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1. This Departmental Enquiry is directed against 1) Sri. Bhajanthri, Panchayath Development Officer, Harnala Grama Panchayath, Sindagi Taluk, Vijayapura District and 2) Sri B.M. Patil, the then Junior Engineer, Taluk Panchayath, Sindagi Taluk, Vijayapura District (herein after referred to as the Delinquent Government Officials in short "DGOs").
2. After completion of the investigation a report U/sec. 12(3) of the Karnataka Lokayukta Act 1984 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: 30/01/2017 cited above at reference-3, nominated Additional Registrar of Enquiries-1 of the office of the Karnataka Lokayukta as the Enquiry Officer to frame charges and to conduct Enquiry against the aforesaid DGOs. Additional Registrar Enquires-1 prepared Articles of Charges, 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 Charges. Copies of same were issued to the DGOs calling upon them to appear before this Authority and to submit written statement of their defence. The case was later on transferred from ARE-1 to ARE-7.

4. As per order of Hon'ble UPLOK-1 & 2/DE/Transfers/2018 Dated 06/08/2018 this enquiry file was transferred from ARE-7 to ARE-13.

5. The Article of Charges framed by ARE-1 against the DGOs is as below:

**ANNEXURE-I**  
**CHARGE**

6. While you DGO No.1 Sri Bhajanthri, working as PDO, Harnala Grama Panchayath, Sindagi Taluk, Vijayapura District and you DGO No-2 Sri B.M. Patil, the then Junior Engineer, Taluk Panchayath, Sindagi Taluk, Vijayapura District had executed the work of constructing check dam in Sy.No.106 of Harnala Village and on investigation the following irregularities were noticed:-

- i) The notices to the workers mentioned in Nominal Muster Rolls do not bear the date;
- ii) In part-II of the first bill, the date of passing bill is not recorded;
- iii) There is discrepancy in the extract of NMRs and details given therein;

- iv) There is stage wise inspection report and photographs are not taken indicating stage of construction;

Therefore you DGO No-1 and 2 have failed to maintain absolute integrity and devotion to duty and committed an act which is unbecoming of a Government Servants and therefore you are guilty of misconduct under Rule 3(1)((i) to (iii) of KCS (Conduct) Rules 1966. Hence, this charge.

### **ANNEXURE NO-II**

#### **STATEMENT OF IMPUTATION OF MISCONDCUT**

7. **Brief facts of the case are:**

- i. The complainant has alleged that respondents have misappropriated a sum of Rs.1.00 lakh by showing that check-dam was constructed in the land bearing Sy.No.106 belonging to complainant at Harnala Village.
- ii. The respondents have offered comments denying the allegations and furnished certain records. The work order for construction of Check dam was issued on 19/02/2013. As per the Report in Form No.1

regarding execution of work, it is shown that work was commenced on 06/03/2013 and work was completed on 28/03/2013. Measurements are recorded at Page No.54 of M.B. No.588. The extract of Measurement Book is not furnished by respondents.

- iii. The respondents have furnished copies of NMRs wherein wages paid to the labourers are shown for the period from 28/02/2013 to 06/03/2013.
- iv. As per Part-III 1<sup>st</sup> Bill, the work was commenced on 28/02/2013 and completed on 07/03/2013. Measurements were taken on 07/03/2013.
- v. The detailed estimate for the work was prepared and technical sanction was given on 19/02/2013.
- vi. The notices to workers under NMRs do not bear the dates. The work commencement certificate shows the commencement of work as 25/02/2013. In Part-II 1<sup>st</sup> Bill, the date of passing of Bill is not recorded. Part of extract of NMRs and details given therein are discrepant. There is no stage wise inspection report and photographs are not taken indicating stage of construction. In the circumstances the comments

offered by the respondents are not satisfactory. Hence, there is misconduct on the part of the respondents.

8. Since the Respondents are Government Servants and the material on record prima facie shows that they have committed misconduct as per Rule 3(1) of KCS (Conduct) Rules, 1966 and therefore, acting U/s 12(3) of Karnataka Lokayukta Act, 1984, now, recommendation is made against Respondents 1) Smt. Kamalabai, President, Harnala Grama Panchayath, Sindagi Taluk, Vijayapur District 2) Sri. Bhajanthri, Panchayath Development Officer Harnala Grama Panchayath, Sindagi Taluk, Vijapur District 3) Sri Siddana Gowda Patil, Computer Operator, Harnala Grama Panchayath, Sindagi Taluk, Vijapur District 4) Sri Patil B.M. Junior Engineer, Taluk Panchayath, Sindagi Taluk, Vijayapur District, presently working at O/o Asst. Executive Engineer, PWD Sub-Division, Shahpur, Yadgir District for initiation of departmental proceedings and also to entrust the enquiry to this Authority under Rule 14-A of Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957 to conduct enquiry.

9. Since said facts and material on record prima facie show that, the respondents/DGOs 1) Sri Bhajanthri and 2) Sri B.M. Patil have committed grave misconduct, now acting under Section 12(3) of

Karnataka Lokayukta Act, recommendation is made to the Competent Authority to initiate disciplinary proceedings against the respondents for misconduct under Rule 3(1)(i) to (iii) of KCS (Conduct) rules 1966 the Govt. after consideration of materials, has entrusted enquiry to Hon'ble Upalokayukta, Hence, the charge.

10. The DGOs No-1 and 2 appeared before this Enquiry Authority on 13/03/2017 and on the same day their First Oral Statement was recorded U/Rule 11(9) of KCS (CC &A) Rules 1957. The DGOs No-1 and 2 pleaded not guilty and claimed to hold an enquiry. Subsequently the DGOs No-1 and 2 have filed their written statements of defence by denying the articles of charge and statement of imputations contending that, there is no such evidence to prove that they have committed misconduct U/Rule 3(1) of KCS (Conduct) Rules, 1966. Accordingly, prayed to exonerate them from the charges framed in this case. Later on the DGO No-2 remained Ex-parte.

11. In order to substantiate the charge, the Disciplinary Authority examined two witnesses as PW-1 and PW-2 and produced the documents at Ex.P-1 to P-12 and closed the evidence.

12. After closing the case of the Disciplinary Authority, the Second Oral Statement of DGO No-1 was recorded as required U/Rule 11

(16) of KCS (CC & A) Rules, 1957 and wherein he has submitted that, the witness has deposed falsely against him. The DGO No-2 has remained Ex-parte. The DGO No-1 got examined himself as DW-1 and produced one document at Ex.D-1 and closed his side. Since the DGO No-1 had led evidence, the questionnaire was dispensed. The DGO No-2 remained Ex-parte.

13. The Advocate for DGO No-1 submitted written submissions. Heard the oral arguments of Learned Presenting Officer.

14. Upon consideration of the charge leveled against the DGO No-1 and 2, the evidence led by the Disciplinary Authority by way of oral and documentary evidence and their written brief/submissions, the point that arises for my consideration is as under:

***Point No-1) Whether the Disciplinary Authority has satisfactorily proved that DGO No-1 Sri Bhajanthri, working as PDO, Harnala Grama Panchayath, Sindagi Taluk, Vijayapura District and the DGO No-2 Sri B.M. Patil, the then Junior Engineer, Taluk Panchayath, Sindagi Taluk, Vijayapura District had executed the work of***



**constructing check dam in Sy.No.106 of Harnala Village and on investigation the following irregularities were noticed:-**

- i) The notices to the workers mentioned in Nominal Muster Rolls do not bear the date,**
- ii) In part-II of the first bill, the date of passing bill is not recorded,**
- iii) There is discrepancy in the extract of NMRs and details given therein,**
- iv) There is no stage wise inspection report and photographs are not taken indicating stage of construction,**

**and thereby failed to maintain absolute integrity and devotion to duty, which act is unbecoming of a Government Servant and thus committed mis-conduct as enumerated U/R 3(1)(i) to (iii) of Karnataka Civil Service (Conduct) Rules, 1966.**

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

**:: REASONS ::**

16. **Point No-1:-** The complainant by name Sri Rajashekara Bangarappa Jumanala R/o Othihala Village, Harnala Grama Panchayath, Sindagi Taluk, Vijayapura District has been examined as PW-1 and he has reiterated the facts stated in the complaint. PW-1 states that, he is the owner of land bearing Sy.No.106 measuring 7 acres 29 guntas situated at Othihala Village of Sindagi Taluka, Vijayapura District. He has constructed a check dam in his land out of his own funds. In the year 2014 the DGO has falsely shown the dam constructed by him as constructed by the Government and misappropriated one lakh rupees. PW-1 further states that, the DGO has not constructed any check dam in his land or in the adjacent land. However, he has falsely created the records and showed that a new check dam has been constructed and he has misappropriated the funds. Hence, he has lodged the complaint as per Ex.P-1. He further states that, Form No-I and II are at Ex.P-2 and P-3.

17. PW-1 further states that, in the year 2014 the DGO No-1 and 2 were working in Harnala Grama Panchayath. Without

constructing any check dams, the DGOs have falsely shown the check dam constructed by complainant out of his own funds, as a check dam constructed by the Government and they have misused the funds. Hence, he prays for taking necessary action against DGO No-1 and 2.

18. The Scrutiny Officer Sri T.S. Gopinath was summoned and examined as PW-2. He states that, from August 2013 to September 2017, he has worked as Public Prosecutor in Karnataka Lokayukta, Bengaluru. During the said period he has scrutinized the files and the present complaint is one of them. He has scrutinized this file and the Hon'ble Upa Lokayukta has recommended a report U/s 12(3) of Karnataka Lokayukta Act 1984.

19. PW-2 further states that, the complainant is one Sri Rajashekara Bangarappa Jumanala, resident of Othihala Village. He is the owner of land bearing Sy.No.106. The complainant has alleged that, the DGOs have misappropriated Rs.1,00,000/- sanctioned for construction of check dam. The DGOs have created false documents and misappropriated the said amount. He further states that, the complaint and Form No-I and II are at Ex.P-1 to P-3.

20. PW-2 further states that, he called for the comments of DGO No-1 and 2. The DGO No-2 alone has submitted his comments asking for documents. However, he has not given his comments on the allegations made by the complainant. He further states that, he has verified the documents pertaining to the check dams in the land of complainant Rajashekara Bangarappa Jumanala and the said work bears No.WC/11020050920583925. He has produced the work order issued for the construction of the check dam and it has been marked as Ex.P-4. On careful perusal of this document it is observed that, this particular work of check dam in the land of complainant Sri Rajashekara Bangarappa Jumnala is at Sl.No.9. Ex.P-4(a) is also the work order issued by the PDO, Harnala Grama Panchayath pertaining to the check dam in the land of complainant under the MGNREGA Scheme for the year 2012-13. PW-2 has produced the Inspection Report for the year 2012-13 which is at Ex.P-5.

21. PW-2 has produced the NMRs (Nominal Muster Roll) for the work pertaining to Ex.P-4 and P-4(a). There are totally 7 pages and they have been commonly marked as Ex.P-6. He has also produced part-III extract of the said work order and it has been marked as Ex.P-7.

22. PW-2 further states that, the measurements pertaining to this check dam were mentioned in M.B. No.588 at page 54. However, to the said entries in M.B. Book, only the Section Officer has signed the M.B. Book. No other officer has signed the M.B. Book.
23. He further states that, in another document i.e Form P.W.G 32 i.e the first and final bill for the works under taken have been mentioned. However, the said document is not signed by the Assistant Executive Engineer and also the official who has verified the M.B. Book. The said document is marked as Ex.P-8.
24. PW-2 has produced the detailed estimate of the said work and it has been marked as Ex.P-9. He further states that, the detailed estimate is not signed by Assistant Executive Engineer, Panchayath Raj Engineering Division, Sindagi. The said work has been under taken under the MGNREGA Scheme and he has produced the list of persons who had applied for work under the MGNREGA Scheme. The said documents are commonly marked as Ex.P-10.
25. PW-2 further states that, he has produced the notices issued to the daily wages workers under the MGNREGA Scheme. The said documents are at page No 29 to 34 and they have been commonly marked as Ex.P-11. On careful perusal of these notices it is

observed that, the daily wage labourers have been issued notices to come and work for the construction of check dam in the land of complainant. Ex.P-12 are also the notices issued to the daily wages workers directing them to attend the work of construction of check dam in the land of complainant. PW-2 further states that, these notices do not bear the signature of the DGO No-1 i.e the PDO. Similarly the individual identification numbers of the workers are also not mentioned.

26. PW-2 further states that, the date of passing the bill pertaining to the said work is not mentioned. In the NMRs obtaining the signatures or the LTM's of the workers is mandatory. However, in some of the NMRs the signatures or the LTM's of the daily wages workers are not obtained.

27. PW-2 further states that, the DGOs have produced the NMRs and the date of work under taken is shown as from 28/02/2013 to 06/03/2013. However, in other documents the dates are mentioned as from 28/02/2013 to 07/03/2013. The works have been shown as completed on 07/03/2013. However, in the NMRs the date of completion is shown as 06/03/2013. In some documents the measurements have been shown to have been recorded on 07/03/2013 and the commencement of work is shown as 25/02/2013. PW-2 further states that, it was mandatory for the

DGOs to take the photographs of the work at all the stages. However, the DGOs have not taken the photographs of each stage. The DGOs have not produced the photographs of different stages of the work. PW-2 further states that, on careful perusal of all these documents it is observed that, the DGOs have committed misconduct and dereliction of duty.

28. PW-1 and 2 have been cross examined by the Advocate for DGO No-1. However, nothing material has been elicited in the cross examination of PW-1 and 2 so as to discredit their testimony.

29. The DGO No-1 has got himself examined as DW-1. He states that, he has executed the work of check dam as per the estimate. He has not committed any misappropriation of funds. The check dam has been constructed as per the estimate and work order. The complainant has lodged a false complaint. The DGO No-1 further states that, he has not committed any misconduct or deflection of duty and hence, he prays for exonerating him. The DGO No-2 has remained Ex-parte.

30. I have carefully gone through the oral and documentary evidence adduced by the Disciplinary Authority and the DGO No-1. The complainant has alleged that, the DGOs have not constructed the check dam and they have misappropriated the funds. The

complainant has been examined as PW-1 and he has reiterated the facts stated in the complaint. The complainant has set the law into motion.

31. On careful perusal of the evidence of PW-2 and the documents at Ex.P-4 to P-12, it is observed that, the date of commencement and completion of the work is shown as from 28/02/2013 to 06/03/2013. However, in some documents/Exhibits, the dates are mentioned as from 28/02/2013 to 07/03/2013. The works have been shown as completed on 07/03/2013. However, in the NMRs the date of completion is shown as 06/03/2013. The measurements have been shown to have been recorded on 07/03/2013. On careful perusal of the documents at Ex.P-4 to P-12, it is observed that, in one document the date of commencement of work is shown as 28/02/2013 and the date of completion is shown as 06/03/2013. However, in Ex.P-8 i.e Form P.W.G 32 the date of completion is shown as 07/03/2013. In some documents the date of commencement of the work is shown as 25/02/2013 and in some documents the date of commencement is shown as 28/02/2013. There are discrepancies in the date of commencement and date of completion of the work in the documents at Ex.P-4 to P-12.



32. On further perusal of the evidence of PW-2 and the documents at Ex.P-4 to P-12, it is observed that, the document at Ex.P-8 i.e Form P.W.G 32 does not bear the signature of the Assistant Executive Engineer and also the official who has verified the M.B. Book. It is further observed that, the detailed estimate of the said work at Ex.P-9 is not signed by the Assistant Executive Engineer, Panchayath Raj Engineering Sub Division, Sindagi. On careful perusal of detailed estimate at Ex.P-9, it is observed that, only the section officer, Panchayath Raj Engineering Sub Division, Sindagi has signed the document and the Assistant Executive Engineer, P.R.E Sub Division, Sindagi has not signed the document.

33. It is further observed that, the notices at Ex.P-11 and 12 are not signed by the PDO, i.e the DGO No-1. Similarly the individual identification numbers of the workers are also not mentioned in Ex.P-11 and 12. On careful perusal of the notices at Ex.P-11 and P-12, it is observed that, the DGO No-1 who was the PDO has not signed the documents. It is further observed that, the dates of passing the bills are also not mentioned.

34. It is further observed that, the DGOs have not obtained the signatures or the LTMs to the NMRs. On careful perusal of the NMRs at Ex.P-6, it is observed that, the last column which pertains

to signature or LTMs of the workers are left blank with regard to some workers.

35. It is further observed that, the date of commencement and completion of work in the NMRs is shown as 28/02/2013 to 06/03/2013. However, in other documents the commencement and completion of the work is shown as 28/02/2013 to 07/03/2013. It is further observed that, the DGOs were bound to take the photographs of the works at all stages. However, the DGOs have not taken the photographs.

36. On careful perusal of the oral evidence of PW-2 and the documents at Ex.P-4 to P-12, it is observed that, the DGO No-1 and 2 were responsible for the execution of the works. But they have not executed the works as per the estimates and there are several irregularities referred above. The DGO No-1 and 2 have committed the irregularities i.e 1) The notices to the workers mentioned in Nominal Muster Rolls do not bear the date, 2) In part-II of the first bill, the date of passing bill is not recorded, 3) There is discrepancy in the extract of NMRs and details given therein, 4) There is no stage wise Inspection Report and photographs are not taken indicating stage of construction. Hence, on careful perusal of these documents and the evidence of PW-1 and 2, I am of the opinion that, the Disciplinary Authority has

proved that the DGOs have committed irregularities in execution of the works, which amounts to misconduct and dereliction of duty.

37. For the reasons stated above the DGOs No-1 and 2, being the Government/Public Servants have failed to maintain absolute integrity besides devotion to duty and acted in a manner unbecoming of Government servants. On appreciation of entire oral and documentary evidence I hold that the charges leveled against the DGO Nos.1 and 2 are established. Hence, I answer point No.1 in the "Affirmative".

**:: ORDER ::**

***The Disciplinary Authority has proved the charge against the DGO No-1 Sri Bhajanthri, Panchayath Development Officer, Harnala Grama Panchayath, Sindagi Taluk, Vijayapura District and the DGO No-2 Sri B.M. Patil, the then Junior Engineer, Taluk Panchayath, Sindagi Taluk, Vijayapura District.***

38. 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 29<sup>th</sup> day of January 2020**

**(Patil Mohankumar Bhimanagouda)**  
Additional Registrar Enquiries-13  
Karnataka Lokayukta  
Bangalore

**ANNEXURE**

<b>Documents marked on behalf of the Disciplinary Authority</b>
<b>PW-1:</b> Sri Rajashekara (Original)
<b>PW-2:</b> Sri T.S. Gopinatha (Original)
<b>Witness examined on behalf of the Defence</b>
<b>DW-1:</b> Sri Bhajantri (Original)
<b>Documents marked on behalf of the Disciplinary Authority</b>
<b>Ex. P-1:</b> Complaint (Original) <b>Ex. P-1(a):</b> Signature of the complainant.
<b>Ex.P-2:</b> Form No-1 (Original) <b>Ex. P-2(a):</b> Signature of the complainant.
<b>Ex. P-3:</b> Form No-II (Original) <b>Ex.P-3(a):</b> Signature of the complainant.
<b>Ex.P-4:</b> Work Order (Xerox)
<b>Ex.P-4(a):</b> Work Order(Xerox)
<b>Ex.P-5:</b> Inspection Report (Xerox)
<b>Ex.P-6:</b> NMRs of the work under taken (Xerox)
<b>Ex.P-7:</b> Part-III extract of the said work order(Xerox)
<b>Ex.P-8:</b> From P.W. G.32 (Xerox)
<b>Ex.P-9:</b> The detailed estimate of the said work (Xerox)
<b>Ex.P-10:</b> The list of persons who had applied for work under the MGNREGA Scheme (Xerox)

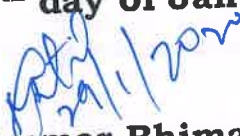
**Ex.P-11:** Notices issued to the daily wages workers under the MGNREGA Scheme (Xerox)

**Ex.P-12 :** Notices issued to the daily wages workers under the MGNREGA Scheme (Xerox)

**Documents marked on behalf of the DGO**

**Nil**

**Dated this the 29<sup>th</sup> day of January 2020**

  
**(Patil Mohankumar Bhimanagouda)**  
Additional Registrar Enquiries-13  
Karnataka Lokayukta  
Bangalore

**GOVERNMENT OF KARNATAKA**



**KARNATAKA LOKAYUKTA**

No: UPLOK-1/DE/133/2017/ARE-13

Multi Storied Buildings,  
Dr.B.R.Ambedkar Veedhi,  
Bengaluru-560 001,  
Date: **31/01/2020.**

**RECOMMENDATION**

Sub:- Departmental inquiry against;

- 1) Sri Bhajantri, Panchayath Development Officer, Harnala Gram Panchayath, Sindagi Taluk, Vijayapura District.
- 2) Sri B.M. Patil, the then Junior Engineer, Taluk Panchayath, Sindagi Taluk, Vijayapura District - Reg.

Ref:-1) Government Order No. ಗ್ರಾಅಪ/803/ಗ್ರಾಪಂಕಾ/2016 Bengaluru dated 21/01/2017.

- 2) Nomination order No.UPLOK-1/DE/133/2017 Bengaluru dated 30/01/2017 of Upalokayukta-1, State of Karnataka, Bengaluru.
- 3) Inquiry Report dated 29/01/2020 of Additional Registrar of Enquiries-13, Karnataka Lokayukta, Bengaluru

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The Government by its Order dated 21/01/2017 initiated the disciplinary proceedings against (1) Sri Bhajantri, Panchayath Development Officer, Harnala Gram Panchayath, Sindagi Taluk, Vijayapura District and (2) Sri B.M. Patil, the then Junior Engineer, Taluk Panchayath, Sindagi Taluk, Vijayapura District (hereinafter referred to as Delinquent Government Official's 1 and 2 for short as 'DGO-1 and DGO-2 respectively') and entrusted the Departmental Inquiry to this Institution.

2. This Institution by Nomination Order No.UPLOK-1/DE/133/2017 dated 30/01/2017 nominated Additional Registrar of Enquiries-1, Karnataka Lokayukta, Bengaluru, as the Inquiry

Officer to frame charges and to conduct Departmental Inquiry against DGOs 1 and 2 for the alleged charge of misconduct, said to have been committed by them. Subsequently by Order No. UPLOK-1/DE/2017 dated 6/7/2017 the Additional Registrar of Enquiries-7 was re-nominated as Inquiry Officer to conduct Departmental inquiry against DGOs 1 and 2. Again by order No. UPLOK-1 & 2/DE/Transfers/2018 dated 6/8/2018, the Additional Registrar of Enquiries-13 was re-nominated as Inquiry Officer to conduct Departmental Inquiry against DGOs 1 and 2.

3. The DGO-1 Sri Bhajantri, Panchayath Development Officer, Harnala Gram Panchayath, Sindagi Taluk, Vijayapura District and DGO-2 Sri B.M. Patil, the then Junior Engineer, Taluk Panchayath, Sindagi Taluk, Vijayapura District were tried for the following charge:-

“While you DGO No.1 Sri Bhajanthri, working as PDO, Harnala Grama Panchayath, Sindagi Taluk, Vijayapura District and you DGO No.2 Sri. B.M. Patil, the then Junior Engineer, Taluk Panchayath, Sindagi Taluk, Vijayapura District had executed the work of constructing check dam in Sy.No.106 of Harnala Village and on investigation the following irregularities were noticed:-

- i) The notices to the workers mentioned in Nominal Muster Rolls do not bear the date;
- ii) In Part-II of the first Bill, the date of passing bill is not recorded;
- iii) There is discrepancy in the extract of NMRs and details given therein;
- iv) There is stage wise inspection report and photographs are not taken indicating stage of construction;



Therefore, you DGO No.1 and 2 have failed to maintain absolute integrity and devotion to duty and committed an act which is unbecoming of a Government Servant and therefore 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-13) on proper appreciation of oral and documentary evidence has held that, the Disciplinary Authority has proved the above charge against DGO-1 Sri Bhajantri, Panchayath Development Officer, Harnala Gram Panchayath, Sindagi Taluk, Vijayapura District and DGO-2 Sri B.M. Patil, the then Junior Engineer, Taluk Panchayath, Sindagi Taluk, Vijayapura District.

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 DGOs 1 and 2;

- i) DGO-1 Sri Bhajantri is due to retire from service on 31/05/2025.
- ii) DGO-2 Sri B.M. Patil is due to retire from service on 31/07/2027.

7. Having regard to the nature of charge proved against DGO-1 Sri Bhajantri and DGO-2 Sri B.M. Patil;


- i) it is hereby recommended to the Government for imposing penalty of withholding four annual increments payable to DGO-1 Sri Bhajantri, Panchayath Development Officer,

Harnala Gram Panchayath, Sindagi Taluk, Vijayapura  
District with cumulative effect;

- ii) it is hereby recommended to the Government for imposing penalty of withholding four annual increments payable to DGO-2 Sri B.M. Patil, the then Junior Engineer, Taluk Panchayath, Sindagi Taluk, Vijayapura District with cumulative effect.

8. 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