

**GOVERNMENT OF KARNATAKA**



**KARNATAKA LOKAYUKTA**

No.LOK/INQ/14-A/140/2013/ARE-11

Multi Storied Building,  
Dr. B.R. Ambedkar Veedhi,  
Bengaluru-560 001

Date: **17/09/2021**

**RECOMMENDATION**

Sub:- Departmental inquiry against;  
Sri Revanasiddappa S/o. Pampapatheppa Kolkar,  
Agricultural Officer, Office of the Assistant Director of  
Agriculture, Gangavathi, Koppal District – Reg.

- Ref:- 1) Govt. Order No. ಕೃತೋಇ 55 ಕೃಷವಿ 2010, Bengaluru dated  
8/1/2013 and its Corrigendum dated 5/3/2013  
2) Nomination order No.LOK/INQ/14-A/140/2013,  
Bengaluru dated 15/3/2013 of Upalokayukta-1,  
State of Karnataka, Bengaluru  
3) Inquiry Report dated 7/9/2021 of Additional  
Registrar of Enquiries-11, Karnataka Lokayukta,  
Bengaluru

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The Government by its order dated 8/1/2013 read with its  
Corrigendum dated 5/3/2013 initiated the disciplinary  
proceedings against Sri Revanasiddappa S/o. Pampapatheppa  
Kolkar, Assistant Agricultural Officer, Office of the Assistant  
Director of Agriculture, Gangavathi, Koppal District (hereinafter  
referred to as Delinquent Government Official, for short as DGO)  
and entrusted the Departmental Inquiry to this Institution.

2. This Institution by Nomination Order No.LOK/INQ/14-A/  
140/2013, Bengaluru dated 15/3/2013 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. LOK/

INQ/14-A/2014, dated 14/3/2014, the Additional Registrar of Enquiries-5, Karnataka Lokayukta, Bengaluru was re-nominated as inquiry officer to conduct departmental inquiry against DGO. Again as per Order No.UPLOK-1/DE/2016 dated 3/8/2016, the Additional Registrar of Enquiries-11, Karnataka Lokayukta, Bengaluru was re-nominated as inquiry officer to conduct departmental inquiry against DGO.

3. The DGO Sri Revanasiddappa S/o. Pampapatheppa Kolkar, Assistant Agricultural Officer, Office of the Assistant Director of Agriculture, Gangavathi, Koppal District was tried for the following charge:-

“That, you Sri Revanasiddappa the DGO, while working as Agricultural Officer in the office of the Assistant Director of Agriculture, Gangavathi, Koppal District, Sri Srinivas s/o Satyanarayan- Manager of Sri Raghavendra Engineering Works of Raichur (herein after referred to as the ‘complainant’) approached you- DGO since he has been working as a Manager of Sri Raghavendra Engineering Works at Raichur and managing the production of machines attachable to tractor and deliver the same besides other financial matters of said works. The said Engineering works is authorized by the Government of Karnataka, to deliver the manufactured agricultural instruments attachable to tractors on collecting half price from the Government under National Agricultural Development Scheme. Under the said scheme, said production/ manufacturing unit had supplied such agriculture machines (instruments) after taking DD of Rs.18,750/- of July 2010 from each of the following 16 persons.

Sri Govinda, Sri Nagaredappa, Sri A. Suryanarayana, Sri K. Ananda, Sri K.Krishnarao, Sri Yamanappa, Sri Papparam, Sri Lingappa, Sri K.Seetharam, Sri Y.Venkataram, Sri Y.Satyanarayanarao, Sri Lakshminarayana, Sri M.Srinivasa, Sri Lakshminarayana, Sri Suryanarayana, Sri Srinivasa. So, the complainant had given proposals with required documents along with original DDS for the grant of subsidy amount totally amounting to Rs.3,00,000/- of said 16 persons in the office of the Assistant Director of Agriculture at Gangavathi and thereafter, when he had approached you-DGO for recommending payment of subsidy of 16 proposals, you-DGO demanded Rs.2,000/- for each proposal. In fact, the original DDs given by the said farmers, though not required to have been submitted with proposals given, had been asked to be enclosed/filed with proposal to see that the same cannot be encashed immediately and to have bribe though, after delivery of machineries/instruments, the amount of said DDs could have been had by him (complainant)/said works. Not only that, when he had contacted you-DGO on 25-07-2010 through his mobile, you-DGO asked to pay atleast Rs.1,500/-(as bribe) for each proposal i.e., totally for Rs.24,000/-. On 29-07-2010, you-DGO took the tainted (bribe) amount from the complainant in Sarvesh Hotel at Gangavathi, thereby failed to maintain absolute integrity and devotion to duty, the act of which unbecoming of a Government Servant and thereby committed misconduct as enumerated U/R 3(1) of Karnataka Civil Service (Conduct) Rules 1966.”

4. The Inquiry Officer (Additional Registrar of Enquiries-11) on proper appreciation of oral and documentary evidence has held that the Disciplinary Authority has proved the above charge against DGO Sri Revanasiddappa S/o. Pampapatheppa Kolkar, Assistant Agricultural Officer, Office of the Assistant Director of Agriculture, Gangavathi, Koppal District.


5. On re-consideration of inquiry report and taking note of the totality of the circumstances of the case, I do not find any reason to interfere with the findings recorded by the Inquiry Officer. It is hereby recommended to the Government to accept the report of Inquiry Officer.

6. As per the First Oral Statement submitted by DGO, he has retired from service on 31/5/2021 (during the pendency of inquiry).

7. Having regard to the nature of charge (demand and acceptance of bribe) proved against DGO Sri Revanasiddappa S/o. Pampapatheppa Kolkar, Assistant Agricultural Officer, Office of the Assistant Director of Agriculture, Gangavathi, Koppal District, it is hereby recommended to the Government for imposing penalty of permanently withholding 40% of pension payable to DGO Sri Revanasiddappa S/o. Pampapatheppa Kolkar.

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

Connected records are enclosed herewith.

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

**KARNATAKA LOKAYUKTA**

NO.LOK/INQ/14-A/140/2013/ARE-11

M.S.Building,  
Dr. B.R. Ambedkar Veedhi,  
Bengaluru-560 001,  
Date: 07/09/2021.**:: ENQUIRY REPORT ::**

Sub: Departmental Enquiry against Sri. Revanasiddappa son of Pampapatheppa Kolkara, Agricultural Officer, Office of the Assistant Director of Agriculture, Gangavathi, Koppal District-reg.

Ref: 1. Government Order No. ಕೃತೋಜ 55 ಕೃಪವಿ 2014 Bengaluru, dated 08/01/2013.  
2. Corrigendum No. ಕೃಜ 55 ಕೃಪವಿ 2010 Bengaluru, dated 05/03/2013.  
3. Nomination Order No. LOK/INQ/14-A/140/2013, Bengaluru, dated 15/03/2013.

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1. The Departmental Enquiry is initiated against Sri. Revanasiddappa son of Pampapatheppa Kolkara, Agricultural Officer, Office of the Assistant Director of Agriculture, Gangavathi, Koppal District (hereinafter referred to as the Delinquent Government Official, in short DGO).

2. In view of Government Order cited at reference No.1 and 2, the Hon'ble Upalokayukta vide order cited at



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reference No.3, has nominated Additional Registrar (Enquiries-11) to frame Articles of Charge and to conduct enquiry against aforesaid DGO No.1 and 2.

3. The complainant, Sri. Srinivas S/o Satyanarayana, Manager of Sri. Raghavendra Engineering Works, Raichur, lodged complaint dated 29/07/2010 before Koppal Lokayukta Police station that the DGO Revanasiddappa s/o Pampapatheppa Kolkar working as Agricultural Officer (Technical Assistant) in office of Assistant Director of Agriculture, Gangavathi has demanded bribe of Rs.24,000/-, @ Rs.1,500/- each for 16 beneficiaries under National Agricultural Development Scheme, for granting subsidy amount of Rs.3,00,000/- with respect to 16 beneficiaries. The Lokayukta Police, on the same day laid trap, and DGO was caught while accepting the bribe in Sarvesh Hotel in Gangavathi. The Police filed charge sheet against the DGO.
4. Invoking section 7(2) of Karnataka Lokayukta Act, 1984, Hon'ble Upalokayukta took up the investigation. On perusal of complaint, Mahazar, statement of witnesses and DGO, a prima facie case was found, and Hon'ble Upalokayukta forwarded Report dated 04/09/2012, to initiate disciplinary proceedings against the DGO. The Government by its order dated



08/01/2013 and sanction order dated 15/03/2013 has entrusted the enquiry to Hon'ble Upalokayukta.

5. Notice of Articles of charge, statement of imputations of misconduct with list of witnesses and documents was furnished to the DGO. The DGO has denied the charges and claimed to be enquired. He has shown his date of birth as 01/06/1961 in his First Oral Statement.
6. The articles of charge as framed by Additional Registrar (Enquiries-4) is as follows:

That, you Sri Revanasiddappa the DGO, while working as Agricultural Officer in the office of the Assistant Director of Agriculture, Gangavathi, Koppal District, Sri Srinivas s/o Satyanarayan- Manager of Sri Raghavendra Engineering Works of Raichur (herein after referred to as the 'complainant') approached you- DGO since he has been working as a Manager of Sri Raghavendra Engineering Works at Raichur and managing the production of machines attachable to tractor and deliver the same besides other financial matters of said works. The said Engineering works is authorized by the Government of Karnataka, to deliver the manufactured agricultural instruments attachable to tractors on collecting half price from the Government under National Agricultural Development Scheme. Under the said scheme, said production/manufacturing

  
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unit had supplied such agriculture machines (instruments) after taking DD of Rs.18,750/- of July 2010 from each of the following 16 persons.

Sri Govinda, Sri Nagaredappa, Sri A. Suryanarayana, Sri K. Ananda, Sri K.Krishnarao, Sri Yamanappa, Sri Papparam, Sri Y.Satyanarayanarao, Sri Lakshminarayana, Sri M.Srinivasa, Sri Lakshminarayana, Sri Suryanarayana, Sri Srinivasa. So, the complainant had given proposals with required documents along with original DDS for the grant of subsidy amount totally amounting to Rs.3,00,000/- of said 16 persons in the office of the Assistant Director of Agriculture at Gangavathi and thereafter, when he had approached you-DGO for recommending payment of subsidy of 16 proposals, you-DGO demanded Rs.2,000/- for each proposal. In fact, the original DDS given by the said farmers, though not required to have been submitted with proposals given, had been asked to be enclosed/filed with proposal to see that the same cannot be encashed immediately and to have bribe though, after delivery of machineries/instruments, the amount of said DDS could have been had by him (complainant)/said works. Not only that, when he had contacted you-DGO on 25-07-2010 through his mobile, you-DGO asked to pay atleast Rs.1,500/-(as bribe) for each proposal i.e., totally for Rs.24,000/-. On 29-07-2010, you-DGO took the tainted (bribe) amount from

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the complainant in Sarvesh Hotel at Gangavathi, thereby failing to maintain absolute integrity and devotion to duty, the act of which unbecoming of a Government Servant and thereby committed misconduct as enumerated U/R 3(1) of Karnataka Civil Service (Conduct) Rules 1966.

7. The statement of imputations of misconduct as framed by Additional Registrar (Enquiries(4) is as follows:

**ANNEXURE NO.II**

**STATEMENT OF IMPUTATIONS OF MISCONDUCT**

The complainant has been working as Manager of Sri Raghavendra Engineering Works at and managing the production of machines attachable to tractor and deliver the same besides other financial matters of said works. The said Engineering works is authorized by the Government of Karnataka, to deliver the manufactured agricultural instruments attachable to tractors on collecting half price from the Government under National Agricultural Development Scheme. Under the said scheme, said production/manufacturing unit had supplied such agriculture machines (instruments) after taking DD of Rs.18,750/- of July 2010 from each of the following 16 persons.

Sri Govinda, Sri Nagaredappa, Sri A. Suryanarayana, Sri K. Ananda, Sri K.Krishnarao, Sri Yamanappa, Sri Papparam, Sri Y.Satyanarayanarao, Sri

  
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Lakshminarayana, Sri M.Srinivasa, Sri Lakshminarayana, Sri Suryanarayana, Sri Srinivasa. So, the complainant had given proposals with required documents along with original DDS for the grant of subsidy amount totally amounting to Rs.3,00,000/- of said 16 persons in the office of the Assistant Director of Agriculture at Gangavathi and thereafter, when he had approached the DGO for recommending payment of subsidy of 16 proposals, the DGO demanded Rs.2,000/- for each proposal. In fact, the original DDs given by the said farmers, though not required to have been submitted with proposals given, had been asked to be enclosed/filed with proposal to see that the same cannot be encashed immediately and to have bribe though, after delivery of machineries/instruments, the amount of said DDs could have been had by him (complainant)/said works. Not only that, when he had contacted the DGO on 25-07-2010 through his mobile, the DGO asked to pay atleast Rs.1,500/-(as bribe) for each proposal i.e., totally for Rs.24,000/-. The complainant was not willing to pay the bribe demanded by the DGO. Therefore, the complainant lodged a complaint before the Lokayukta Police Inspector of Koppal (herein after referred to as the Investigating Officer, for short " the I.O.") The I.O. registered the complaint in Cr.No.9/2010 for the offences punishable U/S 7, 13(1)(d) R/W 13(2) of

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Prevention of Corruption Act 1988. The I.O. took up investigation, on 29-07-2010, the DGO took the tainted (bribe) amount of Rs.24,000/- in Sarvesh Hotel at Gangavathi. The I.O. seized the tainted (bribe) amount from the DGO under mahazar. The I.O. recorded statement of the complainant and panch witnesses. The record of investigation and materials collected by the I.O. showed that the DGO has committed mis-conduct failing to maintain absolute integrity and devotion to duty and acted in a manner un-becoming of Government servant. As the materials on record showed prima facie case about DGO receiving bribe for discharging duty as Government Servant, a suo-motu investigation was taken up U/S 7(2) of the Karnataka Lokayukta Act against the DGO. An Observation Note was sent to the DGO calling for his explanation. The DGO gave his reply and the same has not been found convicting to drop the proceedings. As there is a prima facie case showing that the DGO has committed mis-conduct as per Rule 3(1) of Karnataka Civil Services (Conduct) Rules 1966, report U/S 12(3) of the Karnataka Lokayukta Act was sent to the Competent Authority with recommendation to initiate the disciplinary proceedings against the DGO. Accordingly, the Competent proceedings initiated Disciplinary Proceedings against the DGO and entrusted the enquiry to Hon'ble Upalokayukta U/R

  
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14-A of Karnataka Civil Service (Classification, Control and Appeal) Rules 1957. Hence, the charge.

8. The DGO has filed Written Statement dated 06/07/2013 denying all the allegations, and has asserted that, he has not demanded or accepted any bribe.

9. **The points that arise for consideration are as follows:**

**(1) Whether the disciplinary authority proves that the DGO demanded and accepted bribe of Rs.24,000/- from the complainant on 29/07/2010 at about 3.00 p.m in Sarvesh Hotel, Gangavathi for getting subsidy amount of Rs.3,00,000/- and thereby, the DGO has committed misconduct, dereliction of duty, acts 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?**

10. (a) The disciplinary authority examined the complainant as P.W.1 and got 5 documents exhibited, the entrustment witness and shadow witness are examined as P.W.2 and 3, Investigating Officer as P.W.4 and Ex.P6 to P12 were got marked through Investigating Officer, and Ex.D1 and Ex.D2 were marked in cross examination of P.W.4.

(b) The DGO has denied all the allegations of PW1 to PW4 in his questionnaires.

  
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11. Heard learned Presenting Officer and perused written brief of DGO and all documents.

12. The answers to the above points are :

(1) In the Affirmative.

(2) As per final findings, for the following:

### **REASONS**

13. (a) Point No.1:- Complainant/P.W.1 has deposed that he is working as Manager in Raghavendra Engineering Works, Raichur. One, Shri. Srinivas Rao is the owner of said Engineering Works. In 2010-11, they had supplied 30 agricultural implements to the farmers. As per the Government Scheme, half of the amount has to be paid by the beneficiary farmers and remaining amount by the Agricultural Department i.e., by DGO. In 16 cases, out of 30 cases, the amount to be paid was due. He has given complaint on 29/07/2010, Ex.P1 on the say of his owner. The Police took Rs.24,000/- from him to lay the trap. He and DGO went to hotel to take meals. The panchanama was drawn in hotel regarding seizure of the amount from DGO. PW1 has identified certified copies of pre-trap Panchanama and seizure panchanama and same are marked as Ex P2 and P3. The file pertaining to this matter was seized from office of DGO and same is marked as Ex.P4.

(b) P.W.1 in cross examination by learned Presenting Officer has denied that the DGO demanded bribe and accepted bribe. His statement is marked as Ex.P5. In

  
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Chief-examination P.W1 in page No.2, 22<sup>nd</sup> line has deposed that panchanama was drawn in hotel regarding seizure of amount from DGO.

14. (a) Entrustment witness, Shri Adivaiah, P.W.2 has deposed that the complainant/P.W.1 on 29/07/2010, gave 10 currency notes of Rs.1,000/- each, 28 currency notes of Rs.500/- each, total Rs.24,000/- to the Lokayukta Police to lay the trap. The list of currency notes was prepared and after the powder was applied to currency notes, P.W.2 kept the money in shirt pocket of P.W.1. P.W.2's hands were washed and it turned to rose colour. P.W.2 has identified, pre-trap panchanma, Ex.P2. After that, all of them left to office of DGO. P.W.1 told that he has paid the amount to DGO, the tainted amount of Rs.24,000/- was in pant pocket of DGO and shadow witness, Selvaraj, removed the same and checked the currency notes and found correct. The hands of DGO were washed, and it turned to rose colour. P.W.2 has identified the trap panchanama, Ex.P3 and documents that were seized, Ex.P4. In cross-examination by learned Presenting Officer, P.W.2 has stated that DGO's pant pocket was washed in chemical mixture, and it turned to red rose colour.

(b) In cross- examination by Learned Counsel for DGO to P.W.2, DGO has laid defence that DGO was in hotel, and the amount was on the table at that time. The same is in page 3, 14<sup>th</sup> line, of deposition of P.W.2, which reads as under:

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**“When we entered in the Hotel the amount was in the pocket of the DGO but not on the table as suggested to me”.**

15. (a) Shadow witness, Shri Selvaraj, P.W.3 has also deposed as P.W.2, narrating about his following the complainant. He has stated that the DGO took P.W.1 to Sarvesh hotel for lunch. P.w.3 followed them. In the upstairs of hotel, P.W.1 and DGO sat to left side, and P.W.3 sat in another portion. The DGO spoke about the files and amount of Rs.24,000/-. P.W.1 said that he has brought the amount and paid to DGO. The DGO received the amount with his right hand, randomly counted and kept the said amount in his left side pant pocket. P.W.1 gave signal by coming out of hotel, and thereafter, the Police came there, and did recovery, as deposed by P.W.2. P.W.3 has also identified the panchanamas, Ex.P2 and P3.

(b) In cross examination by Learned Counsel for DGO, P.W.3 has stated that it was about 2.30 p.m or 2.40 p.m. when P.W.1, DGO and he following them, reached hotel. He has denied that Lokayukta Police thrust cash into the pocket of pant of D.G.O. By this, the D.G.O. lays defence that cash was in pocket of D.G.O. What he says is that, it was thrust. But in evidence of P.W.2, the very same DGO said the amount was on the table. These different versions of DGO clearly makes out the falsehood of DGO. The aspect of thrusting cash, is in page 5, 2<sup>nd</sup> last line of deposition of P.W.3, which reads as under:

  
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**“It is not true that Lokayukta Police staff forcibly thrust cash to the pocket of pant of DGO”.**

16. (a) The Investigating Officer Shri. L.Y. Shirkol, P.W.4 has narrated the same way as P.W.2 and 3, and has got certified copies of FIR marked as Ex.P6, list of currency notes marked as Ex.P7, transcription of conversation, marked as Ex.P8, statement of DGO is got marked as Ex.P9, conversation transcribed during trap is got marked as Ex.P10, sketch and FSL report are got marked as Ex.P11 and 12 respectively. In statement of DGO., Ex.P9, DGO has admitted that P.W1 gave him the amount.

(b) The DGO in cross-examination of P.W.4 has got copy of letter dated 30/07/2010 of complainant to office of DGO to return DD's marked as Ex.D1 and letter dated 30/07/2010 of Lokayukta Police to DGO's office to furnish documents is marked as Ex.D2.

17. On consideration of entire evidence, as reasoned in paragraph no.15(b) of this report about DGOs defence of going to hotel, money in DGO's pocket, different versions /defences of DGO and evidence of P.W.2 to 4, Ex P1 to P12, except the transcription, Ex.P8 and P10, as C.D. or genuinity of certificate is not produced, proves that the DGO accepted bribe of Rs.24,000/- from P.W.1 for granting subsidy amount. Also during duty hours, D.G.O. was found in the Hotel. All this tantamounts to misconduct, dereliction of duty, acts unbecoming of a

  
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Government Servant and not maintaining absolute integrity violating Rule 3(1)(i) to (iii) of KCS (Conduct) Rules, 1966. As such, the disciplinary authority having proved the charges, this point is answered in the **Affirmative.**

18. **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.

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



**(SACHIN KAUSHIK R.N.)**

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

ANNEXURE

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

PW1:- Sri. Srinivas  
PW2:- Sri. Adivaiah  
PW3:- Sri. Selvaraj.  
PW4:- Sri. L.Y.Shirkol.

List of witnesses examined on behalf DGO:- Nil

List of documents marked on behalf of Disciplinary Authority:-

Ex P1	Certified copy of statement of Sri. Srinivas dated 29/07/10.
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Ex P2	Certified copy of pre-trap Panchanama dated 29/07/10.
Ex P3	Certified copy of seizure Panchanama dated 29/07/10.
Ex P4	Certified copies of documents.
Ex P5	Certified copy of statement of Srinivas dated 30/07/10..
Ex P6	Certified copy of FIR in Cr. No.9/2010.
Ex P7	Certified copy of list of currency note numbers.
Ex P8	Certified copy of details of transcription version in Cr.No.9/2010.
Ex P9	Certified copy of statement of DGO dated 29/07/2010.
Ex P10	Certified copy of details transcription versions of DGO and complainant.
Ex P11	Certified copy of sketch of scene of occurrence.
Ex P12	Certified copy of Chemical Examiner's report dated 16/08/2010.

List of documents marked on behalf of Defence:- Nil.

Ex.D1	Xerox copy of letter of Sri. Raghavendra Engg. Works, Raichur dated 30/07/2010 addressed to the Assistant Director, Agriculture Office, Gangavathi.
Ex.D2	Xerox copy of letter dated 30/07/2010 addressed to Asst. Director of Agriculture, O/o Director of Agriculture, Gangavati by Police Inspector, KLA, Koppala.



**(SACHIN KAUSHIK R.N.)**

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