

GOVERNMENT OF KARNATAKA



KARNATAKA LOKAYUKTA

No.UPLOK-1/DE/150/2015/ARE-7

Multi Storied Building,
Dr. B.R. Ambedkar Veedhi,
Bengaluru-560 001
Date: **25/02/2021**

RECOMMENDATION

Sub:- Departmental inquiry against;

Dr. Kumar, Senior Specialist, General Hospital,
Yelahanka, Bengaluru – Reg.

- Ref:- 1) Govt. Order No.ಆಕುಕ 48 ಎಂಎಸ್ಎ 2015, Bengaluru dated
18/3/2015 and its Corrigendum dated 25/3/2015
2) Nomination order No.UPLOK-1/DE/150/2015,
Bengaluru dated 25/3/2015 of Upalokayukta-1,
State of Karnataka, Bengaluru
3) Inquiry Report dated 23/2/2021 of Additional
Registrar of Enquiries-7, Karnataka Lokayukta,
Bengaluru

The Government by its order dated 18/3/2015 read with its Corrigendum initiated the disciplinary proceedings against Dr. Kumar, Senior Specialist, General Hospital, Yelahanka, Bengaluru (hereinafter referred to as Delinquent Government Official, for short as DGO) and entrusted the Departmental Inquiry to this Institution.

2. This Institution by Nomination Order No.UPLOK-1/DE/150/2015, Bengaluru dated 25/3/2015, nominated Additional Registrar of Enquiries-1, Karnataka Lokayukta, Bengaluru, as the Inquiry Officer to frame charges and to conduct Departmental Inquiry against DGO for the alleged charge of misconduct, said to have been committed by him. Subsequently, by Order No.UPLOK-1/DE/2017, dated 14/3/2014, the Additional Registrar of

Enquiries-7, Karnataka Lokayukta, Bengaluru was re-nominated as inquiry officer to conduct departmental inquiry against DGO.

3. The DGO Dr. Kumar, Senior Specialist, General Hospital, Yelahanka, Bengaluru was tried for the following charge:-

“While you DGO Dr. Kumar, working as Senior Specialist, General Hospital, Yelahanka, Bangalore has failed to enter post mortem report on the date of conducting post mortem examination or within a reasonable time in respect of one Ashwath, but you have made entry of post mortem report of said Ashwath after the entry of post mortem conducted on 15.12.2007, 21.12.2007 and 26.12.2007 and thereby there is delay of 3 months in submitting post mortem report of said Ashwath Bin Annayyappa brother of Complainant Sri Krishnappa, r/o M.Medahalli Village, Mayasandra Post, Attibele Hobli, Anekal Taluk, Bangalore Urban District and thereby you DGO failed to maintain absolute integrity and devotion to duty and committed an act which is unbecoming of a Government Servant and thus you are guilty of misconduct under Rule 3(1) (i) to (iii) of KCS (Conduct) Rules, 1966.”

4. The Inquiry Officer (Additional Registrar of Enquiries-7) on proper appreciation of oral and documentary evidence has held that the Disciplinary Authority has proved the above charge against DGO Dr. Kumar, Senior Specialist, General Hospital, Yelahanka, Bengaluru.

5. On re-consideration of inquiry report and totality of the circumstances of the case, I do not find any reason to interfere

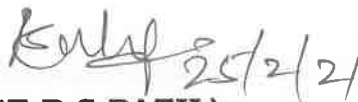
with the findings recorded by the Inquiry Officer. It is hereby recommended to the Government to accept the report of Inquiry Officer.

6. As per the First Oral Statement submitted by DGO, he has retired from service on 31/5/2018 (during the pendency of inquiry).

7. Having regard to the nature of charge proved against DGO Dr. Kumar, Senior Specialist, General Hospital, Yelahanka, Bengaluru, it is hereby recommended to the Government for imposing penalty of withholding 10% of pension payable to DGO Dr. Kumar for a period of 5 years.

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

