

**KARNATAKA LOKAYUKTA**

No.LOK/INQ/14-A/15/2009/ARE-10

M.S. Building,  
Dr. B.R. Ambedkar Road  
Bangalore-560 001  
Date: 05/03/2018

**ENQUIRY REPORT**

Present : Sri. S. Gopalappa  
Additional Registrar of Enquiries-10  
Karnataka Lokayukta  
Bangalore

**Sub:** Departmental Enquiry against

Sri. Syed Iswak Ahmed,  
The then Administrative Officer,  
Minorities Development Corporation  
(On deputation from C & I dept)  
Presently Planning Officer,  
Zilla Panchayath,  
Mandya-reg.

- Ref:** 1. Report u/s 12(3) of the K.L Act, 1984 in  
Compt/Uplok/BCD-478/2005 dt. 24/02/2009.  
2. Government Order No. ASmE 136 ASmYo 2009  
Bengaluru Dt. 24/03/2009.  
3. Nomination Order by Hon'ble Upalokayukta-1  
Dt. 30/04/2009 and modified order  
dt. 19/01/2018.

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1. On the basis of materials placed by ADGP, KLA, Bengaluru that DGO - Sri. Syed Iswak Ahmed, the then Administrative Officer, Minorities Development Corporation (on deputation from C & I department.) Presently Planning Officer, Zilla Panchyath, Mandya - has committed misconduct as Public Servant in the official work of

the complainant, an investigation was taken up u/s 7(2) of K.L. Act 1984.

2. After completion of the investigation, a report u/s 12(3) of the K.L Act, 1984 in No. Compt/Uplok/BCD-478/2005 dt. 24/02/2009 was sent to the Government as per reference no. 1. In pursuance of the report, the Government was pleased to issue order dt. 24/03/2009 authorizing Hon'ble Upalokayukta to hold enquiry as per reference no.2. Hence in pursuance of Government order nomination was issued by Hon'ble Upalokayukta on 30/04/2009 and modified order authorizing ARE-10 to hold enquiry and report as per reference no. 3.

3. On the basis of nomination articles of charge was prepared under Rule 11(3) of KCS (CCA) Rules 1957 and sent it to the DGO on 16/06/2009.

### **ANNEXURE NO. I** **CHARGE**

ನೀವು ಶ್ರೀ ಸೈಯದ್ ಇಸ್ವಾಕ್ ಅಹಮದ್, ಹಿಂದಿನ ಆಡಳಿತಾಧಿಕಾರಿ, ಅಲ್ಪಸಂಖ್ಯಾತರ ಅಭಿವೃದ್ಧಿ ನಿಗಮ, ಬೆಂಗಳೂರು ಇಲ್ಲಿ ಕರ್ತವ್ಯ ನಿರ್ವಹಿಸುತ್ತಿದ್ದಾಗ ಫಿರ್ಯಾದಿ ಶ್ರೀ ಸಮಿಲುಲ್ಲಾ ಬಿನ್ ಲೇಟ್ ಸಯ್ಯದ್ ಚೂಟ್ ಸಾಬ್, ಪಾಲುದಾರರು, ಕರ್ನಾಟಕ ಇಂಟಿಗ್ರೇಡ್ ರಿಕವರಿ ಏಜೆನ್ಸಿ, ಬೆಂಗಳೂರು ರವರು ಸಾಲ ವಸೂಲಾತಿ ಮಾಡಿ ಕೊಡಲು ಗುತ್ತಿಗೆಯನ್ನು ಪಡೆದುಕೊಳ್ಳಲು ಗುತ್ತಿಗೆಯ ಆದೇಶವನ್ನು ನೀಡಲು ಆಪಾದಿತ ನೌಕರರು ರೂ. 50,000/- ಲಂಚ ಕೊಡಲು ಒತ್ತಾಯ ಮಾಡಿ ನಂತರ ಇಬ್ಬರಿಂದ ಒಟ್ಟು ರೂ. 20,000/- ಬೇಡಿ ಫಿರ್ಯಾದಿಯವರಿಂದ ದಿನಾಂಕ: 02/01/2004 ರಂದು ತಾನು ರೂ. 15,000/- ಲಂಚದ ಹಣವನ್ನು ಸ್ವೀಕರಿಸಿದ್ದು, ತನ್ನೂಲಕ ಸಾರ್ವಜನಿಕ ನೌಕರರಾಗಿ ನೀವು ಸಂಪೂರ್ಣ ಪ್ರಾಮಾಣಿಕತೆಯನ್ನು ಕಾಯ್ದುಕೊಳ್ಳುವಲ್ಲಿ ವಿಫಲರಾಗಿದ್ದು, ಅಂತಹ ನೌಕರರಿಗೆ ಸಲ್ಲದ ಕೃತ್ಯವನ್ನು ಕರ್ನಾಟಕ ಸರ್ಕಾರಿ ಸೇವಾ

(ಸದ್ವರ್ತನತೆ) ನಿಯಮಾವಳಿ 1966ತ (3) (i) ಮತ್ತು (iii)ನೇ ನಿಬಂಧನೆಯನ್ನು ಉಲ್ಲಂಘಿಸಿ ದುರ್ನಡತೆ ಎಸಗಿದ್ದೀರಿ. ಅದರಿಂದ ಈ ದೋಷಾರೋಪಣೆ.

**ANNEXURE II**  
**STATEMENT OF IMPUTATIONS OF MISCONDUCT.**

2004ರಲ್ಲಿ ಶ್ರೀ ಸೈಯದ್ ಇಸ್ವಾಕ್ ಅಹಮದ್, ಹಿಂದಿನ ಆಡಳಿತಾಧಿಕಾರಿ, ಅಲ್ಪಸಂಖ್ಯಾತರ ಅಭಿವೃದ್ಧಿ ನಿಗಮ, ಬೆಂಗಳೂರು ಇಲ್ಲಿ ಕರ್ತವ್ಯ ನಿರ್ವಹಿಸುತ್ತಿದ್ದರು.

ಶ್ರೀ ಸಮಿಲುಲ್ಲಾ ಬಿನ್ ಲೇಟ್ ಸಯ್ಯದ್ ಚೂಟ್ ಸಾಬ್, ನಂ. 247, 4ನೇ ಕ್ರಾಸ್, ಕೆ.ಜಿ. ಹಳ್ಳಿ, ವಿನೋಬನಗರ, ಬೆಂಗಳೂರು-45 (ಇನ್ನೂ ಮುಂದೆ ಫಿಯಾರ್ದಿ ಎಂದು ಕರೆಯಲ್ಪಡುವ) ಇವರು ಬೆಂಗಳೂರಿನ ಕರ್ನಾಟಕ ಇಂಟಿಗ್ರೇಡ್ ರಿಕ್ವರಿ ಏಜೆನ್ಸಿ ಇಲ್ಲಿ ಪಾಲುದಾರರಾಗಿರುತ್ತಾರೆ. ಇವರು ಸಾಲ ವಸೂಲಾತಿ ಮಾಡಿ ಕೊಡಲು ಗುತ್ತಿಗೆಯನ್ನು ಪಡೆದುಕೊಳ್ಳಲು ಬೆಂಗಳೂರು, ಕರ್ನಾಟಕ ಅಲ್ಪ ಸಂಖ್ಯಾತರ ಅಭಿವೃದ್ಧಿ ನಿಗಮ ನಿಯಮಿತ ಇವರಿಗೆ ಅರ್ಜಿಯನ್ನು ಸಲ್ಲಿಸಿರುತ್ತಾರೆ. ಈ ಬಗ್ಗೆ ಸಂಬಂಧಪಟ್ಟ ಅಧಿಕಾರಿಗಳಾದ ಆಪಾದಿತ ನೌಕರರು, ಸೈಯದ್ ಇಸ್ವಾಕ್ ಅಹಮದ್, ಅಕೌಂಟ್ಸ್ ಆಫೀಸರ್ ಮತ್ತು ಜಮಾಲ್‌ದೀನ್, ಡೆವಲಪ್‌ಮೆಂಟ್ ಆಫೀಸರ್ ಇವರುಗಳನ್ನು ಭೇಟಿ ಮಾಡಿ ಗುತ್ತಿಗೆ ಆದೇಶವನ್ನು ನೀಡಲು ಕೇಳಿದಾಗ ರೂ. 50,000/- ಲಂಚ ಕೊಡಬೇಕೆಂದು ಒತ್ತಾಯ ಮಾಡಿರುತ್ತಾರೆ. ಆಗ ಫಿರ್ಯಾದಿಯು ಅಷ್ಟು ಹಣ ಕೊಡಲು ಆಗುವುದಿಲ್ಲವೆಂದಾಗ ರೂ. 20,000/-ಗಳನ್ನು ಅಂದರೆ ಆಪಾದಿತ ನೌಕರರಿಗೆ ರೂ. 15,000/- ಮತ್ತು ಜಮಾಲ್‌ದೀನ್, ಡೆವಲಪ್‌ಮೆಂಟ್ ಆಫೀಸರಿಗೆ ರೂ. 5,000/- ಲಂಚವನ್ನು ಕೊಡಬೇಕೆಂದು ಫಿಯಾರ್ದುದಾರರನ್ನು ಒತ್ತಾಯ ಮಾಡಿರುತ್ತಾರೆ.

ಲಂಚ ನೀಡಿ ತನ್ನ ಕೆಲಸವನ್ನು ಮಾಡಿಸಿಕೊಳ್ಳಲು ಇಷ್ಟವಿಲ್ಲದ ಫಿಯಾರ್ದುದಾರರು ದಿ: 02/01/2004ರಂದು ಬೆಳಿಗ್ಗೆ 12.00 ಗಂಟೆಗೆ ಬೆಂಗಳೂರು ಲೋಕಾಯುಕ್ತ ತಾಣೆಗೆ ಬಂದು ದೂರನ್ನು ನೀಡಿರುತ್ತಾರೆ. ಈ ದೂರಿನ ಆಧಾರದ ಮೇಲೆ ಮೊ.ಸಂ. 01/2004 ಕಲಂ 7, 13(1)(ಡಿ) ಸಹವಾಚಕ 13(2) ಲಂಚ ನಿರೋಧ ಕಾಯ್ದೆ 1988 ರಂತೆ ಪ್ರಕರಣವನ್ನು ದಾಖಲು ಮಾಡಿಕೊಂಡು, ಸಂಬಂಧಿಸಿದ ವಿಶೇಷ ನ್ಯಾಯಾಲಯಕ್ಕೆ ಪ್ರಥಮ ವರ್ತಮಾನ ವರದಿಯನ್ನು ಕಳುಹಿಸಿಕೊಡಲಾಯಿತು.

ನಂತರ ಶ್ರೀ ಆರ್.ಸಿ. ಲೋಕೇಶ್ ಕುಮಾರ್, ಪೊಲೀಸ್ ನಿರೀಕ್ಷಕರು, ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ, ಹಾಸನ ಇವರು ತನಿಖಾಧಿಕಾರಿಯಾಗಿ ಆಪಾದಿತ ಸರ್ಕಾರಿ ನೌಕರರ ವಿರುದ್ಧ ಟ್ರಾಪ್ ಕಾರ್ಯಾಚರಣೆ

ಕೈಗೊಳ್ಳಲು ನಿರ್ಧರಿಸಿದರು. ಅದರಂತೆ, ಪಂಚರನ್ನಾಗಿ 1) ಶ್ರೀ ಟಿ.ವಿ. ವಿಶುಕುಮಾರ್, ಪ್ರ.ದ.ಸ. ಆಯುಕ್ತರ ಕಛೇರಿ, ಸಾರ್ವಜನಿಕ ಶಿಕ್ಷಣ ಇಲಾಖೆ, ಬೆಂಗಳೂರು ಮತ್ತು 2) ಶ್ರೀ ಬಿ.ಎಸ್. ಸುಧೀಂದ್ರ, ಹಿರಿಯ ಬೆರಳಚ್ಚುಗಾರರು ಮುಖ್ಯ ಇಂಜಿನಿಯರ್ ರವರ ಕಛೇರಿ, ಸಂಪರ್ಕ ಮತ್ತು ಕಟ್ಟಡ ಬೆಂಗಳೂರು ಇವರುಗಳನ್ನು ಕರೆಸಿಕೊಂಡರು. ನಂತರ ಪಂಚರು ಮತ್ತು ಫಿರ್ಯಾದಿಯ ನಡುವೆ ಪರಿಚಯ ಮಾಡಿಸಿಕೊಟ್ಟು, ಫಿರ್ಯಾದಿ ನೀಡಿದ ದೂರಿನ ಸಾರಾಂಶವನ್ನು ಪಂಚರುಗಳಿಗೆ ವಿವರಿಸಿರುತ್ತಾರೆ. ಪಂಚರ ಸಮಕ್ಷಮದಲ್ಲಿ ಫಿರ್ಯಾದಿಯು ರೂ. 1000/- ಮುಖ ಬೆಲೆಯ 10 ನೋಟುಗಳು ಮತ್ತು ರೂ. 500/- ಮುಖಬೆಲೆಯ 20 ನೋಟುಗಳನ್ನು ಹಾಜರುಪಡಿಸಿರುತ್ತಾರೆ. ತನಿಖಾಧಿಕಾರಿಯು ಸಿಬ್ಬಂದಿಯ ಮುಖಾಂತರ ಮೇಲ್ಕಂಡ ನೋಟುಗಳಿಗೆ ಫಿನಾಪ್ತಲಿನ್ ಪುಡಿಯನ್ನು ಸವರಿಸಿ, ನಂತರ ನೋಟುಗಳನ್ನು ಪಂಚ ಶ್ರೀ ಸುಧೀಂದ್ರ ರವರಿಂದ ಪರಿಶೀಲಿಸಿ ಫಿರ್ಯಾದುದಾರರ ಜೇಬಲ್ಲಿ ಇಡಿಸಿರುತ್ತಾರೆ. ನಂತರ ನೋಡಿಯಂ ಕಾರ್ಪೊರೇಷನ್ ದ್ರಾವಣ ತಯಾರು ಮಾಡಿಸಿ ಇದರಲ್ಲಿ ಶ್ರೀ ಸುಧೀಂದ್ರ ರವರ ಎರಡೂ ಕೈ ಬೆರಳುಗಳನ್ನು ಅದ್ದಿಸಿದ್ದು, ಆ ದ್ರಾವಣವು ತಿಳಿ ಗುಲಾಬಿ ಬಣ್ಣಕ್ಕೆ ಬಂದಿರುತ್ತದೆ. ಈ ದ್ರಾವಣವನ್ನು ಬಾಟಲಿಗೆ ಹಾಕಿ ಸೀಲು ಮಾಡಿರುತ್ತಾರೆ. ಬಳಿಕ ಟ್ರಾಪ್ ಕಾರ್ಯಾಚರಣೆಯ ಪೂರ್ವದ ಎಲ್ಲಾ ಪ್ರಕ್ರಿಯೆಗಳನ್ನು ಮಾಡಿ ಫಿರ್ಯಾದಿಗೆ ಆಪಾದಿತ ನೌಕರರ ಬಳಿ ಹೋಗಿ ಭೇಟಿ ಮಾಡಿ ನಿಮ್ಮ ಕೆಲಸದ ಬಗ್ಗೆ ಮಾತನಾಡಿ ಅವರು ಲಂಚದ ಹಣವನ್ನು ಕೇಳಿದಾಗ ಮಾತ್ರ ಕೊಡಬೇಕೆಂದು ಹಾಗೂ ಅವರು ಪಡೆದರೆ, ಹೊರಗಡೆ ಬಂದು ತಮ್ಮ ಬಲಗೈಯಿಂದ ತಲೆಯನ್ನು ಸವರಿಕೊಳ್ಳುವುದರ ಮೂಲಕ ಸೂಚನೆ ನೀಡಬೇಕೆಂದು ಹಾಗೂ ಫಿರ್ಯಾದುದಾರರ ತಿಳಿಸಿದರು. ಅದೇ ರೀತಿ ಸಾಕ್ಷಿ ಶ್ರೀ ವಿಶುಕುಮಾರ್ ರವರಿಗೆ ಫಿರ್ಯಾದಿಯ ಜೊತೆ ಹೋಗಿ ಫಿರ್ಯಾದಿ ಮತ್ತು ಆಪಾದಿತ ನೌಕರರ ನಡುವೆ ಮಾತುಕತೆಯನ್ನು ಗಮನಿಸಿ ಆಪಾದಿತ ನೌಕರರು ಲಂಚದ ಹಣವನ್ನು ಪಡೆದರೆ ಎಲ್ಲಿ ಇಟ್ಟುಕೊಳ್ಳುತ್ತಾರೆ ಎಂಬುದನ್ನು ನೋಡಿ ನಂತರ ತಿಳಿಸಬೇಕೆಂದು ಸೂಚನೆಗಳನ್ನು ನೀಡಿರುತ್ತಾರೆ. ಈ ಬಗ್ಗೆ ಪಂಚನಾಮೆಯನ್ನು ಮಾಡಿರುತ್ತಾರೆ.

ನಂತರ, ಅದೇ ದಿನ ದಿ: 02/01/2004 ರಂದು ಫಿರ್ಯಾದಿ, ಪಂಚರು ಹಾಗೂ ಲೋಕಾಯುಕ್ತ ಸಿಬ್ಬಂದಿಯವರೊಂದಿಗೆ ಲೋಕಾಯುಕ್ತ ಕಛೇರಿಯನ್ನು ಬಿಟ್ಟು ಮಧ್ಯಾಹ್ನ 3.20 ಗಂಟೆಗೆ ಬೆಂಗಳೂರು ಲೋಕಾಯುಕ್ತ ಪೊಲೀಸ್ ಠಾಣೆಯನ್ನು ಬಿಟ್ಟು ಆಪಾದಿತ ನೌಕರರುಗಳು ಕೆಲಸ ಮಾಡುವ ಕಛೇರಿಯ ಬಳಿ ತಲುಪಿದ್ದು, ವಾಹನವನ್ನು 500 ಅಡಿ ದೂರದಲ್ಲಿ ನಿಲ್ಲಿಸಿ ಫಿರ್ಯಾದಿ ಮತ್ತು ಪಂಚಸಾಕ್ಷಿ ವಿಶುಕುಮಾರ್ ರವರಿಗೆ ಲೋಕಾಯುಕ್ತ ಕಛೇರಿಯಲ್ಲಿ ಪ್ರಾಯೋಗಿಕ ಪಂಚನಾಮೆಯ ಸಮಯದಲ್ಲಿ ನೀಡಿದ್ದ ತಿಳುವಳಿಕೆ ಮತ್ತು ಸೂಚನೆಯನ್ನು ಮತ್ತೊಮ್ಮೆ ಕೊಟ್ಟು ಆಪಾದಿತ ನೌಕರರುಗಳ ಕಛೇರಿಗೆ ಕಳುಹಿಸಿಕೊಟ್ಟರು. ಅವರುಗಳೆಬರು ಆಪಾದಿತ ನೌಕರರುಗಳ ಕಛೇರಿಗೆ ಹೋದ ನಂತರ ಪಂಚ ಸುಧೀಂದ್ರ, ತನಿಖಾಧಿಕಾರಿ ಮತ್ತು ಇತರೆ ಸಿಬ್ಬಂದಿಯವರುಗಳು ಫಿರ್ಯಾದಿದಾರರ ಸೂಚನೆಗಾಗಿ ಗುಪ್ತವಾಗಿ ಕಾಯುತ್ತಾ ನಿಂತುಕೊಂಡರು. ಸಂಜೆ

5.15 ಗಂಟೆಗೆ ಫಿಯಾದುದಾರರು ಆಪಾದಿತ ನೌಕರರ ಕಛೇರಿಯಿಂದ ಹೊರಗಡೆ ಬಂದು ಈ ಮೊದಲೇ ಗೊತ್ತುಪಡಿಸಿದ ಸೂಚನೆಯನ್ನು ನೀಡಿ ತನಿಖಾಧಿಕಾರಿಗಳಿಗೆ ಆಪಾದಿತ ನೌಕರರುಗಳು ಲಂಚದ ಹಣವನ್ನು ಪಡೆದಿರುವುದಾಗಿ, ಸೂಚನೆಯನ್ನು ನೀಡಿರುತ್ತಾರೆ. ತಕ್ಷಣ ತನಿಖಾಧಿಕಾರಿಗಳು ಮತ್ತು ಸಿಬ್ಬಂದಿ ವರ್ಗದವರು ಫಿಯಾದುದಾರರ ಬಳಿಗೆ ಬಂದಾಗ, ಫಿಯಾದುದಾರರು ಅವರೆಲ್ಲರನ್ನು ಆಪಾದಿತ ನೌಕರರುಗಳ ಕಛೇರಿಯ ಒಳಗೆ ಕರೆದುಕೊಂಡು ಹೋಗಿ ಆಪಾದಿತ ನೌಕರರನ್ನು ತೋರಿಸಿ ಇವರೇ ರೂ. 15,000/- ಲಂಚದ ಹಣವನ್ನು ಕೇಳಿ ಪಡೆದವರು ಎಂದು ತಿಳಿಸಿದರು ನಂತರ ಮತ್ತೊಂದು ಚೇಂಬರಿಗೆ ಕರೆದುಕೊಂಡು ಹೋಗಿ ಜಮಾಲ್ದೀನ್, ಡೆವಲಪ್‌ಮೆಂಟ್ ಆಫೀಸರ್‌ರವರನ್ನು ತೋರಿಸಿ ಇವರೇ ರೂ. 5,000/- ಲಂಚದ ಹಣವನ್ನು ಕೇಳಿ ಪಡೆದವರು ಎಂಬುದಾಗಿ ತೋರಿಸಿದರು. ಫಿಯಾದಿಯು ನುಡಿದು ಗುರುತಿಸಿದ ಮೇರೆಗೆ ಲೋಕಾಯುಕ್ತ ಸಿಬ್ಬಂದಿಯವರು ತನಿಖಾಧಿಕಾರಿಯು ಆಪಾದಿತ ನೌಕರರುಗಳಿಗೆ ತಮ್ಮ ಗುರುತಿನ ಚೀಟಿಯನ್ನು ತೋರಿಸಿ ಪರಿಚಯವನ್ನು ಮಾಡಿಕೊಂಡು, ಅವರ ಗುರುತನ್ನು ಖಚಿತಪಡಿಸಿಕೊಳ್ಳಲಾಯಿತು.

ನಂತರ ಎರಡು ಸ್ವಚ್ಛವಾದ ಬಟ್ಟಲುಗಳಲ್ಲಿ ಸೋಡಿಯಂ ಕಾರ್ಬೋನೇಟ್ ದ್ರಾವಣವನ್ನು ತಯಾರು ಮಾಡಿಸಿ, ಆಪಾದಿತ ನೌಕರರಾದ ಶ್ರೀ ಪ್ರಕಾಶ ಕೈಗಳನ್ನು ಪ್ರತ್ಯೇಕವಾಗಿ ಅದ್ದಿಸಿದಾಗ, ತಿಳಿ ಗುಲಾಬಿ ಬಣ್ಣಕ್ಕೆ ತಿರುಗಿತು. ಈ ದ್ರಾವಣಗಳನ್ನು ಬೇರೆ ಬೇರೆ ಸೀಸೆಗಳಲ್ಲಿ ಸಂಗ್ರಹಿಸಿ ಸೀಲು ಮಾಡಲಾಯಿತು. ತನಿಖಾಧಿಕಾರಿಯು, ಲಂಚದ ಹಣವನ್ನು ಹಾಜರುಪಡಿಸಲು ಆಪಾದಿತ ನೌಕರರಿಗೆ ಸೂಚಿಸಿದಾಗ ಆರೋಪಿತ ನೌಕರ ತಾನು ಧರಿಸಿದ್ದ ಪ್ಯಾಂಟಿನ ಬಲಭಾಗದ ಜೇಬಿನಿಂದ ಲಂಚದ ಹಣವನ್ನು ಹೊರ ತೆಗೆಯಿಸಲಾಯಿತು. ಸದರಿ ನೋಟುಗಳನ್ನು ಪಂಚ ಸಾಕ್ಷಿಗಳು ಪರಿಶೀಲಿಸಿದಾಗ ಅವುಗಳ ನಂಬರುಗಳು ಲೋಕಾಯುಕ್ತ ಕಛೇರಿಯಲ್ಲಿ ಪಂಚನಾಮಕಾಲಕ್ಕೆ ಫಿಯಾದುದಾರರಿಗೆ ವಹಿಸಿಕೊಟ್ಟ ನೋಟುಗಳಾಗಿದ್ದು, ಈ ಹಣವನ್ನು ಜಪ್ತು ಮಾಡಿರುತ್ತಾರೆ.

ನಂತರ ಶುದ್ಧವಾದ ಪಿಂಗಾಣಿ ಬಟ್ಟಲಿನಲ್ಲಿ ಸೋಡಿಯಂ ಕಾರ್ಬೋನೇಟ್ ದ್ರಾವಣ ತಯಾರು ಮಾಡಿಸಿ ಜಮಾಲ್ದೀನ್ ರವರ ಎರಡು ಕೈಗಳ ಬೆರಳುಗಳನ್ನು ಪ್ರತ್ಯೇಕವಾಗಿ ಅದ್ದಿಸಿದಾಗ ಎರಡೂ ಬಟ್ಟಲು ಬಣ್ಣ ರಹಿತವಾದ ದ್ರಾವಣವು ತಿಳಿ ಗುಲಾಬಿ ಬಣ್ಣಕ್ಕೆ ಬಂದಿರುತ್ತದೆ. ಈ ದ್ರಾವಣಗಳನ್ನು ಪ್ರತ್ಯೇಕ ಬಾಟಲುಗಳಿಗೆ ಹಾಕಿ ಸೀಲು ಮಾಡಿರುತ್ತದೆ. ಹಾಗೂ ಶ್ರೀ ಜಮಾಲ್ದೀನ್ ರವರನ್ನು ಫಿಯಾದಿದಾರರಿಂದ ಪಡೆದ ಲಂಚದ ಹಣದ ಬಗ್ಗೆ ವಿಚಾರಿಸಿದಾಗ ಅವರು ಕೆಲಸ ಮಾಡುವ ಕೊಠಡಿಯಲ್ಲಿದ್ದ ತನ್ನ ಜೀರುವಿನಿಂದ ತೆಗೆದು ಹಾಜರು ಪಡಿಸಿದರು. ಸದರಿನೋಟುಗಳನ್ನು ಪಂಚ ಸಾಕ್ಷಿಗಳು ಪರಿಶೀಲಿಸಿದಾಗ

ಅವುಗಳ ನಂಬರುಗಳು ಲೋಕಾಯುಕ್ತ ಕಛೇರಿಯಲ್ಲಿ ಪಂಚನಾಮಕಾಲಕ್ಕೆ ಫಿರ್ಯಾದುದಾರರಿಗೆ ವಹಿಸಿಕೊಟ್ಟ ನೋಟುಗಳಾಗಿದ್ದು, ಈ ಹಣವನ್ನು ಜಪ್ತು ಮಾಡಿರುತ್ತಾರೆ.

ಆಪಾದಿತ ನೌಕರರು ತಮ್ಮ ಲಿಖಿತ ಹೇಳಿಕೆಯನ್ನು ಕೊಟ್ಟಿರುತ್ತಾರೆ. ಈ ಹೇಳಿಕೆಯನ್ನು ಫಿರ್ಯಾದಿ ಮತ್ತು ನೆರಳು ಸಾಕ್ಷಿ ಅಲ್ಲಗಳೆದಿರುತ್ತಾರೆ. ನಂತರ ಫಿರ್ಯಾದಿಗೆ ಸಂಬಂಧಿಸಿದ ಕಡತವನ್ನು ಸಹ ಅಮಾನತ್ತು ಪಡಿಸಿರುತ್ತಾರೆ. ನಂತರ ಈ ಬಗ್ಗೆ ಪಂಚನಾಮೆಯನ್ನು ಮಾಡಿರುತ್ತಾರೆ.

ಮೇಲ್ಕಂಡಂತೆ ವಶಪಡಿಸಿಕೊಂಡ ವಸ್ತುಗಳನ್ನು ಮತ್ತು ಆಪಾದಿತ ನೌಕರರ ಕೈಬೆರಳುಗಳನ್ನು ತೊಳೆದ ದ್ರಾವಣವುಳ್ಳ ಬಾಟಲುಗಳನ್ನು ರಾಸಾಯನಿಕ ಪರೀಕ್ಷೆಗಾಗಿ ತನಿಖಾಧಿಕಾರಿಯವರು ಕಳುಹಿಸಿದ್ದು, ಅವರಿಂದ ವರದಿಯು ಬಂದಿರುತ್ತದೆ. ಆದುದರಿಂದ ಆಪಾದಿತ ನೌಕರರು ಲಂಚ ನಿರೋಧ ಕಾಯ್ದೆಯ 7ನೇ ಪ್ರಕರಣದಲ್ಲಿ ಹೇಳಿರುವಂತೆ ಅಕ್ರಮವಾಗಿ ತಲಾ ರೂ. 15,000/- ಹಾಗೂ ರೂ. 5,000/- ಸಂಭಾವನೆಯನ್ನು ಫಿರ್ಯಾದಿದಾರರಿಂದ ಕೇಳಿ ಪಡೆದರೆಂದು ವ್ಯಕ್ತವಾಗುತ್ತದೆ. ತನಿಖಾಧಿಕಾರಿಯು ಫಿರ್ಯಾದಿ, ಪಂಚರು ಹಾಗೂ ತನಿಖಾದಳದ ಸದಸ್ಯರನ್ನು ವಿಚಾರಿಸಿ, ಅವರ ಹೇಳಿಕೆಯನ್ನು ಪಡೆದುಕೊಂಡರು. ಕಡತದಲ್ಲಿ ಇರುವ ದಾಖಲಾತಿಗಳಿಂದ, ಆಪಾದಿತ ನೌಕರರುಗಳು ತಲಾ ರೂ. 15,000/- ಹಾಗೂ ರೂ. 5,000/-ರ ಅಕ್ರಮ ಸಂಭಾವನೆಯನ್ನು ಸ್ವೀಕರಿಸಿ ಘೋರ ದುರ್ನಡತೆಯನ್ನು ಎಸಗಿದ್ದಾರೆಂದು ಅರಿವಾಗುತ್ತದೆ.

ಆಪಾದಿತ ನೌಕರರಿಗೆ ತಿಳುವಳಿಕೆ ಪತ್ರ ಕಳುಹಿಸಿ, ಅವರ ವಿರುದ್ಧ ಕ್ರಮ ಕೈಗೊಳ್ಳಲು ಸಕ್ಷಮ ಪ್ರಾಧಿಕಾರಕ್ಕೆ ಶಿಫಾರಸ್ಸು ಮಾಡಬಾರದೇಕೆಂದು ಸಮಜಾಯಿಷಿ ಕೇಳಲಾಯಿತು. ಆಪಾದಿತ ನೌಕರರು ತಮ್ಮ ಸಮಜಾಯಿಷಿಯನ್ನು ನೀಡಿರುತ್ತಾರೆ. ಈ ಸಮಜಾಯಿಷಿಯ ತೃಪ್ತಿಕರವಾಗಿರುವುದಿಲ್ಲ. ಆದ್ದರಿಂದ ಅವರ ವಿರುದ್ಧ ಕ್ರಮ ತೆಗೆದುಕೊಳ್ಳಲು ಸರ್ಕಾರಕ್ಕೆ ವರದಿ ಕಳುಹಿಸಿದ್ದು, ಆ ವರದಿಯ ಆಧಾರದ ಮೇಲೆ ಆಪಾದಿತ ನೌಕರರ ವಿರುದ್ಧ ಈ ಇಲಾಖಾ ವಿಚಾರಣೆ ನಡೆಸಲು ಸರ್ಕಾರವು ಆದೇಶ ಮಾಡಿ, ಲೋಕಾಯುಕ್ತ ಸಂಸ್ಥೆಗೆ ಇಲಾಖಾ ವಿಚಾರಣೆ ಮಾಡಿ ವರದಿ ಸಲ್ಲಿಸಲು ವಹಿಸಿರುತ್ತದೆ. ಜಮಾಲ್‌ದ್ದೀನ್ ರವರನ್ನು ಆದೇಶ ನಂ. ಲಿಡ್/ಎಡಿಎಂ/2004-05/160 ದಿ: 29/10/2004ರಲ್ಲಿ ವ್ಯವಸ್ಥಾಪಕ ನಿರ್ದೇಶಕರು ಕೆಲಸದಿಂದ ವಜಾಮಾಡಿರುವುದರಿಂದ ಅವರನ್ನು ಇಲಾಖಾ ವಿಚಾರಣೆಯಿಂದ ಕೈಬಿಡಲಾಗಿದೆ. ಅದ್ದರಿಂದ ಈ ದೋಷಾರೋಪಣೆಯ ವಿವರ.

4. The said AOC was served to DGO. The DGO appeared before the Enquiry officer and then his First oral statement under Rule 11(9) of KCS (CCA) Rules was recorded. DGO has filed the written statement denying all the allegations. He further submits that in Spl.C.C.no. 27/2005 he was acquitted. He has not committed any misconduct. Hence prays to exonerate from the charges.

5. In support of the disciplinary authority, PW 1 to 4 are examined. Ex. P1 to 15 are marked. After closure of the evidence of the disciplinary authority, the Second Oral Statement of DGO is recorded. In favour of DGO, he himself is examined as DW-1 and got marked no documents. Hence answer to questionnaires under Rule 11(18) of KCS (CCA) Rules, 1957 is dispensed with.

6. Then the Learned Presenting Officer and Assistant for DGO have filed written brief and they were also heard orally.

7. Points for consideration

- i. Whether the charge is proved by the Disciplinary Authority?
- ii. What order ?

8. My answers to the above points are as follows;

- i. In the affirmative.
- ii. As per final order

for the following.

### **REASONS**

9. **Point no.1 :-** The complainant who is examined as PW-1 has deposed that during the year 2004-05 he submitted an application

for license of loan recovery agent post along with his partner Zareen Taj. At the time the DGO was working as the Administrative Officer in Minorities Development Corporation. One Jamaludin was working as case worker in the office of DGO, his application was not received in the office. Case Worker Jamaludin has called him to verify the documents. The applications of other agents were cleared. Along with his application he had deposited a sum of Rs. 1lakh to the board. The case worker Jamaludin informed that he will receive the application, if the bribe amount of Rs. 50,000/- will be paid. On bargaining the bribe amount was reduced to Rs. 20,000/-. Jamaludin has also informed that out of the bribe amount he has to pay the bribe to others also. Therefore on 02/01/2004 he has lodged the complaint Ex.P.1. The IO has secured the presence of 2 panchas. He presented a sum of Rs. 20,000/- before IO (1000 X 10, 500 X 20). Police applied chemical powder to the notes. One of the pancha counted the money and gave it back to him. Hand wash of said pancha was taken in sodium carbonate solution and it turned into red colour. IO has drawn the pre-trap mahazar Ex.P.2.

10. Further PW-1 has deposed that all of them went near the office of DGO. He went and met Jamaludin. At that time one of the pancha was with him. Jamaludin sent the pancha witness out, then talk to him about the bribe amount. Then Jamaludin sent him to the office of DGO with an instruction not to talk anything just to keep the money on the table and put the signatures to the file. Along with him his partner Zareen Taj was present. Then he signed the files and kept the amount of Rs. 15,000/- into the table drawer of the DGO. Jamaludin asked him to give Rs. 15,000/- to DGO and



remaining amount to him. Then he went near Jamaludin and gave Rs. 5,000/-, then he came out and gave a signal to police. Police came near and enquired him, he narrated the incident and shown the DGO and Jamaludin to the police. The IO took the hand wash of DGO in solution and it turned into red colour. IO also took the hand wash of Jamaludin in sodium carbonate solution and it turned into red colour. IO seized Rs. 15,000/- from the table drawer of the DGO and Rs. 5000/- from Jamaludin which was kept in the almirah. The IO enquired the DGOs and drawn the trap mahazar Ex.P.3 and he does not know anything further.

11. Therefore learned Presenting Officer treated PW-1 as hostile and cross examined him. In the cross examination PW-1 admits that according to his statement, complaint Ex.P.1 was recorded by the police. Jamaludin demanded for bribe amount of Rs. 5000/- and DGO demanded bribe amount of Rs. 15,000/-. He admits that accordingly he has lodged the complaint. Further he has deposed that it may be true when he presented the money before the police pancha Sudheendra counted the money and then his hand wash was taken in solution. Jamaludin has given agreement file to him. He admits that himself and his partner have put the signature before the DGO. He admits that police have seized some of the documents from the DGO. He admits that police have seized the agreement Ex.P.4 in the office of DGO. Further PW-1 has denied the suggestions made by the Presenting officer.
12. In the cross examination made by DGO-1, PW-1 has deposed that he has given his evidence in Sessions Court. When he had been to the office of DGO he talked to Jamaludin. He admits that he has lodged the complaint stating that Jamaludin demanded for bribe

amount. He admits that at the time of trap, Jamaludin himself has received the amount from him. He admits that the police have seized the money from the Jamaludin.

13. The panch witnesses who are examined as PW-2 & 3 have deposed that on 02/01/2004 lokayukta police summoned them to police station, introduced the complaint and explained the contents of the complaint. The complainant presented Rs. 20,000/- (Rs.1,000 X 10, Rs. 500 X 20). Police applied phenolphthalein powder to the notes. PW-2 gave the money to the complainant. Hand wash of PW-2 was taken in the sodium carbonate solution and it turned into red colour. At the time the IO has drawn the pre-trap mahazar Ex.P.2.
14. Further PW-2 & 3 have deposed that all of them went near the office of DGO. The complainant and PW-3 went to meet the DGO. Others were waiting outside. Further PW-3 has deposed that the DGO asked the PW-3 to wait outside. Accordingly he came out of the office. The complainant came out and informed that he gave the money to DGO, then all of them came to the ground floor to meet the case Worker. Case worker also asked to wait outside, therefore he came out of the room. Then the complainant informed that he gave money to Case worker.
15. Further PW-2 & 3 have deposed that the complainant came out and gave a signal. Then Lokayukta police came near the complainant and went inside the office of DGO. The complainant narrated the incident and informed that he gave the money to DGO. Lokayukta police took the hand wash of DGO in some solution and it turned into pink colour. Then the DGO presented

bribe amount of Rs15,000/- from his pocket. On verification of the amount it was tallied with the money entrusted to the complainant. Then all of them went near the case worker Jamaludin. Hand wash of case worker was taken in some solution and it turned into pink colour. Lokayukta police seized the bribe amount from the almirah of case worker. On verification it was tallied with the money entrusted to the complainant. DGO and Jamaludin have given the statement before IO. At that time the IO has drawn the trap mahazar Ex.P.3.

16. In the cross examination PW-2 admits that in Lokayukta Police station it was not informed, where they were going. He does not know the officer and staff who took him from lokayukta office. It took 10 minutes to reach the office of DGO. He does not know the complainant and Vishu Kumar have informed the IO that they have given money to Jamaludin. He admits that the complainant and Vishu Kumar have not given signal to him. He admits that after the pre-trap mahazar. Himself, IO and other staff went and were waiting near the office of DGO. He does not remember the date of his statement recorded by the I.O. Further PW-2 has denied the suggestions made by the Learned Assistant for DGO.
17. In the cross examination PW-3 has deposed that he does not remember to which floor of Vishveshwaraiah tower, he had been to on the date of incident. But he had gone to the office of Minorities Development Corporation. He did not observe the other things and how many portions were there in the office, except the chambers of DGO and case worker. He does not know the distance between he chambers of DGO and the Chamber of the case worker. Lokayukta police asked the complaint and himself to go the chamber of DGO.

The complainant and his partner also had come along with him. They did not inform the I.O that a lady also had come with them. He admits that the complainant while coming out of the chamber of the DGO, gave a signal.

18. Further PW-3 has deposed the complainant after coming out of the chamber of DGO gave a signal to IO. He does not know the time gap between the first signal given after coming out of the chamber of the case worker and the signal given after coming out of the chamber of DGO. He does not know that in which room the IO seized the documents. He admits that he has given evidence in criminal case. He has given his evidence in criminal case that from lokayukta office they went directly to the chamber of the case worker. He does not remember that in criminal case he has deposed that after coming out of the chamber of the case worker signal was given.
19. Further PW-3 has voluntarily deposed that the money was seized from the DGO and Jamaludin. The IO at the time of mahazar has not recorded his separate statement. He cannot say that the DGO immediately has given his statement. At the time of trap procedure the statement of DGO was recorded. After the incident he has not seen the case worker. Further PW-3 has denied the suggestions made by the Assistant for DGO.
20. The IO who is examined as PW-4 has deposed that on 2/1/2004 he received the complaint Ex.P.1. Registered Cr.no. 1/2004 and forwarded the FIR to the court. He secured the presence of panchas namely PW-2 & 3. Introduced the complainant and explained the contents of the compliant. The complainant presented Rs. 20,000/-

(1000 X 10, 500 X 20). Panchas noted down the numbers. Staff applied phenolphthalein powder to the notes. PW-2 kept the money into the shirt pocket of the complainant. Hand wash of PW-2 was taken in sodium carbonate solution and it turned into pink colour. He gave instructions to complainant and panchas and drawn the pre-trap mahazar Ex.P.2.

21. Further PW-4 has deposed that all of them went near the office of DGO. The complainant and PW-3 went to meet the DGO. They followed them and were waiting outside in the 11<sup>th</sup> floor. At about 5.15pm the complainant came out and gave a signal. Immediately himself, staff and another pancha went near the complainant. The complainant took him to the office of DGO and informed that he gave Rs. 15,000/- to the DGO. At that time he introduced himself to DGO and kept under the vigilance of his staff.
22. Further PW-4 has deposed that the complainant had shown the case worker Jamaludin and informed that he gave Rs. 5,000/- to him. He took both of them to the chambers of administrative officer. Hand wash of DGO and Jamaludin was taken in sodium carbonate solution separately and it turned into pink colour. On enquiry the DGO removed the money from the pant and presented Rs. 15,000/- before him. On verification the amount was tallied with the money entrusted to the complainant. The pant of DGO was taken pocket portion was dipped into solution and it turned into pink colour.
23. Further PW-4 has deposed that on enquiry Jamuldin presented Rs. 5,000/- before him. On verification it was tallied with the money entrusted to the complainant. Jamaludin produced two files. He

seized the copies of the files as per Ex.P.6 to 8. He recorded the statements of complainant and panchas. DGO and Jamaludin have given their separate statements. Then he has drawn the rough sketch Ex.P.10 and drawn the trap mahazar after seizing all the articles. Seized articles were sent to FSL. On 22/3/2004 he received the FSL report Ex.P.11. After completion of the investigation he submitted charge sheet.

24. In the cross examination PW-4 admits that Dy.S.P has already received the complaint. He cannot say the exact location of the trap in 12<sup>th</sup> floor at Vishveshwaraiah tower. He cannot say the distance between the chambers of DGO and Jamaludin. He admits that he seized the files from Jamaludin. Further deposed that he has not seized the documents from DGO. He admits that the chambers of DGO and Jamaludin are different. He admits that the shadow witness has stated that he was standing outside. He has seized the pant of the DGO. But not produced before the Enquiry Officer. He admits that there are different offices in Vishveshwaraya Tower. He admits that the public will be visiting the office of DGO. further deposed that he has not recorded the statements of private persons or the staff. The DGO and Jamaludin have given their statement. Further Pw-4 has denied the suggestions made by the DGO.
25. The DGO who is examined as DW-1 has deposed that from the year 2003-2004 he was working in commerce and industrial department. On deputation, he was working in Minorities Development Corporation as Administrative Officer. A trap case is registered against him but he never demanded and accepted bribe amount from the complainant. As stated by the complainant first he met the Managing Director and then on his instructions the

complainant met Jamaludin. The work of the complainant was not pending before him. Documents and money was not seized from his possession. His signature was taken by the IO forcibly. In the year 2006 he was acquitted in criminal case. Hence prays to exonerate from the charges.

26. In the cross examination DW-1 has deposed that he is B.Com graduate. He knows to read and write Kannada. There is no enmity between himself and complainant and lokayukta police. He admits that Ex.P.5 is in his hand writing and it bears his signature. He admits that the facts deposed in the chief examination are not stated in Ex.P.5 and his written statement. Further DW-1 has denied the suggestions made by the Presenting officer.
27. The oral and documentary evidence on record clearly show that the complainant has submitted an application for license to work as loan recovery agent in Minorities development Corporation. When he enquired the DGO, the DGO demanded for bribe amount. Not willing to pay the same the complainant approached Lokayukta police he lodged the complaint Ex.P.1. The IO secured the presence of panchas, introduced the complainant and explained the contents of the complaint. The complaint presented Rs. 20,000/- before IO. Panchas noted down the numbers. Police staff applied phenolphthalein powder to the notes. IO gave instructions to panchas and complainant and drawn the pre-trap mahazar Ex.P.2.
28. Further the evidence on record show that all of them went near the office of DGO. The complainant and PW-3 went to meet the Jamaludin. Said Jamaludin asked the complainant to get the signatures of the DGO. When the complainant met the DGO he

received Rs. 15,000 from the complainant. Then Jamaludin received Rs. 5,000/- from the complainant. After receiving the signal the IO, his staff and another pancha came to the office of DGO and took both the hand wash of both DGO and Jamaludin in sodium carbonate solution and it turned into pink colour. The IO seized Rs. 15,000/- from the DGO and Rs. 5,000/- from Jamaludin. The DGO has received the money and kept it in his pant pocket. Therefore pant pocket portion wash also turned into pink colour. IO also seized the documents from the office of DGO and drawn the trap mahazar. The DGO has not given any satisfactory or acceptable reasons for having the possession of the tainted amount. Therefore the contention of the DGO that he never demanded and received bribe amount from the complainant cannot be accepted.

29. The DGO while working as Administrative Officer in Minorities development Corporation, Bangalore, the complainant and his partner submitted an application for loan recovery contract agency. For that DGO demanded bribe amount of Rs. 50,000/- then reduced into Rs. 20,000/- each, and on 2/1/2004 the DGO received a sum of Rs. 15,000/- from the complainant to do an official act.
30. Thereby DGO has failed to maintain absolute integrity and devotion to duty, acted in a manner of unbecoming of a Government Servant as enumerated U/R 3 (1)(i) to (iii) of Karnataka Civil Service (Conduct) Rules 1966. Hence, I proceed to answer this point in the affirmative.



**POINT No.2** :- for the reasons discussed above I proceed to pass the following;

**ORDER**

The disciplinary Authority has proved the charges as framed against the DGO Sri. Syed Iswak Ahmed, the then Administrative Officer, Minorities Development Corporation (on deputation from C & I department.) Presently Planning Officer, Zilla Panchyath, Mandya.

Hence, this report is submitted to Hon'ble Upalokayukta-I for kind consideration.

Dated this the 5<sup>th</sup> day of March of 2018

*sd/-*  
(S. Gopalappa)  
Additional Registrar Enquiries-10  
Karnataka Lokayukta,  
Bangalore.

**ANNEXURES**

**LIST OF WITNESSES EXAMINED ON BEHALF OF DISCIPLINARY AUTHORITY:**

- PW-1 :- Sri. Syed samiulla  
PW-2 :- Sri. Sudhindra G.S.  
PW-3 :- Sri. T.V.Vishukumar  
PW-4 :- Sri. R.C.Lokesh Kumar

**LIST OF WITNESSES EXAMINED ON BEHALF OF DEFENCE WITNESS:**

- DW-1 : Syed Iswak Ahmed

**LIST OF EXHIBITS MARKED ON BEHALF OF DISCIPLINARY  
AUTHORITY**

- Ex P-1 : Complaint dt. 02/01/2004  
Ex P-2 : Entrustment Mahazar dt. 02/01/2004  
Ex P-3 : Entrustment mahazar dt. 02/01/2004  
Ex P-4 : Agreement  
Ex P-5 : Written statement dt. 02/04/2004  
Ex P-6 : Documents  
Ex P-7 : Letter dated 12-12-2003 and connected  
documents  
Ex P-8 : Attendance  
Ex P-9 : Letter dt. 02/01/2004  
Ex P-10 : Sketch  
Ex P-11 : FSL Report dt. 20/03/2004

**LIST OF EXHIBITS MARKED ON BEHALF OF DGO : NIL**

Dated this the 5<sup>th</sup> day of March of 2018

SAL  
(S. Gopalappa)  
Additional Registrar Enquiries-10  
Karnataka Lokayukta,  
Bangalore.

**GOVERNMENT OF KARNATAKA**



**KARNATAKA LOKAYUKTA**

NO:LOK/INQ/14-A/06/2009-10

NO.LOK/INQ/14-A/15/2009/ARE-10

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

Date: 07/03/2018

**RECOMMENDATION**

Sub:- Departmental inquiry against Sri Syed Iswak Ahmed, the then Administrative Officer, Minorities Development Corporation (on deputation from Commerce & Industries Department), (Presently Planning Officer, Zilla Panchayath, Mandya) – Reg.

Ref:- 1) Government Order No.ಅಸಂಇ 136 ಅಸಂಯೋ 2009,  
Bengaluru dated 24/3/2009

2) Nomination order No.LOK/INQ/14-A/06/2009-10 dated 30/4/2009 of Upalokayukta-1, State of Karnataka, Bengaluru

3) Inquiry Report dated 5/3/2018 of Additional Registrar of Enquiries-10, Karnataka Lokayukta, Bengaluru

The Government by its Order dated 24/3/2009 initiated the disciplinary proceedings against Sri Syed Iswak Ahmed, the then Administrative Officer, Minorities Development Corporation (On deputation from Commerce & Industries Department) (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/06/2009-10 dated 30/4/2009 nominated Additional Registrar of Enquiries-4, Karnataka Lokayukta, Bengaluru, as the Inquiry Officer to frame charges and to conduct Departmental Inquiry against DGO for the alleged charge of misconduct, said to have been committed by him. Subsequently, by Order No.UPLOK-1/

DE/2018, Bengaluru dated 19/1/2018, the Additional Registrar of Enquiries-10, Karnataka Lokayukta, Bengaluru was re-nominated as Inquiry Officer to conduct departmental inquiry against DGO.

3. The DGO Sri Syed Iswak Ahmed, the then Administrative Officer, Minorities Development Corporation (On deputation from Commerce & Industries Department) was tried for the following charge:-

“ನೀವು ಶ್ರೀ ಸೈಯದ್ ಇಸ್ವಾಕ್ ಅಹಮದ್, ಹಿಂದಿನ ಆಡಳಿತಾಧಿಕಾರಿ, ಅಲ್ಪಸಂಖ್ಯಾತರ ಅಭಿವೃದ್ಧಿ ನಿಗಮ, ಬೆಂಗಳೂರು ಇಲ್ಲಿ ಕರ್ತವ್ಯ ನಿರ್ವಹಿಸುತ್ತಿದ್ದಾಗ ಫಿರ್ಯಾದಿ ಶ್ರೀ ಸಮಿಲುಲ್ಲಾ ಬಿನ್ ಲೇಟ್ ಸೈಯದ್ ಚೂಟ್ ಸಾಬ್, ಪಾಲುದಾರರು, ಕರ್ನಾಟಕ ಇಂಟಿಗ್ರೇಡ್ ರಿಕವರಿ ಏಜೆನ್ಸಿ, ಬೆಂಗಳೂರು ರವರು ಸಾಲ ವಸೂಲಾತಿ ಮಾಡಿ ಕೊಡಲು ಗುತ್ತಿಗೆಯನ್ನು ಪಡೆದುಕೊಳ್ಳಲು ಗುತ್ತಿಗೆಯ ಆದೇಶವನ್ನು ನೀಡಲು ಆಪಾದಿನ ನೌಕರರು ರೂ.50,000/- ಲಂಚ ಕೊಡಲು ಒತ್ತಾಯ ಮಾಡಿ ನಂತರ ಇಬ್ಬರಿಂದ ಒಟ್ಟು ರೂ.20,000/- ಬೇಡಿ ಫಿರ್ಯಾದಿಯವರಿಂದ ದಿನಾಂಕ 02/01./2004ರಂದು ತಾನು ರೂ.15,000/- ಲಂಚದ ಹಣವನ್ನು ಸ್ವೀಕರಿಸಿದ್ದು, ತನ್ನೂಲಕ ಸಾರ್ವಜನಿಕ ನೌಕರರಾಗಿ ನೀವು ಸಂಪೂರ್ಣ ಪ್ರಾಮಾಣಿಕತೆಯನ್ನು ಕಾಯ್ದುಕೊಳ್ಳುವಲ್ಲಿ ವಿಫಲರಾಗಿದ್ದು, ಅಂತಹ ನೌಕರರಿಗೆ ಸಲ್ಲದ ಕೃತ್ಯವನ್ನು ಕರ್ನಾಟಕ ಸರ್ಕಾರಿ ಸೇವೆ (ಸದ್ವರ್ತನೆ) ನಿಯಮಾವಳಿ 1966ರ 3(i) ಮತ್ತು(iii)ನೇ ನಿಬಂಧನೆಯನ್ನು ಉಲ್ಲಂಘಿಸಿ ದುರ್ನಡತೆ ಎಸಗಿದ್ದೀರಿ. ಆದ್ದರಿಂದ ಈ ದೋಷಾರೋಪಣೆ.

4. The Inquiry Officer (Additional Registrar of Enquiries-10) on proper appreciation of oral and documentary evidence has held that the Disciplinary Authority has proved the above charge against DGO Sri Syed Iswak Ahmed, the then Administrative Officer, Minorities Development Corporation (On deputation from Commerce & Industries Department).

5. On re-consideration of Inquiry Report, I do not find any reason to interfere with the findings recorded by the Inquiry


Officer. It is hereby recommended to the Government to accept the report of Inquiry Officer.

6. As per the First Oral Statement submitted by DGO, he has retired from service on 30/4/2017 (during the pendency of inquiry).

7. Having regard to the nature of charge (demand and acceptance of bribe) proved against DGO Sri Syed Iswak Ahmed, it is hereby recommended to the Government to impose penalty of permanently withholding 50% of pension payable to DGO Sri Syed Iswak Ahmed, the then Administrative Officer, Minorities Development Corporation (On deputation from Commerce & Industries Department) (now retired).

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

Connected records are enclosed herewith.

  
**(JUSTICE N. ANANDA)** 2/3  
Upalokayukta-1,  
State of Karnataka,  
Bengaluru

