

GOVERNMENT OF KARNATAKA



KARNATAKA LOKAYUKTA

NO: LOK/INQ/14-A/169/2013/ARE-7

Multi Storied Building,
Dr. B.R. Ambedkar Veedhi,
Bengaluru-560 001
Date: 16/04/2019

RECOMMENDATION

Sub:- Departmental inquiry against;

- 1) Sri Kashinatha S/o. Mahanthappa Sajjan,
Second Division Assistant, office of the
District Officer, Backward Classes &
Minorities Welfare Department, Dharwad;
- 2) Sri Digambara Shankar Karagudari, Office
Superintendent, office of the District Officer,
Backward Classes & Minorities Welfare
Department, Dharwad – Reg.

- Ref:- 1) Government Order No.ಹಿಂವಕ 45 ಬಿಇಟಿ 2013, Bengaluru
dated 25/3/2013.
- 2) Order No. ಹಿಂವಕ/ಸಿಬ್ಬಂದಿ-7(2): ಸಿಆರ್-2/2011-12, Bengaluru
dated 2/3/2013 of the Commissioner, Backward
Classes Welfare Department, Bengaluru.
 - 3) Nomination order No.LOK/INQ/14-A/169/2013,
Bengaluru dated 27/3/2013 of Upalokayukta-1,
State of Karnataka, Bengaluru
 - 4) Inquiry Report dated 11/4/2019 of Additional
Registrar of Enquiries-7 Karnataka Lokayukta,
Bengaluru

The Government by its Order dated 25/3/2013 and order dated 2/3/2013 of the Commissioner of Backward Classes Welfare Department, initiated the disciplinary proceedings against (1) Sri Kashinatha S/o. Mahanthappa Sajjan, Second Division Assistant, Office of the District Officer, Backward Classes & Minorities Welfare Department, Dharwad and (2) Sri Digambara Shankara Karagudari, Office Superintendent, Office of the District Officer,

Backward classes Welfare Department, Dharwad (hereinafter referred to as Delinquent Government Officials 1 & 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.LOK/INQ/14-A/169/2013, Bengaluru dated 27/3/2013 nominated Additional Registrar of Enquiries-3, Karnataka Lokayukta, Bengaluru, as the Inquiry Officer to frame charges and to conduct Departmental Inquiry against DGOs 1 & 2 for the alleged charge of misconduct, said to have been committed by them. Subsequently, by Order No. LOK/ INQ/14-A/2014, dated 14/3/2014, the Additional Registrar of Enquiries-1, Karnataka Lokayukta, Bengaluru was re-nominated as inquiry officer to conduct departmental inquiry against DGOs 1 & 2. Again, by Order No. UPLOK-1/DE/2017 dated 6/7/2017, the Additional Registrar of Enquiries-7, Karnataka Lokayukta, Bengaluru was re-nominated as inquiry officer to conduct departmental inquiry against DGOs 1 & 2.

3. The DGO-1 Sri Kashinatha S/o. Mahanthappa Sajjan, Second Division Assistant, Office of the District Officer, Backward Classes & Minorities Welfare Department, Dharwad and DGO-2 Sri Digambara Shankara Karagudari, Office Superintendent, Office of the District Officer, Backward classes Welfare Department, Dharwad was tried for the following charge:-

“That you DGO No.1 Sri Kashinath S/o. Mahanthappa Sajjana, while working as SDA in the O/o. District Officer, Backward Classes and Minorities Welfare Department, Dharwad and you DGO No.2 Sri Digambara Shankara Karagudari while working as

Office Superintendent in the O/o. District Officer, Backward Classes and Minorities Welfare Department, Dharwad demanded and accepted a bribe of ₹500/- on 21/4/2011 from the complainant Sri Amit S/o. Shivabasaiah Hiremath C/o. S.G. Hiremath, behind Church, Sriramanagara, Attikolla, Dharwad for the purpose of issuing caste validity certificate and for return of the transfer certificate of the father of Sri Amit S/o. Shivabasaiah Hiremath R/o. Dharwad that is for doing an official act and thereby you both have failed to maintain absolute integrity and devotion to duty and committed an act which is unbecoming of Government Servants and thus you both have committed 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 charges framed against DGO No.1 by name Sri Kashinatha S/o. Mahanthappa Sajjana, Second Division Assistant, Office of the District Officer, Backward Classes and Minorities Welfare Department, Dharwad to the effect that on 21/4/2011 he has demanded and accepted the bribe of ₹500/- from the complainant to return the transfer certificate of the father of the complainant i.e., to show official favour and thereby the DGO No.1 has committed misconduct as enumerated under Rule 3(1)(i) to (iii) of the Karnataka Civil Services (Conduct) Rules, 1966.

The Disciplinary Authority has not proved the charges framed against the DGO No.2 by name Sri Digambara Shankara

Karagudari, Office Superintendent, Office of the District Officer, Backward Classes and Minorities Welfare Department, Dharwad.

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 holding that the charge against DGO-1 Sri Kashinatha S/o. Mahanthappa Sajjana is proved and the charge against DGO-2 Sri Digambara Shankara Karagudari is not proved.


6. It is hereby recommended to the Government to accept the report of inquiry officer and to exonerate DGO-2 Sri Digambara Shankara Karagudari, Office Supdt. office of the District Officer, Backward Classes & Minorities Welfare Department, Dharwad.

7. As per the First Oral Statement submitted by DGO-1 Sri Kashinatha S/o. Mahanthappa Sajjan, he is due to retire from service on 31/5/2019.

8. Having regard to the nature of charge (demand and acceptance of bribe) proved against DGO-1 Sri Kashinatha S/o. Mahanthappa Sajjan; date of retirement of DGO-1 on 31/5/2019, and the time required for issuing I & II Show cause notices before passing the final order, it is hereby recommended to the Government for imposing penalty of permanently withholding 50% of pension payable to DGO-1 Sri Kashinatha S/o. Mahanthappa Sajjana, Second Division Assistant, Office of the District Officer, Backward Classes and Minorities Welfare Department, Dharwad.

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

Connected records are enclosed herewith.


(JUSTICE N. ANANDA) 16/4
Upalokayukta-1,
State of Karnataka,
Bengaluru

