

GOVERNMENT OF KARNATAKA



KARNATAKA LOKAYUKTA

No.LOK/INQ/14-A/173/2014/ARE-7

Multi Storied Building,
Dr. B.R. Ambedkar Veedhi,
Bengaluru-560 001
Date: **31/03/2021**

RECOMMENDATION

Sub:- Departmental inquiry against;

Sri K.C. Mohan, Inspector of Legal Metrology, Legal Metrology Department, Sirsi Sub Division, Sirsi, Uttara Kannada District. – Reg.

- Ref:- 1) Govt. Order No.ಆನಾಸ 8 ಕಾಮಾಸೇ 2014, Bengaluru dated 22/02/2014 and its Corrigendum dated 21/3/2014.
- 2) Nomination order No.LOK/INQ/14-A/173/2014, Bengaluru dated 1/4/2014 of Upalokayukta-1, State of Karnataka, Bengaluru
- 3) Inquiry Report dated 31/3/2021 of Additional Registrar of Enquiries-7, Karnataka Lokayukta, Bengaluru

The Government by its order dated 22/2/2014 read with its Corrigendum dated 21/3/2014 initiated the disciplinary proceedings against Sri K.C. Mohan, Inspector of Legal Metrology, Legal Metrology Department, Sirsi Sub Division, Sirsi, Uttara Kannada 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/173/2014, Bengaluru dated 1/4/2014 nominated Additional Registrar of Enquiries-8, 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/2016 dated 3/8/2016, the Additional Registrar of Enquiries-7, Karnataka Lokayukta, Bengaluru was re-nominated as inquiry officer to conduct departmental inquiry against DGO.

3. The DGO Sri K.C. Mohan, Inspector of Legal Metrology, Legal Metrology Department, Sirsi Sub Division, Sirsi, Uttara Kannada District was tried for the following charge:-

“That, you DGO Sri K.C. Mohan while working as Inspector of Legal Metrology of Sirsi Sub-Division at Sirsi in Uttara Kannada District, Sri Vishwanath S/o Narayana Desai Resident of Dabbesala in Balagara Yellapura presently at Kalammanagar in Yellapura Taluk (hereinafter referred to as complainant) approached you-DGO on 30/11/2012 through Mobile No.98860-16255 to your mobile No.97414-66819 in connection with seizure of 6 mobile sets namely YXTEL-C9 Aroma, XI, Galaxy III, Blue Berry, Forme Mobile sets on 28/11/2012 from the mobile and electronic goods shop of complainant housed in Mylar Complex situated near Yellapur Bus Stand, after inspection of his said shop, you DGO asked him to come and meet you-DGO at your office on the next day with bills of said mobile. So, when complainant met you-DGO at your office on 01/12/2012 and enquired about his said seized mobiles, you-DGO told him that purchase bills of said mobiles China sets cannot be sold besides telling that on the cover of seized mobiles, names of the manufacturer with address and date of manufacture are missing and as such, they had been seized and, for that, complainant had to pay penalty of Rs.20,000/- to 25,000/- to the Government. For that,

when the complainant told that amount to the said extent cannot be paid by him and requested to reduce it, you-DGO told him that at least Rs.15,000/- will have to be remitted. Thereafter again when the complainant requested to reduce the amount, you-DGO told him that to do so, section will have to be changed by you-DGO and for that, a Samsung or some other good mobile set has to be given to you-DGO but that will not be for you-DGO and that will be for your officer, besides remitting Rs.3,000/- towards penalty. Even on 02/12/2012, when the complainant contacted you-DGO over said mobile and enquired about the model of Samsung mobile set to be brought, you-DGO asked him to bring any good touch screen model of Samsung make/company on the next day with Rs.3,000/- towards payment of penalty. Not only that, on 03/12/2012 you-DGO demanded and accepted A Samsung Galaxy Model set as bribe besides Rs.2,000/- towards penalty from the complainant in your office, thereby you failed to maintain absolute integrity and devotion to duty, the act of which was unbecoming of a Government Servant and thereby committed misconduct as enumerated U/R 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 Sri K.C. Mohan, Inspector of Legal Metrology, Legal Metrology Department, Sirsi Sub Division, Sirsi, Uttara Kannada 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 Sri K.C. Mohan, he is due to retire from service on 31/1/2022.

7. Having regard to the nature of charge proved against DGO Sri K.C. Mohan, Inspector of Legal Metrology, Legal Metrology Department, Sirsi Sub Division, Sirsi, Uttara Kannada District, it is hereby recommended to the Government for imposing penalty of Compulsory retirement from service on DGO and also for permanently withholding 40% of pension payable to DGO Sri K.C. Mohan.

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