

KARNATAKA LOKAYUKTA

NO:UPLOK-1/DE/190/2018/ARE-9

M.S.Building,
Dr. B.R. Ambedkar Veedhi,
Bengaluru - 560 001.
Date:3.12.2022

:: ENQUIRY REPORT ::**:: Present ::****(S.GOPALAPPA)**

**Additional Registrar of Enquiries -9
Karnataka Lokayukta,
Bengaluru**

Sub: Departmental Inquiry against (1)
Smt.Gangamma, Panchayath development
officer Mattur Grama panchayath Mattur,
Lingasugur Taluk, Raichur District and (2)
Sri.H.Ravindra, Panchayath development
officer Mattur Grama panchayath Mattur,
Lingasugur Taluk, Raichur District (now
Retired) - reg.

Ref: 1. G.O.No. GraAaPa 87 GraPam Ka 2018
Bengaluru dated: 22.3.2018.
2.Nomination Order No: UPLOK-
1/DE/190/2018 Bangalore dated: 9.4.2018
of Hon'ble Upalokayukta-1
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This Departmental Inquiry is initiated against (1)
Smt.Gangamma, Panchayath development officer Mattur Grama
panchayath Mattur, Lingasugur Taluk, Raichur District and (2)
Sri.H.Ravindra, Panchayath development officer Mattur Grama
panchayath Mattur, Lingasugur Taluk, Raichur District (now Retired)

(hereinafter referred to as the Delinquent Government Official for short "DGO No.1 and 2").

2. In pursuance of the Government Order cited above at reference No.1, Hon'ble Upalokayukta vide order dated 9.4.2018 cited above at reference No.2 has nominated Additional Registrar of Enquiries-9 (in short ARE-9) to frame Articles of charges and to conduct the inquiry against the aforesaid DGOs.

3. This Authority (ARE-9) has issued the Articles of charges, Statement of imputations of misconduct, list of witnesses proposed to be examined in support of the charges and list of documents proposed to be relied in support of the charges.

4. The Article of charges issued by the ARE-9 against the DGOs is as under :

ANNEXURE-I
CHARGE

I- 1) Under Indira Awas scheme, during 2012-13 GPS of three beneficiaries 1) Gangamma 2)Laxmi and 3) Laxmidevi are taken in front of one common house and amount is paid to all the three beneficiaries.

2) During 2013-14 amount is paid to Laxmi, who is beneficiary under Basava Vasathi Yojane though she has not constructed house and produced GPS of unfinished shed constructed in her land.

3) Beneficiary Sarojamma by showing unfinished shed constructed by beneficiary Laxmi has received the amount.

Beneficiaries have given statement that they have not constructed houses, but they have received the amount for that you DGO No.1 as a PDO of Matturu gram panchayat responsible for making payment to the said beneficiaries who have not constructed the house.

II) You-DG No. 1 and 2 have released the amount in favour of 61 beneficiaries under Basava Vasathi Scheme and Indira Awaz Scheme without verifying four stages of construction thereby violating the norms of the said housing scheme at the time of release the funds to the beneficiaries.

III) You-DGO No.1 not maintained Cash book, stock register and Distribution Register in respect of the Grants under 13th and 14th Finance scheme is spent for different works.

Thereby you -DGO have failed to maintain absolute integrity, devotion to duty and committed an act which is unbecoming of a government servant and thus you are guilty of misconduct u/r 3 (1) (i) to (iii) of Karnataka Civil Service (conduct) Rules 1966.

ANNEXURE - 2

STATEMENT OF IMPUTATIONS OF MISCONDUCT

On the basis of complaint filed by Sri.Sharanappa s/o Mahantappa Nandavadagi, Mattur Grama Panchayath, Lingasugur Taluk, Raichur District(hereinafter referred to as 'complainant' for short) against (1) PDO, Mattur Grama Panchayath, Lingasugur Taluk, Raichur District, (2) Bill Collector, Mattur Grama Panchayath, Lingasugur Taluk, Raichur District and (3)Computer Operator, Mattur

Grama Panchayath, Lingasugur Taluk, Raichur District alleging that they have committed misconduct, an investigation was taken up after invoking Section 9 of Karnataka Lokayukta Act, 1984

ACCORDING TO THE COMPLAINANT:

(i) PDO of Mattur Grama Panchayath has allotted houses to persons who are not eligible for the benefit in violation of the rules.

(ii) PDO of Mattur Grama Panchayath has created bogus bills in the names of 3 to 4 beneficiaries for the same house.

(iii) Bill Collector of Mattur Grama Panchayath has amassed wealth and he is having car, two storied house and two wheeler vehicle, though he is only a bill collector.

(iv) Computer Operator of Mattur Grama Panchayath is receiving bribe from labourers to enter their names in NMR.

PDO of Mattur Grama Panchayath has submitted comments stating that beneficiaries are identified in the Village meetings and the amount is paid to the beneficiaries on the completion of each stage of construction. Grants released under 13th and 14th Finance Scheme is spent in accordance with Rules and no bogus bills are prepared. All the information required by the Complainant under RTI is furnished to him.

Bill Collector has submitted comments stating that he has not prepared any bogus bills and amount is credited to the account of beneficiaries. He has purchased Tata Motor Vehicle by raising loan. Two floured houses is his ancestral property and it is in the name of his brother. His brother has constructed house by raising loan of

Rs.2,50,000/- from finance Company. He has purchased Hero Passion Xpro by raising loan from Muttut Finance and the allegations made in the Complaint are false.

Computer Operator has submitted comments stating that he has entered the names of labourers in NMR on the instructions of his higher officers.

Report was called for from S.P., Lokayukta, Raichur on the Complaint. S.P., Lokayukta, Raichur got investigation done through Dy.S.P., Lokayukta, Raichur (I.O. for short) and submitted the report of I.O.

Report of I.O is that:

i) Under Indira Awaz scheme, during 2012-13 GPS of three beneficiaries 1) Gangamma 2)Laxmi and 3) Laxmidevi are taken in front of one common house and amount is paid to all the three beneficiaries.

ii) During 2013-14 amount is paid to Laxmi, who is beneficiary under Basava Vasathi Yojane though she has not constructed house and produced GPS of unfinished shed constructed in her land.

iii) Beneficiary Sarojamma by showing unfinished shed constructed by beneficiary Laxmi has received the amount.

iv) Beneficiaries have given statement that they have not constructed houses, but they have received the amount.

v) a) Gangamma, PDO, Mattur Grama Panchayath , b) Gundamma, President of Mattur Grama Panchayath , c) Mounesh, Bill Collector & d)Amaregowda, Computer Operator are responsible for making payment to beneficiaries 1) Gangamma 2)Laxmi and 3)

Laxmidevi, 4) Laxmi w/o Beerappa & 5) Sarojamma though they had not constructed the houses.

vi) Amount has been released in favour of 61 beneficiaries under Basava Vasathi Scheme and Indira Awaz Scheme without verifying four stages of construction a) H.Ravindra, PDO, Mattur Grama Panchayath, b) Gangamma, PDO, (c) Maanappa, Bill Collector, d) Amaregowda, Computer Operator & e) Gundamma, president are responsible for making payment.

vii) Grants under 13th and 14th Finance scheme is spent for different works. Cash book, stock register and Distribution Register were not maintained. Gangamma, PDO is responsible for not maintaining the said registers.

After receiving the report of I.O., the DGO No.1, Manappa, bill collector, Amaregowda, computer operator, Gundamma, President of Mattur Grama Panchayath and DGO No.2 H.Ravindra, PDO, Mattur Grama Panchayath have been impleaded and copy of Complaint and report of Dy.S.P., were sent to them for their comments.

The DGO No.1, Manappa, Bill Collector, Amaregowda, computer operator have submitted comments. Smt Gundamma, President, Mattur Grama Panchayath and DGO No.2 have not submitted comments though they have received our letter.

The DGO No.1 has submitted comments stating that since the number of beneficiaries are increasing, it is not possible to get GPS of all the houses in time. Therefore the amount cannot be released to the beneficiaries in time. Therefore the work of taking GPS and the responsibility of housing schemes are entrusted to tax collectors.

13) Sri Manappa Bill Collector and Amaregowda, Computer Operator have submitted comments denying the allegations.

In view of the report of I.O. which prima facie show that DGO No.1, Manappa, bill collector, Amaregowda, computer operator, Smt. Gundamma, President, Mattur gram panchayat and DGO No.2 are responsible for making payments to the following beneficiaries though they had not constructed houses and not completed construction of houses and DGO No.1 Gangamma, PDO had not maintained cashbook, stock register & distribution register, comments submitted by DGO No.1, Manappa, bill collector and Amaregowda, computer operator are not acceptable to drop the proceedings against them.

Sl. No.	Name of beneficiaries	Code No.
1	Gangamma w/o Mallaiah	264266
2	Lakshmi w/o Manaiah	264267
3	Lakshmidevi w/o Hanamantha	196463
4	Sarojamma w/o Durgappa	291284
5	Lakshmi w/o Beerappa	284962

The allegations of misappropriation of amount is a continuing misconduct.

Since said facts and material on record prima-facie show that the DGO No.1 and 2 has committed misconduct, now, acting under section 12(3) of Karnataka Lokayukta Act, recommendation is made to the Competent Authority to initiate disciplinary proceedings against the DGO and to entrust the inquiry to this Authority under Rule 14-A of Karnataka Civil Service (Classifications, Control and Appeal) Rules, 1957 and under Rule 214(2)(b) of KCSRs. Hence the charge.

5. The Article of charge was issued to the DGOs calling upon them to appear before this authority and to submit written statement.

6. The DGOs appeared before this inquiry authority in pursuance to the service of the Article of charges. In FOS plea of the DGOs have been recorded and they pleaded not guilty and claimed for holding inquiry. Thereafter, DGO-1 submitted written statement and DGO-2 has not filed written statement.

7. DGO-1 in her written statement, has stated that she reported to the duty as Panchayath development officer at Mattur Grama panchayath on 18.3.2014. She has further stated that all the beneficiaries have constructed the houses and the same has been updated to GP's by the bill collector. Some of the beneficiaries without intimating the stages of the construction have completed the house and therefore there is no misuse of fund as alleged by the complainant. Further the RGHCL office also releases the funds stage wise and therefore, question of misuse of funds as alleged in the charges does not arise.

8. She has further stated that the Accounts Officer of RGHCL verified and releases the amount. As per the guidelines issued by the Government from time to time, the funds are released by the corporation directly to the accounts of the beneficiaries after verification of the stage of the constructions. She has no role to play in the matter. She has further stated that she maintained the cash book, stock registrar and distribution registrar in respect of the grants under 13th and 14th finance scheme in Mattur grama panchayath for the year 2014-15.

9. She has further stated that she has executed the works during the period 2014-15 as per the procedure and the same are being placed before the competent authority and there is no misappropriation or mis-utilization of the funds as alleged in the complaint. She has further stated that there is no truth in the allegations made by the complainant. With these grounds, he prayed to drop the charges leveled against him

10. The disciplinary authority has examined the complainant Sri.Sharanappa S/o Mahantappa Mattur Grama Panchayath Lingasugur Taluk, Raichur District as PW.1 and Sri.Venkanagowda Patil S/o Niganagowda Patil, DSP Kalaburgi Railway Sub Division, Kalaburgi as PW-2 and got marked documents as **Ex.P-1 to Ex-P-75**.

11. Thereafter, second oral statement of DGOs have been recorded. DGO -1 Smt.Gangamma, Panchayath development officer Mattur Grama panchayath Mattur, has got examined herself as DW-1 and DGO -2 Sri.H.Ravindra, Panchayath development officer Mattur Grama panchayath Mattur, has got examined himself as DW-2, and got marked one documents as **Ex.D-1 to Ex.D-10**.

12. Heard the submissions of Presenting Officer and DGOs submitted written brief. Perused the entire records. The only point that arise for my consideration is:

1. Whether the Disciplinary Authority proves the charge framed against the DGOs ?

My finding on the above point is in **AFFIRMATIVE** for the following:

REASONS

13. According to PW-1 from the year 2011 to 2015 in Mattur Grama Panchayath jurisdiction the DGOs have released the amount in favour of beneficiaries who have not constructed the houses in different housing schemes. They have shown same houses and prepared bills in different names and misappropriated the amount. Similarly the photos were taken in front of some other houses prepared the bills and misappropriated the amount. Therefore he has filed the complaint Ex.P-1 to Ex.P-3.

14. Further according to PW-1 after filing this complaint PW-2 came for spot inspection, inspected about five houses and has taken the photographs. The DGOs have prepared the bogus bills and caused loss to the state exchequer, though the houses were not constructed.

15. In the cross examination made by DGO-1, PW-1 has deposed that about seven villages were coming under the jurisdiction of Mattur Grama panchayath. Housing schemes were given to all seven villages. He does not know that in all these seven villages there are no allegations. He has produced the documents to show that the photos of Gangamma, Lakshmi and Lakshmidevi were taken in front of same house and uploaded the GPS. He has produced the documents to show that though Lakshmi has not constructed the house and constructed incomplete house, money was paid to her. He has produced the document to show that Smt.Sarojamma has constructed incomplete house, but money has paid to her. He has produced the

document to show that all the four stages work were not examined regarding 61 beneficiaries. But money was paid to them. He denies that though he has not produced any documents he is deposing falsely.

16. In the cross examination made by DGO -2, PW-1 has denied that he has given false evidence against DGO -2. PW-1 has denied that DGO-2 has followed all the rules and regulations and carried out the work. He denies that he has not received any documents under RTI Act and not produced the same. He has denies that he demanded roll-call money from the DGOs, and when they refused to pay, he is deposing falsely.

17. According to PW-2 on 3.1.2017 he received the investigation of this case and on 18.4.2017 he secured the documents from PDOs. On the same day he visited the spot along with the complainant Sharanappa and PDO. On verification he found that during the year 2011-12 in Indira Awas scheme funds for the house were granted to Smt. Malamma W/o Hanumantha. She has constructed and complete houses. Thereafter during the year 2012-13 houses were allotted to some of the beneficiaries. Out of them grants were allotted in favour of Smt. Gangamma W/o Mallaiah, Smt. Lakshmi W/o Manaiiah and Lakshmi Devi W/o Hanumantha. But they had not constructed the houses. The DGOs 1 and 2 took the photographs of Gangamma, Lakshmi and Lakshmi Devi in front of the house of Mallamma W/o Hanumantha and uploaded to the GPS.

18. Further according to PW- 2 during the year 2013-14 in Basava vasathi Yojane grants were given to Smt. Lakshmi W/o Beerappa but she has not constructed the house. Photos of Smt.

Lakshmi W/o Beerappa was taken in front of incomplete vacant shed situated in the land and uploaded to the GPS.

19. Further according to PW-2 during the year 2013-14 in Indira Awas scheme grants were given to Smt. Sarojamma W/o Durgappa but she had already constructed the house. Taking her photograph in front of already constructed house GPS was uploaded. Though the above said beneficiaries have not constructed houses DGO-1 has given grants to them. DGO 1 and 2 were responsible to take the photographs all four stages in Basava Vasathi Yojane and Indira Awas Yojane and had to upload the same to GPS, thereafter money was to be released. But without uploading the photographs of four stages grants were released to 61 beneficiaries. The DGO-1 in 13th and 14th finance scheme has spent the money but cash book, stock book and registers were not maintained. In Basava Vasathi scheme and Indira Awas scheme in respect of all 61 beneficiaries. Only one stage GPS is uploaded as per Ex.P-9 to Ex.P-69. He has taken the photographs Ex.P-70 to Ex.P-74 at the time of spot inspection.

20. In the cross examination made by DGO -2, PW-2 has deposed that when he requested for the documents, DGO-1 was working. PW-2 denies that when the photos of Gangamma, Lakshmi, and Lakshmi Devi were taken and uploaded to GPS, DGO-2 was transferred from Mattur Grama Panchayath and was not working there. He has not recorded the statement of DGO-2. PW-2 admits that a notice was not given to be present for spot inspection. PW-2

denies that during the tenure of DGO-2 he has carried out his work in accordance with law and has submitted a false report.

21. In the cross examination made by DGO-1, PW-2 admits that on the day when photographs of Gangamma, Lakshmi and Lakshmi Devi were uploaded, DGO-1 was not working as PDO in Mattur grama panchayath. He admits that Gangamma's photo was uploaded on 22.4.2012. He admits that DGO-1 had taken the charge on 18.3.2014. PW-2 denies that GPS was uploaded on all the stages. He admits that as per Ex.P-9 photos were uploaded on all the stages. PW-2 admits that the photos Ex.P-70 to 74 were taken in different places. PW-2 has deposed that DGO-1 and 2 are not appearing in these photographs. He admits that DGOs were not present at the time of investigation. He has not taken the photographs of Gangamma, Lakshmi and Lakshmi Devi. He admits that he has not recorded the statement of DGO-1.

22. Further PW-2 has deposed that he has not produced the documents to show that money was deposited to the accounts of Gangamma, Lakshmi and Lakshmi Devi. But they had informed that the money was deposited. PW-2 admits that on the basis of GPS Rajeev Gandhi Vasathi Nigama will deposit the amount. He has not enquired the officers of Rajeev Gandhi Vasathi Nigama. He denies that Gangamma, Lakshmi and Lakshmi Devi are constructed the houses under the scheme. He denies that the photos of Gangamma, Lakshmi and Lakshmi Devi were not taken in-front of the same house. He denies that the photographs uploaded to GPS are pertaining to different houses. He denies that DGO-1 has maintained stock register, receipts and all the registers under 13th and 14th finance scheme.

23. According to DW-1 she took the charge of Mattur Grama Panchayath on 18.3.2014. Gangamma, Lakshmi and Lakshmi Devi have constructed different houses and accordingly grants were given to them. In respect of these three beneficiaries her previous officer had uploaded the GPS of one stage. She uploaded the GPS of remaining three stages. All the three houses are different and for all three different houses money was deposited to the beneficiaries account directly from Rajeev Gandhi Vasathi Nigama. The grants were given to Smt. Lakshmi under vasathi scheme during the year 2013-14 after construction of the house. When she took charge GPS of two stages were uploaded she uploaded 3rd and 4th stages GPS. Grants were paid to Smt. Lakshmi directly from Rajeev Gandhi Vasathi Nigama. Lakshmi had taken the grant to construct a house in her farm. Grants can be given to construct the houses in the farms. Grants were given to her in accordance with Law. She has not committed any dereliction of duty in giving the money to Smt. Lakshmi.

24. Further according to DW-1 Sarojamma and Lakshmi have taken the grants to different houses and they have constructed different houses. She has uploaded the GPS of all the four stages. After uploading the GPS money was paid to them directly from Rajeev Gandhi Vasathi Nigama. All the beneficiaries have constructed the houses and money was paid to them directly from Rajeev Gandhi Vasathi Nigama. As a Panchayath development officer uploading GPS only was her work. After verifying the GPS it was the duty of Rajeev Gandhi Vasathi Nigama to release the grants. She has maintained the stock book, cash book and distribution book under 13th and 14th finance scheme.

25. Further according to DW-1 she has produced the photographs Ex.D-1 to Ex.D-3 to show that Gangamma, Lakshmi and Lakshmi Devi have constructed the houses. She has produced the cash book Ex.D-4 pertaining to the year 2014, stock book Ex.D-5 and distribution book Ex.D-6. She has produced the cash book Ex.D-7 pertaining to the year 2015, cash book Ex.D-8 pertaining to the year 2016.

26. In the cross examination DW-1 has deposed that from the year 2014 to May 2017 she was working as Panchayath development officer in Mattur grama Panchayath. During the year 2012-13 Gangamma, Lakshmi and Lakshmi Devi were selected as beneficiaries for Rs. 75,000/-. She denies that Gangamma, Lakshmi and Lakshmi Devi were taken the photographs in front of the same house. She denies that though Lakshmi has not constructed the house during the year 2013-14 her photo was taken in front of incomplete shed uploaded the GPS and paid the money. She denies that grants were given to Sarojamma and Lakshmi showing the incomplete shed. She denies that in Basava Vasathi Yojane and Indira Awas Yojane grants were given to 61 beneficiaries without verifying all the stages. She denies that under 13th and 14th financial scheme cash book, stock book and distribution book were not maintained pertaining to different works.

27. For the suggestion that four stages GPS were not uploaded pertaining to Gangamma. DW-1 has deposed that if the photo of completed house is uploaded money can be released. For the suggestion that similarly in respect of Mallappa Malamma and other

beneficiaries GPS of different stages was not uploaded, DW-1 has deposed that the board after approval has released the money. She denies that intentionally GPS was not uploaded. She denies that before releasing the money procedure was not followed. She denies that she has not produced any documents before Investigating officer to show that the procedure was followed. She denies that without carrying out her work properly she has committed dereliction of duty.

28. According to DW-2 (retired) from 11.12.2010 to 31.10.13 he was working as Panchayath development officer in Mattur grama panchayath. During his tenure in 2011-12 in Indira Awas scheme, ashraya scheme and Basava vasathi scheme the beneficiaries were selected in grama sabha. After verifying the beneficiaries list, he forwarded the same to taluk panchayath. During his tenure payment was not made to any of the beneficiaries. He has not done any financial irregularities. On 31.10.2013 he was retired from the service and he was directed to hand over the charge to Amarappa Panchayath development officer as per Ex.P-9. Accordingly on 31.10.2013 he was relieved from the duty as per Ex.D-10.

29. In the cross examination DW-2 has deposed that in the month of July 2010 and from April 2013 to October 2013, he was working as Panchayath development officer in Matturu grama panchayath. During his period he has verified the construction works under Basava vasthi yojane and Indira awas yojane. He has verified four stages GPS of the houses. He denies that the photographs of all the four stages were not uploaded to GPS. He denies that without verifying all the four stages under Basava vasthi scheme and Indira

awas scheme payment was made to 61 beneficiaries. He denies that he has committed dereliction of duty.

30. Ex.P-5 to Ex.P-69 are the beneficiaries construction status uploaded to the GPS. On perusal of these documents it is very clear that the photographs showing the status of foundation, walls, roofs, completion of construction and toilets are not uploaded to GPS. According to Ex.P-68 the photographs of Gangamma W/o Mallaiah, Lakshmi W/o Manaiah, and Lakshmi Devi W/o Hanamantha are taken in front of the same house. According to Investigating officer they have not constructed the houses, but showing the houses of others GPS was uploaded. According to Ex.P-5 to Ex.P-69 some of the beneficiaries have not completed construction of the houses. Thereby the DGOs without verifying all the four stages uploaded the incomplete data to GPS and facilitated the beneficiaries for grant of money.

31. According to the report of Investigating officer Ex.P-75 DGOs not maintained the receipts, cash book, stock book and distribution register for having spent money under 13th and 14th financial scheme. The DGOs have produced photographs Ex.D-1 to Ex.D-3 which do not disclose the names of the owners of the houses. Now the DGOs have produced cash book Ex.D-4, and stock book Ex.D-5 and distribution book Ex.D-6 for the year 2014. Ex.D-7 is the cash book for the year 2015 Ex.D-8 is the cash book for the year 2016. DGOs have not produced receipt book for the year 2014, and receipt book, stock book and distribution book for the year 2015 and 16.

32. DW-1 has not explained how she was prevented from producing the cash book, stock book and distribution book for the year 2014 before the Investigating officer, when he made the investigation. Therefore genuiness of these documents are doubtful.

33. The evidence of Investigation officer is very clear that Gangamma, Lakshmi, and Lakshmi Devi have not constructed the houses. These photographs were taken in front of the house of Smt.Mallamma W/o Hanumantha, uploaded to the GPS and facilitated these beneficiaries to receive grants from the government. One of the beneficiary Lakshmi W/o Veerappa has not constructed the house in the village, but showing the incomplete shed situated in the vacant land GPS was uploaded. Ex.P-74 is the photograph which shows incomplete construction in the land.

34. The evidence of the PW-2 is very clear that Smt.Sarojamma W/o Durgappa had already constructed a house taking a photographs in front of her house GPS was uploaded. DGO-2 has worked from 11.12.2010 to 31.10.2013 during his tenure it was his duty to verify that works which were undergoing in Basava Vasathi scheme and Indira Awas scheme. In the cross examination DW-2 has deposed that he verified the GPS in all four stages. But has discussed above the construction status uploaded to GPS are incomplete. Therefore the contention of DGO 1 and 2 that they have not committed dereliction of duty cannot be accepted.

35. Therefore, overall examination of the evidence on record shows that the disciplinary authority has established the charges leveled against DGOs. Hence, I proceed to record the following:-

FINDINGS

36. The Disciplinary Authority has proved the charges leveled against DGOs. Hence, this report is submitted to Hon'ble Upalokayukta for further action.

37. The Date of retirement of DGO-1 is 31.6.2047 and DGO - 2 is 31.10.2013.


(S.GOPALAPPA)

I/c Additional Registrar Enquiries-9
Karnataka Lokayukta, Bengaluru.

i) List of witnesses examined on behalf of Disciplinary Authority.

PW.1	Sri.Sharanappa S/o Mahantappa Mattur Grama Panchayath Lingasugur Taluk, Raichur District original
PW-2	Sri.Venkanagowda Patil S/o Niganagowda Patil, DSP Kalaburgi Railway Sub Division, Kalaburgi original

ii) List of Documents marked on behalf of Disciplinary Authority.

Ex.P 1	Ex.P-1 is the detailed complaint dtd: 25.11.2016 filed by PW-1 in Karnataka Lokayukta office
Ex.P 2 & 3	Ex.P-2 and 3 are the complaint in from No.1 and 2 filed by PW-1 in Karnataka Lokayukta office
Ex.P-4	Ex.P-4 are the documents enclosed to Ex.P-1 to 3
Ex.P-5	Ex.P-5 is the GPS status of Smt. Malamma W/o Hanumantha
Ex.P-6	Ex.P-6 is the GPS status of Smt. Gangamma W/o Mallaiah
Ex.P-7	Ex.P-7 is the GPS status of Smt. Lakshmi W/o Manaiah
Ex.p-8	Ex.P- is the GPS status of Smt. Lakshmi Devi W/o Hanumantha
Ex.P-9 to Ex.P-69	Basava Vasathi scheme and Indira Awas scheme in respect of all 61 beneficiaries only one stage GPS is uploaded as per Ex.P-9 to Ex.P-69 -
Ex.P- 70 to Ex.P-74	Ex.P- 70 to Ex.P-74 are the photographs taken at the time of spot inspection.
Ex.p-75	Ex.P-75 is the report dtd:7.7.2017

iii) List of witnesses examined on behalf of DGOs

DW-1	DGO-1 Smt.Gangamma, Panchayath development officer Mattur Grama panchayath Mattur, Lingasugur Taluk, Raichur District original
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DW-2	DGO-2 Sri.H.Ravindra, Panchayath development officer Mattur Grama panchayath Mattur, Lingasugur Taluk, Raichur District original
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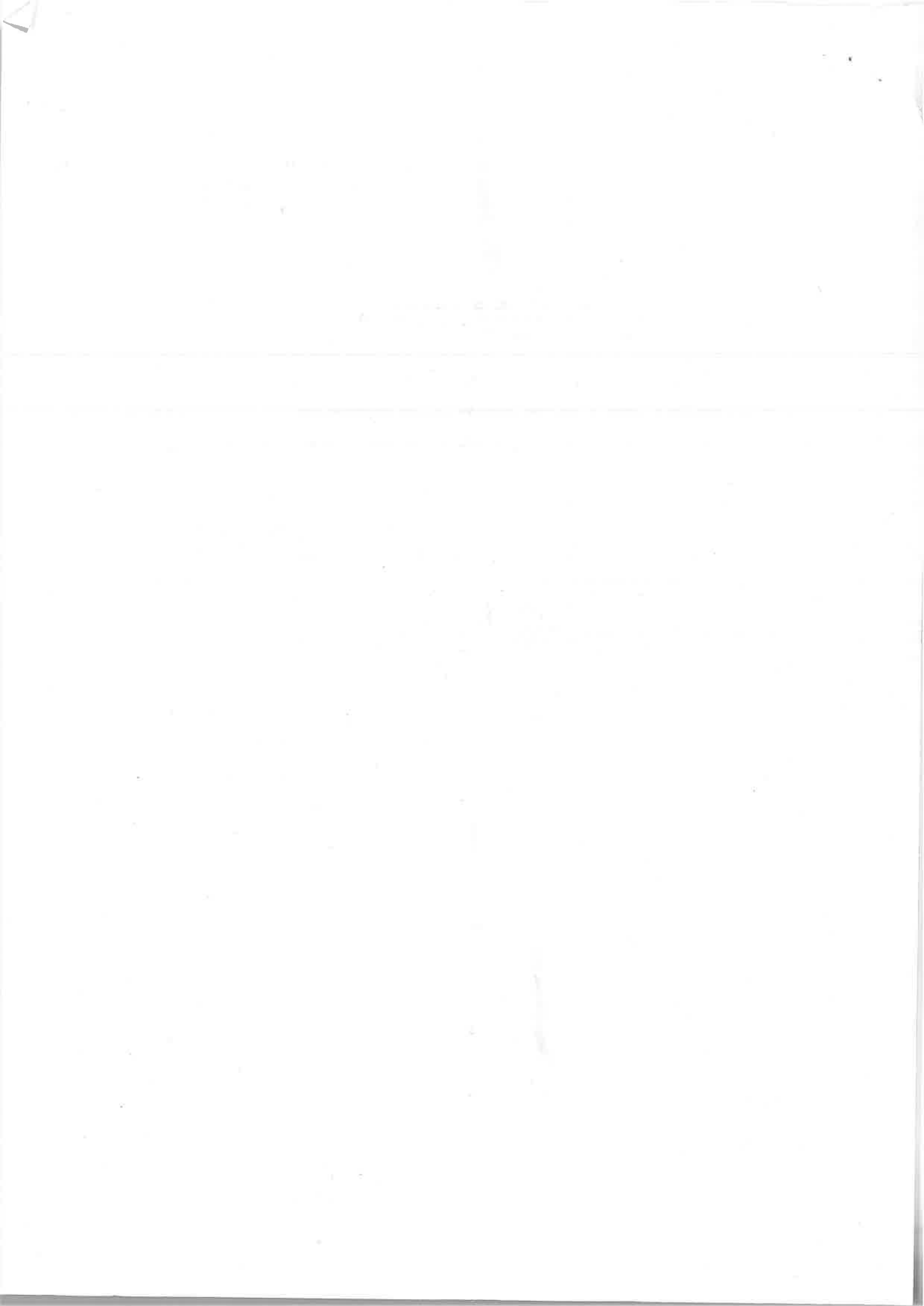
iv) **List of documents marked on behalf of DGO**

Ex.D-1 to Ex.D-3	Ex.D-1 to Ex.D-3 are three photos of the beneficiaries houses
Ex.D-4	Ex.D-4 is the cash book for the year 2014
Ex.D-5	Ex.D-5 is the stock book for the year 2014
Ex.D-6	Ex.D-6 is the distribution book for the year 2014
Ex.D-7	Ex.D-7 is the cash book for the year 2015
Ex.D-8	Ex.D-8 is the cash book for the year 2016
Ex.D-9	Ex.D-9 is the order dtd: 28.10.2013 directing to hand over the charge to Amarappa Panchayath development officer
Ex.D-10	Ex.D-10 is the letter dtd: 31.10.2013 regarding reliving from the duty.

sdt

(S.GOPALAPPA)

I/c Additional Registrar Enquiries-9
Karnataka Lokayukta,
Bengaluru.



GOVERNMENT OF KARNATAKA**KARNATAKA LOKAYUKTA**

No.UPLOK-1/DE/190/2018/ARE-9

Multi Storied Building,
Dr. B.R. Ambedkar Veedhi,
Bengaluru-560001
Date: 06th December, 2022.

RECOMMENDATION

Sub: Departmental Inquiry against Smt./Shriyuths:

- (1) Gangamma, Panchayath Development Officer, Mattur Grama Panchayath, Mattur, Lingasugur Taluk, Raichur District; and
- (2) H.Ravindra, Panchayath Development Officer, Mattur Grama Panchayath, Mattur, Lingasugur Taluk, Raichur District (now retired)-reg.

Ref: 1) Government Order No.ಗ್ರಾಅಪ/87/ಗ್ರಾಪಂಕಾ/2018, Bengaluru, dated: 22/03/2018.

2) Nomination Order No.UPLOK-1/DE/190/2018, Bengaluru, dated: 09/04/2018 of Upalokayukta, State of Karnataka, Bengaluru.

3) Inquiry Report dated: 03/12/2022 of Additional Registrar of Enquiries-9, Karnataka Lokayukta, Bengaluru.

The Government by its order dated: 22/03/2018 initiated the disciplinary proceedings against (1) Smt. Gangamma, Panchayath Development Officer, Mattur Grama Panchayath,

Mattur, Lingasugur Taluk, Raichur District; and (2) Shri H.Ravindra, Panchayath Development Officer, Mattur Grama Panchayath, Mattur, Lingasugur Taluk, Raichur District (now retired) (hereinafter referred to as Delinquent Government Official, for short as DGO Nos.1 and 2) and entrusted the Departmental Inquiry to this Institution.

2. This Institution by Nomination Order No.UPLOK-1/DE/190/2018, Bengaluru, dated: 09/04/2018 nominated Additional Registrar of Enquiries-9, Karnataka Lokayukta, Bengaluru, as the Inquiry Officer to frame charges and to conduct Departmental Inquiry against DGOs No.1 and 2.
3. The DGO No.1, Smt. Gangamma, Panchayath Development Officer, Mattur Grama Panchayath, Mattur, Lingasugur Taluk, Raichur District and DGO No.2, Shri H.Ravindra, Panchayath Development Officer, Mattur Grama Panchayath, Mattur, Lingasugur Taluk, Raichur District (now retired) were tried for the following charges:

ANNEXURE-I
CHARGE

- I.
 - 1) Under Indira Awas scheme, during 2012-13 GPS of three beneficiaries 1) Gangamma 2)Laxmi and



- 3) Laxmidevi are taken in front of one common house and amount is paid to all the three beneficiaries.
- 2) During 2013-14 amount is paid to Laxmi, who is beneficiary under Basava Vasathi Yojane though she has not constructed house and produced GPS of unfinished shed constructed in her land.
- 3) Beneficiary Sarojamma by showing unfinished shed constructed by beneficiary Laxmi has received the amount.

Beneficiaries have given statement that they have not constructed houses, but they have received the amount for that you DGO No.1 as a PDO of Matturu gram panchayat responsible for making payment to the said beneficiaries who have not constructed the house.

- II. You-DG No. 1 and 2 have released the amount in favour of 61 beneficiaries under Basava Vasathi Scheme and Indira Awaz Scheme without verifying four stages of construction thereby violating the norms of the said housing scheme at the time of release the funds to the beneficiaries.
- III. You-DGO No.1 not maintained Cash book, stock register and Distribution Register in respect of the Grants under 13th and 14th Finance scheme is spent for different works.

Thereby you -DGO have failed to maintain absolute integrity, devotion to duty and committed an act which is unbecoming of a government servant and thus you are guilty of misconduct u/r 3 (1) (i) to (iii) of Karnataka Civil Service (conduct) Rules 1966.



4. The Inquiry Officer (Additional Registrar of Enquiries-9) on proper appreciation of oral and documentary evidence has held that the Disciplinary Authority has '**Proved**' the charges leveled against **DGO No.1**, Smt. Gangamma, Panchayath Development Officer, Mattur Grama Panchayath, Mattur, Lingasugur Taluk, Raichur District and **DGO No.2**, Shri H.Ravindra, Panchayath Development Officer, Mattur Grama Panchayath, Mattur, Lingasugur Taluk, Raichur District (now retired).
5. On perusal of the Inquiry Report, in order to prove the guilt of DGOs No.1 and 2, the Disciplinary Authority has examined two witnesses i.e., PW-1 and PW-2 and Ex. P-1 to P-75 documents were got marked. DGOs No.1 and 2 have examined themselves as DW-1 and DW-2 respectively and got marked Ex. D-1 to D-10 documents.
6. 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. Therefore, it is hereby recommended to the Government to accept the report of the Inquiry Officer.



7. As per the First Oral Statement of DGOs No.1 and 2 furnished by the Inquiry Officer, DGO No.1, Smt. Gangamma, will retire from service on 31/05/2047; DGO No.2, Shri H.Ravindra, has retired from service on 31/10/2013.

8. Having regard to the nature of charge '**Proved**' the charges leveled against **DGO No.1**, Smt. Gangamma, Panchayath Development Officer, Mattur Grama Panchayath, Mattur, Lingasugur Taluk, Raichur District and **DGO No.2**, Shri H.Ravindra, Panchayath Development Officer, Mattur Grama Panchayath, Mattur, Lingasugur Taluk, Raichur District (now retired) and on consideration of the totality of circumstances:-

"It is hereby recommended to the Government to impose penalty of withholding three annual increments payable to DGO No.1, Smt. Gangamma, Panchayath Development Officer, Mattur Grama Panchayath, Mattur, Lingasugur Taluk, Raichur District with cumulative effect".

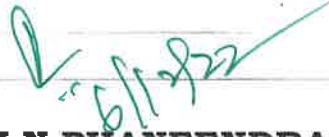
"It is hereby recommended to the Government to impose penalty of withholding 10% of pension payable to DGO No.2, Shri H.Ravindra, Panchayath Development Officer, Mattur Grama Panchayath,

L.

Mattur, Lingasugur Taluk, Raichur District (now retired) for a period of 5 years”.

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

Connected records are enclosed herewith.



(JUSTICE K.N.PHANEENDRA)
UPALOKAYUKTA-2,
STATE OF KARNATAKA.