

BEFORE THE ADDITIONAL REGISTRAR, ENQUIRES-11

KARNATAKA LOKAYUKTA, BENGALURU

ENQUIRY NUMBER: LOK/INQ/14-A/19/2014

ENQUIRY REPORT Dated: 17/05/2018

Enquiry Officer: V.G.Bopaiah  
Additional Registrar Enquiries-11  
Karnataka Lokayukta, Bengaluru.  
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Delinquent Government Official No.1: Sri. Sharanabasappa  
(name written by him as  
Sharanabasappa on the note sheet  
on 01/03/2017)

Discharged duties as Secretary,  
Bendebembali Grama Panchayathi,  
Shahapura, Yadagir District during  
2008-2010.

Due for retirement on superannuation  
on 31/03/2026.

Delinquent Government Official No.2: Sri. C.N.Sulepetkar

(Name written by him as C.N.  
Sulepethaker on the note sheet on  
24/11/2016)

Discharged duties as Executive  
Officer, Taluk Panchayathi,  
Shahapura, Yadagir District from  
09/11/2007 to 23/10/2008.

Retired on superannuation on  
31/08/2017.

Delinquent Government Official No.3: Sri. Palla Narasimhareddy

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(Name written by him as Palla Narasimhareddy on the note sheet on 11/01/2017)

Discharged duties as Executive Officer, Taluk Panchayathi, Shahapura, Yadagir District from 05/01/2009 to 11/05/2010.

Retired on superannuation on 30/09/2014.


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1. During the year 2008-2010 Delinquent Government Official No.1 (in short, "DGO-1") by name Sharanabasappa was working as Secretary, Bendebemballi Grama Panchayathi, Shahapura, Yadagir District. He is due for retirement on superannuation on 31/03/2026. Delinquent Government Official No.2 (in short, "DGO-2") by name C.N. Sulepetkar (name written by him as C.N. Sulepethaker on the note sheet on 24/11/2016) was working as Executive Officer, Taluk Panchayathi, Shahapura, Yadagir District from 09/11/2007 to 23/10/2008. He retired on superannuation on 31/08/2017. Delinquent Government Official No.3 (in short, "DGO-3") by name Palla Narashimhareddy was working as Executive Officer, Taluk Panchayathi, Shahapura, Yadagir District from 05/01/2009 to 11/05/2010. He retired on superannuation on 30/11/2014.

2. Facts which necessitated to initiate the present inquiry proceedings may be stated in brief. Complaint dated 24.3.2011 in FORM NO.1 of the complainant by name Mohammed

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Sirajuddin, resident of Abhishyala Village, Shahapura Taluk, Yadagiri District came to be registered in COMPT/UPLOK/GLB-90/2011-ARE-6. The said complaint is accompanied by affidavit in FORM NO.2 of Mohammed Sirajuddin. The complaint is also accompanied by the complaint in a plain sheet signed by Mohammed Sirajuddin and also one Parvathareddy resident of Bendebemballi, Shahapura Taluk, Yadagiri District. Misappropriation of funds granted during 2008-09 and 2009-10 under Indira Avasa Scheme for construction of houses and under Rural Ashraya scheme is the prime allegation levelled in the complaint. In exercise of the powers conferred upon under section 9 of The Karnataka Lokayukta Act, 1984, Hon'ble Upalokayukta-1 Karnataka took up investigation and entrusted the matter to the Chief Engineer, Technical Audit Cell, Karnataka Lokayukta for probe. The Chief Engineer attached to Technical Audit Cell, Karnataka Lokayukta entrusted the matter to Sri.H.R.Narayana Rao (hereinafter will be referred to as "Investigating Officer") for investigation. Thereafter, the Investigating Officer conducted investigation which unearthed that during the tenure of DGO-1, along with one Khasim Sab the then President of Bendebemballi Grama Panchayathi, Shahapura Taluk, Yadagiri District and one Smt.Saidamma the President of Bendebemballi Grama Panchayathi joined hands and misappropriated a sum of Rs.60,20,792/-. Investigation also unearthed that DGOs-2 and 3 have failed to conduct periodical inspection of records and therefore, DGOs 2 and 3 are also responsible for the said misappropriation.

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- 4.3) On the basis of the materials on record, Hon'ble Upalokayukta-1 Karnataka, prima facie arrived at conclusion that DGOs 1 to 3 along with the then President Sri.Khasim Sab of Bendebemballi Grama Panchayathi and also Smt. Saidamma the then President of Bendebemballi Grama Panchayathi are responsible misappropriation of funds and accordingly, in exercise of the powers conferred upon under section 12(3) of The Karnataka Lokayukta Act, 1984, recommended the competent authority to initiate proceedings against DGOs 1 to 3 for misconduct within the purview of Rule 3(1) of The Karnataka Civil Services (Conduct) Rules, 1966 and to entrust the inquiry to the Hon'ble Upalokayukta Karnataka under Rule 14-A of The Karnataka Civil Services(Classification, Control and Appeal) Rules, 1957.
- 4) 4. Subsequent to the report dated 21.8.2013 under section 12(3) of The Karnataka Lokayukta Act, 1984, Government Order bearing No.ಗ್ರಾಅಪ/332/ಗ್ರಾಪಂಕಾ/2013, ಬೆಂಗಳೂರು, ದಿನಾಂಕ:16.11.2013 has been issued by the Under Secretary to the Government of Karnataka, Department of Rural Development and Panchayath Raj entrusting the inquiry against DGO 1 to the Hon'ble Upalokayukta, Karnataka under Rule 14-A of The Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957. Government Order bearing No: ಗ್ರಾಅಪ/213/ವಿಸೇಬಿ/2013, ಬೆಂಗಳೂರು, ದಿನಾಂಕ:26.12.2013 has been issued by the Under Secretary to the Government of Karnataka, Department of Rural Development and Panchayath Raj entrusting the inquiry against DGOs 2 and 3 to the Hon'ble Upalokayukta, Karnataka under Rule 14-A of The Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957.

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Subsequent to the above Government Orders, Order No.LOK/INQ/14-A/19/2014, Bengaluru, Dated 13.1.2014 has been ordered by the Hon'ble Upalokayukta-1 Karnataka nominating the Additional Registrar, Enquiries -3, Karnataka Lokayukta, Bengaluru as Inquiry Officer to frame charges and to conduct departmental inquiry against DGOs 1 to 3.

- 5) 6. Articles of charge dated 29/01/2014 at Annexure -1 which includes statement of imputation of misconduct at Annexure-II framed by the then Additional Registrar, Enquiries -3, Karnataka Lokayukta, Bengaluru is the following:

“ಅನುಬಂಧ-1

ದೋಷಾರೋಪಣೆ ಪಟ್ಟಿ - 1:

ಶ್ರೀ ಶರಣಬಸಪ್ಪ, ಹಿಂದಿನ ಕಾರ್ಯದರ್ಶಿ, ಬೆಂಚೆಬೆಂಬಳ್ಳಿ ಗ್ರಾಮ ಪಂಚಾಯಿತಿ, ಶಹಾಪೂರ ತಾಲ್ಲೂಕು, ಯಾದಗಿರಿ ಜಿಲ್ಲೆ, ನಿಮ್ಮ ಕರ್ತವ್ಯ ಪಾಲನೆಯಲ್ಲಿ ನಿರ್ಲಕ್ಷ್ಯವನ್ನು ತೋರಿಸಿ;

- 1) ರಾಜೀವ್ ಗಾಂಧಿ ವಸತಿ ಯೋಜನೆ ನಿಯಮಿತ, ಬೆಂಗಳೂರು ಇವರ ಪತ್ರ ದಿನಾಂಕ 02/06/2008ರ ಮತ್ತು 11/05/2006ರ ಮಾರ್ಗಸೂಚಿಯ ಕಂಡಿಕೆ (9) (ಸಿ) ಪ್ರಕಾರ ಫಲಾನುಭವಿಗಳಿಗೆ ಹಣ ಪಾವತಿಸಲು ಈ ಕೆಳಕಂಡಂತೆ ಹಂತವಾರು ಹಣ ಬಿಡುಗಡೆ ಮಾಡಲು ಸೂಚಿಸಿರುತ್ತದೆ.

ತಳಪಾಯ ಮುಕ್ತಾಯದ ಹಂತ	ರೂ.7,500-00
ಗೋಡೆ ಮುಕ್ತಾಯದ ಹಂತ	ರೂ.10,000-00
ಛಾವಣಿ ಮುಕ್ತಾಯದ ಹಂತ	ರೂ.10,000-00
ಮನೆ ಪೂರ್ಣ ಮುಕ್ತಾಯಗೊಳಿಸಿ ವಾಸಕ್ಕೆ ಸಿದ್ಧಗೊಳಿಸಿದಲ್ಲಿ	ರೂ.7,500-00
ಒಟ್ಟು	ರೂ.35,000-00

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2) ಮುಂದುವರೆದು, ದಿನಾಂಕ 11-05-2006ರ ಮಾರ್ಗಸೂಚಿ ಪ್ರಕಾರ ಕಂಡಿಕೆ: ಇ(5) (3) ರ ಪ್ರಕಾರ ಫಲಾನುಭವಿಗಳಿಗೆ ಚೆಕ್ ನೀಡುವ ಸಮಯದಲ್ಲಿ ಮನೆ ನಿರ್ಮಾಣದ ಆಯಾ ಹಂತ ಮುಗಿಸಿರಬೇಕು ಹಾಗೂ ಅದಕ್ಕೆ ಸಾಕ್ಷಿಯಾಗಿ ಛಾಯಾಚಿತ್ರಗಳನ್ನು ಇಟ್ಟಿರಬೇಕು ಎಂದಿರುತ್ತದೆ.

3) ಕಂಡಿಕೆ (5) ಉಪಕಂಡಿಕೆ(3)ರಲ್ಲಿ ಫಲಾನುಭವಿಗೆ ಚೆಕ್ ನೀಡುವ ಸಮಯದಲ್ಲಿ ಸದರಿ ಫಲಾನುಭವಿಯು ಚೆಕ್‌ನ್ನು ಪಡೆಯಲು ಬೇಕಾದ ಎಲ್ಲಾ ಅಂಶಗಳನ್ನು ಪೂರೈಸಿದ್ದಾರೆಯೇ, ದಾಖಲೀಕರಣ ಮುಗಿದಿರಬೇಕು, ಮನೆ ನಿರ್ಮಾಣದ ಆಯಾ ಹಂತ ಮುಗಿಸಿರಬೇಕು, ಅದಕ್ಕೆ ಸಾಕ್ಷಿಯಾಗಿ ಛಾಯಾಚಿತ್ರವನ್ನು ಇಟ್ಟಿರಬೇಕು, ಭೌತಿಕ ಪರಿಶೀಲನೆ ಆಗಬೇಕು ಹಾಗೂ ಮೊದಲು ನೀಡಿದ ಹಣ ಖರ್ಚಾಗಿರಬೇಕು ಎಂಬುದನ್ನು ಖಚಿತಪಡಿಸಿಕೊಳ್ಳುವುದು.

4) ಕಂಡಿಕೆ (5) ಉಪಕಂಡಿಕೆ (4)ರಲ್ಲಿ ಚೆಕ್ ನೀಡುವ ಮೊದಲು ವಸತಿ ಸಮಿತಿಯ ಅನುಮೋದನೆ ಪಡೆದಿರಬೇಕು.

5) ಕಂಡಿಕೆ (6)ರಲ್ಲಿ ಮಾರ್ಗಸೂಚಿಯ ಪ್ಯಾರಾ 2.1 (ಅ)ರಲ್ಲಿ ತಿಳಿಸಿದಂತೆ ನಮೂನೆ-24ಬಿ (ಚೆಕ್ ಕೌಂಟರ್ ಫೈಲ್)ನಲ್ಲಿ ವಿವರಗಳನ್ನು ಭರ್ತಿ ಮಾಡಬೇಕು, ಪ್ಯಾರಾ 2.1(ಇ)ರಲ್ಲಿ ನಗದು ಪುಸ್ತಕವನ್ನು ನಮೂನೆ-24ಎ ರಲ್ಲಿ ನಿರ್ವಹಿಸಬೇಕು ಹಾಗೂ ಪ್ಯಾರಾ 2.1(ಈ)ರಲ್ಲಿ ಬ್ಯಾಂಕಿನ ಪಾಸ್‌ಶೀಟ್‌ಗಳ ಕಡತವನ್ನು ನಿರ್ವಹಿಸಬೇಕು. ಇದಕ್ಕಾಗಿ ಬ್ಯಾಂಕಿನಿಂದ ಪ್ರತಿ ತಿಂಗಳ 5ನೇ ತಾರೀಖಿನೊಳಗೆ ಪಾಸ್‌ಶೀಟ್‌ಗಳನ್ನು ತರಿಸಿಕೊಂಡು ನಗದು ಪುಸ್ತಕದೊಡನೆ ಪಾಸ್‌ಶೀಟ್‌ನ್ನು ಪ್ರತಿ ತಿಂಗಳು ತಾಳಿ ಹಾಕಬೇಕು. (Reconciliation)

6) ಮುಂದುವರೆದು, ತಾಲ್ಲೂಕು ಪಂಚಾಯಿತಿಯ ಕಾರ್ಯನಿರ್ವಾಹಕ ಅಧಿಕಾರಿಯು ಆಯಾ ಹಣಕಾಸಿನ ವರ್ಷದ ಪ್ರತಿಯೊಂದು ತ್ರೈಮಾಸಿಕದಲ್ಲಿ ಕನಿಷ್ಠ ಪಕ್ಷ ಒಂದು ಸಲ ಎಲ್ಲಾ ಹಣಕಾಸಿನ/ಲೆಕ್ಕಪತ್ರಗಳ ದಾಖಲೆಗಳನ್ನು ತಪಾಸಣೆ ಮಾಡಬೇಕು ಅಥವಾ ತಪಾಸಣೆ ಆಗುವಂತೆ ನೋಡಿಕೊಳ್ಳಬೇಕು.

7) ಕರ್ನಾಟಕ ಆರ್ಥಿಕ ಸಂಹಿತೆ 1958ರ ಅನುಚ್ಛೇದ 57ರಂತೆ "All vouchers and acquittances are important documents and shall be filed and preserved carefully in the office concerned, when they are not

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sent elsewhere for audit in accordance with the rules” ರಲ್ಲಿ ಪಾವತಿಗೆ ಸಂಬಂಧಿಸಿದ ಓಚರ್‌ಗಳನ್ನು ಕಛೇರಿಯಲ್ಲಿ ನಿರ್ವಹಿಸಬೇಕು ಎಂದು ತಿಳಿಸಿದ್ದು. ಹಾಗೂ

8) ಕರ್ನಾಟಕ ಪಂಚಾಯತ್‌ರಾಜ್ (ಗ್ರಾಮ ಪಂಚಾಯತ್ ಆಯವ್ಯಯ ಮತ್ತು ಲೆಕ್ಕಪತ್ರಗಳು) ನಿಯಮಗಳು, 2006ರ ಅಧ್ಯಾಯ (6)ರ ನಿಯಮ 43ರಲ್ಲಿ “ಪ್ರತಿಯೊಂದು ಪಾವತಿಯ ಆದೇಶಕ್ಕೂ ಗ್ರಾಮ ಪಂಚಾಯತ್‌ನ ಅನುಮತಿ ಮೇರೆಗೆ ಅಧ್ಯಕ್ಷ ಮತ್ತು ಕಾರ್ಯದರ್ಶಿಯ ಸಹಿ ಇರತಕ್ಕದ್ದು. ಪ್ರತಿಯೊಂದು ಬಿಲ್ಲಿನ ಮೇಲೂ ಹಣದ ಪಾವತಿಗಾಗಿ ನೀಡಿದ ಚೆಕ್‌ನ ಸಂಖ್ಯೆ ಮತ್ತು ದಿನಾಂಕವನ್ನು ನಮೂದಿಸತಕ್ಕದ್ದು ಮತ್ತು ಅದಕ್ಕೆ ಅಧ್ಯಕ್ಷ ಮತ್ತು ಕಾರ್ಯದರ್ಶಿ ದೃಢೀಕರಿಸತಕ್ಕದ್ದು” ಎಂದು ತಿಳಿಸಿರುತ್ತದೆ.

9) ನಿಯಮ 47ರಲ್ಲಿ “ತಯಾರಿಸಿದ ಬಿಲ್ಲುಗಳು ಹಾಗೂ ಸಂಬಂಧಪಟ್ಟ ವೋಚರ್‌ಗಳನ್ನು ಕಾರ್ಯದರ್ಶಿಯು ಪರಿಶೀಲಿಸತಕ್ಕದ್ದು ಮತ್ತು ಕ್ಲೇಮನ್ನು ಅಂಗೀಕರಿಸಬಹುದೆಂದು, ಪ್ರಾಧಿಕಾರ ಸೂಕ್ತವಾಗಿದೆ ಎಂದು ಸಹಿಯು ನಿಜವಾದುದು ಎಂದು ಮತ್ತು ಕ್ರಮಬದ್ಧವಾಗಿದೆ ಎಂದು ಕಾರ್ಯದರ್ಶಿಗೆ ಮನವರಿಕೆಯಾದರೆ ಸಹಿಗಾಗಿ ಅಧ್ಯಕ್ಷರಿಗೆ ಸಲ್ಲಿಸತಕ್ಕದ್ದು. ಅಧ್ಯಕ್ಷರು ಕ್ಲೇಮ್ ಬಿಲ್ಲು ಕ್ರಮಬದ್ಧವಾಗಿದೆ ಎಂದು ಮನವರಿಕೆಯಾದ ತರುವಾಯ ಸಹಿ ಮಾಡತಕ್ಕದ್ದು” ಎಂದು ತಿಳಿಸಿರುತ್ತದೆ.

10) ನಿಯಮ 48ರಲ್ಲಿ “ಅಂಗೀಕೃತ ಬಿಲ್ಲುಗಳ ಪಾವತಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ, ಬಿಲ್ಲುಗಳನ್ನು ಹಣ ಪಾವತಿಗಾಗಿ ಕಾರ್ಯದರ್ಶಿ ಮತ್ತು ಅಧ್ಯಕ್ಷ ಅಂಗೀಕರಿಸಿದ ನಂತರ ಪಾವತಿಗಾಗಿ ಚೆಕ್‌ಗಳನ್ನು ಸಿದ್ಧಪಡಿಸಿಕೊಳ್ಳತಕ್ಕದ್ದು. ಕಾರ್ಯದರ್ಶಿ ಹಾಗೂ ಅಧ್ಯಕ್ಷರು ಸಹಿ ಮಾಡತಕ್ಕದ್ದು” ಎಂದು ತಿಳಿಸಿರುತ್ತದೆ.

11) ಇಂದಿರಾ ಆವಾಸ್ 2008-09, ಆಶ್ರಯ ಯೋಜನೆ 2008-09 ಮತ್ತು ಇಂದಿರಾ ಆವಾಸ್ 2009-10 (ಇಂದಿರಾ ಆವಾಸ್-89, ಅಂಬೇಡ್ಕರ್-16, ಇಂದಿರಾ ಆವಾಸ್ ಅಲ್ಪಸಂಖ್ಯಾತರು-30) ಒಟ್ಟು ರೂಪಾಯಿ 65,38,800/- ಮಂಜೂರಾಗಿ ಬಿಡುಗಡೆ ಯಾಗಿದ್ದು, ಸಂಬಂಧ ಪಟ್ಟ ಖಾತೆಗಳಿಗೆ ಜಮೆಯಾಗಿದ್ದು,

12) 2009-10ನೇ ಸಾಲಿನ ಗ್ರಾಮೀಣಾ ಆಶ್ರಯ (ರಾಜೀವ್‌ಗಾಂಧಿ ಗ್ರಾಮೀಣ ವಸತಿ ನಿಗಮ) ಯೋಜನೆಯಡಿಯಲ್ಲಿ ಆಯ್ಕೆಯಾದ ಪಫಲಾನುಭವಿಗಳಿಗೆ ಮನೆಯನ್ನು ನಿರ್ಮಿಸುವಾಗ ಒಂದೇ ದಿನದಂದು ವಿವಿಧ ಮೊತ್ತಗಳ ಚೆಕ್‌ನ್ನು ವಿತರಿಸಿರುತ್ತೀರಿ.

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- 13) ಖಾನಾಪುರ ಬ್ಯಾಂಕ್ ಎಸ್.ಬಿ.ಐ ನಂ.30195151725ಗೆ ಸಂಬಂಧ ಪಟ್ಟಂತೆ ಚೆಕ್ ನಂ.860755, 860954, 860957, 860959 ಮತ್ತು 860958 ಎಲ್ಲವು ದಿನಾಂಕ 20/03/2009ರ ಚೆಕ್‌ಗಳಾಗಿದ್ದು, ಪ್ರತಿಯೊಂದು ಚೆಕ್ 12,500/- ರೂಪಾಯಿಗಳಾಗಿದ್ದು, ಆ ಚೆಕ್‌ಗಳನ್ನು ಯಾರ ಹೆಸರಿಗೆ ನೀಡಿರುತ್ತಿರಿ ಎಂಬ ಉಲ್ಲೇಖ ಇಲ್ಲ.
- 14) ಶ್ರೀ ದೇವಪ್ಪ, ರವರಿಗೆ 90,000 ರೂಪಾಯಿ ಮತ್ತು ಶ್ರೀ ಹಣಮಂತಿರವರಿಗೆ 60,000/- ರೂಪಾಯಿ ಹಣ ನೀಡಿದ್ದು, ಫಲಾನುಭವಿಗಳಿಗೆ ನಿಗದಿ ಪಡಿಸಿದ ಮೊತ್ತಕ್ಕಿಂತ ಹೆಚ್ಚು ಹಣ ನೀಡಿರುತ್ತೀರಿ.
- 15) ದಿನಾಂಕ 13/01/2011ರಂದು ಮತ್ತು 23/03/2011 ರಂದು ಬೆಂಡೆಬೆಂಬಳ್ಳಿ ಗ್ರಾಮಪಂಚಾಯಿತಿ ವ್ಯಾಪ್ತಿಯಲ್ಲಿನ ತುಮಕೂರು, ಹಬ್ಬಿಹಾಳ, ಇಟಗಿ, ರೋಟ್ಟಡಗಿ, ಕದ್ರಾಪುರ ಮತ್ತು ಕೋಡಾಲ್ ಗ್ರಾಮ ಪರಿಶಿಲನೆ ಮಾಡಿದಾಗ ಆಯ್ಕೆಯಾದ ಎಲ್ಲ ಫಲಾನುಭವಿಗಳಿಗೆ ಮನೆಗಳನ್ನು ಕಟ್ಟಿಕೊಟ್ಟಿರುವುದಿಲ್ಲವೆಂದು, ಮತ್ತು ಕೆಲವು ಫಲಾನುಭವಿಗಳಿಗೆ ಮನೆ ನಿರ್ಮಾಣ ಮಾಡದೆ, ಚೆಕ್ ವಿತರಣೆ ಮಾಡಿದ್ದು, ಖಾತೆಯಲ್ಲಿ ಹಣ ಇರದ ಕಾರಣ ಭಟವಾಡೆ ಆಗಿರುವುದಿಲ್ಲ ಹಾಗೂ ಚೆಕ್‌ಗಳು ಬೌನ್ಸ್ ಆಗಿದ್ದು.
- 16) ಫಲಾನುಭವಿಗಳಿಗೆ ನಿಯಮಾನುಸಾರ ಹಂತ ಹಂತವಾಗಿ ಅನುದಾನ ಬಿಡುಗಡೆ ಮಾಡದೆ, ಮನೆಗಳ ನಿರ್ಮಾಣ ಮಾಡದೆ, ಹಣ ದುರುಪಯೋಗ ಪಡಿಸಿಕೊಂಡಿರುತ್ತೀರಿ.
- 17) ನಿಮಗೆ ದಿ.22/6/2012ರಂದು ಕಾರ್ಯನಿರ್ವಾಹಕ ಅಧಿಕಾರಿ, ತಾಲ್ಲೂಕ್ ಪಂಚಾಯಿತಿ, ಶಹಾಪುರ ದಾಖಲಾತಿಗಳನ್ನು ಸಲ್ಲಿಸುವಂತೆ ಸೂಚಿಸಿದ್ದು, ನೀವು ಕಾರ್ಯದರ್ಶಿಯಾಗಿದ್ದು ನಗದು ಪುಸ್ತಕ, ಫಲಾನುಭವಿಗಳಿಗೆ ಹಂತವಾರು ಹಣ ಬಿಡುಗಡೆ ಮಾಡಿದ ಬಗ್ಗೆ ಹಾಗೂ ಮನೆಗಳ ಛಾಯಾಚಿತ್ರಗಳನ್ನು ನಿರ್ವಹಿಸಿದ/ಪಡೆದುಕೊಂಡ ಬಗ್ಗೆ ದಾಖಲಾತಿಗಳನ್ನು ಸಲ್ಲಿಸಿರುವುದಿಲ್ಲ ಹಾಗೂ ಫಲಾನುಭವಿಗಳಿಗೆ ಹಣ ಪಾವತಿಸಿರುವ ಬಗ್ಗೆ ಪಾವತಿ ರಿಜಿಸ್ಟರ್‌ನ್ನು ನಿರ್ವಹಿಸಿರುವುದಿಲ್ಲ.
- 18) ಮೇಲ್ಕಾಣಿಸಿದ ಉಲ್ಲೇಖದಲ್ಲಿ ಉಲ್ಲೇಖಿಸಿದಂತೆ ಗ್ರಾಮ ಪಂಚಾಯಿತಿ ಕಛೇರಿಯಲ್ಲಿ ಓಚರ್‌ಗಳನ್ನು ನಿರ್ವಹಿಸದೆ ನಿಯಮವನ್ನು ಉಲ್ಲಂಘನೆ ಮಾಡಿರುತ್ತೀರಿ.
- 19) ನೀವು ಫಲಾನುಭವಿಗಳಿಗೆ ಕ್ರಾಸ್ ಚೆಕ್ ಮೂಲಕ ಹಣವನ್ನು ಹಂತ ಹಂತವಾಗಿ ಪಾವತಿಸದೆ ಮನಸೋಇಚ್ಛೆ ಫಲಾನುಭವಿಗಳಿಗೆ ಕ್ರಾಸ್ ಮಾಡದ ಚೆಕ್ ಮೂಲಕ ಹಣವನ್ನು ಮನೆಯ ಪ್ರತಿಯೊಂದು

17.5.2016



ಹಂತವನ್ನು ಖುದ್ದು ಪರಿಶೀಲಿಸದೆ ಪಾವತಿಸಿ ಕರ್ನಾಟಕ ಸರ್ಕಾರಕ್ಕೆ ಸೇರಿದ ರೂಪಾಯಿ 60,20,792/-ಗಳನ್ನು ದುರುಪಯೋಗ ಪಡಿಸಿಕೊಂಡಿರುತ್ತೀರಿ.

ಜವಾಬ್ದಾರಿಯುತ ಸರ್ಕಾರಿ ಅಧಿಕಾರಿಗಳಾಗಿದ್ದರೂ ಸಹಿತ ಸದರಿ ಯೋಜನೆಗಳ ಅಡಿ ಮಂಜೂರಾದ ಹಣವನ್ನು ಅದೇ ಉದ್ದೇಶಕ್ಕೆ ಉಪಯೋಗಿಸಿ ಅನುಕೂಲ ಮಾಡಿಕೊಡುವ ಜವಾಬ್ದಾರಿ ನಿಮ್ಮ ಮೇಲೆ ಇದ್ದರೂ ಸಹಿತ ನಿಯಮಾವಳಿಗಳನ್ನು ಉಲ್ಲಂಘಿಸಿ ಮೇಲೆ ಹೇಳಿದಂತೆ ಸರ್ಕಾರಿ ಹಣವನ್ನು ದುರುಪಯೋಗ ಪಡಿಸಿಕೊಂಡು ನಿಮ್ಮ ಕರ್ತವ್ಯ ಪಾಲನೆಯಲ್ಲಿ ಸಂಪೂರ್ಣ ಪ್ರಾಮಾಣಿಕತೆ ಹಾಗೂ ಕರ್ತವ್ಯ ನಿಷ್ಠೆಯನ್ನು ಪಾಲಿಸದೆ ಮತ್ತು ಸರ್ಕಾರಿ ನೌಕರರಿಗೆ ಉಚಿತವಲ್ಲದ ರೀತಿಯಲ್ಲಿ ನಡೆದುಕೊಂಡು ದುರ್ನಡತೆ/ದುವರ್ತನೆಯಿಂದ ವರ್ತಿಸಿ, ಕರ್ನಾಟಕ ನಾಗರೀಕ ಸೇವಾ ನಿಯಮಗಳು (ನಡತೆ) 1966, ನಿಯಮ 3(1) (i) ರಿಂದ (iii) ರಡಿಯಲ್ಲಿ ಉಕ್ತವಾದ ದುರ್ನಡತೆ ಎಸಗಿದ್ದೀರಿ ಮತ್ತು ಕರ್ನಾಟಕ ನಾಗರೀಕ ಸೇವಾ ನಿಯಮ (ವರ್ಗೀಕರಣ, ನಿರ್ಬಂಧ ಮತ್ತು ಮೇಲ್ಮನವಿ) 1957ರ ನಿಯಮ 8(iv)ರಂತೆ ರೂ. 60,20,792/- ಹಣ ಪಾವತಿಸಲು ಜವಾಬ್ದಾರಾಗಿದ್ದು ಅಂತ ನಿಮ್ಮ ಮೇಲೆ ದೋಷಾರೋಪಣೆಯನ್ನು ಮಾಡಲಾಗಿದೆ.

### ದೋಷಾರೋಪಣೆ ಪಟ್ಟಿ - 2

ಶ್ರೀ ಸಿ.ಎನ್ ಸುಲೇಪೆಟ್ಟರ್, ಹಿಂದಿನ ಕಾರ್ಯನಿರ್ವಾಹಕ ಅಧಿಕಾರಿ, ತಾಲ್ಲೂಕು ಪಂಚಾಯಿತಿ, ಶಹಾಪೂರ ತಾಲ್ಲೂಕು, ಯಾದಗಿರಿ ಜಿಲ್ಲೆ, ನಿಮ್ಮ ಕರ್ತವ್ಯ ಪಾಲನೆಯಲ್ಲಿ ನಿರ್ಲಕ್ಷ್ಯವನ್ನು ತೋರಿಸಿ ದಿನಾಂಕ 09/11/2007 ರಿಂದ 23-10-2008ರವರೆಗೆ ಕರ್ತವ್ಯ ನಿರ್ವಹಿಸುವಾಗ, 2008-09ನೇ ಸಾಲಿನ ಇಂದಿರಾ ಆವಾಸ್ ವಸತಿ ಯೋಜನೆಯಡಿಯಲ್ಲಿ ಸರ್ಕಾರದಿಂದ ಗ್ರಾಮ ಪಂಚಾಯಿತಿಗೆ ಬಿಡುಗಡೆಯಾದ ಹಣಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ, ರಾಜೀವ್ ಗಾಂಧಿ ವಸತಿ ನಿಗಮ, ಬೆಂಗಳೂರು ಇವರ ಮಾರ್ಗಸೂಚಿಯಂತೆ ಹಣಕಾಸಿನ ವರ್ಷದ ಪ್ರತಿಯೊಂದು ತ್ರೈಮಾಸಿಕದಲ್ಲಿ ಕನಿಷ್ಠ ಪಕ್ಷ ಒಂದು ಸಲ ಎಲ್ಲಾ ಹಣಕಾಸಿನ/ಲೆಕ್ಕಪತ್ರಗಳ ದಾಖಲೆಗಳನ್ನು ತಪಾಸಣೆ ಮಾಡಬೇಕು ಅಥವಾ ತಪಾಸಣೆ ಆಗುವಂತೆ ನೋಡಿಕೊಳ್ಳಬೇಕಾಗಿರುತ್ತದೆ. ಆದರೆ ನೀವು ಈ ರೀತಿ ಮಾಡದೇ ಜವಾಬ್ದಾರಿಯುತ ಸರ್ಕಾರಿ ಅಧಿಕಾರಿಗಳಾಗಿದ್ದರೂ ಸಹಿತ ಸದರಿ ಯೋಜನೆ ಅಡಿ ಮಂಜೂರಾದ ಹಣವನ್ನು ಅದೇ ಉದ್ದೇಶಕ್ಕೆ ಉಪಯೋಗಿಸಿ ಅನುಕೂಲ ಮಾಡಿಕೊಡುವ ಜವಾಬ್ದಾರಿ ನಿಮ್ಮ ಮೇಲೆ ಇದ್ದರೂ ಸಹಿತ ನಿಯಮಾವಳಿಗಳನ್ನು ಉಲ್ಲಂಘಿಸಿ ಮೇಲೆ ಹೇಳಿದಂತೆ ಸರ್ಕಾರಿ ಹಣವನ್ನು ದುರುಪಯೋಗ

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ಪಡಿಸಿಕೊಂಡು ನಿಮ್ಮ ಕರ್ತವ್ಯ ಪಾಲನೆಯಲ್ಲಿ ಸಂಪೂರ್ಣ ಪ್ರಾಮಾಣಿಕತೆ ಹಾಗೂ ಕರ್ತವ್ಯ ನಿಷ್ಠೆಯನ್ನು ಪಾಲಿಸದೆ ಮತ್ತು ಸರ್ಕಾರಿ ನೌಕರರಿಗೆ ಉಚಿತವಲ್ಲದ ರೀತಿಯಲ್ಲಿ ನಡೆದುಕೊಂಡು ದುರ್ನಡತೆ/ದುವರ್ತನೆಯಿಂದ ವರ್ತಿಸಿ, ಕರ್ನಾಟಕ ನಾಗರೀಕ ಸೇವಾ ನಿಯಮಗಳು (ನಡತೆ) 1966, ನಿಯಮ 3(1) (i) ರಿಂದ (iii) ರಡಿಯಲ್ಲಿ ಉಕ್ತವಾದ ದುರ್ನಡತೆ ಎಸಗಿದ್ದೀರಿ ಮತ್ತು ಕರ್ನಾಟಕ ನಾಗರೀಕ ಸೇವಾ ನಿಯಮ (ವರ್ಗೀಕರಣ, ನಿರ್ಬಂಧ ಮತ್ತು ಮೇಲ್ಮನವಿ) 1957ರ ನಿಯಮ 8(iv)ರಂತೆ ರೂ. 60,20,792/- ಹಣ ಪಾವತಿಸಲು ಜವಾಬ್ದಾರರಾಗಿರುತ್ತೀರಿ ಅಂತ ನಿಮ್ಮ ಮೇಲೆ ದೋಷಾರೋಪಣೆಯನ್ನು ಮಾಡಲಾಗಿದೆ.

### ದೋಷಾರೋಪಣೆ ಪಟ್ಟಿ - 3

ಶ್ರೀ ಪಲ್ಲನರಸಿಂಹರೆಡ್ಡಿ, ಹಿಂದಿನ ಕಾರ್ಯನಿರ್ವಾಹಕ ಅಧಿಕಾರಿ, ತಾಲ್ಲೂಕು ಪಂಚಾಯಿತಿ, ಶಹಾಪೂರ ತಾಲ್ಲೂಕು, ಯಾದಗಿರಿ ಜಿಲ್ಲೆ ಶ್ರೀ ಪಲ್ಲನರಸಿಂಹರೆಡ್ಡಿ ನಿಮ್ಮ ಕರ್ತವ್ಯ ಪಾಲನೆಯಲ್ಲಿ ನಿರ್ಲಕ್ಷ್ಯವನ್ನು ತೋರಿಸಿ, ದಿ: 05/01/2009 ರಿಂದ 11/05/2010 ರವರೆಗೆ ಕರ್ತವ್ಯ ನಿರ್ವಹಿಸುವಾಗ, 2008-09 ಮತ್ತು 2009-10ನೇ ಸಾಲಿನ ಇಂದಿರಾ ಆವಾಸ್, ಅಂಬೇಡ್ಕರ್ ಮತ್ತು ಗ್ರಾಮೀಣ ಆಶ್ರಯ ವಸತಿ ಯೋಜನೆಯಡಿಯಲ್ಲಿ ಸರ್ಕಾರದಿಂದ ಗ್ರಾಮ ಪಂಚಾಯಿತಿಗೆ ಬಿಡುಗಡೆಯಾದ ಹಣಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ, ರಾಜೀವ್ ಗಾಂಧಿ ವಸತಿ ನಿಗಮ, ಬೆಂಗಳೂರು ಇವರ ಮಾರ್ಗಸೂಚಿಯಂತೆ ಹಣಕಾಸಿನ ವರ್ಷದ ಪ್ರತಿಯೊಂದು ತ್ರೈಮಾಸಿಕದಲ್ಲಿ ಕನಿಷ್ಠ ಪಕ್ಷ ಒಂದು ಸಲ ಎಲ್ಲಾ ಹಣಕಾಸಿನ/ಲೆಕ್ಕಪತ್ರಗಳ ದಾಖಲೆಗಳನ್ನು ತಪಾಸಣೆ ಮಾಡಬೇಕು ಅಥವಾ ತಪಾಸಣೆ ಆಗುವಂತೆ ನೋಡಿಕೊಳ್ಳಬೇಕಾಗಿರುತ್ತದೆ. ಆದರೆ ನೀವು ಜವಾಬ್ದಾರಿಯುತ ಸರ್ಕಾರಿ ಅಧಿಕಾರಿಗಳಾಗಿದ್ದರೂ ಸಹಿತ ಸದರಿ ಯೋಜನೆಗಳ ಅಡಿ ಮಂಜೂರಾದ ಹಣವನ್ನು ಅದೇ ಉದ್ದೇಶಕ್ಕೆ ಉಪಯೋಗಿಸಿ ಅನುಕೂಲ ಮಾಡಿಕೊಡುವ ಜವಾಬ್ದಾರಿ ನಿಮ್ಮ ಮೇಲೆ ಇದ್ದರೂ ಸಹಿತ ನಿಯಮಾವಳಿಗಳನ್ನು ಉಲ್ಲಂಘಿಸಿ ಮೇಲೆ ಹೇಳಿದಂತೆ ಸರ್ಕಾರಿ ಹಣವನ್ನು ದುರುಪಯೋಗ ಪಡಿಸಿಕೊಂಡು ನಿಮ್ಮ ಕರ್ತವ್ಯ ಪಾಲನೆಯಲ್ಲಿ ಸಂಪೂರ್ಣ ಪ್ರಾಮಾಣಿಕತೆ ಹಾಗೂ ಕರ್ತವ್ಯ ನಿಷ್ಠೆಯನ್ನು ಪಾಲಿಸದೆ ಮತ್ತು ಸರ್ಕಾರಿ ನೌಕರರಿಗೆ ಉಚಿತವಲ್ಲದ ರೀತಿಯಲ್ಲಿ ನಡೆದುಕೊಂಡು ದುರ್ನಡತೆ/ದುವರ್ತನೆಯಿಂದ ವರ್ತಿಸಿ, ಕರ್ನಾಟಕ ನಾಗರೀಕ ಸೇವಾ ನಿಯಮಗಳು (ನಡತೆ) 1966, ನಿಯಮ 3(1) (i) ರಿಂದ (iii) ರಡಿಯಲ್ಲಿ ಉಕ್ತವಾದ ದುರ್ನಡತೆ ಎಸಗಿದ್ದೀರಿ ಮತ್ತು ಕರ್ನಾಟಕ ನಾಗರೀಕ ಸೇವಾ ನಿಯಮ (ವರ್ಗೀಕರಣ,

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ನಿರ್ಬಂಧ ಮತ್ತು ಮೇಲ್ಮನವಿ) 1957ರ ನಿಯಮ 8(iv)ರಂತೆ ರೂ. 60,20,792/- ಹಣ ಪಾವತಿಸಲು ಜವಾಬ್ದಾರರಾಗಿರುತ್ತೀರಿ ಅಂತ ನಿಮ್ಮ ಮೇಲೆ ದೋಷಾರೋಪಣೆಯನ್ನು ಮಾಡಲಾಗಿದೆ.

### ಅನುಬಂಧ-2

#### ದೋಷಾರೋಪಣೆಯ ವಿವರ

ದಿ:24/03/2011ರಂದು ಶ್ರೀ ಚಾಂದ ಪಾಟೀಲ್‌ರವರ ಮಗ, ಶ್ರೀ ಮಹ್ಮದ್ ಸಿರಾಜುದ್ದೀನ್, ಅಭಿಶಿಹಾಳ ಗ್ರಾಮ, ಶಹಾಪೂರ ತಾಲ್ಲೂಕು, ಯಾದಗಿರಿ ಜಿಲ್ಲೆ ಹಾಗೂ ಶ್ರೀ ಪರ್ವತ ರೆಡ್ಡಿ ಪಾಟೀಲ್, ಬೆಂಡಬೆಂಬಳ್ಳಿ ಗ್ರಾಮ ಶಹಾಪೂರ ತಾಲ್ಲೂಕು, ಯಾದಗಿರಿ ಜಿಲ್ಲೆಯವರು ಎರಡು ಫಿಯಾದಿಗಳನ್ನು ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ ಸಂಸ್ಥೆಗೆ ಸಲ್ಲಿಸಿ, ಬೆಂಡಬೆಂಬಳ್ಳಿ ಹಾಗೂ ಬಿಳಾರ ಗ್ರಾಮ ಪಂಚಾಯಿತಿಯ ಕಾರ್ಯದರ್ಶಿಯಾದ (ಶರಣಪ್ಪ) ಶರಣಬಸಪ್ಪರವರು ಹಾಗೂ ಖಾಸಿಂ ಅಲಿ ತಂದೆ ಇಸ್ಮಾಯಿಲ್ ಸಾಬ್, ಮಾಜಿ ಗ್ರಾಮ ಪಂಚಾಯಿತಿ ಅಧ್ಯಕ್ಷಕರು, ಬೆಂಡಬೆಂಬಳ್ಳಿ, ಇವರಿಬ್ಬರು ಗ್ರಾಮ ಪಂಚಾಯಿತಿ ವ್ಯಾಪ್ತಿಯಲ್ಲಿ ಬರುವ ಫಲಾನುಭವಿಗಳಿಗೆ ಸುಮಾರು ಒಂದು ಕೋಟಿ ರೂಪಾಯಿ ನಷ್ಟಮಾಡಿರುತ್ತಾರೆ ಎಂದು ದೂರು ಸಲ್ಲಿಸಿ ಸದರಿಯವರ ಮೇಲೆ ಸೂಕ್ತ ಕ್ರಮ ತೆಗೆದುಕೊಳ್ಳಬೇಕೆಂದು ವಿನಂತಿಮಾಡಿರುತ್ತಾರೆ.

2) ಸದರಿ ದೂರನ್ನು ದಾಖಲು ಮಾಡಿಕೊಂಡು, ದೂರಿನಲ್ಲಿನ ಸತ್ಯಾಂಶ ಅರಿಯಲು, ದೂರಿನ ತನಿಖೆ ಮತ್ತು ವರದಿಗಾಗಿ ಮುಖ್ಯ ಅಭಿಯಂತರರು, ತಾಂತ್ರಿಕ ವಿಭಾಗ, ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ, ಬೆಂಗಳೂರು ರವರಿಗೆ ಕಡತವನ್ನು ಕಳುಹಿಸಿಕೊಡಲಾಯಿತು. ಅದರಂತೆ, ಸದರಿ ಮುಖ್ಯ ಅಭಿಯಂತರರು, ಅವರ ಅಧೀನ ಅಧಿಕಾರಿಯಾದ ಶ್ರೀ ಹೆಚ್.ಆರ್.ನಾರಯಣ್ ರಾವ್, ಲೆಕ್ಕ ಅಧೀಕ್ಷಕರು-1, ತಾಂತ್ರಿಕ ವಿಭಾಗ, ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ, ಬೆಂಗಳೂರು ರವರಿಗೆ ದೂರಿನ ಬಗ್ಗೆ ತನಿಖೆಯನ್ನು ಮಾಡಿ ವರದಿ ಸಲ್ಲಿಸಲು ದೂರನ್ನು ವಹಿಸಿಕೊಟ್ಟಿರುತ್ತಾರೆ. ಸದರಿ ಲೆಕ್ಕ ಅಧೀಕ್ಷಕರು-1 (ಇನ್ನು ಮುಂದೆ ತನಿಖಾಧಿಕಾರಿ ಎಂದು ಸಂಬೋಧಿಸಲಾಗುವುದು) ದೂರಿನ ಮೇಲೆ ತನಿಖೆ ಮಾಡಿ, ಸಂಬಂಧಪಟ್ಟ ದಾಖಲಾತಿಗಳೊಂದಿಗೆ ಸಲ್ಲಿಸಿದ ವರದಿಯನ್ನು, ಮುಖ್ಯ ಅಭಿಯಂತರರು, ತಾಂತ್ರಿಕ ವಿಭಾಗ, ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ, ಬೆಂಗಳೂರು ಇವರು ಒಪ್ಪಿಕೊಂಡು ಸದರಿ ವರದಿಯನ್ನು ಸಲ್ಲಿಸಿರುತ್ತಾರೆ.

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3) ತನಿಖಾಧಿಕಾರಿಯವರು ತಮ್ಮ ತನಿಖೆಯಲ್ಲಿ ಕಂಡುಬಂದ ಅಂಶದ ಆಧಾರದ ಮೇರೆಗೆ, ಯೋಜನೆಯಡಿಯಲ್ಲಿ ಒಟ್ಟು ರೂಪಾಯಿ 65,38,800/-ಗಳನ್ನು ಬಿಡುಗಡೆ ಮಾಡಿದ್ದು ಅದರ ಪೈಕಿ ರೂಪಾಯಿ 57,24,192/- ಖರ್ಚು ಮಾಡಿದ್ದು, ಇಂದಿರಾ ಆವಾಸ್ ಯೋಜನೆಯಡಿಯಲ್ಲಿ ನಾಲ್ಕು ಹಂತಗಳಲ್ಲಿ ಹಣ ಬಿಡುಗಡೆ ಮಾಡಬೇಕಿದ್ದು, ರಾಜೀವ್ ಗಾಂಧಿ ವಸತಿ ಯೋಜನೆ ನಿಯಮಿತ, ಬೆಂಗಳೂರು ಇವರು ನಿರ್ಧರಿಸಿದ ಮಾರ್ಗಸೂಚಿಯಂತೆ ತಳಪಾಯ ಮುಕ್ತಾಯದ ಹಂತ, ಗೋಡೆ ಮುಕ್ತಾಯದ ಹಂತ, ಚಾವಣಿ ಮುಕ್ತಾಯದ ಹಂತ, ಮನೆ ಪೂರ್ಣ ಮುಕ್ತಾಯ ಗೊಳಿಸಿ ವಾಸಕ್ಕೆ ಸಿದ್ಧ ಗೊಳಿಸಿದ್ದಲ್ಲಿ, ಅದಕ್ಕೆ ಸಾಕ್ಷಿಯಾಗಿ ಛಾಯಚಿತ್ರವನ್ನು ಪಡೆದುಕೊಂಡು, ಚೆಕ್‌ಅನ್ನು ಪಡೆಯಲು ಬೇಕಾದ ಎಲ್ಲಾ ಅಂಶವನ್ನು ಪೂರೈಸಿದ್ದಾರೆಯೇ ಎಂಬ ಬಗ್ಗೆ ದಾಖಲೀಕರಣ ಮುಗಿದಿರಬೇಕು ಹಾಗೂ ಬಹುತೇಕ ಪರಿಶೀಲನೆ ಆಗಬೇಕು ಹಾಗೂ ಮೊದಲು ನೀಡಿದ ಹಣ ಖರ್ಚಾಗಿರಬೇಕು ಎಂಬುದನ್ನು ಖಚಿತಪಡಿಸಿಕೊಳ್ಳಬೇಕಾಗುತ್ತದೆ. ಇದಲ್ಲದೆ, ಚೆಕ್ ಕೌಂಟರ್ ಫೈಲ್‌ನಲ್ಲಿ ನಗದು ಪುಸ್ತಕಗಳನ್ನು ನಿರ್ವಹಿಸಿ, ಬ್ಯಾಂಕಿನ ಪಾಸ್ ಶೀಟ್‌ನ ಕಡತವನ್ನು ನಿರ್ವಹಿಸಿ, ಅವುಗಳನ್ನು ಪ್ರತಿ ತಿಂಗಳು ತಾಳೆ ಹಾಕಬೇಕು. ತಾಲ್ಲೂಕು ಪಂಚಾಯತಿಯ ಕಾರ್ಯನಿರ್ವಾಹಕ ಅಧಿಕಾರಿ ಆಯಾ ಹಣಕಾಸಿನ ವರ್ಷದ ಪ್ರತಿಯೊಂದು ತ್ರೈಮಾಸಿಕದಲ್ಲಿ ಕನಿಷ್ಠ ಪಕ್ಷ ಒಂದು ಸಲ ಎಲ್ಲಾ ಹಣಕಾಸಿನ/ಲೆಕ್ಕಪತ್ರಗಳ ದಾಖಲೆಗಳನ್ನು ತಪಾಸಣೆ ಮಾಡಬೇಕು ಅಥವಾ ತಪಾಸಣೆ ಆಗುವಂತೆ ನೋಡಿಕೊಳ್ಳಬೇಕು.

4) ಇದಲ್ಲದೆ ಕರ್ನಾಟಕ ಆರ್ಥಿಕ ಸಂಹಿತೆಯ 1958ರ ಅನುಚ್ಛೇದ 57ರಂತೆ ಹಣ ಸಂದಾಯವಾದ ಬಗ್ಗೆ ವೋಚರನ್ನು ಕಛೇರಿಯಲ್ಲಿ ನಿರ್ವಹಿಸಿ, ಸಂಗ್ರಹಿಸಬೇಕು ಅಂತ ಹೇಳಲಾಗಿದೆ ಆದರೆ ಅಪಾದಿತ ಸ.ನೌ- 1ರವರು ಈ ಯಾವುದೇ ನಿಯಮಗಳನ್ನು ಪಾಲನೆ ಮಾಡದೆ ಇರುವುದು ಕಂಡುಬಂದಿರುತ್ತದೆ. ಇದಲ್ಲದೆ ಕರ್ನಾಟಕ ಪಂಚಾಯತ್‌ರಾಜ್ (ಗ್ರಾಮ ಪಂಚಾಯತ್ ಆಯವ್ಯಯ ಮತ್ತು ಲೆಕ್ಕಪತ್ರಗಳು) ನಿಯಮಗಳು, 2006ರ ಅಧ್ಯಾಯ (6)ರ ನಿಯಮ 43ರ ಪ್ರಕಾರ ಅಧ್ಯಕ್ಷರು ಮತ್ತು ಕಾರ್ಯದರ್ಶಿರವರು ಚೆಕ್‌ಗಳಿಗೆ ಸಹಿ ಮಾಡಿ ದಿನಾಂಕವನ್ನು ನಮೂದಿಸುವುದು ಮತ್ತು ಕ್ರಮಬದ್ಧವಾಗಿದೆ ಅಂತ ಮನವರಿಕೆ ಆಗಿ ಅಧ್ಯಕ್ಷರು ಅಂಗಿಕಾರ ಮಾಡಿದ್ದಲ್ಲಿ ಚೆಕ್‌ಗಳನ್ನು ಸಿದ್ಧಪಡಿಸಿಕೊಳ್ಳತಕ್ಕದ್ದು. ಆದರೆ ಒಂದನೇ ಅ.ಸ.ನೌನು ರೂ.57,24,192/-ಗಳನ್ನು ದುರುಪಯೋಗ ಪಡಿಸಿಕೊಂಡಿರುತ್ತಾರೆ. ಫಲಾನುಭವಿಗಳಿಗೆ ಕ್ರಾಸ್

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ಚಿಕ್ಕಿನ ಮುಖಾಂತರ ಹಣವನ್ನು ಕೊಡದೆ, ಕ್ರಾಸ್ ಮಾಡದ ಚೆಕ್ ಮೂಲಕ ಹಣವನ್ನು ಕೊಟ್ಟು ಪ್ರತಿಯೊಂದು ಹಂತವನ್ನು ಮುದ್ದು ಪರಿಶೀಲನೆ ಮಾಡಿಲ್ಲಾ. ಎರಡು ಮತ್ತು ಮೂರನೇ ಅ.ಸ.ನೌರರು ಹಣಕಾಸಿನ/ಲೆಕ್ಕ ಪತ್ರಗಳ ದಾಖಲೆಗಳನ್ನು ತಪಾಸಣೆ ಮಾಡಿಲ್ಲ ಮತ್ತು ತಪಾಸಣೆ ಆಗುವಂತೆ ನೋಡಿಕೊಂಡಿಲ್ಲ. ತನಿಖಾಧಿಕಾರಿಗಳು ವರದಿ ಸಲ್ಲಿಸಿದ ನಂತರ ಅ.ಸ.ನೌರರ ಉತ್ತರವನ್ನು ಕೇಳಲಾಗಿದೆ. ಅ.ಸ.ನೌರರ ಉತ್ತರವು ಕೇವಲ ನಿರಾಕರಣೆಯಾಗಿದ್ದು ಅದಕ್ಕೆ ಬೆಂಬಲವಾಗಿ ಯಾವುದೇ ಸಂಗತಿ ಅಥವಾ ದಾಖಲೆ ಇಲ್ಲದಿರುವುದರಿಂದ ಒಪ್ಪಿಕೊಂಡಿರುವುದಿಲ್ಲ. ತನಿಖಾಧಿಕಾರಿಗಳು ಸಲ್ಲಿಸಿದ ವರದಿ, ಅವರು ಪಡೆದಂತ ದಾಖಲಾತಿಗಳು ಅ.ಸ.ನೌರರು ಮೇಲ್ನೋಟಕ್ಕೆ ದುರ್ನಡತೆಯನ್ನು ಎಸಗಿದ್ದಾರೆಂದು ಕಂಡುಬಂದಿದ್ದರಿಂದ ಗೌರವಾನ್ವಿತ ಉಪಲೋಕಾಯುಕ್ತರು, ಕರ್ನಾಟಕ ರಾಜ್ಯ, ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ ಕಾನೂನು ಕಲಂ 12(3)ರಡಿಯಲ್ಲಿ ಶಿಸ್ತು ಪ್ರಧಿಕಾರಕ್ಕೆ ಶಿಫಾರಸ್ಸು ಮಾಡಿದ್ದಾರೆ. ಸದರಿ ಶಿಫಾರಸ್ಸಿನ ಮೇರೆಗೆ ಸರ್ಕಾರವು ಅ.ಸ.ನೌ-1 ರಿಂದ 3ರ ವಿರುದ್ಧ ಇಲಾಖಾ ಏಚಾರಣೆಯನ್ನು ಕೈಗೊಂಡು ವರದಿ ಸಲ್ಲಿಸಲು ಗೌರವಾನ್ವಿತ ಉಪಲೋಕಾಯುಕ್ತರಿಗೆ ವಹಿಸಿ, ಆದೇಶ ಮಾಡಿದೆ.

ಆದ್ದರಿಂದ ನಿಮ್ಮ ಮೇಲೆ ಈ ದೋಷಾರೋಪಣೆ”.

6. On 20/02/2014 DGOs entered appearance before the Additional Registrar, Enquiries-3, Karnataka Lokayukta, Bengaluru on which day when first oral statement of DGOs 1 to 3 are recorded they pleaded not guilty.

7. As per Order number LOK/INQ/14-A/2014 Bengaluru dated 14/03/2014 of Hon'ble Upalokayukta-1 Karnataka this file has been transferred to this section i.e., Additional Registrar, Enquiries-11, Karnataka Lokayukta, Bengaluru.

8. In the course of written statement filed on 02/04/2014 by DGO 2 and in the course of one more written statement filed on

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02/04/2014 by DGO 2 and in the course of additional written statement dated 30/12/2015 of DGO 2, DGO 2 has denied the alleged charge against him and contended that during his tenure a sum of Rs.10,85,700/- was released towards seventy houses under Indira Awas Scheme during the financial year 2008-09 and rest of the amount is released after his transfer. It is contended that he got relieved of duties on 23/10/2008. It is contended that during his tenure he has not misappropriated funds.

9. In the course of written statement dated 07/07/2014 of DGO 3 it is contended that he discharged duties as Executive Officer, Taluk Panchayath, Shahapura from 05/01/2009 to 11/05/2010 and that powers of financial dealings were vested with the Secretary and President of Grama Panchayath. It is contended that though he was duty bound to inspect the records once in three months he could not inspect since the concerned persons have not placed records before him.

10. Despite opportunity DGO 1 has not filed written statement.

11. The disciplinary authority has examined the complainant by name Mohammed Sirajuddin who filed complaint in FORM NO.I as PW1, Sri. H. Mallikarjun who discharged duties as Executive Officer attached to Taluk Panchayath, Shahapura during the year 2010-2011 as PW2, the Investigating Officer Sri. H.R. Narayana Rao as PW3, Sri. R. Krishnamurthy who was working as Assistant Controller of State Accounts at Yadagiri from the month of March 2011 to 17/07/2011 as PW4.

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12. During evidence of PW1 complaint dated nil in a plain single sheet signed by him and Parvathareddy is marked as per Ex P1, his original complaint dated 24/03/2011 in FORM NO.1 in a single sheet is marked as per Ex P2, his original affidavit dated 24/03/2011 in FORM NO.II in a single is marked as per Ex P3, his original application dated 09/08/2011 in two sheets addressed to Additional Registrar, Enquiries-6, Karnataka Lokayukta, Bengaluru is marked as per Ex P4, xerox copy of application dated 23/11/2010 in a single sheet signed by P.B. Patil and Paravathareddy Mali Patil addressed to the Officer attached to Lokayukta office, Yadagiri is marked as per Ex P5, xerox copy of application dated 23/11/2010 in a single sheet of P.B. Patil addressed to the Deputy Commissioner, Yadagiri is marked as per Ex P6, xerox copy of application dated 23/11/2010 in a single sheet of P.B. Patil addressed to the Chief Executive Officer, Zilla Panchayath, Yadagiri is marked as per Ex P7, xerox copy of application of P.B. Patil in a single sheet addressed to the Deputy Commissioner, Yadagiri is marked as per Ex P8, xerox copy of joint enquiry report in two sheets dated 30/03/2011 conducted by the Executive Officer, Taluk Panchayath, Shahapura, Tahasildar Shahapura, Assistant Executive Engineer, Panchayath Raj Engineering Sub-division, Shahapura is marked as per Ex P9, xerox copy of audit report dated 29/02/2008 of Assistant Controller, Local Audit Circle, Kalaburagi totally consisting of thirteen sheets (while recording evidence of PW1 by the then Additional Registrar, Enquiries-11, it is noted that the said xerox copy of audit report consists of twelve sheets. Upon going through the said document it is noticed that it consists of thirteen sheets) is

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marked as per Ex P10, xerox copy of audit report in two sheets dated 31/07/2009 of the Assistant Controller, Local Audit Circle, Kalaburagi is marked as per Ex P11, xerox copy of audit report totally consisting of thirteen sheets dated 31/08/2010 of the Assistant Controller, Local Audit Circle, Kalaburagi is marked as per Ex P12, xerox copy of audit report in a single sheet dated 31/05/2011 of the Assistant Controller, Local Audit Circle, Kalaburagi is marked as per Ex P13, attested copy of statement of account maintained in State Bank of India, Khanapur UPK Campus totally consisting of forty six sheets is marked as per Ex P14, xerox copy of audit report dated 08/07/2011 of the Assistant Controller, Local Audit Circle, Kalaburagi in two sheets is marked as per Ex P15, notarized copy of complaint in two sheets dated 21-26/07/2011 addressed to the Sub-Inspector of Police attached to Wadagera Police Station which is filed on 25/07/2011 before the Sub-Inspector of Police attached to Wadagera Police Station is marked as per Ex P16, notarized copy of FIR in two sheets dated 27/07/2011 of Wadagera Police Station, Yadagiri District is marked as per Ex P17( Total number of sheets in Exs P1 to P9, P11 to P17 are not noted by the Additional Registrar Enquiries-11, Karnataka Lokayukta, Bengaluru while recording evidence of PW1). During evidence of PW2 attested copy of list of beneficiaries under Grammena Ashraya scheme 2008-2009 totally consisting of thirteen sheets is marked as per Ex P18. During evidence of PW3 xerox copy of letter dated 22/06/2012 in two sheets of Executive Officer, Taluk Panchayath, Shahapura addressed to the Chief Engineer, Technical Audit Cell, Karnataka Lokayukta, Bengaluru is marked is marked as per Ex P19, original letter dated

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22/06/2012 in two sheets of the Executive Officer, Taluk Panchayath, Shahapura addressed to the Chief Engineer, Technical Audit Cell, Karnataka Lokayukta, Bengaluru is marked as per Ex P20, original letter dated 01/02/2012 in a single sheet addressed to the Chief Engineer, Technical Audit Cell, Karnataka Lokayukta, Bengaluru by the Executive Officer, Taluk Panchayath, Shahapura is marked as per Ex P21, original letter dated 16/03/2012 in a single sheet addressed to the Chief Engineer, Technical Audit Cell, Karnataka Lokayukta, Bengaluru by the Executive Officer, Taluk Panchayath, Shahapura is marked as per Ex P22, original report consisting of seventeen sheets of PW3 is marked as per Ex P23. During cross examination of PW3 on behalf of DGO 2 attested copy of charge transfer certificate dated 23/10/2008 in a single sheet of DGO 2 is marked as per Ex D1, attested copy of letter dated 02/06/2008 in two sheets of the Managing Director of Rajiv Gandhi Grameena Vasathi Nigama Niyamitha is marked as per Ex D2.

13. During second oral statement of DGO 1 recorded on 28/11/2017 he has stated that he does not intend to get himself examined as defence witness. He has not chosen to examine any defence witness. During second oral statement of DGO 2 recorded on 11/10/2017 he has stated that he would get himself examined as defence witness. He has not chosen to examine any defence witness. During second oral statement of DGO 3 recorded on 28/11/2017 he has stated that he would get himself examined as defence witness. He has not chosen to examine <sup>he</sup> any defence witness. He has filed his defence statement stating that <sup>^</sup>discharged duties as Executive Officer, Taluk Panchayath, Shahapura from

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05/01/2009 to 11/05/2010 and that there is no role of Executive Officer, Taluk Panchayath in implementing the scheme under Indira Awas, Ambedkar and Ashraya. It is contended that list of beneficiaries prepared by the Grama Panchayath has been forwarded by the Taluk Panchayath with recommendation to Rajiv Gandhi Vasathi Nigama Bengaluru through the Chief Executive Officer and that the list of beneficiaries has been approved by Rajiv Gandhi Vasathi Nigama Bengaluru and thereafter work order has been issued by the Secretary and Panchayath Development Officer. It is contended that the Secretary and Panchayath Development Officer have to inspect the spot and afterwards to take measures to release amount through cross cheque and that in that process there is no role of Executive Officer of Taluk Panchayath. It is contended that without bringing into the notice of Taluk Panchayath Executive Officer cheques are issued. It is contended that the Executive Officer, Taluk Panchayath used to supervise the Grama Panchayath within the jurisdiction of Taluk Panchayath. It is contended that during his tenure no complaints are placed touching Bendebemballi Grama Panchayath and that report of auditor is also not received.

14. DGO 2 got himself examined as DW1. During his evidence attested copy of letter dated 07/01/2017 in a single sheet addressed to Sri. M.N. Patil by the Public Information Officer attached to Taluk Panchayath, Shahapura is marked as per Ex D3, original letter dated 03/01/2017 in a single sheet addressed to Sri. M.N. Patil by the Manager (Administration) and in-charge Assistant Public Information Officer attached to Rajiv Gandhi Grameena Vasathi Nigama Niyamatha is marked as per Ex D4, certified copy

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of enclosure in a single sheet enclosed to Ex D4 is marked as per Ex D5, certified copy of one more enclosure in a single sheet showing details of funds released to Yadagiri District Shahapura Taluk Bendebemballi Grama Panchayath during the financial year 2008-2009 is marked as per Ex D6. During cross examination of DW1 xerox copy of statement of account in two sheets maintained in State Bank of India, Khanapur Branch is marked as per Ex P24, xerox copy of list <sup>of</sup> beneficiaries in a single sheet under Indira Awas New House 2008-2009 is marked as per Ex P25, xerox copy of list of beneficiaries in a single sheet under Indira Awas Hosamane 2008-2009 in a single sheet is marked as per Ex P26.

15. Incriminating circumstances which appeared against DGO 1 during evidence of PWs 1 to 4 are put to him by way of questionnaire on 23/12/2017. He has denied the incriminating circumstances which appeared against him and contended that rules are not violated and that amount is paid to the persons who constructed houses and that beneficiary has not filed complaint. Incriminating circumstances which appeared against DGO 3 in the evidence of PWs 1 to 4 are put to him by way of questionnaire on 23/12/2017. He has denied the incriminating circumstances which appeared against him and contended that after the construction of houses amount is released stage by stage. On the day scheduled for questionnaire DGO 2 had remained absent and therefore incriminating circumstances are not put to him by way of questionnaire on that day. Suffice to mention that since DGO 2 has given evidence by examining himself as DW1 there is no need to put the incriminating circumstances by way of questionnaire.

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16. In the course of written argument filed by the Presenting Officer on 17/01/2018 it is mainly contended that oral and documentary evidence adduced by the disciplinary authority establishes the charge.
17. In the course of written argument of DGO 1 filed on 02/03/2018 it is contended that answers elicited during cross examination of witnesses examined on behalf of the disciplinary authority establishes the innocence of DGO 1. Referring to relevant portion of cross examination of PWs 1 to 4 and also referring to the evidence of DW1 it is contended that charge against him is not established. In the course of written arugment of DGO 2 filed on 03/02/2018 it is contended that the mandate of section 12 (4) of The Karnataka Lokayukta Act, is not followed. Referring to Ex D1 and portion of cross examination of PW3 and also Exs D3 and D4 it is contended that during his tenure amount is released but evidence on record does not incriminate him. Thus, it is sought to contend that evidence adduced by disciplinary authority does not establish the charge against him.
18. In the course of written argument of DGO 3 filed on 02/03/2018, referring to evidence on record it is contended that charge against him is not established. Reliance is placed on the decision in Government of Andhra Pradesh and others V/S A. Venkata Raidu reported in (2007) 1 SCC (L & S) page 254 and the decision in Vijay Singh V/S State of Uttar Pradesh and Others reported in (2012) 5 SCC page 242.
19. Keeping in mind the articles of charge point which arises for consideration is whether, DGO 1, during his tenure as Secretary,

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Bendebemballi Grama Panchayathi, Shahapura, Yadagiri District during 2008 and 2010, DGO 2 during his tenure as Executive Officer, Taluk Panchayath, Shahapura, Yadagiri District from 19/11/2007 to 23/10/2008, DGO 3 during his tenure as Executive Officer, Taluk Panchayath, Shahapura, Yadagiri District from 05/01/2009 to 11/05/2010 misappropriated a sum of Rs.60,20,792/- which was released to Bendebemballi Grama Panchayath under Indira Awas scheme of the year 2008-2009 and 2009-2010 and also under Grameena Ashraya scheme of the year 2009-2010 and thereby DGOs 1 to 3 are guilty of misconduct within the purview of Rule 3(1)(i) to (iii) of The Karnataka Civil Services (Conduct) Rules, 1966?

20. Evidence of the complainant who is examined as PW1 would show that he lodged complaint. He has referred to Exs P1 to P17. It is in his evidence that during the year 2010 DGO 1 was working as Secretary of Bendebemballi Grama Panchayath. Fact that at the relevant point of time DGO 1 was working as Secretary of Bendebemballi Grama Panchayath is not in dispute. During evidence the complainant has stated that he has not seen DGO 2 and that he does not know the tenure of DGOs 2 and 3. In the presence of the said evidence of complainant liability of DGOs 2 and 3 cannot be fastened against DGOs 2 and 3 on the basis of the evidence of the complainant. When subjected to cross examination on behalf of DGO 1 the complainant has denied the suggestion made to him suggesting that amount is credited to the beneficiaries. It is worthy to make mention at this juncture that in the inquiry of this nature, since opportunity is given to DGO 1 to establish that he is not guilty of the charge leveled against him and

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as such DGO 1 is under the obligation to establish that amount is credited to the bank account of beneficiaries by way of crossed cheques. Suggestion made to the complainant on behalf of DGO 1 during cross examination suggesting that houses are constructed for all beneficiaries and equally amount is paid is denied by him. DGO 1 is equally under obligation to establish that amount is released to the beneficiaries and houses are constructed under the above schemes. When subjected to cross examination on behalf of DGO 2 the complainant states that he does not know the tenure of DGO 2 as Executive Officer, Taluk Panchayath. He also states during cross examination that he does not know that at the time of release of a sum of Rs.1,25,100/- by way of grant to Bendebemballi Grama Panchayath DGO 2 was working as Executive Officer, Taluk Panchayath, Shahapura. He also states during cross examination that the said grant was credited to the account of Bendebemballi Grama Panchayath on 31/12/2008. Evidence of DGO 2 that he was discharging duties as Executive Officer, Taluk Panchayath, Shahapura from 09/11/2007 to 23/10/2008 is not under challenge and therefore it is certain that the above grant was not released during the tenure of DGO 2 and therefore he cannot be held responsible for the alleged misappropriation of funds.

21. PW2 H Mallikarjun was working as Executive Officer, Taluk Panchayath, Shahapura during 2010-2011 as could be seen from his evidence. It is in his evidence that on 06/12/2010 he along with the Tahasildar and Assistant Executive Engineer attached to Zilla Panchayath visited the spot and during inspection he found that houses are not in existence. This portion of his evidence has

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remained unchallenged and therefore that portion of his evidence needs acceptance. Evidence of PW2 that in all there should have been 246 built houses but during inspection those number of houses were not noticed is also not under challenge and therefore that portion of his evidence needs acceptance. His evidence that houses were not found in seven villages is also not under challenge. His evidence that cheques will be released in three stages is not under challenge. Evidence of PW2 that the Secretary of Panchayath and President of Panchayath joined hands and drawn the amount in the name of beneficiaries directly and also through self cheque has not been assailed during cross examination conducted on behalf of DGO 1 and therefore that portion of his evidence needs acceptance. The Secretary to whom PW2 has referred is none other than DGO 1. It is in the evidence of PW2 that DGO 1 and the President of Bendebemballi Grama Panchayath have jointly drawn the amount which is reflected in the statement at Ex P14 issued by State Bank of India, Khanapur UKP Campus branch, Yadagiri. This portion of his evidence equally has not been assailed during cross examination on behalf of DGO 1 and therefore the same needs acceptance which portion of his evidence unerringly incriminates DGO 1. Ex P18 which is the attested copy of list of beneficiaries under Grameena Ashraya scheme 2008-2009 referred to by PW2 during his evidence is also not under challenge. Ex P9 which is the xerox copy of joint enquiry report dated 30/03/2011 conducted jointly by PW2, Executive Officer Taluk Panchayath, Shahapura and Tahasildar, Shahapura for which PW2 has given reference during his evidence needs to be looked into. Ex P9 has not been assailed during cross

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examination of PW2 on behalf of DGO1. It is found in sheet number 2 of Ex P9 that without getting constructed houses and without releasing funds to the beneficiaries stage by stage DGO 1 and the then President of Bendebemballi Grama Panchayath misappropriated funds. Since there is no serious challenge against Ex P9 from the side of DGO 1 the above observation observed in Ex P9 establishes misappropriation of funds by DGO 1 in collusion with the President of Bendebemballi Grama Panchayath. Evidence of PW2 that at the time of misappropriation of funds DGO 1 was the Secretary of Bendabemballi Grama Panchayath has not been assiled during cross examination of PW2.

22. When subjected to cross examination on behalf of DGO 2 it is elicited through PW2 that PW2 does not know as to who was the Executive Officer of Taluk Panchayath, Shahapura during 2008-2009. He admits during cross examination on behalf of DGO 2 that list of seventy beneficiaries under Indira Awas scheme 2008-2009 was approved on 21/09/2009 and first instalment of funds was released to Bendebemballi Grama Panchayath on 31/12/2008 and further admits that expenditure of funds commenced from 19/01/2009 by the said Panchayath. This portion of his evidence needs to be appreciated keeping in mind that the tenure of DGO 2 was from 09/11/2007 to 23/10/2008 and when such being the position DGO 2 cannot be found fault with. PW2 further admits during cross examination that the Executive Officer was not conferred upon with the powers of release of funds. When this portion of his evidence is appreciated it is difficult to hold that DGO 2 had any occasion for misappropriation of funds.

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23. During cross examination of PW2 on behalf of DGO 3 he states that he does not know that whether DGO 3 was working as Executive Officer of Raluk Panchayath Shahapura. Evidence of DGO3 ( DW2) that he discharged duties as Executive Officer, Taluk Panchayath from 05/01/2009 to 11/05/2010 has remained unchallenged. When the portion of cross examination of PW2 as referred to above is appreciated it cannot be held that DGO 3 had any role in misappropriation of funds.

24. When subjected to cross examination on behalf of DGO1 PW2 has stated that amount mentioned in the cheques issued to the beneficiaries will be credited to the bank account of beneficiaries and that beneficiaries can draw the amount. This portion of his evidence in cross examination pre-supposes that cheques will have to be crossed. Upon appreciation of entire cross examination of PW2 conducted on behalf of DGO1 I find nothing worthy to hold that DGO 1 has not misappropriated funds.

25. It is in the evidence of PW3 who conducted investigation would show that he discharged duties as Accounts Superintendent attached to Technical Audit Cell, Karnataka Lokayukta, Bengaluru and that he conducted investigation touching Indira Awas scheme and Ashraya scheme. He has referred to Ex P19 and his report at Ex P23. Ex P21 which is the original letter dated 01/02/2012 addressed to the Chief Engineer, Technical Audit Cell , Karnataka Lokayukta, Bengaluru by the Executive Officer, Taluk Panchayath, Shahapura would show that case in crime number 84/2011 is registered against DGO 1 and the then President of Bendebemalli Grama Panchayath alleging misappropriation of a sum of

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Rs.57,241,92/-. Though the allegation leveled in the FIR is the subject matter during the concerned criminal trial fact remains at this stage that the said case is registered on the basis of prima facie materials. It is in the evidence of PW3 that amount was to be released stage by stage but the said procedure was found not followed. This portion of his evidence is not under challenge. His evidence that photographs are not flashed and that excess amount was found paid and that without physical verification cheques are released and that no records are maintained touching release of cheques has not been seriously assailed during his cross examination and therefore that portion of his evidence needs acceptance which incrimates DGO1. It is in the evidence of PW3 that for every payment order signature of the President and Secretary of Panchayath is mandatory and that the date and number of cheque has to be mentioned on the bill which has to be attested by the President and Secretary of the Panchayath and that the said procedure was not found followed. This portion of his evidence incriminates DGO 1 which is the act of misconduct within the purview of Rule 3(1) (i) to (iii) of The Karnataka Civil Services (Conduct) Rules, 1966. It is also in the evidence of PW3 that as per the guide lines dated 02/06/2008 at paragraph number 9 (c) of Rajiv Gandhi Vasathi Yojane Niyamitha, Bengaluru, maintaining photographs is necessary which was not found followed and that as per the said Rule, physical verification is necessary which was not found followed and that without obtaining permission cheques are issued and numbers of cheques are not found entered in the concerned counterfoil. This portion of his evidence has not been seriously assailed during cross examination of PW3 conducted on

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behalf of DGO 1. His evidence that cash book was not maintained and that cash book was not verified every month with the pass books of bank and that vouchers and its connected records are also not found maintained has not been seriously assailed during cross examination on behalf of DGO 1. Suggestion made to PW3 on behalf of DGO 1 during cross examination suggesting that amount is released through the bank stage by stage has been denied by PW3. In order to establish the said defence nothing worthy is placed by DGO 1 to hold that amount is released stage by stage through the bank. It is elicited during cross examination of PW3 on behalf of DGO 1 that since little amount is paid through open cheque he found that the said act is against rules. I find substantial force in the said answer elicited during his cross examination. Suggestion made to him suggesting that DGO 1 has not committed any act of misconduct and further suggestion that amount is paid as per law are denied by him. Suggestion made to him during cross examination suggesting that on the basis of Ex P9 he has issued report at Ex P23 equally has been denied by him. Evidence of PW3 when appreciated along with the relevant incriminating portion of Ex P23 against DGO 1 I find nothing to disbelieve the evidence of PW1 in so far as DGO 1 is concerned.

26. During cross examination of PW3 on behalf of DGO 2 suggestion is posed suggesting that nothing is mentioned in Ex P20 alleging misconduct of DGO 2 though is denied by him perusal of Ex P20 would show that no act of misconduct of DGO 2 is found attributed against DGO 2. Suggestion made to him suggesting that no specific allegation is alleged against DGO 2 in the FIR though is denied perusal of Ex P17 which is the notarised copy of FIR would

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not show any allegation leveled against DGO 2. It is brought out on behalf of DGO 2 during cross examination of PW3 that list of beneficiaries is approved on 21/03/2009 under Indira Awas scheme of 2008-2009 and that in connection with the same a sum of Rs.1,25,100/- was found released. This portion of his answer needs appreciation keeping in mind the tenure of DGO 2 who discharged duties as Executive Officer Taluk Panchayath Shahapura from 09/11/2007 to 23/10/2008. Therefore, it is certain that at the time of approval of list of beneficiaries and release of a sum of Rs.1,25,100/- DGO 2 was not working as Executive Officer, Taluk Panchayath Shahapura and therefore the alleged misappropriation of funds cannot be attributed to him.

27. When subjected to cross examination on behalf of DGO 3 it is elicited through PW3 that DGO 3 discharged duties as Executive Officer, Taluk Panchayath, Shahapura from 09/11/2007 to 23/10/2008 and that DGO 3 was not conferred upon with the powers of issue of cheque and that nothing was found that DGO 3 paid amount. This portion of evidence of PW3 would show that DGO 3 is not responsible for the alleged misappropriation. Thus, upon appreciation of the evidence as discussed above it stands established that it is DGO 1 who has misappropriated funds but not DGOs 2 and 3.

28. It is in the evidence of PW4 who was working as Assistant Controller of Accounts, State Accounts department, Yadagiri that in response to the letter dated 26/05/2011 of the Chief Executive Officer, Yadagiri calling for report in respect of Rajiv Gandhi Vasathi Yojane 2008-2009 and 2009-2010 he visited the office of

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the Secretary, Bendabemballi Grama Panchayathi on 07/07/2011 and on being asked about production of cash book, counterfoils of cheques and also the register touching issue of cheques to the beneficiaries the then Secretary has not produced the same. That portion of his evidence has not been seriously assailed when subjected to cross examination on behalf of DGO 1 and therefore it needs to be inferred that DGO 1 had not maintained those records. It is in his evidence that the Secretary of the said Panchayath produced Ex P14 which is the attested copy of statement of account maintained in State Bank of India, Khanapur, UKP Campus branch, Yadagiri. It is in the evidence of PW4 that a sum of Rs.12,000/-, a sum of Rs.15,000/- and a sum of Rs.13,000/- was to be released respectively at the stage of foundation of house, at the stage lintel level and on completion of house under Rajiv Gandhi Vasathi Yojane and Indira Awas Yojane and that the said mandate was not found followed. Suggestion made to him during cross examination of behalf of DGO 1 suggesting that there was no violation of rules has been denied and therefore the said mandate as spoken to by PW4 needs acceptance. It is in the evidence of PW4 that a sum of Rs.30,000/- under cheque number 457924 dated 19/02/2010, a sum of Rs.30,000/- under cheque number 457926 dated 19/02/2010 and a sum of Rs.30,000/- under cheque number 457925 dated 19/02/2010 were released to the beneficiary by name Devappa and that the said mode of list of funds was found not in accordance with rules under the above schemes. It is also in the evidence of PW4 that a sum of Rs.15,000/- under cheque number 457912 dated 19/02/2010, a sum of Rs.15,000/- under cheque\_number 355842 dated

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19/02/2010 and a sum of Rs.30,000/- under cheque number 581466 dated 19/02/2010 were found released in favour of one more beneficiary by name Hanamantha . His evidence touching release of cheques to Devappa has remained unchallenged during cross examination on behalf of DGO 1 and therefore that portion of his evidence needs acceptance which incriminates DGO 1. His evidence touching release of cheques in favour of Hanamantha has been attempted to be challenged during his cross examination on behalf of DGO 1 suggesting that the person by name Hanamantha is not in existence. The said suggestion has been denied. His evidence establishes release of cheques to Hanamantha in violation of rules by DGO 1 which incriminate DGO 1. His evidence does not establish that DGOs 2 and 3 have misappropriated funds.

29. During evidence DGO 2 (DW1) has referred to Ex D3 which is the attested copy of letter dated 07/01/2017 addressed to Sri. M.N.Patil by the Public Information Officer attached to Taluk Panchayath, Shahapura. It shows that DGO2 discharged duties as Executive Officer, Taluk Panchayath, Shahapura from 09/11/2007 to 23/10/2008. Ex D6 marked through him shows that during the financial year 2008-2009 amount is released by Rajiv Gandhi Rural Housing Corporation Limited from 12/06/2008 to 12/03/2009. During cross examination though he admits that amount is released during his tenure i.e., during 2007-2008 the same alone will not implicate him touching the misappropriation of funds for the reason that evidence as referred to above does not point out towards his alleged complicity. Nothing<sup>g</sup> worthy is brought out during his cross examination to hold that he has misappropriated funds.

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30. During evidence DGO 3(DW2) has stated that during his tenure as Executive Officer, Shahapura Taluk Panchayath from 05/01/2009 to 11/05/2010 in all thirtysix Village Panchayaths were within his jurisdiction and that Bendebemballi Grama Panchayatha is one among them. It is in his evidence that at that time DGO 1 was working as Secretary of Bendebemballi Grama Panchayath. It is in his evidence that schemes sponsored under eleventh finance scheme was within the jurisdiction of Bendebemballi Grama Panchayath. It is his evidence that conducting "Grama Sabhe" for chosing beneficiaries, release of cheques were within the jurisdiction of the Secretary of the concerned Panchayath and that without bringing into his notice DGO 1 was issuing cheques.

31. DW2 has been subjected to cross examination by the Presenting Officer and also on behalf of DGOs 1 and 2. When subjected to cross examination by the Presenting Officer he has stated that he does not know the details of works executed within the limits of Bendebemballi Grama Panchayath and that he does not know the particulars of amount spent. He further has stated that he has not verified as to the particulars of cheques issued by DGO 1 and also has not ascertained whether cheques issued by DGO 1 are crossed cheques or open cheques. During examination in chief DW2 has specifically stated that he was conferred upon with the powers of supervision of Village Panchayaths. When subjected to cross examination by the Presenting Officer he states that he was conferred upon with powers of verifying the records touching expenditure once in three months. His evidence makes it clear that he was duty bound to verify the financial transaction of

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Bendebemballi Grama Panchayath once in three months. When subjected to cross examination by the Presenting Officer he further states that he has not conducted audit of Bendebemballi Grama Panchayath once in two months. This portion of his evidence establishes dereliction of duty which is nothing but the act of misconduct committed by him during his tenure. Nothing worthy is brought out by the Presenting Officer to establish that DGO 3 has misappropriated funds. In the course of written statement of DGO 3 filed on 07/07/2014 he has stated that he is duty bound to inspect the records once in three months. This portion of admission establishes that he was duty bound to inspect records once in three months. Though it is stated by him further in the course of written statement filed on 07/07/2014 that no records are placed before him and therefore he could not inspect the records that portion of his statement is nothing but lame excuse.

32. In the decision reported in (2007) 1 SCC(L&S)254 relied upon on behalf of DGO 3 law is laid down by the Hon'ble Supreme Court <sup>that</sup> charge should not be vague but must be specific. In the case on hand specific charge is leveled and alleged against DGOs 1 to 3. What kind of act amounts to misconduct and nature of punishment and competency for imposing punishment is the law laid down in the decision reported in (2012) 5 SCC page 242 relied upon on behalf of DGO 3. In the case on hand acts committed by DGO 1 are the acts within the scope and ambit of misconduct.

33. Upon meticulous appreciation of evidence of PWs 1 to 4 and also Exs P9 to P25 it stands established that during the tenure of DGO 1 as Secretary, Bendebemballi Grama Panchayathi during

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2008 to 2010 DGO 1 in collusion with one Sri. Kasim Sab the then President of Grama Panchayathi, Tumkura, Shahapura Taluk, Yadagiri District and Smt. Saidamma the then President of Bendebemballi Grama Panchayath misappropriated a sum of Rs.60,20,792/- under Indira Awas scheme, Grameena Ashraya scheme and Ambedkar scheme. Evidence on record does not establish that DGO 2 has joined hands for misappropriation of the above funds. Evidence on record though does not establish that DGO 3 has joined hands for misappropriation of the above funds, evidence on record establishes that DGO 3 has not bestowed efforts for periodical inspection of records maintained by DGO 1 which amounts to dereliction of duty on the part of DGO 1 which act amounts to the act of misconduct. Being of this view, I proceed with the following:

#### R E P O R T

(a) It stands proved that during the tenure of DGO 1 by name Sharanabasappa who discharged duties as Secretary, Bendebemballi Grama Panchayathi, Shahapura, Yadagiri District during 2008 and 2010 who is due for retirement on superannuation on 31/03/2026 that during the tenure of DGO 1 he in collusion with Sri. Kasim Sab the then President of Grama Panchayathi, Tumakura, Shahapura Taluk, Yadagiri District and in collusion with Smt. Saidamma the then President of Bendebemballi Grama Panchayath, Shahapura Taluk, Yadagiri District misappropriated a sum of Rs.60,20,792/- under Indira Awas scheme, Grameena Ashraya scheme and Ambedkar scheme and the liability of DGO 1 works out at 1/3<sup>rd</sup> of the said amount and

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thereby is guilty of misconduct within the purview of Rule 3(1)(i) to (iii) of The Karnataka Civil Services (Conduct) Rules, 1966.

(b) Charge against DGO 2 by name C.N. Sulepetkar who has written his name as C.N. Sulepethaker on the note sheet on 24/11/2016 who was working as Executive Officer, Taluk Panchayath, Shahapura, Yadagiri District from 09/11/2007 to 23/10/2008 who retired on superannuation 31/08/2017 that during his tenure as Executive Officer, Grama Panchayath, Shahapura, Yadagiri District misappropriated a sum of Rs.60,20,792/- under in the said Panchayath Indira Awas scheme, Grameena Ashraya scheme and Ambedkar scheme and thereby is guilty of misconduct within the purview of Rule 3(1)(i) to (iii) of The Karnataka Civil Services (Conduct) Rules, 1966 is not proved.

(c) (i) Charge against DGO 3 by name Palla Narashima Reddy who was working as Executive Officer, Taluk Panchayath, Shahapura, Yadagiri District from 05/01/2009 to 11/05/2010 who retired on superannuation 30/09/2014 that during his tenure as Executive Officer, Grama Panchayath, Shahapura, Yadagiri District misappropriated a sum of Rs.60,20,792/- under in the said Panchayath Indira Awas scheme, Grameena Ashraya scheme and Ambedkar scheme and thereby is guilty of misconduct within the purview of Rule 3(1)(i) to (iii) of The Karnataka Civil Services (Conduct) Rules, 1966 is not proved.

(ii) It is proved that during the tenure of DGO3 as Executive Office Taluk Panchayath, Shahapura, Yadagiri District he failed to periodically supervise the accounts of Bendebemballi Grama Panchayathi, Shahapura, Yadagiri District maintained by

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DGO 1 which omission amounts to dereliction of duty within the scope and ambit of misconduct within the purview of Rule 3(1)(i) to (iii) of The Karnataka Civil Services (Conduct) Rules, 1966.

Submit this report to the Hon'ble Upalokayukta-1, Karnataka in a sealed cover forthwith along with connected records.

  
(V.G. BOPAIAH)

Additional Registrar, Enquiries-11,  
Karnataka Lokayukta, Bengaluru.

#### ANNEXURE

List of witnesses examined on behalf of the Disciplinary Authority:-

PW1:- Sri. Mohammad Shirajuddin  
PW2:- Sri. H. Mallikarjun  
PW3:- Sri. H.R. Narayana Rao  
PW4:- Sri. R. Krishnamurthy

List of witnesses examined on behalf DGOs:-

DW 1:- Sri. C.N. Sulepatkar (DGO2)  
DW 2:- Sri. Palla Narashimha Reddy (DGO3)

List of documents marked on behalf of Disciplinary Authority:-


1. Ex P1 Complaint dated nil in a plain single sheet signed by complainant and Parvathareddy.
2. Ex P2 Original complaint dated 24/03/2011 in FORM NO.1 in a single sheet
3. Ex P3 Original affidavit dated 24/03/2011 in FORM NO.II in a single sheet.

4. Ex P4 Original application dated 09/08/2011 in two sheets addressed to Additional Registrar, Enquiries-6, Karnataka Lokayukta, Bengaluru.
5. Ex P5 Xerox copy of application dated 23/11/2010 in a single sheet signed by P.B. Patil and Paravathareddy Mali Patil addressed to the Officer attached to Lokayukta office, Yadagiri
6. Ex P6 Xerox copy of application dated 23/11/2010 in a single sheet of P.B. Patil addressed to the Deputy Commissioner, Yadagiri
7. Ex P7 Xerox copy of application dated 23/11/2010 in a single sheet of P.B. Patil addressed to the Chief Executive Officer, Zilla Panchayath, Yadagiri
8. Ex P8 Xerox copy of application of P.B. Patil in a single sheet addressed to the Deputy Commissioner, Yadagiri
9. Ex P9 Xerox copy of joint enquiry report in two sheets dated 30/03/2011 conducted by the Executive Officer, Taluk Panchayath, Shahapura, Tahasildar Shahapura, Assistant Executive Engineer, Panchayath Raj Engineering Sub-division, Shahapura
10. Ex P10 Xerox copy of audit report dated 29/02/2008 of Assistant Controller, Local Audit Circle, Kalaburagi totally consisting of thirteen sheets
11. Ex P11 Xerox copy of audit report in two sheets dated 31/07/2009 of the Assistant Controller, Local Audit Circle, Kalaburagi
12. Ex P12 Xerox copy of audit report totally consisting

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of thirteen sheets dated 31/08/2010 of the Assistant Controller, Local Audit Circle, Kalaburagi

13. Ex P13 Xerox copy of audit report in a single sheet dated 31/05/2011 of the Assistant Controller, Local Audit Circle, Kalaburagi
14. Ex P14 Attested copy of statement of account maintained in State Bank of India, Khanapur UPK Campus totally consisting of forty six sheets
15. Ex P15 Xerox copy of audit report dated 08/07/2011 of the Assistant Controller, Local Audit Circle, Kalaburagi in two sheets
16. Ex P16 Notarized copy of complaint in two sheets dated 21-26/07/2011 addressed to the Sub-Inspector of Police attached to Wadagera Police Station which is filed on 25/07/2011 before the Sub-Inspector of Police attached to Wadagera Police Station
17. Ex P17 Notarized copy of FIR in two sheets dated 27/07/2011 of Wadagera Police Station, Yadagiri District
18. Ex P18 Attested copy of list of beneficiaries under Grammena Ashraya scheme 2008-2009 totaling consisting of thirteen sheets
19. Ex P19 Xerox copy of letter dated 22/06/2012 in two sheets of Executive Officer, Taluk Panchayat, Shahapura addressed to the Chief Engineer, Technical Audit Cell, Karnataka Lokayukta Bengaluru.
20. Ex P20 Original letter dated 22/06/2012 in two sheets of the Executive Officer, Taluk Panchayat, Shahapura addressed to the Chief Engineer, Technical Audit Cell, Karnataka Lokayukta Bengaluru.

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21. Ex P21 Original letter dated 01/02/2012 in a single sheet addressed to the Chief Engineer, Technical Audit Cell, Karnataka Lokayukta, Bengaluru the Executive Officer, Taluk Panchayat, Shahapur
22. Ex P22 Original letter dated 16/03/2012 in a single sheet addressed to the Chief Engineer, Technical Audit Cell, Karnataka Lokayukta, Bengaluru the Executive Officer, Taluk Panchayat, Shahapur
23. Ex P23 Original report consisting of seventeen sheets of PW3
24. Ex P24 xerox copy of statement of account in two sheets maintained in State Bank of India, Khanapur Branch is marked as per Ex P24,
25. Ex P25 xerox copy of list of beneficiaries in a single sheet under Indira Awas New House 2008-2009 is marked as per Ex P25
26. Ex P26 Xerox copy of list of beneficiaries in a single sheet under Indira Awas Hosamane 2008-2009 in a single sheet is marked as per Ex P26

## List of documents marked on behalf of DGOs 1 to 3:-

- 1 Ex D1 Attested copy of charge transfer certificate dated 23/10/2008 in a single sheet of DGO 2.
- 2 Ex D2 Attested copy of letter dated 02/06/2008 in two sheets of the Managing Director of Rajiv Gandhi Gramina Vasathi Nigama Niyamitha.
- 3 Ex D3 Attested copy of letter dated 07/01/2017 in a single sheet addressed to Sri. M.N. Patil by the Public Information Officer attached

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to Taluk Panchayath, Shahapura .

- 4 Ex D4 Original letter dated 03/01/2017 in a single sheet addressed to Sri. M.N. Patil by the Manager (Admnistration) and in-charge Assistant Public Information Officer attached to Rajiv Gandhi Grameena Vasathi Nigama Niyamatha.
- 5 Ex D5 Certified copy of enclosure in a single sheet enclosed to Ex D4.
- 6 Ex D6 Certified copy of one more enclosure in a single sheet showing details of funds released to Yadagiri district Shahapura Taluk Bendebembali Grama Panchayath during the financial year 2008-2009.

  
(V.G. BOPALAH)

Additional Registrar, Enquiries-11,  
Karnataka Lokayukta, Bengaluru. ....





**GOVERNMENT OF KARNATAKA**



**KARNATAKA LOKAYUKTA**

NO:LOK/INQ/14-A/19/2014/ARE-11

Multi Storied Building,  
Dr. B.R. Ambedkar Veedhi,  
Bengaluru-560 001,  
Date: 21/05/2018

**RECOMMENDATION**

Sub:- Departmental inquiry against

- (1) Sri Sharanabasappa, Secretary, Bendebemballi Grama Panchayath, Shahpur, Yadgir District;
- (2) Sri C.N.Sulepetkar, the then Executive Officer, Taluk Panchayath, Shahpur, Yadgir District; and
- (3) Sri Palla Narasimhareddy, the then Executive Officer, Taluk Panchayath, Shahpur, Yadgir District  
- Reg.

Ref:- 1) Government Order No. ಗ್ರಾಅಪ/332/ಗ್ರಾಪಂಚ/2013,  
Bengaluru dated 16/11/2013

2) Government Order No. ಗ್ರಾಅಪ 213 ಎಸೇಬಿ 2013,  
Bengaluru dated 26/12/2013

2) Nomination order No.LOK/INQ/14-A/19/2014,  
Bengaluru dated 13/1/2014 of Upalokayukta-1,  
State of Karnataka, Bengaluru

3) Inquiry Report dated 17/5/2018 of Additional  
Registrar of Enquiries-11, Karnataka Lokayukta,  
Bengaluru.

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The Government by its Order dated 16/11/2013, initiated the disciplinary proceedings against Sri Sharanabasappa, the then Secretary, Bendebemballi Grama Panchayath, Shahpur Taluk, Yadgir District (hereinafter referred to as Delinquent Government Official-1, for short as '**DGO-1**') and entrusted the Departmental Inquiry to this Institution. Similarly, the Government by its Order dated 26/12/2013 initiated disciplinary proceedings against (1) Sri C.N. Sulepetkar, the then Executive Officer, Taluk Panchayath, Shahpur Taluk, Yadgir District and (2) Sri Palla Narasimhareddy,

the then Executive Officer, Taluk Panchayath, Shahpur, Yadgir District (hereinafter referred to as Delinquent Government Officials 2 and 3, for short **DGO-2 and DGO-3** respectively), and entrusted the departmental inquiry to this institution.

2. This Institution by Nomination Order No.LOK/INQ/14-A/19/2014, Bengaluru dated 13/1/2014 nominated Additional Registrar of Enquiries-3, Karnataka Lokayukta, Bengaluru, as the Inquiry Officer to frame charges and to conduct Departmental Inquiry against DGOs 1 to 3 for the alleged charge of misconduct, said to have been committed by them. Subsequently by Order No.LOK/INQ/14-A/2014, Bengaluru dated 14/3/2014, the Additional Registrar of Enquiries-11 was re-nominated as Inquiry Officer to conduct Departmental inquiry against DGOs 1 to 3.

3. The DGO-1 Sri Sharanabasappa, the then Secretary, Bendebemballi Grama Panchayath, Shahpur Taluk; DGO-2 Sri C.N.Sulepetkar, the then Executive Officer, Taluk Panchayath, Shahpur Taluk; and DGO-3 Sri Palla Narasimhareddy, the then Executive Officer, Taluk Panchayath, Shahpur Taluk were tried for the following charges:-

**“ದೋಷಾರೋಪಣೆ ಪಟ್ಟಿ - 1:**

ಶ್ರೀ ಶರಣಬಸಪ್ಪ, ಹಿಂದಿನ ಕಾರ್ಯದರ್ಶಿ, ಬೆಂಜೆಬೆಂಬಳ್ಳಿ ಗ್ರಾಮ ಪಂಚಾಯತಿ, ಶಹಾಪೂರ ತಾಲ್ಲೂಕು, ಯಾದಗಿರಿ ಜಿಲ್ಲೆ, ನಿಮ್ಮ ಕರ್ತವ್ಯ ಪಾಲನೆಯಲ್ಲಿ ನಿರ್ಲಕ್ಷ್ಯವನ್ನು ತೋರಿಸಿ;

1) ರಾಜೀವ್ ಗಾಂಧಿ ವಸತಿ ಯೋಜನೆ ನಿಯಮಿತ, ಬೆಂಗಳೂರು ಇವರ ಪತ್ರ ದಿನಾಂಕ 02/06/2008ರ ಮತ್ತು 11/05/2006ರ ಮಾರ್ಗಸೂಚಿಯ ಕಡಿಕೆ (9) (ಸಿ) ಪ್ರಕಾರ ಫಲಾನುಭವಿಗಳಿಗೆ ಹಣ ಪಾವತಿಸಲು ಈ ಕೆಳಕಂಡಂತೆ ಹಂತವಾರು ಹಣ ಬಿಡುಗಡೆ ಮಾಡಲು ಸೂಚಿಸಿರುತ್ತದೆ.

ತಳಪಾಯ ಮುಕ್ತಾಯದ ಹಂತ	ರೂ.7,500-00
ಗೋಡೆ ಮುಕ್ತಾಯದ ಹಂತ	ರೂ.10,000-00
ಛಾವಣಿ ಮುಕ್ತಾಯದ ಹಂತ	ರೂ.10,000-00
ಮನೆ ಪೂರ್ಣ ಮುಕ್ತಾಯಗೊಳಿಸಿ ವಾಸಕ್ಕೆ ಸಿದ್ಧಗೊಳಿಸಿದಲ್ಲಿ	ರೂ.7,500-00
ಒಟ್ಟು	ರೂ.35,000-00

2) ಮುಂದುವರೆದು, ದಿನಾಂಕ 11-05-2006ರ ಮಾರ್ಗಸೂಚಿ ಪ್ರಕಾರ ಕಂಡಿಕೆ: ಇ(5)

(3) ರ ಪ್ರಕಾರ ಫಲಾನುಭವಿಗಳಿಗೆ ಚೆಕ್ ನೀಡುವ ಸಮಯದಲ್ಲಿ ಮನೆ ನಿರ್ಮಾಣದ ಆಯಾ ಹಂತ ಮುಗಿಸಿರಬೇಕು ಹಾಗೂ ಅದಕ್ಕೆ ಸಾಕ್ಷಿಯಾಗಿ ಛಾಯಾಚಿತ್ರಗಳನ್ನು ಇಟ್ಟಿರಬೇಕು ಎಂದಿರುತ್ತದೆ.

3) ಕಂಡಿಕೆ (5) ಉಪಕಂಡಿಕೆ(3)ರಲ್ಲಿ ಫಲಾನುಭವಿಗೆ ಚೆಕ್ ನೀಡುವ ಸಮಯದಲ್ಲಿ ಸದರಿ ಫಲಾನುಭವಿಯು ಚೆಕ್‌ನ್ನು ಪಡೆಯಲು ಬೇಕಾದ ಎಲ್ಲಾ ಅಂಶಗಳನ್ನು ಪೂರೈಸಿದ್ದಾರೆಯೇ, ದಾಖಲೀಕರಣ ಮುಗಿದಿರಬೇಕು, ಮನೆ ನಿರ್ಮಾಣದ ಆಯಾ ಹಂತ ಮುಗಿಸಿರಬೇಕು, ಅದಕ್ಕೆ ಸಾಕ್ಷಿಯಾಗಿ ಛಾಯಾಚಿತ್ರವನ್ನು ಇಟ್ಟಿರಬೇಕು, ಭೌತಿಕ ಪರಿಶೀಲನೆ ಆಗಬೇಕು ಹಾಗೂ ಮೊದಲು ನೀಡಿದ ಹಣ ಖರ್ಚಾಗಿರಬೇಕು ಎಂಬುದನ್ನು ಖಚಿತಪಡಿಸಿಕೊಳ್ಳುವುದು.

4) ಕಂಡಿಕೆ (5) ಉಪಕಂಡಿಕೆ (4)ರಲ್ಲಿ ಚೆಕ್ ನೀಡುವ ಮೊದಲು ವಸತಿ ಸಮಿತಿಯ ಅನುಮೋದನೆ ಪಡೆದಿರಬೇಕು.

5) ಕಂಡಿಕೆ (6)ರಲ್ಲಿ ಮಾರ್ಗಸೂಚಿಯ ಪ್ಯಾರಾ 2.1 (ಅ)ರಲ್ಲಿ ತಿಳಿಸಿದಂತೆ ನಮೂನೆ-24ಬಿ (ಚೆಕ್ ಕೌಂಟರ್ ಫೈಲ್)ನಲ್ಲಿ ವಿವರಗಳನ್ನು ಭರ್ತಿ ಮಾಡಬೇಕು, ಪ್ಯಾರಾ 2.1(ಇ)ರಲ್ಲಿ ನಗದು ಪುಸ್ತಕವನ್ನು ನಮೂನೆ-24ಎ ರಲ್ಲಿ ನಿರ್ವಹಿಸಬೇಕು ಹಾಗೂ ಪ್ಯಾರಾ 2.1(ಈ)ರಲ್ಲಿ ಬ್ಯಾಂಕಿನ ಪಾಸ್‌ಶೀಟ್‌ಗಳ ಕಡತವನ್ನು ನಿರ್ವಹಿಸಬೇಕು. ಇದಕ್ಕಾಗಿ ಬ್ಯಾಂಕಿನಿಂದ ಪ್ರತಿ ತಿಂಗಳ 5ನೇ ತಾರೀಖಿನೊಳಗೆ ಪಾಸ್‌ಶೀಟ್‌ಗಳನ್ನು ತರಿಸಿಕೊಂಡು ನಗದು ಪುಸ್ತಕದೊಡನೆ ಪಾಸ್‌ಶೀಟ್‌ನ್ನು ಪ್ರತಿ ತಿಂಗಳು ತಾಳೆ ಹಾಕಬೇಕು. (Reconciliation)

6) ಮುಂದುವರೆದು, ತಾಲ್ಲೂಕು ಪಂಚಾಯತಿಯ ಕಾರ್ಯನಿರ್ವಾಹಕ ಅಧಿಕಾರಿಯು ಆಯಾ ಹಣಕಾಸಿನ ವರ್ಷದ ಪ್ರತಿಯೊಂದು ತ್ರೈಮಾಸಿಕದಲ್ಲಿ ಕನಿಷ್ಠ ಪಕ್ಷ ಒಂದು ಸಲ ಎಲ್ಲಾ ಹಣಕಾಸಿನ/ಲೆಕ್ಕಪತ್ರಗಳ ದಾಖಲೆಗಳನ್ನು ತಪಾಸಣೆ ಮಾಡಬೇಕು ಅಥವಾ ತಪಾಸಣೆ ಆಗುವಂತೆ ನೋಡಿಕೊಳ್ಳಬೇಕು.

7) ಕರ್ನಾಟಕ ಆರ್ಥಿಕ ಸಂಹಿತೆ 1958ರ ಅನುಚ್ಛೇದ 57ರಂತೆ "All vouchers and acquittances are important documents and shall be filed and preserved carefully in the office concerned,

when they are not sent elsewhere for audit in accordance with the rules” ರಲ್ಲಿ ಪಾವತಿಗೆ ಸಂಬಂಧಿಸಿದ ಓಚರ್‌ಗಳನ್ನು ಕಛೇರಿಯಲ್ಲಿ ನಿರ್ವಹಿಸಬೇಕು ಎಂದು ತಿಳಿಸಿದ್ದು. ಹಾಗೂ

8) ಕರ್ನಾಟಕ ಪಂಚಾಯತ್‌ರಾಜ್ (ಗ್ರಾಮ ಪಂಚಾಯತ್ ಆಯವ್ಯಯ ಮತ್ತು ಲೆಕ್ಕಪತ್ರಗಳು) ನಿಯಮಗಳು, 2006ರ ಅಧ್ಯಾಯ (6)ರ ನಿಯಮ 43ರಲ್ಲಿ “ಪ್ರತಿಯೊಂದು ಪಾವತಿಯ ಆದೇಶಕ್ಕೂ ಗ್ರಾಮ ಪಂಚಾಯತ್‌ನ ಅನುಮತಿ ಮೇರೆಗೆ ಅಧ್ಯಕ್ಷ ಮತ್ತು ಕಾರ್ಯದರ್ಶಿಯ ಸಹಿ ಇರತಕ್ಕದ್ದು. ಪ್ರತಿಯೊಂದು ಬಿಲ್ಲಿನ ಮೇಲೂ ಹಣದ ಪಾವತಿಗಾಗಿ ನೀಡಿದ ಚೆಕ್ಕಿನ ಸಂಖ್ಯೆ ಮತ್ತು ದಿನಾಂಕವನ್ನು ನಮೂದಿಸತಕ್ಕದ್ದು ಮತ್ತು ಅದಕ್ಕೆ ಅಧ್ಯಕ್ಷ ಮತ್ತು ಕಾರ್ಯದರ್ಶಿ ದೃಢೀಕರಿಸತಕ್ಕದ್ದು” ಎಂದು ತಿಳಿಸಿರುತ್ತದೆ.

9) ನಿಯಮ 47ರಲ್ಲಿ “ತಯಾರಿಸಿದ ಬಿಲ್ಲುಗಳು ಹಾಗೂ ಸಂಬಂಧಪಟ್ಟ ವೋಚರ್‌ಗಳನ್ನು ಕಾರ್ಯದರ್ಶಿಯು ಪರಿಶೀಲಿಸತಕ್ಕದ್ದು ಮತ್ತು ಕ್ಲೇಮನ್ನು ಅಂಗೀಕರಿಸಬಹುದೆಂದು, ಪ್ರಾಧಿಕಾರ ಸೂಕ್ತವಾಗಿದೆ ಎಂದು ಸಹಿಯು ನಿಜವಾದುದು ಎಂದು ಮತ್ತು ಕ್ರಮಬದ್ಧವಾಗಿದೆ ಎಂದು ಕಾರ್ಯದರ್ಶಿಗೆ ಮನವರಿಕೆಯಾದರೆ ಸಹಿಗಾಗಿ ಅಧ್ಯಕ್ಷರಿಗೆ ಸಲ್ಲಿಸತಕ್ಕದ್ದು. ಅಧ್ಯಕ್ಷರು ಕ್ಲೇಮ್ ಬಿಲ್ಲು ಕ್ರಮಬದ್ಧವಾಗಿದೆ ಎಂದು ಮನವರಿಕೆಯಾದ ತರುವಾಯ ಸಹಿ ಮಾಡತಕ್ಕದ್ದು” ಎಂದು ತಿಳಿಸಿರುತ್ತದೆ.

10) ನಿಯಮ 48ರಲ್ಲಿ “ಅಂಗೀಕೃತ ಬಿಲ್ಲುಗಳ ಪಾವತಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ, ಬಿಲ್ಲುಗಳನ್ನು ಹಣ ಪಾವತಿಗಾಗಿ ಕಾರ್ಯದರ್ಶಿ ಮತ್ತು ಅಧ್ಯಕ್ಷ ಅಂಗೀಕರಿಸಿದ ನಂತರ ಪಾವತಿಗಾಗಿ ಚೆಕ್ಕುಗಳನ್ನು ಸಿದ್ಧಪಡಿಸಿಕೊಳ್ಳತಕ್ಕದ್ದು. ಕಾರ್ಯದರ್ಶಿ ಹಾಗೂ ಅಧ್ಯಕ್ಷರು ಸಹಿ ಮಾಡತಕ್ಕದ್ದು” ಎಂದು ತಿಳಿಸಿರುತ್ತದೆ.

11) ಇಂದಿರಾ ಆವಾಸ್ 2008-09, ಆಶ್ರಯ ಯೋಜನೆ 2008-09 ಮತ್ತು ಇಂದಿರಾ ಆವಾಸ್ 2009-10 (ಇಂದಿರಾ ಆವಾಸ್-89, ಅಂಬೇಡ್ಕರ್-16, ಇಂದಿರಾ ಆವಾಸ್ ಅಲ್ಪಸಂಖ್ಯಾತರು-30) ಒಟ್ಟು ರೂಪಾಯಿ 65,38,800/- ಮಂಜೂರಾಗಿ ಬಿಡುಗಡೆ ಯಾಗಿದ್ದು, ಸಂಬಂಧ ಪಟ್ಟ ಖಾತೆಗಳಿಗೆ ಜಮೆಯಾಗಿದ್ದು,

12) 2009-10ನೇ ಸಾಲಿನ ಗ್ರಾಮೀಣಾ ಆಶ್ರಯ (ರಾಜೀವ್‌ಗಾಂಧಿ ಗ್ರಾಮೀಣ ವಸತಿ ನಿಗಮ) ಯೋಜನೆಯಡಿಯಲ್ಲಿ ಆಯ್ಕೆಯಾದ ಫಲಾನುಭವಿಗಳಿಗೆ ಮನೆಯನ್ನು ನಿರ್ಮಿಸುವಾಗ ಒಂದೇ ದಿನದಂದು ವಿವಿಧ ಮೊತ್ತಗಳ ಚೆಕ್‌ನ್ನು ವಿತರಿಸಿರುತ್ತೀರಿ.

13) ಖಾನಾಪುರ ಬ್ಯಾಂಕ್ ಎಸ್.ಬಿ.ಐ ನಂ.30195151725ಗೆ ಸಂಬಂಧ ಪಟ್ಟಂತೆ ಚೆಕ್ ನಂ.860755, 860954, 860957, 860959 ಮತ್ತು 860958 ಎಲ್ಲವು ದಿನಾಂಕ

20/03/2009ರ ಚೆಕ್‌ಗಳಾಗಿದ್ದು, ಪ್ರತಿಯೊಂದು ಚೆಕ್ 12,500/- ರೂಪಾಯಿಗಳಾಗಿದ್ದು, ಆ ಚೆಕ್‌ಗಳನ್ನು ಯಾರ ಹೆಸರಿಗೆ ನೀಡಿರುತ್ತಿರಿ ಎಂಬ ಉಲ್ಲೇಖ ಇಲ್ಲ.

14) ಶ್ರೀ ದೇವಪ್ಪ, ರವರಿಗೆ 90,000 ರೂಪಾಯಿ ಮತ್ತು ಶ್ರೀ ಹಣಮಂತಿರವರಿಗೆ 60,000/- ರೂಪಾಯಿ ಹಣ ನೀಡಿದ್ದು, ಫಲಾನುಭವಿಗಳಿಗೆ ನಿಗದಿ ಪಡಿಸಿದ ಮೊತ್ತಕ್ಕಿಂತ ಹೆಚ್ಚು ಹಣ ನೀಡಿರುತ್ತೀರಿ.

15) ದಿನಾಂಕ 13/01/2011ರಂದು ಮತ್ತು 23/03/2011 ರಂದು ಬೆಂಡೆಬೆಂಬಳ್ಳಿ ಗ್ರಾಮಪಂಚಾಯಿತಿ ವ್ಯಾಪ್ತಿಯಲ್ಲಿನ ತುಮಕೂರು, ಹಬ್ಬಿಹಾಳ, ಇಟಗಿ, ರೋಟ್ಟಡಗಿ, ಕದ್ರಾಪುರ ಮತ್ತು ಕೋಡಾಲ್ ಗ್ರಾಮ ಪರಿಶಿಲನೆ ಮಾಡಿದಾಗ ಆಯ್ಕೆಯಾದ ಎಲ್ಲ ಫಲಾನುಭವಿಗಳಿಗೆ ಮನೆಗಳನ್ನು ಕಟ್ಟಿಕೊಟ್ಟಿರುವುದಿಲ್ಲವೆಂದು, ಮತ್ತು ಕೆಲವು ಫಲಾನುಭವಿಗಳಿಗೆ ಮನೆ ನಿರ್ಮಾಣ ಮಾಡದೆ, ಚೆಕ್ ವಿತರಣೆ ಮಾಡಿದ್ದು, ಖಾತೆಯಲ್ಲಿ ಹಣ ಇರದ ಕಾರಣ ಭಟವಾಡೆ ಆಗಿರುವುದಿಲ್ಲ ಹಾಗೂ ಚೆಕ್‌ಗಳು ಬೌನ್ಸ್ ಆಗಿದ್ದು.

16) ಫಲಾನುಭವಿಗಳಿಗೆ ನಿಯಮಾನುಸರ ಹಂತ ಹಂತವಾಗಿ ಅನುದಾನ ಬಿಡುಗಡೆ ಮಾಡದೆ, ಮನೆಗಳ ನಿರ್ಮಾಣ ಮಾಡದೆ, ಹಣ ದುರುಪಯೋಗ ಪಡಿಸಿಕೊಂಡಿರುತ್ತೀರಿ.

17) ನಿಮಗೆ ದಿ.22/6/2012ರಂದು ಕಾರ್ಯನಿರ್ವಾಹಕ ಅಧಿಕಾರಿ, ತಾಲ್ಲೂಕ್ ಪಂಚಾಯಿತಿ, ಶಹಾಪೂರ ದಾಖಲಾತಿಗಳನ್ನು ಸಲ್ಲಿಸುವಂತೆ ಸೂಚಿಸಿದ್ದು, ನೀವು ಕಾರ್ಯದರ್ಶಿಯಾಗಿದ್ದು ನಗದು ಪುಸ್ತಕ, ಫಲಾನುಭವಿಗಳಿಗೆ ಹಂತವಾರು ಹಣ ಬಿಡುಗಡೆ ಮಾಡಿದ ಬಗ್ಗೆ ಹಾಗೂ ಮನೆಗಳ ಛಾಯಾಚಿತ್ರಗಳನ್ನು ನಿರ್ವಹಿಸಿದ/ಪಡೆದುಕೊಂಡ ಬಗ್ಗೆ ದಾಖಲಾತಿಗಳನ್ನು ಸಲ್ಲಿಸಿರುವುದಿಲ್ಲ ಹಾಗೂ ಫಲಾನುಭವಿಗಳಿಗೆ ಹಣ ಪಾವತಿಸಿರುವ ಬಗ್ಗೆ ಪಾವತಿ ರಿಜಿಸ್ಟರ್‌ನ್ನು ನಿರ್ವಹಿಸಿರುವುದಿಲ್ಲ.

18) ಮೇಲ್ಕಾಣಿಸಿದ ಉಲ್ಲೇಖದಲ್ಲಿ ಉಲ್ಲೇಖಿಸಿದಂತೆ ಗ್ರಾಮ ಪಂಚಾಯಿತಿ ಕಛೇರಿಯಲ್ಲಿ ಓಚರ್‌ಗಳನ್ನು ನಿರ್ವಹಿಸದೆ ನಿಯಮವನ್ನು ಉಲ್ಲಂಘನೆ ಮಾಡಿರುತ್ತೀರಿ.

19) ನೀವು ಫಲಾನುಭವಿಗಳಿಗೆ ಕ್ರಾಸ್ ಚೆಕ್ ಮೂಲಕ ಹಣವನ್ನು ಹಂತ ಹಂತವಾಗಿ ಪಾವತಿಸದೆ ಮನಸೋಇಚ್ಛೆ ಫಲಾನುಭವಿಗಳಿಗೆ ಕ್ರಾಸ್ ಮಾಡದ ಚೆಕ್ ಮೂಲಕ ಹಣವನ್ನು ಮನೆಯ ಪ್ರತಿಯೊಂದು ಹಂತವನ್ನು ಖುದ್ದು ಪರಿಶೀಲಿಸದೆ ಪಾವತಿಸಿ ಕರ್ನಾಟಕ ಸರ್ಕಾರಕ್ಕೆ ಸೇರಿದ ರೂಪಾಯಿ 60,20,792/-ಗಳನ್ನು ದುರುಪಯೋಗ ಪಡಿಸಿಕೊಂಡಿರುತ್ತೀರಿ.

ಜವಾಬ್ದಾರಿಯುತ ಸರ್ಕಾರಿ ಅಧಿಕಾರಿಗಳಾಗಿದ್ದರೂ ಸಹಿತ ಸದರಿ ಯೋಜನೆಗಳ ಅಡಿ ಮಂಜೂರಾದ ಹಣವನ್ನು ಅದೇ ಉದ್ದೇಶಕ್ಕೆ ಉಪಯೋಗಿಸಿ ಅನುಕೂಲ ಮಾಡಿಕೊಡುವ

ಜವಾಬ್ದಾರಿ ನಿಮ್ಮ ಮೇಲೆ ಇದ್ದರೂ ಸಹಿತ ನಿಯಮಾವಳಿಗಳನ್ನು ಉಲ್ಲಂಘಿಸಿ ಮೇಲೆ ಹೇಳಿದಂತೆ ಸರ್ಕಾರಿ ಹಣವನ್ನು ದುರುಪಯೋಗ ಪಡಿಸಿಕೊಂಡು ನಿಮ್ಮ ಕರ್ತವ್ಯ ಪಾಲನೆಯಲ್ಲಿ ಸಂಪೂರ್ಣ ಪ್ರಾಮಾಣಿಕತೆ ಹಾಗೂ ಕರ್ತವ್ಯ ನಿಷ್ಠೆಯನ್ನು ಪಾಲಿಸದೆ ಮತ್ತು ಸರ್ಕಾರಿ ನೌಕರರಿಗೆ ಉಚಿತವಲ್ಲದ ರೀತಿಯಲ್ಲಿ ನಡೆದುಕೊಂಡು ದುರ್ನಡತೆ/ ದುರ್ವರ್ತನೆಯಿಂದ ವರ್ತಿಸಿ, ಕರ್ನಾಟಕ ನಾಗರೀಕ ಸೇವಾ ನಿಯಮಗಳು (ನಡತೆ) 1966, ನಿಯಮ 3(1) (i) ರಿಂದ (iii) ರಡಿಯಲ್ಲಿ ಉಕ್ತವಾದ ದುರ್ನಡತೆ ಎಸಗಿದ್ದೀರಿ ಮತ್ತು ಕರ್ನಾಟಕ ನಾಗರೀಕ ಸೇವಾ ನಿಯಮ (ವರ್ಗೀಕರಣ, ನಿರ್ಬಂಧ ಮತ್ತು ಮೇಲ್ಮನವಿ) 1957ರ ನಿಯಮ 8(iv)ರಂತೆ ರೂ. 60,20,792/- ಹಣ ಪಾವತಿಸಲು ಜವಾಬ್ದಾರಾಗಿರುತ್ತೀರಿ ಅಂತ ನಿಮ್ಮ ಮೇಲೆ ದೋಷಾರೋಪಣೆಯನ್ನು ಮಾಡಲಾಗಿದೆ.

### ದೋಷಾರೋಪಣೆ ಪಟ್ಟಿ - 2

ಶ್ರೀ ಸಿ.ಎನ್ ಸುಲೇಷ್‌ಕರ್, ಹಿಂದಿನ ಕಾರ್ಯನಿರ್ವಾಹಕ ಅಧಿಕಾರಿ, ತಾಲ್ಲೂಕು ಪಂಚಾಯಿತಿ, ಶಹಾಪೂರ ತಾಲ್ಲೂಕು, ಯಾದಗಿರಿ ಜಿಲ್ಲೆ ನಿಮ್ಮ ಕರ್ತವ್ಯ ಪಾಲನೆಯಲ್ಲಿ ನಿರ್ಲಕ್ಷ್ಯವನ್ನು ತೋರಿಸಿ ದಿನಾಂಕ 09/11/2007 ರಿಂದ 23-10-2008ರವರೆಗೆ ಕರ್ತವ್ಯ ನಿರ್ವಹಿಸುವಾಗ. 2008-09ನೇ ಸಾಲಿನ ಇಂದಿರಾ ಆವಾಸ್ ವಸತಿ ಯೋಜನೆಯಡಿಯಲ್ಲಿ ಸರ್ಕಾರದಿಂದ ಗ್ರಾಮ ಪಂಚಾಯಿತಿಗೆ ಬಿಡುಗಡೆಯಾದ ಹಣಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ, ರಾಜೀವ್ ಗಾಂಧಿ ವಸತಿ ನಿಗಮ, ಬೆಂಗಳೂರು ಇವರ ಮಾರ್ಗಸೂಚಿಯಂತೆ ಹಣಕಾಸಿನ ವರ್ಷದ ಪ್ರತಿಯೊಂದು ತ್ರೈಮಾಸಿಕದಲ್ಲಿ ಕನಿಷ್ಠ ಪಕ್ಷ ಒಂದು ಸಲ ಎಲ್ಲಾ ಹಣಕಾಸಿನ/ ಲೆಕ್ಕಪತ್ರಗಳ ದಾಖಲೆಗಳನ್ನು ತಪಾಸಣೆ ಮಾಡಬೇಕು ಅಥವಾ ತಪಾಸಣೆ ಆಗುವಂತೆ ನೋಡಿಕೊಳ್ಳಬೇಕಾಗಿರುತ್ತದೆ. ಆದರೆ ನೀವು ಈ ರೀತಿ ಮಾಡದೇ ಜವಾಬ್ದಾರಿಯುತ ಸರ್ಕಾರಿ ಅಧಿಕಾರಿಗಳಾಗಿದ್ದರೂ ಸಹಿತ ಸದರಿ ಯೋಜನೆ ಅಡಿ ಮಂಜೂರಾದ ಹಣವನ್ನು ಅದೇ ಉದ್ದೇಶಕ್ಕೆ ಉಪಯೋಗಿಸಿ ಅನುಕೂಲ ಮಾಡಿಕೊಡುವ ಜವಾಬ್ದಾರಿ ನಿಮ್ಮ ಮೇಲೆ ಇದ್ದರೂ ಸಹಿತ ನಿಯಮಾವಳಿಗಳನ್ನು ಉಲ್ಲಂಘಿಸಿ ಮೇಲೆ ಹೇಳಿದಂತೆ ಸರ್ಕಾರಿ ಹಣವನ್ನು ದುರುಪಯೋಗ ಪಡಿಸಿಕೊಂಡು ನಿಮ್ಮ ಕರ್ತವ್ಯ ಪಾಲನೆಯಲ್ಲಿ ಸಂಪೂರ್ಣ ಪ್ರಾಮಾಣಿಕತೆ ಹಾಗೂ ಕರ್ತವ್ಯ ನಿಷ್ಠೆಯನ್ನು ಪಾಲಿಸದೆ ಮತ್ತು ಸರ್ಕಾರಿ ನೌಕರರಿಗೆ ಉಚಿತವಲ್ಲದ ರೀತಿಯಲ್ಲಿ ನಡೆದುಕೊಂಡು ದುರ್ನಡತೆ/ದುರ್ವರ್ತನೆಯಿಂದ ವರ್ತಿಸಿ, ಕರ್ನಾಟಕ ನಾಗರೀಕ ಸೇವಾ ನಿಯಮಗಳು (ನಡತೆ) 1966, ನಿಯಮ 3(1) (i) ರಿಂದ (iii) ರಡಿಯಲ್ಲಿ ಉಕ್ತವಾದ ದುರ್ನಡತೆ ಎಸಗಿದ್ದೀರಿ ಮತ್ತು ಕರ್ನಾಟಕ ನಾಗರೀಕ ಸೇವಾ ನಿಯಮ (ವರ್ಗೀಕರಣ, ನಿರ್ಬಂಧ ಮತ್ತು ಮೇಲ್ಮನವಿ) 1957ರ ನಿಯಮ 8(iv)ರಂತೆ ರೂ. 60,20,792/- ಹಣ ಪಾವತಿಸಲು ಜವಾಬ್ದಾರಾಗಿರುತ್ತೀರಿ ಅಂತ ನಿಮ್ಮ ಮೇಲೆ ದೋಷಾರೋಪಣೆಯನ್ನು ಮಾಡಲಾಗಿದೆ.

ದೋಷಾರೋಪಣೆ ಪಟ್ಟಿ - 3

ಶ್ರೀ ಪಲ್ಲನರಸಿಂಹರೆಡ್ಡಿ, ಹಿಂದಿನ ಕಾರ್ಯನಿರ್ವಾಹಕ ಅಧಿಕಾರಿ, ತಾಲ್ಲೂಕು ಪಂಚಾಯತಿ, ಶಹಾಪುರ ತಾಲ್ಲೂಕು, ಯಾದಗಿರಿ ಜಿಲ್ಲೆ ಶ್ರೀ ಪಲ್ಲನರಸಿಂಹರೆಡ್ಡಿ ನಿಮ್ಮ ಕರ್ತವ್ಯ ಪಾಲನೆಯಲ್ಲಿ ನಿರ್ಲಕ್ಷ್ಯವನ್ನು ತೋರಿಸಿ, ದಿ: 05/01/2009 ರಿಂದ 11/05/2010 ರವರೆಗೆ ಕರ್ತವ್ಯ ನಿರ್ವಹಿಸುವಾಗ. 2008-09 ಮತ್ತು 2009-10ನೇ ಸಾಲಿನ ಇಂದಿರಾ ಆವಾಸ್, ಅಂಬೇಡ್ಕರ್ ಮತ್ತು ಗ್ರಾಮೀಣ ಆಶ್ರಯ ವಸತಿ ಯೋಜನೆಯಡಿಯಲ್ಲಿ ಸರ್ಕಾರದಿಂದ ಗ್ರಾಮ ಪಂಚಾಯತಿಗೆ ಬಿಡುಗಡೆಯಾದ ಹಣಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ, ರಾಜೀವ್ ಗಾಂಧಿ ವಸತಿ ನಿಗಮ, ಬೆಂಗಳೂರು ಇವರ ಮಾರ್ಗಸೂಚಿಯಂತೆ ಹಣಕಾಸಿನ ವರ್ಷದ ಪ್ರತಿಯೊಂದು ತ್ರೈಮಾಸಿಕದಲ್ಲಿ ಕನಿಷ್ಠ ಪಕ್ಷ ಒಂದು ಸಲ ಎಲ್ಲಾ ಹಣಕಾಸಿನ/ ಲೆಕ್ಕಪತ್ರಗಳ ದಾಖಲೆಗಳನ್ನು ತಪಾಸಣೆ ಮಾಡಬೇಕು ಅಥವಾ ತಪಾಸಣೆ ಆಗುವಂತೆ ನೋಡಿಕೊಳ್ಳಬೇಕಾಗಿರುತ್ತದೆ. ಆದರೆ ನೀವು ಜವಾಬ್ದಾರಿಯುತ ಸರ್ಕಾರಿ ಅಧಿಕಾರಿಗಳಾಗಿದ್ದರೂ ಸಹಿತ ಸದರಿ ಯೋಜನೆಗಳ ಅಡಿ ಮಂಜೂರಾದ ಹಣವನ್ನು ಅದೇ ಉದ್ದೇಶಕ್ಕೆ ಉಪಯೋಗಿಸಿ ಅನುಕೂಲ ಮಾಡಿಕೊಡುವ ಜವಾಬ್ದಾರಿ ನಿಮ್ಮ ಮೇಲೆ ಇದ್ದರೂ ಸಹಿತ ನಿಯಮಾವಳಿಗಳನ್ನು ಉಲ್ಲಂಘಿಸಿ ಮೇಲೆ ಹೇಳಿದಂತೆ ಸರ್ಕಾರಿ ಹಣವನ್ನು ದುರುಪಯೋಗ ಪಡಿಸಿಕೊಂಡು ನಿಮ್ಮ ಕರ್ತವ್ಯ ಪಾಲನೆಯಲ್ಲಿ ಸಂಪೂರ್ಣ ಪ್ರಾಮಾಣಿಕತೆ ಹಾಗೂ ಕರ್ತವ್ಯ ನಿಷ್ಠೆಯನ್ನು ಪಾಲಿಸದೆ ಮತ್ತು ಸರ್ಕಾರಿ ನೌಕರರಿಗೆ ಉಚಿತವಲ್ಲದ ರೀತಿಯಲ್ಲಿ ನಡೆದುಕೊಂಡು ದುರ್ನಡತೆ/ ದುರ್ವರ್ತನೆಯಿಂದ ವರ್ತಿಸಿ, ಕರ್ನಾಟಕ ನಾಗರೀಕ ಸೇವಾ ನಿಯಮಗಳು (ನಡತೆ) 1966, ನಿಯಮ 3(1) (i) ರಿಂದ (iii) ರಡಿಯಲ್ಲಿ ಉಕ್ತವಾದ ದುರ್ನಡತೆ ಎಸಗಿದ್ದೀರಿ ಮತ್ತು ಕರ್ನಾಟಕ ನಾಗರೀಕ ಸೇವಾ ನಿಯಮ (ವರ್ಗೀಕರಣ, ನಿರ್ಬಂಧ ಮತ್ತು ಮೇಲ್ಮನವಿ) 1957ರ ನಿಯಮ 8(iv)ರಂತೆ ರೂ. 60,20,792/- ಹಣ ಪಾವತಿಸಲು ಜವಾಬ್ದಾರರಾಗಿರುತ್ತೀರಿ ಅಂತ ನಿಮ್ಮ ಮೇಲೆ ದೋಷಾರೋಪಣೆಯನ್ನು ಮಾಡಲಾಗಿದೆ.”

4. The Inquiry Officer (Additional Registrar of Enquiries-11) on proper appreciation of oral and documentary evidence has held that;

(a) It stands proved that during the tenure of DGO 1 by name Sharanabasappa, who discharged duties as Secretary, Bendebeballi Grama Panchayathi, Shahapura, Yadagiri District during 2008 and 2010 who is due for retirement on superannuation on 31/03/2026

that during the tenure of DGO 1 he in collusion with Sri Kasim Sab the then President of Grama Panchayathi, Tumakura, Shahapura Taluk, Yadagiri District and in collusion with Smt. Saidamma the then President of Bendebembali Grama Panchayath, Shahapura Taluk, Yadagiri District misappropriated a sum of Rs.60,20,792/- under Indira Awas Scheme, Grameena Ashraya Scheme and Ambedkar Scheme and the liability of DGO 1 works out at 1/3<sup>rd</sup> of the said amount and thereby is guilty of misconduct within the purview of Rule 3(1)(i) to (iii) of the Karnataka Civil Services (Conduct) Rules, 1966.

(b) Charge against DGO 2 by name C.N. Sulepetkar who has written his name as C.N. Sulepethaker on the note sheet on 24/11/2016 who was working as Executive Officer, Taluk Panchayath, Shahapura, Yadagiri District from 09/11/2007 to 23/10/2008 who retired on superannuation on 31/08/2017 that during his tenure as Executive Officer, Grama Panchayath, Shahapura, Yadagiri District misappropriated a sum of Rs.60,20,792/- under in the said Panchayath Indira Awas Scheme, Grameena Ashraya Scheme and Ambedkar Scheme and thereby is guilty of misconduct within the purview of Rule 3(1) (i) to (iii) of the Karnataka Civil Services (Conduct) Rules, 1966 is not proved.

(c) (i) Charge against DGO 3 by name Palla Narasimha Reddy, who was working as Executive Officer, Taluk Panchayath, Shahapura, Yadagiri District 05/01/2009 to 11/05/2010 who retired on superannuation 30/09/2014 that during his tenure as Executive Officer, Grama Panchayath, Shahapura, Yadagiri District misappropriated a sum of Rs.60,20,792/- under in the



said Panchayath Indira Awas Scheme, Grameena Ashraya Scheme and Ambedkar Scheme and thereby is guilty of misconduct within the purview of Rule 3(1)(i) to (iii) of the Karnataka Civil Services (Conduct) Rules, 1966 is not proved.

(ii) It is proved that during the tenure of DGO-3 as Executive Officer, Taluk Panchayath, Shahapura, Yadagiri District, he failed to periodically supervise the accounts of Bendebemballi Grama Panchayathi, Shahapura, Yadagiri District maintained by DGO-1 which omission amounts to dereliction of duty within the scope and ambit of misconduct within the purview of Rule 3(1)(i) to (iii) of the Karnataka Civil Services (Conduct) Rules, 1966.”

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. The Inquiry Officer has recorded a finding in relation to Charge No.1 that DGO-1 Sri Sharanabasappa, the then Secretary of Bendebemballi Grama Panchayath, Shahpur Taluk, Yadagir District has misappropriated a sum of Rs.60,20,792/- and he is responsible for 1/3<sup>rd</sup> of the above said amount i.e., to the extent of Rs.20,06,930/-.

7. The Inquiry officer has held that the Disciplinary Authority has not proved the charge against DGO-2 Sri C.N.Sulepetkar, the then Executive Officer, Taluk Panchayath, Shahpur Taluk, Yadagir District;

8. The Inquiry Officer has held that the Disciplinary Authority has not proved the charge of misappropriation of a sum of Rs.60,20,792/- against DGO-3 Sri Palla Narasimha Reddy, the then Executive Officer Taluk Panchayath, Shahpur Taluk, Yadgir District. The Inquiry Officer has held that the DGO-3 Sri Palla Narasimha Reddy, is guilty of dereliction of duty.

9. As per the First Oral Statements submitted by DGOs 1 to 3;
- (i) DGO-1 Sri Sharanabasappa is due to retire from service on 31/3/2026;
  - (ii) DGO-2 Sri C.N.Sulepetkar has retired from service on 31/8/2017 (during the pendency of inquiry);
  - (iii) DGO-3 Sri Palla Narasimha Reddy, retired from service on 30/9/2014 (during the pendency of inquiry);


10. Having regard to the nature of charge proved against DGO-1 Sri Sharanabasappa, it is hereby recommended to the Government for imposing penalty of recovering a sum of Rs.20,06,930/- (financial loss caused by him) from the salary and other allowances payable to DGO-1 Sri Sharanabasappa, the then Secretary, Bendebemballi Grama Panchayath, Shahpur Taluk, Yadagir District. If it is not sufficient to recover from the salary and allowances, the remaining amount shall be recovered from the pensionary benefits payable to DGO-1 Sri Sharanabasappa.

11. As regards DGO-2 Sri C.N.Sulepetkar, it is hereby recommended to the Government to exonerate the DGO-2 Sri C.N.Sulepetkar, the then Executive Officer, Taluk Panchayath, Shahpur Taluk, Yadagir District of the aforesaid charges against him.

12. As regards DGO-3 Sri Palla Narasimha Reddy, it is hereby recommended to exonerate the DGO-3 Sri Palla Narasimha Reddy in relation to the charge of misappropriation of amount of Rs.60,20,792/-. The DGO-3 Sri Palla Narasimha Reddy is held guilty of dereliction of duty. Therefore, it is hereby recommended to the Government for imposing penalty of withholding 5% of pension payable to DGO-3 Sri Palla Narasimha Reddy, the then Executive Officer, Taluk Panchayath, Shahapur, for a period of 5 years.

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

Connected records are enclosed herewith.

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

