

**GOVERNMENT OF KARNATAKA**



**KARNATAKA LOKAYUKTA**

No. LOK/INQ/14-A/203/2013/ARE-7

Multi Storied Building,  
Dr. B.R. Ambedkar Veedhi,  
Bengaluru-560 001  
Date: **26/03/2020**

**RECOMMENDATION**

Sub:- Departmental inquiry against;

- 1) Dr. Prashanth Bhimashankar Nalwara, Tahsildar, Savanur Taluk, Savanur, Haveri District;
- 2) Sri S.I. Jalihal, the then Shirastedar, Taluk Office, Savanur Taluk, Savanur, Haveri District (Presently Retried from service);
- 3) Sri S.T. Patil, the then Shirastedar, Taluk Office, Savanur Taluk, Savanur, Haveri District (Presently retired from service);
- 4) Sri M.R. Hiremath, the then Cash Clerk, Taluk Office, Savanur Taluk, Savanur, Haveri District (Presently retired from service) – Reg.

- Ref:- 1) Govt. Order No.ಆರಡಿ 09 ಎಡಿಇ 2013, Bengaluru dated 19/4/2013.
- 2) Nomination order No.LOK/INQ/14-A/203/2013, Bengaluru dated 26/4/2013 of Upalokayukta-1, State of Karnataka, Bengaluru
  - 3) Inquiry Report dated 23/3/2020 of Additional Registrar of Enquiries-7 Karnataka Lokayukta, Bengaluru

The Government by its order dated 19/4/2013, initiated the disciplinary proceedings against (1) Dr. Prashanth Bhimashankar Nalwara, Tahasildar, Savanur Taluk, Savanur, Haveri District; (2) Sri S.I. Jalihal, the then Shirastedar, Taluk Office, Savanur Taluk, Savanur, Haveri District (Presently Retried from service); (3) Sri S.T. Patil, the then Shirastedar, Taluk Office, Savanur Taluk, Savanur, Haveri District (Presently retired from service; and (4) Sri M.R. Hiremath, the then Cash Clerk, Taluk Office, Savanur Taluk, Savanur, Haveri District (Presently retired from service)

(hereinafter referred to as Delinquent Government Officials 1 to 4, for short as DGO-1, DGO-2, DGO-3 and DGO-4 respectively) and entrusted the Departmental Inquiry to this Institution.

2. This Institution by Nomination Order No.LOK/INQ/14-A/203/2013, Bengaluru dated 26/4/2013 nominated Additional Registrar of Enquiries-3, Karnataka Lokayukta, Bengaluru, as the Inquiry Officer to frame charges and to conduct Departmental Inquiry against DGOs 1 to 4 for the alleged charge of misconduct, said to have been committed by them. Subsequently, by Order No. LOK/ INQ/14-A/2014, dated 14/3/2014, the Additional Registrar of Enquiries-1, Karnataka Lokayukta, Bengaluru was re-nominated as inquiry officer to conduct departmental inquiry against DGOs 1 to 4. Again as per Order No.UPLOK-1/DE/2017 dated 6/7/2017, the Additional Registrar of Enquiries-7, Karnataka Lokayukta, Bengaluru was re-nominated as inquiry officer to conduct departmental inquiry against DGOs 1 to 4.

3. The DGO-1 Dr. Prashanth Bhimashankar Nalwara, Tahasildar, Savanur Taluk, Savanur, Haveri District; DGO-2 Sri S.I. Jalihal, the then Shirastedar, Taluk Office, Savanur Taluk, Savanur, Haveri District (Presently Retried from service); DGO-3 Sri S.T. Patil, the then Shirastedar, Taluk Office, Savanur Taluk, Savanur, Haveri District (Presently retired from service; and DGO-4 Sri M.R. Hiremath, the then Cash Clerk, Taluk Office, Savanur Taluk, Savanur, Haveri District (Presently retired from service) was tried for the following charges:-

“Charge No.1: That, you DGO-1 Dr. Prashantha Bhima Shankara Nalawara, while working as

Tahasildar O/o. Tahasildar, Savanur, Haveri District, demanded and accepted a bribe of Rs.6,000/- on 21/5/2011 from complainant Sri Maruthappa S/o. Ramakrishnappa Pawar, aged about 60 years R/o. Dombara Mathuru, Taluk Savanuru, Haveri District for issue of Krushi Karmikara Certificate, that is for doing an official act and thereby you failed to maintain absolute integrity and devotion to duty and committed an act which is unbecoming of a Government Servant and thus you are guilty of misconduct under Rule 3(1)(i) to (iii) of KCS (Conduct) Rules, 1966.”

Charge No.2

That you –(i) Dr. Prashantha Bhima Shankara Nalawara, DGO-1 while working as Tahasildar, O/o. Tahasildar, Savanur, Haveri District;

(ii) Sri S.I. Jaalihal, DGO-2 while working as Shirastedar, O/o. Tahasildar, Savanur, Haveri District;

(iii) Sri S.T. Patil, DGO-3 while working as Shirastedar, O/o. Tahsildar, Savanur, Haveri District, and

(iv) Sri M.R. Hirematha, DGO-4, while working as Cash Clerk O/o. Tahasildar, Savanur Haveri District;

At the time of trap of DGO-1 By the Lokayukta Police, Haveri, the DGO-1 was found with Rs.41,720/- in his custody and did not give satisfactory reply for the said amount and that has not been accounted in the concerned registers, the election expenses entries were entered only from 23/09/2010 to 17/02/2011, which entries were not signed by the DGO-1 and the DGO-2 being the Shirastedar of election division from

23/09/2010 to 15/03/2011, the DGO-3 being the Shirastedar of the said Division from 15/3/2011 to 31/5/2011, the DGO-4 being the cash Clerk was concerned with the register of election expenses. All of you have not verified the cash book maintained regarding expenses of election and did not signed the cash book. Thereby DGO-1 to 4 have committed dereliction of duty and even though the APMC elections are over on 30/04/2011 out of the election funds, an amount of Rs.41,226/- was found excess in the cash book till 21/05/2011 and you all being public servants failed to maintain absolute integrity and devotion to duty and committed an act which is unbecoming of a Government servant and thus you are guilty of misconduct under Rule 3(1)(i) to (iii) of Karnataka Civil Services (Conduct) Rules, 1966.”

4. The Inquiry Officer (Additional Registrar of Enquiries-7) on proper appreciation of oral and documentary evidence has held that the Disciplinary Authority has proved the above Charge No.1 against DGO-1 Dr. Prashanth Bhimashankar Nalwara, Tahsildar, Savanur Taluk, Savanur, Haveri District. Further, the Inquiry Officer has held that the Disciplinary Authority has proved the above Charge No.2 against DGO-1 Dr. Prashanth Bhimashankar Nalwara, Tahasildar, Savanur Taluk, Savanur, Haveri District; DGO-2 Sri S.I. Jalihal, the then Shirastedar, Taluk Office, Savanur Taluk, Savanur, Haveri District (Presently Retired from service); DGO-3 Sri S.T. Patil, the then Shirastedar, Taluk Office, Savanur Taluk, Savanur, Haveri District (Presently retired from service); and DGO-4 Sri M.R. Hiremath, the then Cash Clerk, Taluk Office,

Savanur Taluk, Savanur, Haveri District (Presently retired from service).

5. On re-consideration of inquiry report, I do not find any reason to interfere with the findings recorded by the Inquiry Officer. It is hereby recommended to the Government to accept the report of Inquiry Officer.

6. As per the First Oral Statement submitted by DGOs 1 to 4;

- (i) DGO-1 Dr. Prashanth Bhimashankar Nalwara is due to retire from service on 31/8/2027;
- (ii) DGO-2 Sri S.I. Jalihal, has retired from service on 31/1/2011;
- (iii) DGO-3 Sri S.T. Patil has retired from service on 31/5/2011;
- (iv) DGO-4 Sri M.R.Hiremath, has retired from service on 31/12/2012.

7. Having regard to the nature of charge No.1 (demand and acceptance of bribe) proved against DGO-1 Dr. Prashanth Bhimashankar Nalwara and Charge NO. 2 proved against DGO-1 Dr. Prashantha Bhimashankar Nalwara, DGO-2 Sri S.I. Jalihal, DGO-3 Sri S.T. Patil, and DGO-4 Sri M.R. Hiremath,

(1) it is hereby recommended to the Government for imposing penalty of compulsory retirement from service on DGO-1 Dr. Prashanth Bhimashankar Nalwara, Tahasildar, Savanur Taluk, Savanur, Haveri District;


(2) it is hereby recommended to Government for imposing penalty of withholding 10% of pension payable to DGO-2 Sri S.I. Jalihal, the then Shirastedar, Taluk Office, Savanur Taluk, Savanur, Haveri District (Presently Retried from service), for a period of 10 years;

(3) it is hereby recommended to Government for imposing penalty of withholding 10% of pension payable to DGO-3 Sri S.T. Patil; the then Shirastedar, Taluk Office, Savanur Taluk, Savanur, Haveri District (Presently retired from service) for a period of 10 years; and

(4) it is hereby recommended to Government for imposing penalty of withholding 10% of pension payable to DGO-4 Sri M.R. Hiremath, the then Cash Clerk, Taluk Office, Savanur Taluk, Savanur, Haveri District (Presently retired from service) for a period of 10 years.

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

Connected records are enclosed herewith.

  
(JUSTICE N. ANANDA) 26/3  
Upalokayukta-1,  
State of Karnataka,  
Bengaluru