

GOVERNMENT OF KARNATAKA



KARNATAKA LOKAYUKTA

No.LOK/INQ/14-A/236/2012/ARE-7

Multi Storied Building,
Dr. B.R. Ambedkar Veedhi,
Bengaluru-560 001
Date: **20/02/2021**

RECOMMENDATION

Sub:- Departmental inquiry against;

- 1) Sri Hussainsab Allasab Bagwana, Grade-II Secretary, Theggi Grama Panchayath, Bilagi Taluk, Bagalkot District;
- 2) Sri Malleshappa Shankarappa Kattimani, Panchayath Development Officer, Theggi Grama Panchayath, Bilagi Taluk, Bagalkot District-Reg.

- Ref:- 1) Govt. Order No.ಗೃಅಸ/190/ಗೃಪಂಕಾ/2012, Bengaluru dated 16/5/2012.
- 2) Nomination order No.LOK/INQ/14-A/236/2012, Bengaluru dated 29/5/2012 of Upalokayukta-1, State of Karnataka, Bengaluru
 - 3) Inquiry Report dated 8/2/2021 of Additional Registrar of Enquiries-7, Karnataka Lokayukta, Bengaluru

The Government by its order dated 16/5/2012 initiated the disciplinary proceedings against (1) Sri Hussainsab Allasab Bagwana, Grade-II Secretary, Theggi Grama Panchayath, Bilagi Taluk, Bagalkot District and (2) Sri Malleshappa Shankarappa Kattimani, Panchayath Development Officer, Theggi Grama panchayath, Bilagi Taluk, Bagalkot District (hereinafter referred to as Delinquent Government Officials 1 & 2, for short as DGO-1 & DGO-2 respectively) and entrusted the Departmental Inquiry to this Institution.

2. This Institution by Nomination Order No. LOK/INQ/14-A/236/2012, Bengaluru dated 29/5/2012 nominated Additional

Registrar of Enquiries-4, Karnataka Lokayukta, Bengaluru, as Inquiry Officer to frame charges and to conduct Departmental Inquiry against DGOs 1 & 2 for the alleged charge of misconduct, said to have been committed by them. Subsequently, by Order No. LOK/ INQ/14-A/2014, dated 14/3/2014, the Additional Registrar of Enquiries-5, Karnataka Lokayukta, Bengaluru was re-nominated as inquiry officer to conduct departmental inquiry against DGOs 1 & 2. Again as per Order No.UPLOK-1/DE/2016 dated 3/6/2016, the Additional Registrar of Enquiries-7, Karnataka Lokayukta, Bengaluru was re-nominated as inquiry officer to conduct departmental inquiry against DGOs 1 & 2.

3. The DGO-1 Sri Hussainsab Allasab Bagwana, Grade-II Secretary, Theggi Grama Panchayath, Bilagi Taluk, Bagalkot District and DGO-2 Sri Malleshappa Shankarappa Kattimani, Panchayath Development Officer, Theggi Grama panchayath, Bilagi Taluk, Bagalkot District were tried for the following charge:-

“ಶ್ರೀ ಹುಸೇನಸಾಬ ಬಾಗವಾನ, ಆ.ಸ.ನೌಕರರು-1 ಹಾಗೂ ಮಲ್ಲೇಶಪ್ಪ ಕಟ್ಟಿಮನಿ, ಆ.ಸ.ನೌಕರರು-2 ಆದ ನೀವುಗಳು ಕ್ರಮವಾಗಿ ಗ್ರೇಡ್-2 ಕಾರ್ಯದರ್ಶಿಯಾಗಿ ಹಾಗೂ ಪಂಚಾಯತ್ ಅಭಿವೃದ್ಧಿ ಅಧಿಕಾರಿಯಾಗಿ ಬಾಗಲಕೋಟೆ ಜಿಲ್ಲೆಯ ಬೀಳಗಿ ತಾಲ್ಲೂಕಿನ ತೆಗ್ಗಿ ಗ್ರಾಮ ಪಂಚಾಯತಿಯಲ್ಲಿ ಕರ್ತವ್ಯ ನಿರ್ವಹಿಸುತ್ತಿದ್ದಾಗ, ಬೀಳಗಿ ತಾಲ್ಲೂಕು ತೆಗ್ಗಿ ತಾಂಡಾದ ನವನಗರ ಕಾಲೋನಿಯಲ್ಲಿ ವಿಠಲದೇವರ ಮಂದಿರದಿಂದ ಸಂಶಿಯವರ ಮನೆಯವರೆಗೆ ರಸ್ತೆ ನಿರ್ಮಾಣ ಹಾಗೂ ಚರಂಡಿ ಕಾಮಗಾರಿಗೆ 2010-11ನೇ ಸಾಲಿನ ಎನ್.ಆರ್.ಇ.ಜಿ.ಪಿ ಕ್ರಿಯಾ ಯೋಜನೆಯಡಿಯಲ್ಲಿ ಎರಡು ಲಕ್ಷ ರೂಪಾಯಿ ಅಂದಾಜು ಪಟ್ಟಿ ಮಂಜೂರಾಗಿದ್ದು, ಸದರಿ ಕಾಮಗಾರಿಯ ಬಿಲ್ಲು ಮಾಡಿ, ಕೂಲಿ ಕಾರ್ಮಿಕರಿಗೆ ಹಣವನ್ನು ಪಾವತಿಸಲು, ತೆಗ್ಗಿ ತಾಂಡಾದ ವಾಸಿಯಾದ ಶ್ರೀ ಧರ್ಮಪ್ಪ ಕೃಷ್ಣಪ್ಪ ಲಮಾಣಿ (ಇನ್ನು ಮುಂದೆ “ಫಿರ್ಯಾದಿ” ಎಂದು ಕರೆಯಲ್ಪಡುವ) ಯವರಿಂದ ದಿನಾಂಕ 05/03/2011ರಂದು ತೆಗ್ಗಿ ಗ್ರಾಮ

ಪಂಚಾಯಿತಿ ಕಛೇರಿಯಲ್ಲಿ ತಲಾ ರೂ.10,000/- ಲಂಚವನ್ನು ಶ್ರಿಶೈಲ್ ಶಾಸಪ್ಪ ಅತ್ತಾಲಟ್ಟಿ, ಕರ ವಸೂಲಿ ಗುಮಾಸ್ತರ ಮೂಲಕ ಸ್ವೀಕರಿಸಿ, ತನ್ನೂಲಕ ನಿಮ್ಮಗಳ ಕರ್ತವ್ಯದಲ್ಲಿ ಸಂಪೂರ್ಣ ಪ್ರಾಮಾಣಿಕತೆ ಮತ್ತು ಕರ್ತವ್ಯ ನಿಷ್ಠೆ ಕಾಯ್ದುಕೊಳ್ಳುವಲ್ಲಿ ವಿಫಲರಾಗಿದ್ದು, ಸರ್ಕಾರಿ ನೌಕರರಿಗೆ ಸಲ್ಲದ ಕೃತ್ಯವನ್ನು ಮಾಡಿದ್ದು, ಕರ್ನಾಟಕ ಸರ್ಕಾರಿ ಸೇವಾ (ಸದ್ವರ್ತನೆ) ನಿಯಮಾವಳಿ 1966ರ 3(i) ಮತ್ತು (iii)ನೇ ನಿಬಂಧನೆಯನ್ನು ಉಲ್ಲಂಘಿಸಿ ದುರ್ನಡತೆ ಮಾಡಿರುತ್ತೀರಿ.”

4. The Inquiry Officer (Additional Registrar of Enquiries-7) on proper appreciation of oral and documentary evidence has held that the Disciplinary Authority has proved the above charge against DGO-1 Sri Hussainsab Allasab Bagwana, Grade-II Secretary, Theggi Grama Panchayath, Bilagi Taluk, Bagalkot District and DGO-2 Sri Malleshappa Shankarappa Kattimani, Panchayath Development Officer, Theggi Grama panchayath, Bilagi Taluk, Bagalkot District.

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

6. As per the First Oral Statement submitted by DGOs 1 & 2;
i) DGO-1 Sri Hussainsab Allasab Bagwan is due to retire from service on 31/5/2021;
ii) DGO-2 Sri Malleshappa Shankarappa Kattimani is due to retire from service on 31/5/2021.


7. Having regard to the nature of charge (demand and acceptance of bribe) proved against DGO-1 Sri Hussainsab Allasab Bagwana, Grade-II Secretary, Theggi Grama Panchayath, Bilagi

Taluk, Bagalkot District and DGO-2 Sri Malleshappa Shankarappa Kattimani, Panchayath Development Officer, Theggi Grama Panchayath, Bilagi Taluk, Bagalkot District and as the DGOs are retiring from service on 31/5/2021;

- (i) it is hereby recommended to the Government for imposing penalty of permanently withholding 50% of pension payable to DGO-1 Sri Hussainsab Allasab Bagwan, subject to payment of minimum pension as per proviso to Rule 214(1)(b) of Karnataka Civil Service Rules;
- (ii) it is hereby recommended to the Government for imposing penalty of permanently withholding 50% of pension payable to DGO-2 Sri Malleshappa Shankarappa Kattimani, subject to payment of minimum pension as per proviso to Rule 214(1)(b) of Karnataka Civil Service Rules.

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

Connected records are enclosed herewith.


(JUSTICE B.S.PATIL)
Upalokayukta-1,
State of Karnataka,
Bengaluru