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**GOVERNMENT OF KARNATAKA**



**KARNATAKA LOKAYUKTA**

No:LOK/INQ/14-A/243/2012/ARE-7

Multi Storied Buildings,  
Dr.B.R.Ambedkar Veedhi,  
Bengaluru-560 001,  
Date: 11/12/2018

**RECOMMENDATION**

Sub:- Departmental inquiry against;

(1) Sri Manjunath Nagappa Baliger, Junior Training Officer, Avappanna Attigeri Industrial Training Centre, Dharwad;

(2) Sri Shivagini Sidram Khilare, Principal, Government Industrial Training Centre, Gokak and President, Industrial Training Centre Board;

(3) Sri Dada Hayath Huyilagola, Principal, Students Aid Society, Industrial Training Centre and Superintendent, Dharwad Examination Centre; and

(4) Smt. Vani Purohith, Principal, Vikas Industrial Training Centre and Superintendent, Dharwad Examination Centre - Reg.

Ref:-1) Government Order No.ಕಾಇ 302 ಇಟಿಎ 2011 Bengaluru dated 14/05/2012.

2) Nomination order No.LOK/INQ/14-A/243/2012 Bengaluru Dt. 29/05/2012 of Upalokayukta-1, State of Karnataka, Bengaluru.

3) Inquiry Report dated 07/12/2018 of Additional Registrar of Enquiries-7, Karnataka Lokayukta, Bengaluru

The Government by its Order dated 14/05/2012, initiated the disciplinary proceedings against (1) Sri Manjunath Nagappa Baliger, Junior Training Officer, Avappanna Attigeri Industrial Training Centre, Dharwad; (2) Sri Shivagini Sidram Khilare,

Principal, Government Industrial Training Centre, Gokak and President, Industrial Training Centre Board; (3) Sri Dada Hayath Huyilagola, Principal, Students Aid Society, Industrial Training Centre and Superintendent, Dharwad Examination Centre and (4) Smt. Vani Purohith, Principal, Vikas Industrial Training Centre and Superintendent, Dharwad Examination Centre (hereinafter referred to as Delinquent Government Official's 1, 2, 3 & 4 for short as '**DGO-1, DGO-2, DGO-3 & DGO-4 respectively**') and entrusted the Departmental Inquiry to this Institution.

2. This Institution by Nomination Order No.LOK/INQ/14-A/243/2012 dated 29/05/2012 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/14A/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 by order No. UPLOK-1/DE/2017 dated 6/7/2017, the Additional Registrar of Enquiries-7 was re-nominated as Inquiry Officer to conduct Departmental Inquiry against DGOs 1 to 4.

3. The DGO-1 Sri Manjunath Nagappa Baliger, Junior Training Officer, Avappanna Attigeri Industrial Training Centre, Dharwad; DGO-2 Sri Shivagini Sidram Khilare, Principal, Government Industrial Training Centre, Gokak and President, Industrial Training Centre Board; DGO-3 Sri Dada Hayath Huyilagola, Principal, Students Aid Society, Industrial Training Centre and

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Superintendent, Dharwad Examination Centre and DGO-4 Smt. Vani Purohith, Principal, Vikas Industrial Training Centre and Superintendent, Dharwad Examination Centre, were tried for the following charge:-

“That you, Sri Manjunath Nagappa Baligera (herein after referred to as Delinquent Government Official-1, in short DGO-1), while working as the Junior Training Officer in Avvanneppa Attigeri Industrial Training Centre in Dharwad you were unauthorisedly present in the Examination Centre i.e., the room in the western direction situated in the 2<sup>nd</sup> floor of Sai Industrial Training Institute Centre situated at 2<sup>nd</sup> Main Road, Shiradinagar, Dharwad on 04/08/2009 though you were not entrusted and assigned any work in the Examination Centre and you were found preparing Xerox copies of answers from the engineering diagram book supplied to you from Avvanneppa Attigeri Industrial Training Centre Library and gave numbers to those answers to the question papers of the subject of engineering diagram examination with the help of image copier (Xerox machine) and you are trying to supply those Xerox copies of answer scripts to the candidates of the examination by taking money and thus you were engaged in examination malpractices 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 and that

You Shivagini Siddram Khilare (herein after referred to as Delinquent Government Official-2, in

short DGO-2) while working as Principal, Government Industrial Training Centre, Gokak and President Industrial Training Centre Board and You Dada Hayath, Huyilagola (hereinafter referred to as Delinquent Government Official-3, in short DGO-3) while working as Principal, Students Aid Society, Industrial Training Centre and Superintendent, Dharwad Examination Centre and you Smt. Vani Puruhit (hereinafter referred to as Delinquent Government Official-4, in short DGO-4) while working as Principal, Vikas Industrial Training Centre and Superintendent, Dharwad Examination Centre on the same day i.e., on 04/08/2009 kept quiet and silent even when the Xerox copies of the answer scripts to the question paper of the Engineering Diagram, which was the subject of the examination of that day, being prepared in the examination centre itself i.e., the room in the western direction situated in the 2<sup>nd</sup> floor of Sai Industrial Training Institute Centre situated at 2<sup>nd</sup> Main Road, Shiradinagar, Dharwad and thereby all of you DGO Nos. 2 to 4 showed sheer negligence in your duties as President and Superintendents respectively of the said Board and Examination Centre and thereby 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 and that

You DGO No.2 Sri Shivagini Siddram Khilare, while working as Principal, Government Industrial Training Centre, Gokak and President Industrial Training Centre Board & Examination Centre permitted to enter unauthorized persons like DGO No.1 Sri

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Manjunath Nagappa Baligera, Sri Shankar @ Shantappa S/o Chennappa Katti Shettar and Sri Kariappa Mallappa Chikkannavar to enter the Examination Centre while examination was going on and thereby you were negligent in your public duties and thereby 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”.

4. The Inquiry Officer (Additional Registrar of Enquiries-7) on proper appreciation of oral and documentary evidence has held that;

(i) the Disciplinary Authority has proved the charges framed against the DGO No.1 Sri Manjunath Nagappa Baligera, Junior Training Officer, Avvanneppa Attigeri Industrial Training Centre, Dharwad to the effect that on 4-8-2009 he was unauthorisedly present in the examination centre and prepared Xerox copies of answers from the engineering diagram book to supply to the candidates and thereby he has committed malpractice and guilty of misconduct and dereliction of duty.

(ii) Further, the Disciplinary Authority has proved the charges framed against the DGO No.2 Sri Shivagini Siddram Khilare, Principal, Government Industrial Training Centre, Gokak and President, Industrial Training Centre Board, the DGO No.3 Sri Dada Hayath, Huyilagola, Principal, Students Aid Society, Industrial Training Centre and Superintendent, Dharwad Examination Centre and the DGO No.4 Smt. Vani

Purohit, Principal, Vikas Industrial Training Centre and Superintendent, Dharwad Examination Centre to the effect that on 4-8-2009 inspite of unauthorized presence of the DGO No.1 and inspite of preparing the Xerox copies of the answer scripts to the question papers of the engineering diagram which was the subject of the examination of that day being prepared in the examination centre itself have not taken any action against the DGO No.1 as President and Superintendents respectively of the said board and the examination centre and thereby committed misconduct and dereliction of duty.

(iii)Further, the Disciplinary Authority has proved the charges framed against the DGO No.2 Sri Shivagini Siddram Khilare, Principal, Government Industrial Training Centre, Gokak and President, Industrial Training Centre Board to the effect that being President, Industrial Training Centre Board and Examination Centre permitted to enter the unauthorized persons like DGO No.1 and two others to enter the examination centre while examination was going on and thereby he was negligent in his public duties and thereby committed misconduct and dereliction of duty.

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.

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

- i) DGO-1 Sri Manjunath Nagappa Baligera is due to retire from service on 30/06/2036;
- ii) DGO-2 Sri Shivagini Sidram Khilare is due to retire from service on 31/01/2027;
- iii) DGO-3 Sri Dada Hayath Huyilagola is due to retire from service on 31/12/2026;
- iv) DGO-4 Smt. Vani Purohith is due to retire from service on 31/01/2031.

7. Having regard to the nature of charge proved against DGO-1 Sri Manjunath Nagappa Baliger; DGO-2 Sri Shivagini Sidram Khilare; DGO-3 Sri Dada Hayath Huyilagola and DGO-4 Smt. Vani Purohith;

i) it is hereby recommended to the Government for imposing penalty of withholding four annual increments payable to DGO-1 Sri Manjunath Nagappa Baliger, Junior Training Officer, Avappanna Attigeri Industrial Training Centre, Dharwad with cumulative effect and also for deferring the promotion of DGO-1 Sri Manjunath Nagappa Baliger for a period of 10 years, whenever he becomes due for promotion.

ii) it is hereby recommended to the Government for imposing penalty of reverting the DGO-2 Sri Shivagini Sidram Khilare, Principal, Government Industrial Training Centre, Gokak and President, Industrial Training Centre Board to the next lower

cadre and also for imposing penalty of withholding two annual increments payable to DGO-2 Sri Shivagini Sidram Khilare, with cumulative effect;

iii) it is hereby recommended to the Government for imposing penalty of reverting the DGO-3 Sri Dada Hayath Huyilagola, Principal, Students Aid Society, Industrial Training Centre and Superintendent, Dharwad Examination Centre to the next lower cadre and also for imposing penalty of withholding two annual increments payable to DGO-3 Sri Dada Hayath Huyilagola, with cumulative effect.

iv) it is hereby recommended to the Government for imposing penalty of reverting the DGO-4 Smt. Vani Purohith, Principal, Vikas Industrial Training Centre and Superintendent, Dharwad Examination Centre to the next lower cadre and also for imposing penalty of withholding two annual increments payable to DGO-4 Smt. Vani Purohit, with cumulative effect

8. 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

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