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KARNATAKA LOKAYUKTA

No. Lok/ ARE-7/14-A/Enq.244/2012 Multi-storeyed Building,  
Dr.B.R. AmbedkarVeedhi,  
Bengaluru, dt.16.09.2017.

RECOMMENDATION

Sub: Departmental inquiry against  
Shri B.V. Ramesh, the then Executive  
Officer, Taluk Panchayath, Yelandur,  
Chamarajanagar District - reg.

Ref: 1. Government Order No. ಗ್ರಾಅಪ 85 ಎಸೇಬಿ  
2012 dated 22.05.2012.

2. Nomination Order No. LOK/INQ/14-A/  
244/2012 dated 30.05.2012 and modified  
orders dated 01.03.2014, 14.03.2014,  
03.08.2016 and 04.07.2017.

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Government, by order dated 22.05.2012, initiated the disciplinary proceedings against Shri B.V. Ramesh, the then Executive Officer, Taluk Panchayath, Yelandur, Chamarajanagar District [hereinafter referred to as the Delinquent Government Official, for short 'DGO'] and entrusted the departmental inquiry to this Institution. This Institution, at the first instance by nomination order dated

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30.05.2012, nominated the Additional Registrar of Enquiries-4, Karnataka Lokayukta, Bengaluru, to conduct the departmental inquiry against the DGO for the alleged misconduct alleged to have been committed by him. However, the said disciplinary proceeding was finally transferred to the Additional Registrar of Enquiries-7, Karnataka Lokayukta, Bengaluru.

2. The said Inquiry Officer, after completing the departmental inquiry, has submitted his report dated 15.09.2017 inter alia holding that, the Disciplinary Authority has '*proved*' the charge of misconduct as framed against DGO.

3. The charge levelled against the DGO was that, while he was working as Executive Officer, Taluk Panchayath, Yelandur, Chamarajanagar District, one Shri Shivamurthy s/o Ningaiah [hereinafter referred to as 'the complainant'] along with one Smt.Jayashree, Shri Doreswamy and Shri Mahadevaswamy s/o Maddur Village, Yelandur Taluk, Chamarajnagar District, approached the DGO on 27.11.2007 to enquire about their application for grant of loan under 'Self Employment Scheme' of Dr.B.R. Ambedkar Development

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Corporation. The DGO demanded bribe amount of Rs.2,500/- from each one of them, in all Rs.10,000/- and after request, he reduced the bribe amount to Rs.4,500/- and on 28.11.2007, he accepted the said amount from the complainant to show an official favour. Thereby, the DGO has failed to maintain absolute integrity, devotion to duty and rendered himself as unbecoming of a Government servant and committed misconduct within the meaning of Rule 3(1)(i) to (iii) of Karnataka Civil Service (Conduct) Rules, 1966.

4. The Disciplinary Authority, to prove the charge of misconduct has examined 3 witnesses viz., the complainant as PW1; shadow witness as PW2; and Investigating Officer as PW3 and got marked Ex.P1 to P10, however, DGO did not choose to enter the witness box nor got marked any document on his behalf.

5. The evidence of PWs 1 & 2 is consistent and proves the charge of misconduct as alleged against the DGO. The DGO has failed to prove his defence that, he had neither demanded nor accepted the bribe. The Inquiry Office having considered

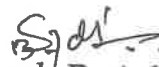
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the evidence at length has given his findings holdings that, the charge of misconduct alleged against the DGO is held '*proved*'.

6. Hence, in view of the findings of the Inquiry Officer and also having regard to the nature and gravity of the misconduct alleged against the DGO, it is hereby recommended to the Government that, the DGO - *Shri B.V. Ramesh, the then Executive Officer, Taluk Panchayath, Yelandur, Chamarajanagar District,* who is now stated to have been retired from Government service, be punished with "*denial of 25% of the pensionary benefit perpetually*" in exercise of powers under Rule 214(1)(a) of Karnataka Civil Service Rules.

7. Action taken in the matter is to be intimated to this Authority.

Connected records are enclosed herewith.

 16/9/17.  
(Justice Subhash B. Adi)  
Upalokayukta,  
State of Karnataka.

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