

KARNATAKA LOKAYUKTA

No. UPLOK-1/DE-265/2018/ARE-10

M.S. Building
Dr. B.R. Ambedkar Road
Bengaluru.

Date: 11/11/2020

ENQUIRY REPORT**PRESENT: SMT. B. PUSHPANJALI**ADDITIONAL REGISTRAR (ENQUIRIES)-10
M.S. BUILDING
KARNATAKA LOKAYUKTA
BENGALURU – 560 001.**Subject :** Departmental Inquiry against:**Sri. M.S. Meti**, Executive Officer,
Taluk Panchayath, Kundagol, Dharwad
District (**Due for retirement on
31/12/2021**)-reg.,

- References:**
1. Report u/s 12(3) of the Karnataka Lokayukta Act, 1984 in Compt/Uplok/BGM/3514/2017/DRE-4 dt: 02/04/2018.
 2. Government Order No. ಗೌಅಪ 134 ವಿಸೇಬಿ 2018 Bengaluru dated:29/05/2018.
 3. Nomination Order No. Uplok-1/DE/265/2018 Bengaluru dt. 07/06/2018 of Hon'ble Upalokayukta-1.

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1. A suo-moto investigation was taken up by invoking Sec.7(2) of Karnataka Lokayukta Act against Sri. M.S. Meti,

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Executive officer, Taluk Panchayath, Kundgol, Dharwad Distirct (hereinafter referred to as 'DGO' for short).

2. On the basis of the complaint, comments were called from DGO. The DGO has submitted his comments denying the allegations of the complaint. Not satisfied with the comments of DGO, a report was sent to the Government u/s 12(3) of the Karnataka Lokayukta Act, 1984 as per reference No.1. Pursuant to the report, Government was pleased to issue the Government Order (G.O.) authorizing Hon'ble Upa-lokayukta to hold an enquiry against the DGO as per reference No. 2.

3. On the basis of the Government Order, nomination order was issued by Hon'ble Upalokayukta-1 on 07/06/2018 authorizing ARE-10 to frame Article of Charges against the DGO and to hold an enquiry to find out the truth and to submit a report as per reference No. 3. On the basis of the nomination order, the Article of Charges against the DGO was framed and sent to the Delinquent Government Official on 8/8/2018.

4. The Article of charges and the statement of imputations of misconduct prepared and leveled against the DGO are reproduced here under :-

*That, you DGO **Sri. M.S. Meti**, Executive Officer, Taluk Panchayath, Kundagola, Dharwad District has committed following mis-conduct.*

W/V

3. You DGO has misused vehicle bearing No. KA 54- 5684 (Tata Indica Car) and not maintained log book and on verification of documents produced by you, it is found that you were unauthorizedly using the car and paying monthly rent of Rs. 30,000/- to Shri Siddarodha Agency, Kundagol and passed orders for payment of rentals by yourself and paid rentals to Srinivas Travels for using the Car bearing No. KA 25 C 6084 (Tata Indica Car) under MGNREGA Scheme for the period from 01.11.2016 to 30.11.2016 and you have paid rentals for using of car bearing No. KA 31-9075 to M/s. Srinivas Travels and further, you have paid Rs. 24,500/- per month for using the car bearing No. KA 31-9075 for the period from 01.05.2016 to 31.05.2016, to Srinivas Travels, Dharwad and further, You have paid monthly rental of Rs. 25,000/- to M/s. Srinivas Travels, Dharwad for using the vehicle No. KA 25 C 9880 for the month of July & August 2016 and you were not residing at Kundgol, and residing at Dharwad and using the vehicle to travel to that place and as per records made available by you, the Chief Executive Officer of Zilla Panchayath, Dharwad had permitted you to outsource the vehicle from 01.04.2017 to 30.11.2017 by accepting the lower tender offered by M/s. Siddarodha Agency and Smt.

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Anitha – Chief Accounts Officer has not produced documents to show that you had called for **tenders** and the rate offered by M/s. Siddarodha Agency was the lowest etc.

4. *Thus*, you DGO, being a Government /public servant has failed to maintain absolute integrity and devotion to duty and acted in a manner unbecoming of a Government servant and *thus*, you have committed misconduct U/Rule 3(1) of Karnataka Civil Service (Conduct) Rules 1966.

ANNEXURE NO. II
STATEMENT OF IMPUTATIONS OF MISCONDUCT

The contents of the complaint in brief :-

5. A suo-moto investigation was taken up by invoking Sec. 7(2) of the Karnataka Lokayukta Act against (1) Sri. M.S. Meti – Executive Officer, Taluk Panchayath, Kundgola.

6. During the spot investigation of the complaint case No: Compt/Uplok/BGM/3411/2017, it was **noticed that** –

- 1) You DGO was using vehicle bearing No. KA 54-5684 (Tata Indica Car). On enquiry, you informed that the above vehicle was used by you for the purpose of inspecting various works, including MGNREGA work, falling within your jurisdiction;

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- 2) You DGO has not maintained the log book. The driver of the Car Sri. Mylar Yamanappa produced the log book maintained by him. You DGO has maintained some documents. On verification of the documents, it was found that you DGO was unauthorizedly using the car and paying monthly rent of Rs. 30,000/- to Shri Siddarodha Agency, Kundagol. You have passed orders for payment of rentals;
- 3) As per the records made available by you, you have passed bills for the months of April 2017 to September 2017 for payment of rentals to M/s. Siddarodha Agency Opposite to Kalidas Nagar, Kundagol for use of Tata Indica Vehicle bearing Registration No. KA 31-9075;
- 4) You have also paid rentals of Rs. 25,000/- per month to Srinivas Travels for using the Car bearing No. KA 25 C 6084 (Tata Indica Car) under MGNREGA Scheme for the period from 01.11.2016 to 30.11.2016. You have also paid rentals of Rs. 24,500/- per month for using the car bearing No. KA 31-9075 to M/s. Srinivas Travels, Hotel Annapurna, Barakotri, University Road, Dharwad for the month of March 2016;
- 5) You have paid Rs. 24,500/- per month for using the car No. KA 31-9075 for the period from

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01.05.2016 to 31.05.2016, to Srinivas Travels, Dharwad indicating one month's rent for the car;

- 6) You have paid monthly rental of Rs. 25,000/- to M/s. Srinivas Travels, Dharwad for using the vehicle No. KA 25 C 9880 for the month of July 2016;
- 7) You have paid monthly rental of Rs. 25,000/- to M/s. Srinivas Travels towards use of car bearing No. KA 25 C 9880 for the month of August 2016;
- 8) You have paid monthly rental of Rs. 25,000/- for using the car bearing No. KA 25 C 6084 (Tata Indica) to M/s. Srinivas Travels, Dharwad for the period from 01.10.2016 to 31.10.2016, for inspection of works under MGNREGA;
- 9) It was learnt that you DGO is not residing at Kundgol, instead you are residing at Dharwad. As per the entries in the Log book and information received, you DGO is residing at Dharwad and you were travelling to Kundagol every day by using the above vehicle. As per the records, the vehicle was hired to enable you to visit various places of work within the jurisdiction of Kundagol Taluk Panchayath and also to inspect MGNREGA works;

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10) It was further noticed that you were availing the vehicle for the above purpose, you used the vehicle for travelling from Dharwad to Kundagol and back to Dharwad (your residence);

11) Smt. Anitha – Chief Accounts Officer, Zilla Panchayath, Dharwad District, has passed one or two bills in relation to payment of rent of the above vehicle;

12) The above payments made by you do not have any authority except the self orders passed by you. As per the records made available by you, the Chief Executive Officer of Zilla Panchayath, Dharwad had permitted you to outsource the vehicle from 01.04.2017 to 30.11.2017 by accepting the lower tender offered by M/s. Siddarodha Agency;

13) You and Smt. Anitha – Chief Accounts Officer have not produced documents to show that you had called for **tenders** and the rate offered by M/s. Siddarodha Agency was the lowest.

7. Comments of you DGO was called. You have submitted the comments.

8. You DGO in your **comments** have contended that

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You have used vehicle bearing No: KA 54 – 5684 for the purpose of inspection of various works under MGNREGA Scheme. As per Government Order No: DPAR 96 ShiVaNi 2012 dated 23.08.2012, vehicles can be taken on rental basis for official use. On the basis of said Government Order, you have taken vehicle No.: KA 31-9075 from M/s. Siddarooda Agency, Kundgol on monthly rent of Rs. 30,000/- for the purpose of inspection of various works under MGNREGA Scheme. As on the date of inspection by Hon'ble Upalokayukta – 1, since vehicle bearing No: KA 31 – 9075 was under repair, vehicle No: KA 54-5684 was sent for your use. The driver of the vehicle has maintained log book. Rentals for the months of April, 2017 to June, 2017 and August, 2017 paid to M/s. Siddarooda Agency by taking order from Taluk Panchayath in respect of vehicle bearing No: KA 31-9075. Likewise, rent was paid to M/s. Srinivas Agency in respect of vehicle bearing No : KA 25C-6084 for the months of March, May, July, August, October and November, 2016. You have contended that the vehicles are availed on rental basis for the purposes of inspection of MGNREGA work at Kundgol. However, during urgent meeting, video conference and other works, you use the vehicle to travel to Dharwad. You admitted that the Chief Accounts Officer countersigned one or two bills. You have called for tenders and that the rate offered by M/s. Siddarooda Agency was lowest.


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9. The **material on record discloses that** : -

(1) You DGO was using vehicles bearing No: KA 54-5684, KA 31-9075, KA 25 C 6084 and KA 25 C 9880 on rental basis for the purpose of alleged inspection of various works including MGNREGA works falling in your jurisdiction. You have also admitted in clear terms that you have also paid rentals to the said vehicles to two travel agencies viz., M/s. Siddarooda Agency, Kundgol and M/s Srinivasa Travels, Dharwad.

(2) You have hardly produced any documents to substantiate your contention that you have called for *tenders* from the travel agencies. In fact, the bills submitted by you for payment of rent for the months of March 2017 to June 2017 were returned by the accounts branch of Chief Executive Officer, Zilla Panchayath office with *objection*. As per the office note (annexure 5 to the comments of Smt. Anitha), Chief Accounts Officer, Zilla Panchayath has ordered for calling for tenders within December, 2017. Therefore, it can be inferred that within that period, you have not at all called for tender from travel agencies for supply of vehicle on rent. *Therefore*, your contention that, you have called for tenders and the rate officered by M/s. Siddarooda Agency was lowest, *cannot be accepted*. It is borne

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out from the records that you have shown to have paid rentals to M/s. Siddarooda Agency, Kundgol and M/s. Srinivasa Travels, Dharwad for the months of March 2016, May 2016, July 2016, August 2016, October 2016, November 2016 and April 2017 to September 2017 in respect of vehicles said to have used by you for the purpose of inspecting MGNREGA works.

- (3) *You have not followed due procedure such as, calling for tender /quotation before taking the vehicles on rent.* There is absolutely no document to show that the rate/s offered by the aforesaid travel agencies was the lowest. *It is further evident that you were using the rented vehicle for the purpose of travelling to your residence at Dharwad and back to your work place i.e., Kundgol.*
10. The *reply/comments* submitted by you is not found convincing or satisfactory to drop the proceedings against you. Thus, investigation substantiates the allegation against you -DGO.
11. *The materials available on record prima facie disclose that you, being a Government Servant, has failed to maintain absolute integrity, devotion to duty and acted in a manner unbecoming of a Government Servant, and thereby committed misconduct attracting 3(1) of KCS (Conduct) Rules 1966 and liable for disciplinary action.*

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12. The said facts supported by materials placed on record *prima-facie show that you* DGO has committed misconduct under Rule 3(1) of the KCS (Conduct) Rules, 1966. Hence, a report u/S 12(3) of Karnataka Lokayukta Act, 1984 was sent to the Competent Authority with a recommendation to initiate disciplinary proceedings against you DGO and to entrust the inquiry to this Authority U/Rule 14-A of Karnataka Civil Services (Classification, Control and Appeals) Rules, 1957 against you. *In turn*, the Competent Authority initiated disciplinary proceedings against you DGO and entrusted the enquiry to this Institution vide reference no. 1 and Hon'ble Upalokayukta-1 has nominated this enquiry Authority to conduct enquiry and report vide reference No. 2. Hence, this **charge**.

5. The aforesaid Article of charges was served upon the DGO on 8/8/2018. DGO appeared before this enquiry authority and his first oral statement under Rule 11(9) of KCS (CCA) Rules, 1957 was recorded on 31/08/2018. The DGO pleaded not guilty and claimed for holding an enquiry.

6. DGO had filed written statement dt. 28/08/2018. In his written statement of defense had contended that, he has performed his duties as per the orders and directions of Government/Superior Officer. He has not misused the government fund in the process of E-tender for renting the Vehicles and employing the Outsource Employees and has not

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committed any dereliction of duty. Hence has requested to exonerate him from the charges.

7. In order to prove the charge leveled against the DGO, the disciplinary authority has examined Smt. Anitha M.P, Joint Director, State Accounts Department as PW-1 and got marked the documents as Ex.P-1 to Ex.P-4 and Smt. Snehal.R, Chief Executive Officer as PW-2 and got marked the documents as Ex.P.5 on behalf of Disciplinary Authority. After the closure of evidence of Disciplinary Authority, Second Oral Statements of DGO was recorded as required U/R 11(16) of KCS (CCA) Rules, 1957 on 18/01/2020. DGO – Sri. M.S. Meti is examined as DW-1. Hence, recording the answers of DGO to questionnaires under rule 11(18) of KCS (CC & A) Rules was dispensed with. Heard argument of Presenting Officer. DGO had filed his written arguments.

8. Upon consideration of oral, documentary evidence, and the defense of DGO, the points that arise for my consideration are as follows;

1 : Whether the charge leveled against the DGO is proved by the Disciplinary Authority?

2 : What order?

9. My findings to the aforesaid points are as under :-
POINT No. 1 : In the **Affirmative** against DGO.

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POINT No. 2 : As per final order for the following.

REASONS

10. **POINT NO. 1** : It is the case of the Disciplinary Authority that, the DGO – Sri. M.S. Meti, without calling for tender/quotation, had used the vehicles bearing no. KA 54-5684, KA 31-9075, KA 25C 6084, KA 31-9075 and KA 25 C 9880 on rental basis for the purpose of alleged inspection of various works including MGNREGA works falling in his jurisdiction and had paid rentals to M/s. Shri Siddarodha Agency, Kundagol and M/s. Srinvas Travels, Dharwad for the month of April 2017 to September 2017, from 01/11/2016 to 30/11/2016, from 01/05/2016, from 01/05/2016 to 31/05/2016, for the months of March-2016, July-2016, August-2016 and from 01/10/2016 to 31/10/2016 respectively in respect of the vehicles said to have used for the purpose of inspecting MGNREGA works. It is the further case of Disciplinary Authority that, the DGO had used rented vehicle for the purpose of travelling to his residence at Dharwad and back to his work place i.e., Kundagol.

11. It is the evidence of PW-1 Smt. Anitha M.P that she is working as Chief Accounts Officer in Zilla Panchayat, Dharwad from 23/4/2015 to 18/11/2017; the DGO had submitted rental bills on 24/7/2017 for the month of April to June for counter signature and at that time on verification she



found that, in respect of Tata Indica Car bearing registration No. KA-31-9075, there is no copy of quotation/tender and Administrative order of Chief Executive Officer, Zilla Panchayath, Dharwad. It is the further evidence of PW-1 that, the CEO gave permission letter dt. 21/9/2017 at Ex.P.1; she addressed a letter dt. 25/9/2017 at Ex.P.2 to produce the documents regarding calling of tender as per the order of Government and Chief Executive Officer, to take vehicle on rent basis and has put office note as per Ex.P.3; the DGO requested to give permission to take vehicle on rent up to 30/11/2017, the Chief Executive Officer granted permission to make vehicle rental payments up to 31/10/2017 as per Ex.P.3; accordingly she put counter signature up to end of September-2017. The PW-1 further deposed that, the DGO did not produce all the documents except permission letter of CEO; from 7/6/2017 onwards by the order of CEO, Dharwad, at Ex.P.4, the bills were submitted for counter signature; the Log book/diary of the rental vehicles will be submitted directly to CEO, Zilla Panchayath, Dharwad, through Deputy Secretary (Administrative Officer).

12. It is the evidence of PW-2 Smt. Snehal.R that, she worked as Chief Executive Officer in Dharwad during the year from 02/01/2017 to September-2018; All Executive Officer's in Dharwad District are permitted to use vehicle to monitor development programs and MGNREGA schemes sponsored by Government of India; the DGO had used the vehicle for the said purpose through quotation on the basis of Government order dt.

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23/8/2012 at Ex.P.5; thereafter in the month of September 2017, DGO sought permission to make payment to the vehicle used by him for the above said scheme; on the basis of his request permitted to make payment to the vehicle in between 01/04/2017 to 30/11/2017; however for further period DGO was instructed to e-tender the vehicle; thereafter the Chief Accounts Officer objected and requested for office order to make the payments; On 9/2/2018 the office order was issued to make the payment through DGO to Sri. Siddarda Agency, Kundagol, where the DGO had taken the vehicle for the above said scheme; since in the said order the Gajalakshmi Agency, Kundagol was a lesser bidder therefore DGO was permitted to obtain vehicle through agency from January-2018. In the course of cross examination she has admitted that, the DGO has submitted Tour Programme Diary during that period and as per the record there is no scope for DGO to commit irregularities in respect of use of vehicle.

13. It is the evidence of DGO Sri. M.S. Meti that, he worked as Executive Officer, Taluk Panchayath, Kundagol, Dharwad District from 31/12/2015 to 23/01/2020; he has used vehicle bearing no. KA 54-5684 for the purpose of inspection of various works under MGNREGA Scheme; as per Government order dt. 01/02/2008, he has taken vehicles on rental basis for inspection of MGNREGA works i.e., the Vehicle bearing No. KA54-5684 (TICAR); he has made rental payments for the month of April-2017 to June-2017 and August-2017 to M/s. Siddaroda Agency by taking order and approval from Zilla Panchayath in



respect of vehicle bearing no. KA 31-9075. Therefore he was not misutilized the government funds or committed dereliction of duty and requested to exonerate from the charges.

14. A perusal of records, evidence of PW-1, PW-2, DW-1 and Ex.P.1 to Ex.P5, it indicates that, the DGO worked as Executive officer, Taluk Panchayath, Kundagol, Dharwad District for the period from 19/12/2015 to 23/01/2018. PW-1 worked as Chief Accounts Officer during the year from 23/4/2015 to 18/11/2017 at Zilla Panchayath, Dharwad and PW-2 worked as CEO, during the year 02/01/2017 to September-2018. During the spot investigation by Hon'ble Upalokayukta-1, it was noticed that;

1. The DGO was using vehicle bearing No. KA 54-5684 (Tata Indica Car). On enquiry, DGO informed that the above vehicle was used by him for the purpose of inspecting various works, including MGNREGA work, falling within your jurisdiction;
2. The DGO has not maintained the log book. The driver of the Car Sri. Mylar Yamanappa produced the log book maintained by him. The DGO has maintained some documents. On verification of the documents, it was found that DGO was unauthorizedly using the car and paying monthly rent of Rs. 30,000/- to Shri

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Siddarodha Agency, Kundagol. DGO have passed orders for payment of rentals;

3. As per the records made available by DGO, he has passed bills for the months of April 2017 to September 2017 for payment of rentals to M/s. Siddarodha Agency Opposite to Kalidas Nagar, Kundagol for use of Tata Indica Vehicle bearing Registration No. KA 31-9075;
4. The DGO has also paid rentals of Rs. 25,000/- per month to Srinivas Travels for using the Car bearing No. KA 25 C 6084 (Tata Indica Car) under MGNREGA Scheme for the period from 01.11.2016 to 30.11.2016. He also paid rentals of Rs. 24,500/- per month for using the car bearing No. KA 31-9075 to M/s. Srinivas Travels, Hotel Annapurna, Barakotri, University Road, Dharwad for the month of March 2016;
5. The DGO has paid Rs. 24,500/- per month for using the car No. KA 31-9075 for the period from 01.05.2016 to 31.05.2016, to Srinivas Travels, Dharwad indicating one month's rent for the car;
6. The DGO has paid monthly rental of Rs. 25,000/- to M/s. Srinivas Travels, Dharwad for


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using the vehicle No. KA 25 C 9880 for the month of July 2016;

7. The DGO has paid monthly rental of Rs. 25,000/- to M/s. Srinivas Travels towards use of car bearing No. KA 25 C 9880 for the month of August 2016;
8. DGO has paid monthly rental of Rs. 25,000/- for using the car bearing No. KA 25 C 6084 (Tata Indica) to M/s. Srinivas Travels, Dharwad for the period from 01.10.2016 to 31.10.2016, for inspection of works under MGNREGA;
9. It was learnt that the DGO is not residing at Kundgol, instead he was residing at Dharwad. As per the entries in the Log book and information received, the DGO is residing at Dharwad and he was travelling to Kundagol every day by using the above vehicle. As per the records, the vehicle was hired to enable DGO to visit various places of work within the jurisdiction of Kundagol Taluk Panchayath and also to inspect MGNREGA works;
10. It was further noticed that the DGO was availing the vehicle for the above purpose, he used the vehicle for travelling from Dharwad to



Kundagol and back to Dharwad (DGO's residence);

11. Smt. Anitha – Chief Accounts Officer, Zilla Panchayath, Dharwad District, has passed one or two bills in relation to payment of rent of the above vehicle;
12. The above payments made by DGO do not have any authority except the self orders passed by him. As per the records made available by DGO, the Chief Executive Officer of Zilla Panchayath, Dharwad had permitted him to outsource the vehicle from 01.04.2017 to 30.11.2017 by accepting the lower tender offered by M/s. Siddarodha Agency;
13. DGO and Smt. Anitha – Chief Accounts Officer have not produced documents to show that the DGO had called for **tenders** and the rate offered by M/s. Siddarodha Agency was the lowest.
14. As admitted by the PW-2, all Executive Officers in Dharwad District were permitted to use the vehicles on rental basis to monitor development programs and MGNREGA schemes sponsored by Government of India. Ex.P.5 is the order of Government dt. 23/8/2012, which indicates the grant of

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permission to use the vehicles on rental basis for official use as per the price and rate indicated therein. As admitted by the DGO, he has used the vehicles bearing no. KA 54-5684, KA 31-9075, KA 25C-6084 and KA 25C-9880 on rental basis for the purpose of alleged inspection of various works including MGNREGA works falling in his jurisdiction. He also admitted that he had paid rentals to the said vehicles to two travel agencies viz., M/s. Siddarouda Agency, Kundagol and M/s. Srinivas Travels, Dharwad. A perusal of Ex.P.4 i.e., the annexure-2 dt. 24/7/2007, which indicates that, the bills submitted by the DGO for payments of rentals for the month of December - 2016 to June - 2017 were returned with objection by the Chief Accountant, Zilla Panchayath, Dharwad. A perusal of Ex.P.3, office note and letter of CEO dt. 21/9/2017, which indicates that the bills submitted by the DGO for payment of rentals to the vehicles taken on rental basis were returned with objection and instructed for calling for tenders within December-2017, which is also admitted by the PW-1 and 2 and DGO. In the course of cross examination, the DGO had admitted that, EO has permitted to use the private vehicle from 01/04/2017 to 30/11/2017; he has remitted the amount for the use of vehicle for the period March-2016 to November-2016; as per the Government order and CEO orders, amount has been remitted. He also admitted that before the spot inspection by Hon'ble Upaloktyuka, he has not used the vehicle by calling tender; after using the vehicle entries should be made in the log book regarding the details of time, purpose of using the vehicle, time and kilometer, but he has not produced the logbook.



15. Thus it is clear that the DGO has not maintained the log book, indicating the purpose of use of vehicle, time, kilometer, the date and vehicle number. Though, the DGO was supposed to maintain the logbook indicating all the relevant entries but he has not followed the due procedure before submitting the bills for approval/counter signature from the concerned authority. As per the order of Government, before taking the vehicle on rental basis for official use more particularly for inspecting the works of MGNREGA falling in his jurisdiction, he was supposed to call e-tender as per KTPP Act. To show that the DGO had invited e-tender/quotation was called from the Travel Agency; firstly he has not placed any materials for the same and secondly, DGO has not produced any materials to establish that the rates quoted by the M/s. Siddarouda Agency, Kundagol and M/s. Srinivas Travels, Dharwad was lowest. Therefore it is clinchingly evidenced that the DGO has not invited e-tender and lowest rate offered by the Travel agency was accepted by following the KTPP Act, 1999.

16. As admitted by the DGO, his house is at Dharwad and he has not produced any documents to show that he resided at head quarters i.e., for a period of 5 years at Kundagol. Though he says in the cross examination that he was residing at Government Quarters, to establish the same, he has not placed any iota of evidence or materials on the same. In the course of cross examination he has admitted that, HRA was not deducted from his salary. He has not offered any explanation as to why the HRA was not deducted from his salary though he resided in



the Government quarters. Thus it can be inferred that, despite he allegedly resided in the Government quarters had drawn HRA (without deduction in the salary) or as he has not resided in the head quarter use to travel to his residence at Dharwad on every day. Therefore, in the absence of any materials to show that he resided in the Government quarters, Kundagol as HRA was not deducted, from his salary, an adverse inference shall be drawn that he used the rented vehicle for the purpose of travelling to his residence at Dharwad and back to his work place i.e., Kundagol. Thereby, the DGO had misutilized the government funds contending that rented vehicle used for the purpose of inspecting various works, including MGNREGA works, falling within his jurisdiction and acted unbecoming of a Government servant and committed misconduct u/r 3(1) of KCSR (Conduct) Rules, 1966. Accordingly, I am of the opinion that the Disciplinary Authority had proved the charges leveled against the DGO. Therefore, I answer Point No.1 in the **Affirmative**.

17. **POINT NO.2** : In view of findings on Point No.1, I proceed with the following ;-

: REPORT :

The Disciplinary Authority has **proved** the charge against DGO-Sri. M.S. Meti, Executive Officer, Taluk Panchayath, Kundgol, Dharwad District.

A handwritten signature and the date '11/12' are present at the bottom of the page.

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

Dated this the 11th November, 2020

(B. Pushpanjali)
Additional Registrar (Enquiries-10)
Karnataka Lokayukta,
Bengaluru.

ANNEXURES

I. LIST OF WITNESS/S EXAMINED ON BEHALF OF DISCIPLINARY AUTHORITY :-

PW-1 : Smt. Anitha M.P, Joint Director, State Accounts Department, Dharwad.

PW-2: Smt. Snehal R, Chief Executive Office, Mangalore.

II. LIST OF DOCUMENTS MARKED ON BEHALF OF DISCIPLINARY AUTHORITY :-

Ex.P.1 :	Chief Officer, ZP, Dharwad permission letter dt. 21/9/2017
Ex.P.2 :	Letter of Chief Accounts Officer, ZP, Dharwad dt. 25/9/2017
Ex.P.3 :	Office Note of DGO
Ex.P.4 :	CEO, ZP, Dharwad Office Order dt. 7/6/2017
Ex.P.5 :	Government order dt. 23/8/2012

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III. LIST OF WITNESS/S EXAMINED ON BEHALF OF DGO :

DW-1 : Sri. M.S. Meti, Executive Officer (DGO)

IV. LIST OF DOCUMENTS MARKED ON BEHALF OF DGO :

- Nil -

Dated this the 11th November, 2020

(B. Pushpanjali)
Additional Registrar (Enquiries-10)
Karnataka Lokayukta,
Bengaluru.

GOVERNMENT OF KARNATAKA



KARNATAKA LOKAYUKTA

No.UPLOK-1/DE-265/2018/ARE-10

Multi Storied Building,
Dr.B.R.Ambedkar Veedhi,
Bengaluru-560 001
Date: **18/11/2020**

RECOMMENDATION

Sub:- Departmental inquiry against Sri M.S. Meti, Executive Officer, Taluk Panchayath, Kundagol, Dharwad District – Reg.

Ref:- 1) Government Order No. ಸ್ರಾಅಪ 134 ಎಸೇಬಿ 2018, Bengaluru dated 29/05/2018.

2) Nomination order No.UPLOK-1/DE/265/2018, Bengaluru dated 07/06/2018 of Upalokayukta-1, State of Karnataka, Bengaluru

3) Inquiry Report dated 11/11/2020 of Additional Registrar of Enquiries-10, Karnataka Lokayukta, Bengaluru.

The Government by its Order dated 29/05/2018, initiated the disciplinary proceedings against Sri M.S. Meti, Executive Officer, Taluk Panchayath, Kundagol, Dharwad District (hereinafter referred to as Delinquent Government Official for short as 'DGO') and entrusted the Departmental Inquiry to this Institution.

2. This Institution by Nomination Order No.UPLOK-1/DE/265/2018, Bengaluru dated 07/06/2018, nominated Additional Registrar of Enquiries-10, Karnataka Lokayukta, Bengaluru, as the Inquiry Officer to frame charges and to conduct Departmental Inquiry against DGO for the alleged charge of misconduct, said to have been committed by him.

3. The DGO Sri M.S. Meti, Executive Officer, Taluk Panchayath, Kundagol, Dharwad District was tried for the following charge:-

“That, you DGO Sri M.S. Meti, Executive Officer, Taluk Panchayath, Kundagol, Dharwad District has committed the following misconduct;

You DGO has misused vehicle bearing No. KA 54-5684 (Tata Indica Car) and not maintained log book and on verification of documents produced by you, it is found that you were unauthorizedly using the car and paying monthly rent of Rs.30,000/- to Shri Siddarodha Agency, Kundagol and passed orders for payment of rentals by yourself; and paid rentals to Srinivas Travels for using the Car bearing No. KA 25 C 6084 (Tata Indica Car) under MGNREGA Scheme for the period from 01.11.2016 to 30.11.2016; and you have paid rentals for using of car bearing No. KA 31-9075 to M/s. Srinivas Travels and further, you have paid Rs. 24,500/- per month for using the car bearing No. KA 31-9075 for the period from 01.05.2016 to 31.05.2016, to Srinivas Travels, Dharwad and further, you have paid monthly rental of Rs.25,000/- to M/s. Srinivas Travels, Dharwad for using the vehicle No. KA 25 C 9880 for the month of July & August 2016 and you were not residing at Kundgol, and residing at Dharwad and using the vehicle to travel to that place and as per records made available by you, the Chief Executive Officer of Zilla Panchayath, Dharwad had permitted you to outsource the vehicle from 01.04.2017 to 30.11.2017 by accepting the lower tender offered by M/s. Siddarodha Agency and Smt. Anitha – Chief Accounts Officer has not produced

documents to show that you had called for tenders and the rate offered by M/s. Siddarodha Agency was the lowest, etc.

Thus, you DGO being Government/Public servant has failed to maintain absolute integrity and devotion to duty and acted in a manner unbecoming of a Government Servant and thus, you have committed misconduct U/Rule 3(1) of the Karnataka Civil Services (Conduct) Rules, 1966.”

4. The Inquiry Officer (Additional Registrar of Enquiries-10) on proper appreciation of oral and documentary evidence has held that the Disciplinary Authority has proved the above charge against DGO Sri M.S. Meti, Executive Officer, Taluk Panchayath, Kundagol, Dharwad District.

5. The Inquiry officer has held that “therefore to sum the discussion in the foregoing Paras, the DGO has used rented vehicles bearing No. KA 31-9075; KA 25 C 6084; and KA 25 C 9880 for his personal use to travel for his residence at Dharwad and back to his work place and has misappropriated total amount of Rs.4,65,000/-. While taking rented vehicles, the DGO has not followed the KTPP Act and has misused his powers. Thereby, the DGO had misutilised the Government funds contending that the rented vehicle used for the purpose of inspecting various works, including MGNREGA works falling within his jurisdiction and acted unbecoming of a Government servant and committed misconduct under Rule 3(1) of KCS (Conduct) Rules, 1966. Accordingly, I am of the opinion that the Disciplinary Authority

had proved the charges leveled against the DGO. Therefore, I answer point No.1 in the Affirmative.”


6. 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.

7. As per the First Oral Statement submitted by DGO Sri M.S. Meti, he is due to retire from service on 31/12/2021.

8. Having regard to the nature of charge proved against DGO Sri M.S. Meti, it is hereby recommended to the Government for imposing penalty of compulsory retirement from service on DGO Sri M.S. Meti, Executive Officer, Taluk Panchayath, Kundagol, Dharwad District and also for recovering a sum of Rs.4,65,000/- from the pensionary benefits payable to DGO Sri M.S.Meti.

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

Connected records are enclosed herewith.


(JUSTICE N. ANANDA) 18/11
Upalokayukta-1,
State of Karnataka,
Bengaluru