



KARNATAKA LOKAYUKTA

No.UPLOK-1/DE.288/2018/ARE-16

Multi Storied Building,
Dr. B.R. Ambedkar Veedhi,
Bengaluru-560 001.
Dated 03.12.2021.

RECOMMENDATION

Sub:- Departmental inquiry against Shri Ali Akbar, Retired Head Master, Government Urdu Higher Primary School, Sindhanuru, Raichuru District - reg.

Ref:- 1) Government Order No.ED 92 PMC 2018 dated 06.06.2018.

2) Nomination order No. UPLOK-1/DE.288/2018 dated 21.06.2018 of Upalokayukta, State of Karnataka.

3) Inquiry report dated 02.12.2021 of Additional Registrar of Enquiries-16, Karnataka Lokayukta, Bengaluru.

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The Government by its order dated 06.06.2018 initiated the disciplinary proceedings against Shri Ali Akbar, Retired Head Master, Government Urdu Higher Primary School, Sindhanuru, Raichuru 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 UPLOK-1/DE.288/2018 dated 21.06.2018 nominated Additional Registrar of Enquiries-

11, 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. Subsequently, the matter was transferred to Additional Registrar of Enquiries-16 for continuing the said enquiry.

3. The DGO was tried for the charge of committing several irregularities in construction of Head Master's room under Sarva Shikshana Abhiyana Scheme, withdrawing amounts through self cheques without any vouchers, executing sub-standard work, manipulating bills, not maintaining registers etc.,

4. The Inquiry Officer (Additional Registrar of Enquiries-16) on proper appreciation of oral and documentary evidence has held that, the above charge against the DGO Shri Ali Akbar, Retired Head Master, Government Urdu Higher Primary School, Sindhanuru, Raichuru District, is 'proved'.

5. On re-consideration of report of inquiry and all other materials on record, I do not find any reason to interfere with

the findings recorded by the Inquiry Officer. Therefore, it is hereby recommended to the Government to accept the report of Enquiry Officer.

6. As per the First Oral Statement of DGO furnished by the Enquiry Officer, DGO has retired from service on 30-04-2016.

7. Having regard to the nature of charge '*proved*' against the DGO and considering the totality of circumstances, it is hereby recommended to the Government to impose penalty of 'withholding 15% of pension payable to DGO Shri Ali Akbar, Retired Head Master, Government Urdu Higher Primary School, Sindhanuru, Raichuru District, for a period of five years'.

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

Connected records are enclosed herewith.

*B.S. Patil* 2/12/21  
(JUSTICE B.S.PATIL)  
Upalokayukta,  
State of Karnataka.



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**KARNATAKA LOKAYUKTA**

No.UPLOK-1/DE/288/2018/ARE-16

M.S. Building  
Dr.B.R. Ambedkar Road  
Bangalore-560 001  
Date: 02/12/2021.

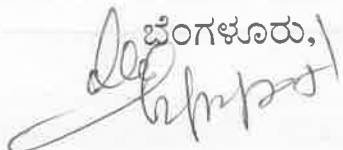
**ENQUIRY REPORT**

- Present :** H.G. Vijaya Kumari,  
Additional Registrar of Enquiries-3  
I/c Addl. Registrar of Enquiries-16,  
Karnataka Lokayukta,  
Bengaluru.
- Sub:** Departmental Enquiry against DGO-  
Sri. Ali Akbar, Retired Head Master,  
Government Urdu Higher Primary  
School, Sindhanuru, Raichur District  
- Reg.
- Ref:** 1. Government Order No. ಇಡಿ 92  
ಪಿಎಂಸಿ 2018 ಬೆಂಗಳೂರು, ದಿ: 06/06/2018.
2. Nomination Order No: UPLOK- 1/  
DE/288/2018, Bengaluru, Dated:  
21/06/2018 of Hon'ble Upalokayukta,  
Bengaluru.

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**Preamble:**

This is a Departmental Enquiry directed on the  
basis of Government Order No. ಇಡಿ 92 ಪಿಎಂಸಿ 2018

ಬೆಂಗಳೂರು, ದಿ: 06/06/2018 against Sri. Ali Akbar, Retired  


Head Master, Government Urdu Higher Primary School, Sindhanuru, Raichur District (herein after referred to as Delinquent Government Official in short 'DGO').

2. The Hon'ble Upalokayukta has nominated Additional Registrar of Enquiries-16, office of the Karnataka Lokayukta, Bengaluru to frame the charge and to conduct inquiry against the aforesaid DGO as per the nomination order dated 21/06/2018. Accordingly, Articles of Charge was framed by Additional Registrar Enquires-16 against DGO are as under:

ಅನುಬಂಧ-1  
ದೋಷಾರೋಪಣೆ

ಆಪಾದಿತ ಸರ್ಕಾರಿ ನೌಕರರಾದ ಶ್ರೀ ಅಲಿ ಅಕ್ಬರ್ ಆದ ನೀವು ರಾಯಚೂರು ಜಿಲ್ಲೆಯ ಸಿಂಧನೂರು ಎಂಬಲ್ಲಿರುವ ಸರ್ಕಾರಿ ಹಿರಿಯ ಪ್ರಾಥಮಿಕ ಶಾಲೆಯಲ್ಲಿ ಮುಖ್ಯ ಶಿಕ್ಷಕರಾಗಿ 2012ನೆಯ ಇಸವಿಯಲ್ಲಿ ಕರ್ತವ್ಯ ನಿರ್ವಹಿಸಿಕೊಂಡಿದ್ದಾಗ ಸದರಿ ಶಾಲೆಗೆ ಸಂಬಂಧಪಟ್ಟಿರುವ ಮುಖ್ಯ ಶಿಕ್ಷಕರ ಕೊರಡಿ ನಿರ್ಮಾಣಕ್ಕೆಂದು ರೂ.4,60,000/- ಗಳ ಅನುದಾನವು ಬಿಡುಗಡೆಯಾಗಿದ್ದು ಆ ಕೊರಡಿಗೆ ಹೊಂದಿಕೊಂಡಂತೆ ಡಬ್ಲ್ಯು.ಪಿ.ಸಿ. ಶೌಚಗೃಹವನ್ನು ನಿರ್ಮಿಸದೆ ಮತ್ತು ಮದ್ಯಾಹ್ನದ ಊಟಕ್ಕೆಂದು ಕೊರಡಿಯ ಕೊರಡಿಯ ನಿರ್ಮಾಣವನ್ನು ಅನಧಿಕೃತವಾಗಿ ರೂ.6,21,613/- ಗಳ ವೆಚ್ಚದಲ್ಲಿ ನಿರ್ಮಿಸಿರುವುದಾಗಿ ತೋರಿಸಿ ಸದರಿ ಹಣವನ್ನು ದಿನಾಂಕ: 12/02/2012 ರಿಂದ 26/04/2016 ರ ಅವಧಿಯಲ್ಲಿ ಒಟ್ಟು 24 ಸೆಲ್ಫ್ ಚೆಕ್ ಮುಖಾಂತರ ಬ್ಯಾಂಕ್‌ನಿಂದ ಪಡೆದುಕೊಂಡಿದ್ದು ಸದರಿ ಕಾಮಗಾರಿಯು ಕಳಪೆ ಮಟ್ಟದ್ದಾಗಿದ್ದು ಕಾಮಗಾರಿಗೆ ಖರ್ಚಾದ ಹಣದ ಬಗ್ಗೆ ಸಂಬಂಧಪಟ್ಟ ಪುಸ್ತಕದಲ್ಲಿ ನಮೂದು ಮಾಡದೆ ಕಾಲಕಾಲಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟ ಅಭಿಯಂತರರಿಂದ ಪರಿಶೀಲನೆ ಮಾಡಿಸದೆ ಮೇಲ್ಕಂಡ ಹಣವನ್ನು ದುರುಪಯೋಗ

ಪಡಿಸಿಕೊಂಡು ಸರ್ಕಾರಿ ನೌಕರರಿಗೆ ಉಚಿತವಲ್ಲದ ರೀತಿಯಲ್ಲಿ ನಡೆದುಕೊಂಡು ದುರ್ನಡತೆಯಿಂದ ವರ್ತಿಸಿ, ಕರ್ನಾಟಕ ನಾಗರಿಕ ಸೇವಾ ನಿಯಮಗಳು (ನಡತೆ) 1966 ನಿಯಮ 3(1) ರಡಿಯಲ್ಲಿ ದುರ್ನಡತೆಯನ್ನೆಸಗಿರುತ್ತೀರಿ.

**ಅನುಬಂಧ-2**

**ದೋಷಾರೋಪಣೆಯ ವಿವರ**

ದೂರುದಾರರಾದ ಶ್ರೀ ಸೈಯದ್ ರಫೀಯುದ್ದೀನ್ ಖಾದ್ರಿ, ಸಿಂಧನೂರು, ರಾಯಚೂರು ಜಿಲ್ಲೆ ರವರು ತಮ್ಮ ದೂರಿನಲ್ಲಿ 2011-12ನೇ ಸಾಲಿನಲ್ಲಿ ಎಸ್.ಎಸ್.ಎ. ಯೋಜನೆಯಡಿಯಲ್ಲಿ ಸಿಂಧನೂರಿನಲ್ಲಿರುವ ಸರ್ಕಾರಿ ಉರ್ದು ಹಿರಿಯ ಪ್ರಾಥಮಿಕ ಶಾಲೆಗೆ ಸಂಬಂಧಪಟ್ಟಂತೆ ಮುಖ್ಯ ಶಿಕ್ಷಕರ ಕೊಠಡಿಯನ್ನು ನಿರ್ಮಾಣ ಮಾಡುವ ಸಂಬಂಧ ರೂ.4.50 ಲಕ್ಷ ಬಿಡುಗಡೆಯಾಗಿದ್ದು, ದಿನಾಂಕ: 12/03/2012 ರಿಂದ 16/04/2012 ರ ಅವಧಿಯಲ್ಲಿ ಕಾಮಗಾರಿ ಪೂರ್ಣಗೊಳ್ಳದಿದ್ದರೂ ಸಹ ರೂ.5,19,800/-ಗಳನ್ನು ಎಸ್.ಡಿ.ಎಂ.ಸಿ. ಖಾತೆಯಿಂದ ಪಡೆದುಕೊಂಡಿದ್ದು ಕಾಮಗಾರಿ ಪೂರ್ಣಗೊಳ್ಳದಿದ್ದರೂ ಸಹ ರಾಯಚೂರಿನ ಎಸ್.ಎಸ್.ಎ. ಮೂರನೆಯ ತಂಡದ ಅಭಿಯಂತರರಾದ ಶ್ರೀಧರ್ ಜೋಷಿ ರವರು ಪ್ರಮಾಣಪತ್ರ ನೀಡಿರುತ್ತಾರೆಂತಲೂ, 2008-09ನೇ ಸಾಲಿನಲ್ಲಿ ಮದ್ಯಾಹ್ನದ ಊಟದ ಕೊಠಡಿಯನ್ನು ರೂ.60,000/-ಗಳ ವೆಚ್ಚದಲ್ಲಿ ನಿರ್ಮಿಸಿದ್ದು ಸದರಿ ಕೊಠಡಿಯನ್ನು ಸಕ್ಷಮ ಪ್ರಾಧಿಕಾರದ ಅನುಮತಿಯಿಲ್ಲದೆ 2011ರಲ್ಲಿ ಕೆಡವಿ ಹಾಕಿರುತ್ತಾರೆ ಮತ್ತು ಮುಖ್ಯ ಶಿಕ್ಷಕರ ಕೊಠಡಿಯನ್ನು ನಿರ್ಮಿಸಲು ಎಸ್.ಎಸ್.ಎ. ಅಭಿಯಂತರರಿಂದ ಅನುಮತಿ ಪಡೆದಿರುವುದಿಲ್ಲವೆಂದು ಆಪಾದಿಸಿರುತ್ತಾರೆ.

ಸದರಿ ದೂರಿನಲ್ಲಿನ ಅಂಶಗಳ ಕುರಿತು ನಿಮ್ಮಿಂದ ಆಕ್ಷೇಪಣೆಗಳನ್ನು ಕೇಳಲಾಗಿ ನೀವು ಆಕ್ಷೇಪಣೆಯನ್ನು ಸಲ್ಲಿಸಿರುತ್ತೀರಿ ಮತ್ತು ನಿಮ್ಮ ವಿರುದ್ಧ ದೂರುದಾರರು ಹೊರಿಸಿದ ಆಪಾದನೆಗಳನ್ನು ಅಲ್ಲಗಳೆದಿರುತ್ತೀರಿ. ದೂರಿನಲ್ಲಿಯ ಅಂಶಗಳು, ಅದಕ್ಕೆ ಪೂರಕವಾದ ದಾಖಲೆಗಳು ಮತ್ತು ನಿಮ್ಮ ಆಕ್ಷೇಪಣೆಯನ್ನು ಒಟ್ಟಾಗಿ ಪರಿಶೀಲಿಸಿ ಅವಲೋಕಿಸಲಾಗಿ ಈ ಕೆಳಕಂಡ ಅಂಶಗಳು ಹೊರ ಹೊಮ್ಮಿರುತ್ತವೆ;

1) ಮುಖ್ಯ ಶಿಕ್ಷಕರ ಕೊಠಡಿ ನಿರ್ಮಾಣ ಮಾಡಲು 2011-12ನೇ ಸಾಲಿನಲ್ಲಿ

ಎಸ್.ಎಸ್.ಎ. ಯೋಜನೆಯಡಿಯಲ್ಲಿ ಸಿಂಧನೂರಿನ ಸರ್ಕಾರಿ ಉರ್ದು ಹಿರಿಯ

ಪ್ರಾಥಮಿಕ ಶಾಲೆಗೆ ರೂ.4.60 ಲಕ್ಷಗಳ ಹಣ ಬಿಡುಗಡೆಯಾಗಿದ್ದು ಕೊಠಡಿ ಕಾಮಗಾರಿ ಪೂರ್ಣಗೊಳ್ಳದಿದ್ದರೂ ಸಹ ಹಣವನ್ನು ಪಡೆದುಕೊಂಡಿರುತ್ತೀರಿ.

- 2) ಕಾಮಗಾರಿಗೆ ಬಳಸಿರುವ ಸಾಮಗ್ರಿಗಳನ್ನು ಪರೀಕ್ಷೆಗೊಳಪಡಿಸಿರುವುದಿಲ್ಲ.
- 3) ಕಾಮಗಾರಿಯು ಪ್ರಗತಿಯಲ್ಲಿರುವಾಗ ಸಂಬಂಧಪಟ್ಟ ಅಭಿಯಂತರರು ಸ್ಥಳದಲ್ಲಿ ಗೈರು ಹಾಜರಾಗಿರುತ್ತಾರೆ.
- 4) ಕಟ್ಟಡದ ಕಿಟಕಿ ಮತ್ತು ಬಾಗಿಲುಗಳಿಗೆ ಬಳಸಿರುವ ಸಾಮಗ್ರಿಗಳು ಕಳಪೆಯಾಗಿರುತ್ತದೆ ಮತ್ತು ಅಂದಾಜು ಪಟ್ಟಿಯಲ್ಲಿ ನಮೂದಿಸಿರುವಂತೆ ಕಂಡು ಬಂದಿರುವುದಿಲ್ಲ.
- 5) ಕಟ್ಟಡದ ಒಳ ಮೇಲ್ಭಾಗದಲ್ಲಿ ಬಿರುಕುಗಳು ಮೂಡಿರುತ್ತವೆ.
- 6) ಕಾಮಗಾರಿಗೆ ಸಂಬಂಧಪಟ್ಟಂತಹ ಅಳತೆ ಪುಸ್ತಕ, ಅಂದಾಜು ಪಟ್ಟಿ, ಬಿಲ್ಲುಗಳು ಮತ್ತು ಇತರ ದಾಖಲಾತಿಗಳನ್ನು ಹಾಜರುಪಡಿಸದೆ ರೂ.5,26,225/- ಗಳನ್ನು ಪಡೆದುಕೊಂಡಿರುತ್ತೀರಿ.
- 7) ಶೌಚಾಲಯ ಕೊಠಡಿ ನಿರ್ಮಿಸದೆ ರೂ.88,000/-ಗಳ ವೆಚ್ಚವನ್ನು ತೋರಿಸಿರುತ್ತೀರಿ.

ದೂರು, ನೀವು ಸಲ್ಲಿಸಿರುವ ವಿವರಣೆ ಮತ್ತು ಸಂಬಂಧಪಟ್ಟ ಎಲ್ಲಾ ದಾಖಲಾತಿಗಳನ್ನು ಪರಿಶೀಲಿಸಿದಾಗ, ನೀವು ಕಾನೂನು ಬಾಹಿರವಾಗಿ ಕ್ರಮಗಳನ್ನು ಕೈಗೊಂಡಿರುವುದು ಮೇಲ್ನೋಟಕ್ಕೆ ಕಂಡ ಬಂದ ಕಾರಣ ಈ ಸಂಬಂಧ ನಿಮಗೆ ಪರಿಶೀಲನಾ ಟಿಪ್ಪಣಿಯನ್ನು ಕಳುಹಿಸಿ, ಉತ್ತರವನ್ನು ಸಲ್ಲಿಸುವಂತೆ ಸೂಚಿಸಿದ್ದು, ಅದರಂತೆ ನೀವು ಉತ್ತರವನ್ನು ಸಲ್ಲಿಸಿದ್ದು, ನಿಮ್ಮ ಉತ್ತರವನ್ನು ಒಪ್ಪಿ ಅಂಗೀಕರಿಸಲು ಯೋಗ್ಯ ಕಾರಣಗಳು ಗೋಚರವಾಗಿರುವುದಿಲ್ಲವಾದ ಕಾರಣ ನೀವು ನಿಮ್ಮ ಕರ್ತವ್ಯವನ್ನು ನಿಷ್ಠೆಯಿಂದ ನಿಭಾಯಿಸಿರುವುದು ಕಂಡು ಬಂದಿದ್ದು ನಿಮ್ಮ ಕರ್ತವ್ಯಲೋಪವು ಕರ್ನಾಟಕ ಸಿವಿಲ್ ಸೇವಾ (ನಡತೆ) 1966ರಡಿ ನಿಯಮ 3(1)ರಡಿಯಲ್ಲಿ ದುರ್ವರ್ತನೆಯೆಂದು ಕಂಡು ಬಂದ ಕಾರಣ ನಿಮ್ಮ ವಿರುದ್ಧ ಕರ್ನಾಟಕ ನಾಗರಿಕ ಸೇವಾ ನಿಯಮಗಳು 1957ರಡಿಯಲ್ಲಿ ನಿಮ್ಮ ವಿರುದ್ಧ ಶಿಸ್ತು ಕ್ರಮ ಜರುಗಿಸಬೇಕೆಂದು ಮತ್ತು ನೀವು ದಿನಾಂಕ: 30/04/2016 ರಂದು ಸರ್ಕಾರಿ ಕರ್ತವ್ಯದಿಂದ ವಯೋನಿವೃತ್ತಿ ಹೊಂದಿರುವ ಕಾರಣ

ಕರ್ನಾಟಕ ನಾಗರಿಕ ಸೇವಾ ನಿಯಮಗಳು, ನಿಯಮ 214(2) (ಬಿ) ರಡಿಯಲ್ಲಿ



ಇಲಾಖಾ ವಿಚಾರಣೆ ನಡೆಸಲು ಅನುಮತಿಯೊಂದಿಗೆ ನಿಮ್ಮ ವಿರುದ್ಧ ಗೌರವಾನ್ವಿತ ಉಪಲೋಕಾಯುಕ್ತರವರು ಸರ್ಕಾರಕ್ಕೆ ವರದಿಯನ್ನು ಸಲ್ಲಿಸಿದ ಮೇರೆಗೆ ಸರ್ಕಾರವು ಈ ಮೇಲೆ ಉಲ್ಲೇಖಿಸಿದ ಆದೇಶದಲ್ಲಿ ಇಲಾಖಾ ವಿಚಾರಣೆ ನಡೆಸಲು ಅನುಮತಿ ನೀಡಿರುತ್ತದೆ. ಅದರಂತೆ, ಗೌರವಾನ್ವಿತ ಉಪಲೋಕಾಯುಕ್ತರವರು ಅಪರ ನಿಬಂಧಕರು, ವಿಚಾರಣೆಗಳು-11 ರವರಿಗೆ ವಿಚಾರಣೆ ನಡೆಸಿ ವರದಿಯನ್ನು ಸಲ್ಲಿಸಲು ನೇಮಕ/ನಾಮನಿರ್ದೇಶನ ಮಾಡಿರುತ್ತಾರೆ. ಉಲ್ಲೇಖ-7 ರ ಕಚೇರಿ ಟಿಪ್ಪಣಿಯ ಪ್ರಕಾರ ಸದರಿ ಇಲಾಖಾ ವಿಚಾರಣಾ ಕಡತವು ಎ.ಆರ್.ಇ-11 ರಿಂದ ಎ.ಆರ್.ಇ-16 ಶಾಖೆಗೆ ವರ್ಗಾವಣೆಗೊಂಡಿರುತ್ತದೆ. ಆದ್ದರಿಂದ ನಿಮ್ಮ ಮೇಲೆ ಈ ದೋಷಾರೋಪಣೆ.

3. DGO has appeared before this Authority in pursuance of service of Articles of Charge.

4. First oral statement of DGO was recorded on 19/09/2019 wherein D.G.O pleaded not guilty.

5. Since DGO has not filed his written statement and subsequently not appeared before this authority. DGO has been placed as Ex-parte as per order dt. 08/01/2020.

6. The following witnesses were examined on behalf of the Disciplinary Authority

(1)PW1: Sri. Syed Rafiuddin Quadri  
(Complainant)

7. The following documents were marked as exhibits

on behalf of the disciplinary authority.

|          |                                                        |
|----------|--------------------------------------------------------|
| Ex.P-1:  | Complaint dt. 30/08/2017                               |
| Ex.P-2:  | Form no.1                                              |
| Ex.P-3:  | Form no.2                                              |
| Ex.P-4:  | Letter to BEO                                          |
| Ex.P-5:  | Investigation Report of Sri. Sridhar Joshi (11 sheets) |
| Ex.P-6:  | Xerox copy of bank statement                           |
| Ex.P-7:  | Xerox letter dt. 22/11/2017                            |
| Ex.P-8:  | Letter dt. 15/05/2013                                  |
| Ex.P-9:  | Letter of BEO (2 sheets)                               |
| Ex.P-10: | Letter dt. 16/09/2013 (2 sheets)                       |
| Ex.P-11: | Document submitted by Public Education Department      |
| Ex.P-12: | Photo                                                  |
| Ex.P-13: | Letter dt. 11/10/2013                                  |
| Ex.P-14: | Photo                                                  |

8. The Presenting Officer filed written brief on behalf of Disciplinary Authority.

9. Points that arise for determination are as follows:-

1) Whether the charges framed against the DGO is proved by the Disciplinary Authority?

2) What Order?

10. Answer to the aforesaid points are as follows:

Point No. 1 - In the **AFFIRMATIVE**.

Point no. 2 - As per the Final order for the

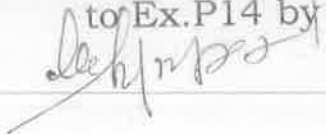
 following.

**REASONS****POINT No.1:**

11. The charge against DGO is that while he was working as Head Master at Government Urdu Higher Primary School, Sindhanuru during the year 2012 an amount of Rs. 4,60,000/- was released under Sarva Shikshana Abhiyana Scheme for construction of Head Mater's room in Government Urdu Higher Primary School. Permission is not obtained from SSA Engineer to SDMC for construction of the Head Masters room. The works were carried out without supervision of the Engineers, materials used are substandard not in accordance with the specifications. Though the amount sanctioned as per estimate was Rs. 4.60 lakhs, an amount of Rs. 6,21,613/- is withdrawn between 12/02/2012 to 26/04/2016 by 24 self cheques without any vouchers. Bills were manipulated. The relevant registers were not maintained and thereby misappropriated the funds.

12. To prove the charges leveled against the DGO, the Disciplinary Authority has examined the complainant Syed Rafiuddin Quadri as PW-1 and got marked Ex.P1

to Ex.P14 by way of documentary evidence.



13. On behalf of the defense side, DGO has appeared before this authority. First Oral Statement was recorded. Subsequently from 8/11/2019 DGO has appeared and not filed his written statement, not lead any evidence. DGO is placed Ex-parte by the orders dt. 08/01/2020.

14. The complainant PW-1 Syed Rafiuddin Quadri stated in his evidence that he knows the DGO. DGO was working as Head master at Government Urdu Higher Primary School. An amount of Rs. 4,60,000/- was released under Sarva Shikshana Abhiyana Scheme for construction of Head Master's room in Government Urdu Higher Primary School. DGO has withdrawn a sum of Rs. 5,19,800/- between 12/03/2012 to 16/04/2012 through self cheques from S.D.M.C. Account, though the work was not completed. The third party Engineer of Sarva Shikshana Abhiyana Scheme Sri. Sridhar Joshi has conducted the spot inspection and has given the list of works which are to be executed. In the report it is stated that windows and doors used for the building were sub-standard and not in accordance with the Estimate specifications. Air cracks are already developed over the walls. The amount has to be operated jointly by the President of SDMC and DGO. But the DGO had withdrawn the SDMC amount by using self cheques. He filed the

*deh*

complaint as per Ex.P1 to Ex.P3. In support of his evidence he also produced the documents Ex.P5 to Ex.P14.

15. The evidence of PW-1 stood unchallenged. PW-1 is not cross examined by the DGO and he is placed Ex-parte by the orders dt. 08/01/2020.

16. On perusal of complaint, Ex.P.1, the complainant has stated that during the year 2011-12, an amount of Rs. 4,60,000/- has been released under SSA scheme for construction of Head Masters room in Government Urdu Higher Primary School, Sindhanur, though the work was not completed, DGO has withdrawn Rs. 5,19,800/- from the SDMC account between 12/03/2012 to 16/04/2012. Work has been inspected by the third party Engineer Sridhar Joshi and he submitted the report as per Ex.P5. It is also stated in the complaint that during 2008-09, mid-day meal room was constructed at a cost of Rs. 60,000/-. But the said room was demolished in the year 2011 without permission from the authorities concerned.

17. On perusal of Ex.P5-Inspection report dt. 11/02/2012 it shows that room constructed on the upstairs, window and doors as suggested by the third party consultant are not rectified. On perusal of

*[Handwritten signature]*  
11/2/2012

Ex.P5(a), the Quality Assurance & Technical Audit Engineer also furnished the list of unexecuted works amounting to Rs. 1,72,074/-. The third party Engineer has supervised the work and suggested to fix window of size 1.2 X 1.2mt and door of 1.2 X 2.1mt to WPC.

18. On perusal of Ex.P6, SDMC pass book, DGO has withdrawn the cash through self cheques which are stated as under;

|                |                   |
|----------------|-------------------|
| Dt. 12/03/2021 | - Rs. 1,30,000.00 |
| Dt. 21/03/2012 | - Rs. 1,00,000.00 |
| Dt. 03/04/2012 | - Rs. 1,02,800.00 |
| Dt. 16/04/2012 | - Rs. 1,02,000.00 |
| Dt. 26/04/2012 | - Rs. 85,000.00   |
| Dt. 14/08/2012 | - Rs. 975.00      |
| Dt. 24/09/2012 | - Rs. 6,000.00    |
| Dt. 08/10/2012 | - Rs. 4,000.00    |
| Dt. 10/10/2012 | - Rs. 14,000.00   |
| Dt. 02/11/2012 | - Rs. 12,000.00   |

-----  
Total amount - Rs. 5,56,775.00  
-----

Total sum of Rs. 5,56,775/- has been withdrawn. No documents have been produced by the DGO to show whether he obtained the permission from the President of SDMC for withdrawing the amount under self cheques. The photographs also show that the room was damaged and developed cracks. Ventilators and

windows were not fixed.

19. The entries in the passbook Ex.P6 reveals that during the period between 12/03/2012 to 26/04/2012, DGO has withdrawn a sum of Rs. 5,56,775/- as against sum of Rs. 4,60,000/- sanctioned for construction of Head masters room. Moreover, no document has been produced by the DGO to show that he has obtained permission from Block Education Officer, Sindhanur for construction of additional room in the first floor of existing building and there was periodical inspection by the concerned Engineers at all the stages of construction. Withdrawal of amount is not supported by the vouchers. The construction of work is entrusted to SDMC as per SSA scheme. Amount is credited to the account of SDMC by SSA. President and Headmaster of SDMC are authorized to draw the amount. Depending on the stage of construction, amount has to be withdrawn. Hence the charges levelled against DGO are established by the Disciplinary authority.

20. For the reasons stated above, I answer Point No.1 in the **AFFIRMATIVE**.

21. **Point No.2:**

For the above said reasons, I proceed to record the

following;

A handwritten signature in black ink, followed by the date '6/1/2018' written below it.

**FINDINGS**

22. Disciplinary Authority has **proved** the charges levelled against DGO-Sri. Ali Akbar, Retired Head Master, Government Urdu Higher Primary School, Sindhanuru, Raichur District.

Hence this report is submitted to Hon'ble Upalokayukta for further action.

Dated this 02<sup>nd</sup> day of December 2021



(H.G. Vijaya Kumari)  
Additional Registrar Enquiries-3  
I/c. Additional Registrar Enquiries-16  
Karnataka Lokayukta,  
Bengaluru.

**Date of Retirement of DGO: 30/04/2016**

**ANNEXURE**

**List of witness examined on behalf of Disciplinary Authority.**

(1)PW1: Sri. Syed Rafiuddin Quadri  
(Complainant)

**List of Documents marked on behalf of Disciplinary Authority:**





|          |                                                        |
|----------|--------------------------------------------------------|
| Ex.P-1:  | Complaint dt. 30/08/2017                               |
| Ex.P-2:  | Form no.1                                              |
| Ex.P-3:  | Form no.2                                              |
| Ex.P-4:  | Letter to BEO                                          |
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| Ex.P-10: | Letter dt. 16/09/2013 (2 sheets)                       |
| Ex.P-11: | Document submitted by Public Education Department      |
| Ex.P-12: | Photo                                                  |
| Ex.P-13: | Letter dt. 11/10/2013                                  |
| Ex.P-14: | Photo                                                  |

**List of witness examined on behalf of DGO : NIL**

**List of Documents marked on behalf of DGO : NIL**

Dated this 2<sup>nd</sup> day of December 2021

  
(H.G. Vijaya Kumari)

Additional Registrar of Enquiries-3  
I/c Additional Registrar of Enquiries-16  
Karnataka Lokayukta,  
Bengaluru.

