

**KARNATAKA LOKAYUKTA**

NO:UPLOK-1/DE/31/2018/ARE-9  
 NO:UPLOK-1/DE/193/2018/ARE-9  
 NO:UPLOK-1/DE/141/2019/ARE-9

M.S.Building,  
 Dr. B.R. Ambedkar Veedhi,  
 Bengaluru - 560 001.  
 Date:25.10.2021

**:: ENQUIRY REPORT ::****:: Present ::****( PUSHPAVATHI.V )**

**Additional Registrar of Enquiries -9  
 Karnataka Lokayukta,  
 Bengaluru**

Sub: Departmental Inquiry against (1) Sri. Manjunath T., Assistant Executive Engineer, District Urban Development Cell, Gulbarga (presently Assistant Executive Engineer, Project Est, BBMP, Bengaluru) (2) Sri.Parameshwar, Assistant Engineer, RBC Canal Sub Division No.1, Sulepet Taluk, Chincholli and (3) Sri. Manjunath, Incharge JE, Town Panchayath, Chincholi Taluk, Gulbarga District - reg.

Ref: 1. G.O.(1) No.ನಅಇ 61 ಡಿಎಂಕೆ 2016, ದಿ: 4.12.2017 (2) ಜಸಂಇ 32 ಸೇಇವಿ 2018 ದಿ: 26.3.2018 ಮತ್ತು (3) ನಅಇ 61 ಡಿಎಂಕೆ 2016, ದಿ: 13.5.2019

2.Nomination Order (1) No: UPLOK-1/DE/31/2018 Bangalore dated.4.12.2017, (2) UPLOK-1/DE/193/2018 Bangalore dated.9.4.2018 and (3) No: UPLOK-1/DE/141/2019 Bangalore dated.20.5.2019 of Hon'ble Upalokayukta-1

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This Departmental Inquiry is initiated against (1) Sri. Manjunath T., Assistant Executive Engineer, District Urban Development Cell, Gulbarga (presently Assistant Executive

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Engineer, Project Est, BBMP, Bengaluru) (2) Sri.Parameshwar, Assistant Engineer, RBC Canal Sub Division No.1, Sulepet Taluk, Chincholli and (3) Sri. Manjunath, Incharge JE, Town Panchayath, Chincholi Taluk, Gulbarga District (hereinafter referred to as the Delinquent Government Official for short "**DGO No.1 to 3**").

2. In pursuance of the Government Order cited above at reference No.1, Hon'ble Upalokayukta vide order dated 4.12.2017, 9.4.2018 & 20.5.2019 cited above at reference No.2 has nominated Additional Registrar of Enquiries-9 (in short ARE-9) to issue Articles of charges and to conduct the inquiry against the aforesaid DGOs.

3. This Authority (ARE-9) has issued the Articles of charges, Statement of imputations of misconduct, list of witnesses proposed to be examined in support of the charges and list of documents proposed to be relied in support of the charges.

4. The Article of charges issued by the ARE-9 against the DGOs is as under :

**ANNEXURE-I**  
**CHARGE**

The construction of road from Ambedkar circle to Padma College, Chincholi Town, Chincholi taluk, Kalburgi district (for CH:0.500 to 0.910 km) estimated cost of Rs.49.14 lakh and administrative and technical sanction obtained in the year 2009. The above said road work is of substandard and the works executed are not in accordance with the specification of

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estimate, therefore you-DGO-1 to 3 are responsible for the said lapses and substandard work.

Thereby you -DGOs have failed to maintain absolute integrity, devotion to duty and committed an act which is unbecoming of a government servant and thus you are guilty of misconduct u/r 3 (1) (i) to (iii) of Karnataka Civil Service (conduct) Rules 1966.

### **ANNEXURE - 2**

#### **5. STATEMENT OF IMPUTATIONS OF MISCONDUCT**

On the basis of complaint filed by Sri Syed Kaleemuddin S/o Syed Aqeel Sab, Press Reporter, Mominpura street, Chincholli (hereinafter referred to as 'complainant' for short) against Sri T.Manjunath, AEE, DUDC, Gulbarga and Sri Manjunath, I/c Junior Engineer, Town Panchayath, Chincholi alleging that they have committed misconduct, an investigation was taken up after invoking section 9 of Karnataka Lokayukta Act, 1984.

According to the Complainant :-

That CC road work from Ambedkar circle to Bus stand is pending for more than 2 years and the CC road formed from Padma College to the bus stand is of substandard and the work is not yet completed and bogus bills have been prepared towards constructing drain by repairing the old drain.

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A letter dt: 24/3/2011 along with the report of AEE, DUDC, Gulbarga was received from the Government. In the report it is stated that required thickness for pro and laying bituminous macadam ie. 50 mm thickness has not been provided and bituminous is destroyed or exposed at 9 places and scarifying bituminous materials was not observed in the site.

Dy.S.P of Karnataka Lokayukta at Gulbarga was directed to submit report by verifying whether the tar laid for the road has been used as required.

The report of Dy.S.P of Karnataka Lokayukta, Gulbarga report discloses the following :

- i) The works executed are substandard.
- ii) The works were got verified by AEE, PWD, Chincholi and he reported that;
  - a) The road works complained have not been executed in accordance with the specification of the estimate.
  - b) DGO No.1, Sri Manjunath, Sri Manjunath, I/c Junior Engineer, Town panchayath, Chincholi and Sri Parameshwar, AE, RBC, LMP Canal are responsible for works executed.

After receiving the report of Dy.S.P of Karnataka Lokayukta, DGO No.2-Sri Parameshwar, AE, RBC, LMP Canal has been impleaded as respondent No. 3 and reply of DGO No.1 and 2, Sri Manjunath, I/c Junior Engineer, Town panchayath, Chincholli were called for on the report of Dy.S.P. The DGO-1

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and 2, Sri Manjunath, I/c Junior Engineer, Town panchayath, Chincholli have submitted their replies denying the correctness of the report. Sri Manjunath has not submitted reply though he has received this office letter. The reply given by the DGO No.1 and 2 are not convincing to drop the proceedings against them.

A perusal of the report of Dy.SP., report of AEE, PWD, Chincholli and the report of AEE, DUDC, Gulbarga and the records prima facie disclose that the road works complained ie., construction of road from Ambedkar Circle to Padma college is of substandard and the works executed are not in accordance with the specification of estimate and required thickness is not provided and the DGO No.1 and 2 and I/c Junior Engineer, Town Panchayath, Chincholli are responsible for the said lapses and substandard work.

Since said facts and material on record prima-facie show that the DGO No.1 to 3 have committed misconduct, now, acting under section 12(3) of Karnataka Lokayukta Act, recommendation is made to the Competent Authority to initiate disciplinary proceedings against the DGO and to entrust the inquiry to this Authority under Rule 14-A of Karnataka Civil Service (Classifications, Control and Appeal) Rules, 1957. Hence the charge.

**6.** The copies of the same were issued to the DGOs calling upon them to appear before the Enquiry Officer and to submit written statement of defence.

**7.** The DGO No.1 to 3 appeared on 17.3.2018, 8.6.2018 & 24.7.2019 respectively before this inquiry authority in

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pursuance to the service of the Article of charges. Plea of the DGOs have been recorded and they have pleaded not guilty and claimed for holding enquiry. Thereafter, DGO No. 2 & 3 submitted written statement. DGO No.1 remained absent.

8. DGO No. 2 & 3 in their separate written statements denied the allegations made against them and submitted that the project of forming road between Ambedkar circle to Padma college was entrusted to Nirmithi Kendra of Chincholi town. The work has been conducted by one Sri. Srishyla and Sharanabasappa as per the record, they have not carried out this project. With this both pray to drop the charge made against them.

9. The disciplinary authority has examined the complainant Sri.Syed Kaleemuddin as PW.1 and investigating officer Sri. Gurulingappa Gurusiddappa Maribashetty, retired DSP, Karnataka Lokayukta Dharwad as PW-2 and got marked documents as **Ex.P-1 to Ex.P-8**

10. Thereafter, second oral statement of DGO No.2 and 3 have been recorded. DGO No.2 and 3 submitted that he has got his evidence. So, opportunity is provided to them to adduce evidence. Accordingly, DGO No. 3 got examined himself as DW-1, DGO No.2 got examined himself as DW-2 and got marked documents as **Ex.D-1 to Ex.D-29**.

11. Heard submission of PO. DGO No.2 and 3 submitted their written arguments and posted the matter for report. Perused the entire record, I answer the above charges in the **NEGATIVE** for the following;

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## **REASONS**

**12.** The allegation is that the DGO No.1 (Assistant Executive Engineer) DGO No. 2 (Assistant Engineer) and DGO No.3 (Junior Engineers) of Town Panchayath, Chincholi Taluk, Gulbarga District had formed substandard road between Ambedkar Circle to Padma college of Chincholi Town and the road is not in accordance with the specification of estimation.

**13.** Complainant has reiterated the allegations made in the complaint that the road between Ambedkar Circle to Padma college of Chincholi Town is substandard. He has given complaint to the Karnataka Lokayukta office to take action against the concerned officials.

**14.** PW-2 Investigating officer in his chief examination has stated reiterating the contents of his report marked at Ex.P-5, that when he conducted spot inspection, he was able to see the cracks in road, he was able to say the road was substandard prima facie. Even the public expressed the same view. Thereafter, he has taken opinion from the Assistant Executive Engineer PWD sub Division, Chincholi on 16.12.2013 as per Ex P-6. He has opined that the road was not in accordance with specification. Thus, he has submitted report as per Ex.P-5.

**15.** During the cross examination of these two witnesses, the counsels for DGO No.2 and 3 have not attacked the evidence of these witnesses with regard to alleged road being substandard and not in accordance with specification of estimation

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**16.** Ex.P-6 the report of ,,,(technical wing) shows that the road between Ambedkar circle to Padma college is substandard and not in accordance with specification of estimation.

**17.** Further, during the cross examination of DW1(DGO-3), he pleaded ignorance as to suggestion of PO as follows; “ಚಿಂಚೋಳಿ ನಗರದ ಅಂಬೇಡ್ಕರ್ ಸರ್ಕಲ್‌ನಿಂದ ಪದ್ಮ ಕಾಲೇಜಿನವರೆಗೆ ಚೈನೇಜ್ - 0.500 ರಿಂದ 0.910 ಕಿ.ಮೀ. ವರೆಗಿನ ಕಾಮಗಾರಿಗೆ ಸಂಬಂಧಪಟ್ಟಂತೆ ದಿ:21/7/2009 ರಂದು ಮಾಡಿರುವ ಥರ್ಡ್ ಪಾರ್ಟ್ ಇನ್‌ಸ್ಟ್ರಕ್ಷನ್ ರಿಪೋರ್ಟ್‌ನ್ನು ಹಾಜರುಪಡಿಸಿದ್ದೇನೆ. ಅದನ್ನು ನಿ.ಡಿ-2 (2 ಹಾಳೆಗಳು) ಎಂದು ಗುರ್ತಿಸಲಾಯಿತು. ಸದರಿ ವರದಿಯ ಪ್ರಕಾರ ಸದರಿ ಕಾಮಗಾರಿ ನಿರ್ವಹಿಸಿದ ಸೆಕ್ಷನ್ ಆಫೀಸರ್ (ಜೆ.ಇ)- ಶ್ರೀಶೈಲ ರವರಾಗಿರುತ್ತಾರೆ”.

**18.** During the cross examination by PO DW2(DGO-2), he pleaded ignorance as to suggestion of PO as follows; “ಚಿಂಚೋಳಿ ನಗರದ ಅಂಬೇಡ್ಕರ್ ಸರ್ಕಲ್‌ನಿಂದ ಪದ್ಮ ಕಾಲೇಜಿನವರೆಗೆ ಚೈನೇಜ್ -0.500 ರಿಂದ 0.910 ಕಿ.ಮೀ. ವರೆಗಿನ ಕಾಮಗಾರಿಗೆ ಸಂಬಂಧಪಟ್ಟಂತೆ ದಿ:11/08/2009 ರಂದು ಮಾಡಿರುವ ಥರ್ಡ್ ಪಾರ್ಟ್ ಇನ್‌ಸ್ಟ್ರಕ್ಷನ್ ರಿಪೋರ್ಟ್‌ನ್ನು ಹಾಜರುಪಡಿಸಿದ್ದೇನೆ. ಅದನ್ನು ನಿ.ಡಿ-4 ಎಂದು ಗುರ್ತಿಸಲಾಯಿತು. ಸದರಿ ವರದಿಯ ಪ್ರಕಾರ ಸದರಿ ಕಾಮಗಾರಿ ನಿರ್ವಹಿಸಿದ ಸೆಕ್ಷನ್ ಆಫೀಸರ್ (ಜೆ.ಇ)- ಶ್ರೀಶೈಲ ರವರಾಗಿರುತ್ತಾರೆ.”

**19.** Overall evidence placed on record, show that there is no material to rule out the allegation made by complainant and the report of PW-2 that the road between Ambedkar circle to Padma college is substandard and the work was not in accordance with specification of estimation.

**20.** The specific defence of the DGO No. 2 and 3 is that they have not carried out alleged road work. The road work was

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entrusted to Nirmithi Kendra of Yadgiri. The work was carried out by one Srishyla and Sharanabasappa.

**21.** PW-1 during the cross examination made by the counsel for DGO No. 2, has admitted that he has not named the officers who formed road between Ambedkar Circle to Padma college of Chincholi Town. He does not know that he has not mentioned the name of DGO No.2 in his complaint. He does not know whether the alleged road work was carried out by one Srishyla and Manjunath (DGO No.3). During the cross examination made by counsel for DGO No. 3, he has admitted that Nirmithi Kendra has prepared the estimation to form a road between Padma college to Ambedkar Circle. He has stated that he cannot say the name of the officials who formed alleged road and he came to know that Nirmithi Kendra had carried out the road work. He does not have any document to show that DGO No. 3 formed alleged road; he does not have information yet as to who formed alleged road.

**22.** PW-2 during the cross examination by counsel for DGO No. 2 and 3, has pleaded ignorance as to the alleged work carried out by Nirmithi Kendra and the Nirmithi Kendra has got engineering department of their own and they have carried out the alleged work. He has further pleaded ignorance as to suggestion made by counsel for DGO No. 3 that name of DGO No. 3 is not mentioned in third party inspection report. Of course he has stated that he came to known that the DGO No. 3 has also carried out the alleged work but has admitted that he has not taken report in this regard in writing from Town

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Panchayath Chincholi. He has admitted that he has not produced any document to show DGO No. 3 has worked as incharge officer in the alleged work. He has denied that DGO No.2 did not carry out the alleged work.

**23.** DGO No. 3 has given evidence as DW-1 and has reiterated his defence that he has not carried out the alleged road work between Ambedkar circle to Padma college of Chincholi Town. He does not have any connection to the alleged work. The alleged work was entrusted to Nirmithi Kendra Yadgiri.

**24.** DGO No. 2 has given evidence as DW-2 and has reiterated his defence that he has not carried out the alleged road work between Ambedkar circle to Padma college of Chincholi Town. He does not have any connection to the alleged work. The alleged work was entrusted to Nirmithi Kendra Yadgiri.

**25.** During the cross examination by counsel for DGO No.3 he has admitted that neither himself nor DGO No. 3 carried out alleged road work from Ambedkar circle to Padma college.

**26.** PO has cross examined both DW1 and 2. But elicited nothing to show they had carried out the alleged work.

**27.** In addition to the same, as per Ex.D-2 and Ex.D-12 the 3<sup>rd</sup> party inspection report dtd: 21.7.2009, Ex.D-4 and Ex.D-14 the 3<sup>rd</sup> party inspection report dtd: 21.7.2009, Ex.D-5 and Ex.D-15 the 3<sup>rd</sup> party inspection report dtd: 10.2.2010 of the

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road between Ambedkar circle to Padma college it shows that the **incharge officials of the alleged work was one Srishyla and Sharanabasappa, the section officers.** No materials before this authority are produced to show that the DGOs were incharge and carried out the alleged work.

**28.** Thus overall examination of the evidence on record does not establish the charge leveled against DGO's 1 to 3. Hence I proceed to record the following:-

### **FINDINGS**

**28.** The Disciplinary Authority has not proved the charges leveled agsint DGO No. 1 to 3.

**29.** Date of retirement of DGO No.1 is 30.6.2026, DGO No. 2 is 31.12.2038 and DGO No. 3 is 31.10.2028.

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(PUSHPAVATHI.V)  
Additional Registrar Enquiries-9  
Karnataka Lokayukta,  
Bengaluru.

i) List of witnesses examined on behalf of Disciplinary Authority.

PW.1	Sri. Syed Kaleemuddin S/o Syed Aqeel Sab, Press Reporter, Mominpura Street, Chincholi original
PW-2	Sri. Gurulingappa Gurusiddappa Maribashetty, retired DSP, Karnataka Lokayukta Dharwad original

ii) List of Documents marked on behalf of Disciplinary Authority.

Ex.P1 & 2	Ex.P-1 and 2 are the complaint in from No.1 and 2 submitted by PW-1 original
Ex.P-3	Ex.P-3 is the estimate xerox
Ex.P-4	Ex.P-4 is the letter dated: 9.2.2010 from PW-1 to Assistant Executive Engineer Municipalities, Gulbarga District.
Ex.P-5	Ex.P-5 is the investigation report dated: 7.1.2014 submitted by PW-2
Ex.P-6	Ex.P-6 is the letter dated: 16.12.2013 from Assistant Executive Engineer PWD Chincholi to DSP Karnataka Lokayukta Gulbarga
Ex.P-7	Ex.P-7 is the letter dated: 20.1.2014 from Sri. S.F.Kambhar, SP, Karnataka Lokayukta Gulbarga to Additional Registrar of Enquiries-6, Karnataka Lokayukta Bengaluru
Ex.P-8	Ex.P-8 are the photographs

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**iii) List of witnesses examined on behalf of DGO.**

DW-1	DGO No. 3 Sri. Manjunath, Incharge JE, Town Panchayath, Chincholi Taluk, Gulbarga District
DW-2	DGO No. 2 Sri. Parameshwar, Assistant Engineer, RBC Canal Sub Division No.1, Sulepet Taluk, Chincholli

**iv) List of documents marked on behalf of DGO**

Ex.D-1	Ex.D-1 is the Third party inspection report of PDA college of Engineering Gulbarga dated: 31.5.2009
Ex.D-2	Ex.D- is the Third party inspection report of PDA college of Engineering Gulbarga dated: 21.7.2009
Ex.D-3	Ex.D-3 is the Third party inspection report of PDA college of Engineering Gulbarga dated: 21.7.2009
Ex.D-4	Ex.D-4 is the Third party inspection report of PDA college of Engineering Gulbarga dated: 11.8.2009
Ex.D-5	Ex.D-5 is the Third party inspection report of PDA college of Engineering Gulbarga dated: 10.2.2010
Ex.D-6	Ex.D-6 is the comments dated: 23.12.2010 of DW-1
Ex.D-7	Ex.D-7 is the comments dated: 10.9.2013 of DW-1
Ex.D-8	Ex.D-8 is the letter dated: 24.3.2011 of Under Secretary to Government Urban Development department to Additional Registrar of Enquiries-6, Karnataka Lokayukta Bengaluru
Ex.D-9	Ex.D-9 is the letter dated: 25.1.2011 of Assistant Executive Engineer District Urban Development Cell Gulbarga to Planning Director, District Urban Development Cell Gulbarga

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Ex.D-10	Ex.D-10 is the letter dated: 28.1.2011 of Deputy commissioner Gulbarga to Under Secretary to Government Urban Development department
Ex.D-11	Ex.D-11 is the report dtd: 7.1.2014 of Dy. Superintendent of Police, Karnataka Lokayukta Gulbarga to Additional Registrar of Enquiries-6
Ex.D-12	Ex.D-12 is the letter dtd: 16.12.2013 of Assistant Executive Engineer PWD Chincholi to DSP, Karnataka Lokayukta Gulbarga
Ex.D-13	Ex.D-13 is the Third party inspection report of PDA college of Engineering Gulbarga dated: 11.8.2009
Ex.D-14	Ex.D-14 is the Third party inspection report of PDA college of Engineering Gulbarga dated: 21.7.2009
Ex.D-15	Ex.D-15 is the Third party inspection report of PDA college of Engineering Gulbarga dated: 10.2.2010
Ex.D-16	Ex.D-16 is the third party report dtd: 26.8.2010 of Premier Technical Consultants
Ex.D-17	Ex.D-17 is the third party report dtd: 26.8.2010 of Premier Technical Consultants
Ex.D-18	Ex.D-18 is the third party report dtd: 26.8.2010 of Premier Technical Consultants
Ex.D-19	Ex.D-19 is the third party report dtd: 26.8.2010 of Premier Technical Consultants
Ex.D-20	Ex.D-20 is the third party report dtd: 26.8.2010 of Premier Technical Consultants
Ex.D-21	Ex.D-21 is the third party report dtd: 26.8.2010 of Premier Technical Consultants
Ex.D-22	Ex.D-22 is the third party report dtd: 26.8.2010 of Premier Technical Consultants
Ex.D-23	Ex.D-23 is the Estimate for providing and laying CC Road and Drain in ward No. 8 to Ward No. 14 in Chincholi Town
Ex.D-24	Ex.D-24 is the contract certificate and extract of Measurement books and other documents
Ex.D-25	Ex.D-25 is the contract certificate and extract of Measurement books
Ex.D-26	Ex.D-26 is the contract certificate and extract

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	of Measurement books and other documents
Ex.D-27	Ex.D-27 is the contract certificate and extract of Measurement books and other documents
Ex.D-28	Ex.D-28 is the contract certificate and extract of Measurement books and other documents
Ex.D-29	Ex.D-29 is the contract certificate and abstract and other documents.

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(PUSHPAVATHI.V)  
Additional Registrar Enquiries-9  
Karnataka Lokayukta,  
Bengaluru.





**GOVERNMENT OF KARNATAKA**



**KARNATAKA LOKAYUKTA**

No.UPLOK-1/DE/31/2018/ARE-9  
No.UPLOK-1/DE/193/2018/ARE-9  
No.UPLOK-1/DE/141/2019/ARE-9

Multi Storied Building,  
Dr. B.R. Ambedkar Veedhi,  
Bengaluru-560 001  
Date: **02/11/2021**

**RECOMMENDATION**

Sub:- Departmental inquiry against;

- 1) Sri Manjunath T., Assistant Executive Engineer, District Urban Development Cell, Kalaburagi (Presently working as District Urban Development Cell, Bengaluru Rural District, Bengaluru);
- 2) Sri Parameshwar, Assistant Engineer, RBC MLP Canal Sub Division No.1, Sulepet, Chincholi Taluk, Kalaburagi District;
- 3) Sri Manjunath, Junior Engineer, Town Panchayath, Chincholi, Kalaburagi District- Reg.

- Ref:- 1) Govt. Order No. ನಲಇ 61 ಡಿಎಂಕೆ 2016, Bengaluru dated 4/12/2017 read with its Corrigendum dated 13/12/2017 entrusting departmental inquiry against Sri Manjunath T.
- 2) Nomination order No.UPLOK-1/DE/31/2018, Bengaluru dated 12/1/2018 of Upalokayukta-1, State of Karnataka, Bengaluru in respect of Sri T. Manjunath
  - 3) Govt. Order No. ಜಸಂಇ 32 ಸೇಇಎ 2018, Bengaluru dated 26/3/2018 entrusting departmental inquiry against Sri Parameshwar.
  - 4) Nomination order No.UPLOK-1/DE/193/2018, Bengaluru dated 9/4/2018 of Upalokayukta-1, State of Karnataka, Bengaluru in respect of Sri Parameshwar.
  - 5) Govt. Order No. ನಲಇ 61 ಡಿಎಂಕೆ 2016, Bengaluru dated 13/5/2019 entrusting departmental inquiry against Sri Manjunath.
  - 6) Nomination order No28/5/2019 of Upalokayukta-1, State of Karnataka, Bengaluru in respect of Sri Manjunath.
  - 7) Inquiry Report dated 25/10/2021 of Additional Registrar of Enquiries-9 Karnataka Lokayukta, Bengaluru

The Government in the Department of Urban Development by its order dated 4/12/2017 read with its Corrigendum dated 13/12/2017 initiated the disciplinary proceedings against Sri Manjunath T., Assistant Executive Engineer, District Urban Development Cell, Kalaburagi (Presently working as District Urban Development Cell, Bengaluru Rural District, Bengaluru) (hereinafter referred to as Delinquent Government Official-1, for short as DGO-1) and entrusted the Departmental Inquiry to this Institution.

2. The Government in the Department of Water Resources Department by its order dated 26/3/2018 initiated the disciplinary proceedings against Sri Parameshwar, Assistant Engineer, RBC MLP Canal Sub Division No.1, Sulepet, Chincholi Taluk, Kalaburagi District (hereinafter referred to as Delinquent Government Official-2, for short as DGO-2) and entrusted the Departmental Inquiry to this Institution.

3. The Government in the Department of Urban Development by its order dated 13/5/2019 initiated the disciplinary proceedings against Sri Manjunath, Junior Engineer, Town Panchayath, Chincholi, Kalaburagi District (hereinafter referred to as Delinquent Government Official-3, for short as DGO-3) and entrusted the Departmental Inquiry to this Institution

4. This Institution by Nomination Orders No. UPLOK-1/DE/31/2018, dated 12/1/2018; No. UPLOK-1/DE/193/2018, dated 9/4/2018 and No. UPLOK-1/DE/141/2019, dated 20/5/2019 nominated Additional Registrar of Enquiries-9, Karnataka Lokayukta, Bengaluru, as the Inquiry Officer to frame charges and

to conduct Departmental Inquiry against DGOs-1 to 3 for the alleged charge of misconduct, said to have been committed by them.

5. The DGO-1 Sri Manjunath T., Assistant Executive Engineer, District Urban Development Cell, Kalaburagi (Presently working as District Urban Development Cell, Bengaluru Rural District, Bengaluru); DGO-2 Sri Parameshwar, Assistant Engineer, RBC MLP Canal Sub Division No.1, Sulepet, Chincholi Taluk, Kalaburagi District and DGO-3 Sri Manjunath, Junior Engineer, Town Panchayath, Chincholi, Kalaburagi District were tried for the following charge:-

“The construction of road from Ambedkar Circle to Padma College, Chincholi Town, Chincholi Taluk, Kalaburagi District (for Ch. 0.500 to 0.910 km) estimated cost of Rs.49.14 Lakhs and administrative and technical sanction obtained in the year 2009. The above said road work is of substandard and the works executed are not in accordance with the specifications of estimate, therefore, you - DGOs 1 to 3 are responsible for the said lapses and substandard work.

Therefore, you - DGOs have failed to maintain absolute integrity, 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 the Karnataka Civil Services (Conduct) Rules, 1966.”

6. The Inquiry Officer (Additional Registrar of Enquiries-9) on proper appreciation of oral and documentary evidence has held that the Disciplinary Authority has failed to prove the above charge

against DGO-1 Sri Manjunath T., Assistant Executive Engineer, District Urban Development Cell, Kalaburagi (Presently working as District Urban Development Cell, Bengaluru Rural District, Bengaluru); DGO-2 Sri Parameshwar, Assistant Engineer, RBC MLP Canal Sub Division No.1, Sulepet, Chincholi Taluk, Kalaburagi District and DGO-3 Sri Manjunath, Junior Engineer, Town Panchayath, Chincholi, Kalaburagi District.

7. On re-consideration of inquiry report and taking note of the totality of the circumstances of the case, I do not find any reason to interfere with the findings recorded by the Inquiry Officer.

8. It is hereby recommended to the Government to accept the report of Inquiry Officer and to exonerate the DGO-1 Sri Manjunath T., Assistant Executive Engineer, District Urban Development Cell, Kalaburagi (Presently working as District Urban Development Cell, Bengaluru Rural District, Bengaluru); DGO-2 Sri Parameshwar, Assistant Engineer, RBC MLP Canal Sub Division No.1, Sulepet, Chincholi Taluk, Kalaburagi District and DGO-3 Sri Manjunath, Junior Engineer, Town Panchayath, Chincholi, Kalaburagi District from the aforestated charge.

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

Connected records are enclosed herewith.



**(JUSTICE B.S.PATIL)**

Upalokayukta,  
State of Karnataka,  
Bengaluru