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KARNATAKA LOKAYUKTA

No.LOK/INQ/14-A/320/2012/ ARE-7

Multi Storied Building,
Dr. B.R. Ambedkar Veedhi,
Bengaluru-560 001.
Dated: 25.05.2018

RECOMMENDATION

Sub:- Departmental inquiry against Shri S.P. Nagendra,
the then Assistant Engineer, Minor Irrigation Sub-
division, Kudligi Taluk, Ballari District - reg.

Ref:- 1) Government Order No. ಸನೀಇ 31 ಸೇಇವಿ 2011
dated 26.07.2012.

2) Nomination order No. LOK/INQ/14-A/320/2012
dated 07.08.2012 of Upalokayukta, State of
Karnataka.

3) Inquiry Report dated 22.05.2018 of Additional
Registrar of Enquiries-7, Karnataka Lokayukta,
Bengaluru.

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The Government by its Order dated 26.07.2012, initiated  
the disciplinary proceedings against Shri S.P. Nagendra, the  
then Assistant Engineer, Minor Irrigation Sub-division, Kudligi  
Taluk, Ballari 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. LOK/INQ/14-  
A/320/2012 dated 07.08.2012 nominated Additional Registrar  
of Enquiries-4, 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, by Order No. LOK/INQ/14-A/2014 dated 14.03.2014, the Additional Registrar of Enquiries-6, Karnataka Lokayukta was re-nominated as Inquiry Officer to conduct departmental inquiry against DGO. Again, by Order No. UPLOK-2/DE/2016 dated 03.08.2016, the Additional Registrar of Enquiries-1, Karnataka Lokayukta, Bengaluru was re-nominated as Inquiry Officer to conduct departmental inquiry against DGO. Finally, by Order No. UPLOK-2/DE/2017 dated 04.07.2017, the Additional Registrar of Enquiries-7, Karnataka Lokayukta, Bengaluru was re-nominated as Inquiry Officer to conduct departmental inquiry against DGO.

3. The DGO - Shri S.P. Nagendra, the then Assistant Engineer, Minor Irrigation Sub-division, Kudligi Taluk, Ballari District was tried for the following charge:-

“That you the DGO., Shri S.P.Nagendra, the DGO., while working as Assistant Engineer in the Sub-Division office of Minor Irrigation at Kudligi in Bellary District, the complainant by name Shri Boodi Nagaraj s/o Hanumanthappa, r/o Chiribi in Kudligi Taluk and 22 others worked as coolie for construction of obstruction wall in the forest of Sunkada Kallu Village within limit of Ramapur Village Panchayath under a ‘Mahatma Gandhi National Rural Employment Guarantee Scheme’ for the year 2010-11

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and in that connection Measurement Book was required to be signed by you and the AEE for payment of coolie and on approached by the complainant, you asked him to pay bribe of Rs.6,000/- to sign the measurement book and on 22-3-2011 took bribe of Rs.3,000/- and further on 26-3-2011 took the balance bribe of Rs.3,000/- from the complainant to show official favour, failing 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, the Disciplinary Authority has '*proved*' the above charge against the DGO - Shri S.P. Nagendra, the then Assistant Engineer, Minor Irrigation Sub-division, Kudligi Taluk, Ballari District.


5. On re-consideration of report of inquiry, 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 Inquiry Officer.

6. As per the First Oral Statement of DGO furnished by the Inquiry Officer, the DGO - Shri S.P. Nagendra is due to retire from service on 30.11.2027.

7. Having regard to the nature of charge (demand and acceptance of bribe) 'proved' against the DGO - Shri S.P. Nagendra, the then Assistant Engineer, Minor Irrigation Sub-division, Kudligi Taluk, Ballari District, it is hereby recommended to the Government to impose penalty of 'compulsory retirement from service on the DGO - Shri S.P. Nagendra'.

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

Connected records are enclosed herewith.

  
(JUSTICE N. ANANDA)  
Upalokayukta,  
State of Karnataka.