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GOVERNMENT OF KARNATAKA



KARNATAKA LOKAYUKTA

NO: UPLOK-1/DE/335/2015/2017/ARE-7

Multi Storied Building,
Dr. B.R. Ambedkar Veedhi,
Bengaluru-560 001,
Date: 16/7/2018

RECOMMENDATION

Sub:- Departmental inquiry against;

- 1) Sri Odogangappa, the then Executive Engineer, Minor Irrigation Division, Kushtagi, Koppal District (presently Executive Engineer, Lift Irrigation Project Division No.2, Huvinahadagali, Ballari District;
- 2) Sri Shivashankarappa, Executive Engineer, Minor Irrigation Division, Kushtagi, Koppal District (Presently Superintending Engineer, Public Works Circle, Kalaburagi)
- 3) Sri P. Ranganath, the then Assistant Executive Engineer (Incharge), Minor Irrigation Division, Kushtagi, Koppal District (Presently Assistant Engineer, Minor Irrigation Sub Division, Afzalpur, Kalaburagi)
- 4) Sri R. Basappa, the then Assistant Engineer, Minor Irrigation Division, Kushtagi, Koppal District (Presently Assistant Executive Engineer, Thungabhadra Canal Sub Division, Munirabad, Koppal Taluk and District; and
- 5) Sri S.S. Saavana, the then Assistant Engineer, Minor Irrigation Division, Kushtagi, Koppal District (Presently Assistant Engineer, Office of the Chief Engineer, Minor Irrigation (North) Zone, Vijayapura).

Ref:- 1) Government Order No.ಸನೀಇ 19 ಸೇಇವಿ 2015 Bengaluru dated 19/6/2015

2) Nomination order No.UPLOK-1/DE/335/2015, Bengaluru dated 22/6/2015 of Upalokayukta-1, State of Karnataka, Bengaluru

3) Inquiry Report dated 12/7/2018 of Additional Registrar of Enquiries-7, Karnataka Lokayukta, Bengaluru

The Government by its Order dated 19/6/2015, initiated the disciplinary proceedings against (1) Sri Odogangappa, the then Executive Engineer, Minor Irrigation Division, Kushtagi, (presently Executive Engineer, Lift Irrigation Project Division No.2, Huvinahadagali, Ballari District; (2) Sri Shivashankarappa, Executive Engineer, Minor Irrigation Division, Kushtagi, Koppal District (Presently Superintending Engineer, Public Works Circle, Kalaburagi; (3) Sri P. Ranganath, the then Assistant Executive Engineer, (Incharge), Minor Irrigation Division, Kushtagi, Koppal district (Presently Assistant Engineer, Minor Irrigation Sub Division, Afzalpur, Kalaburagi); (4) Sri R. Basappa, the then Assistant Engineer, Minor Irrigation Division, Kushtagi, Koppal District (Presently Assistant Executive Engineer, Thungabhadra Canal Sub Division, Munirabad, Koppal Taluk and District) and (5) Sri S.S.Saavana, the then Assistant Engineer, Minor Irrigation Division, Kushtagi, Koppal District (Presently Assistant Engineer, Office of the Chief Engineer, Minor Irrigation (North) Zone, Vijayapura (hereinafter referred to as Delinquent Government Officials 1 to 5, for short as **'DGO-1, DGO-2, DGO-3, DGO-4 and DGO-5 respectively)** and entrusted the Departmental Inquiry to this Institution.

2. This Institution by Nomination Order No.UPLOK-1/DE/335/2015 Bengaluru dated 22/6/2015 nominated Additional Registrar of Enquiries-1, Karnataka Lokayukta, Bengaluru, as the Inquiry Officer to frame charges and to conduct Departmental Inquiry against DGOs 1 to 5 for the alleged charge of misconduct, said to have been committed by them. Subsequently by Order No.UPLOK-1/DE/2017, dated 6/7/2017 the Additional Registrar of Enquiries-7 was re-nominated as Inquiry Officer to conduct Departmental inquiry against DGOs 1 to 5.

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3. The DGO-1 Sri Odogangappa, the then Executive Engineer, Minor Irrigation Division, Kushtagi; DGO-2 Sri Shivashankarappa, Executive Engineer, Minor Irrigation Division, Kushtagi, Koppal District; DGO-3 Sri P. Ranganath, the then Assistant Executive Engineer, (Incharge), Minor Irrigation Division, Kushtagi, Koppal District; DGO-4 Sri R. Basappa, the then Assistant Engineer, Minor Irrigation Division, Kushtagi, Koppal District and DGO-5 Sri S.S.Saavana, the then Assistant Engineer, Minor Irrigation Division, Kushtagi, Koppal District were tried for the following charges:-

“You, the DGO No.1 Sri Odugangappa, while working as Executive Engineer, Minor Irrigation Division, Kushtagi, Koppal, You DGO No.2 Sri Shivashankarappa, while working as Executive Engineer, Minor Irrigation Division, Kushtagi, Koppal, you DGO No.3 Sri P. Ranganath, while working as I/c. Assistant Executive Engineer, Minor Irrigation Division, Kushtagi, Koppal, you the DGO No.4 Sri R. Basappa, while working as Assistant Engineer, Minor Irrigation Division, Kushtagi, Koppal and you the DGO No.5 Sri S.S. Saavana, while working as Assistant Engineer, Minor Irrigation Division, Kushtagi, Koppal were in charge of the work relating to Tank and Canal in Pura Village of Kushtagi Taluk in Koppal District, the following dereliction of duty is found during investigation.

- i) There was no supervision of works by you;
- ii) You DGOs have failed to recognize the possibility of potential problems and eminent failure like loss of life, injury to people or livestock, damage to houses,

- buildings, railways, roads or interruption to public utility services as well as environmental damage;
- iii) You the DGOs have failed to consider unusual conditions, which would result in partial or total failure of the tank;
 - iv) Leakage/Seepage and non-working of main gate would have been avoided, if appropriate construction surveillance had been undertaken;
 - v) Reply given by you during the investigation does not show that the seepage is checked and measures are suggested to repair or upgrade the quality of the Dam;
 - vi) A proper construction supervision would have produced leakage proof tank;
 - vii) The spill-way or outlet blockage is due to poor construction;
 - viii) You the DGOs have failed to complete the work within the time fixed by the Government;

Thereby you the DGOs failed to maintain absolute integrity and devotion to duty and committed an act which is unbecoming of Government Servants 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 charges against DGO-1 Sri Odogangappa, the then Executive Engineer, Minor Irrigation Division, Kushtagi; DGO-2 Sri Shivashankarappa, Executive Engineer, Minor Irrigation Division, Kushtagi, Koppal

District; DGO-3 Sri P. Ranganath, the then Assistant Executive Engineer, (Incharge), Minor Irrigation Division, Kushtagi, Koppal District; DGO-4 Sri R. Basappa, the then Assistant Engineer, Minor Irrigation Division, Kushtagi, Koppal District and DGO-5 Sri S.S.Saavana, the then Assistant Engineer, Minor Irrigation Division, Kushtagi, Koppal District.

5. 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.

6. As per the First Oral Statement submitted by DGOs 1 to 5;

- i) DGO-1 Sri Odogangappa has retired from service on 31/7/2016 (during the pendency of inquiry);
- ii) DGO-2 Sri Shivashankarappa has retired from service on 31/3/2018 (during the pendency of inquiry);
- iii) DGO-3 Sri P. Ranganath has retired from service on 31/5/2016 (during the pendency of inquiry);
- iv) DGO-4 Sri Basappa R. has retired from service on 30/6/2015 (during the pendency of inquiry); and
- v) DGO-5 Sri S.S. Saavana is due to retire from service on 30/9/2022

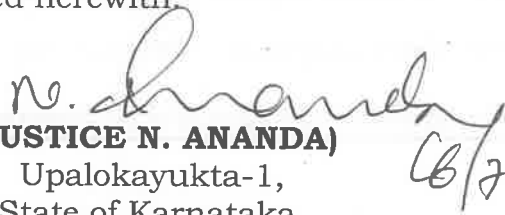
7. Having regard to the nature of charges proved against DGO-1 Sri Odogangappa,; DGO-2 Sri Shivashankarappa; DGO-3 Sri P. Ranganath; DGO-4 Sri R. Basappa, and DGO-5 Sri S.S.Saavana;

- (i) it is hereby recommended to the Government for imposing penalty of withholding 10% of pension payable to DGO-1 Sri Odogangappa, the then Executive Engineer, Minor Irrigation Division, Kushtagi for a period of 10 years;

- (ii) it is hereby recommended to the Government for imposing penalty of withholding 10% of pension payable DGO-2 Sri Shivashankarappa, Executive Engineer, Minor Irrigation Division, Kushtagi, Koppal District, for a period of 10 years;
- (iii) it is hereby recommended to the Government for imposing penalty of withholding 10% of pension payable DGO-3 Sri P. Ranganath, the then Assistant Executive Engineer, (Incharge), Minor Irrigation Division, Kushtagi, Koppal District, for a period of 10 years;
- (iv) it is hereby recommended to the Government for imposing penalty of withholding 10% of pension payable DGO-4 Sri R. Basappa, the then Assistant Engineer, Minor Irrigation Division, Kushtagi, Koppal District, for a period of 10 years and
- (v) it is hereby recommended to the Government for imposing penalty of reducing the pay in the time scale of pay by four lower stages, with cumulative effect on DGO-5 Sri S.S.Saavana, the then Assistant Engineer, Minor Irrigation Division, Kushtagi, Koppal District.

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

Connected records are enclosed herewith.


(JUSTICE N. ANANDA)

Upalokayukta-1,
State of Karnataka,
Bengaluru