

GOVERNMENT OF KARNATAKA



KARNATAKA LOKAYUKTA

NO: LOK/INQ/14-A/359/2014/ARE-7

Multi Storied Building,
Dr. B.R. Ambedkar Veedhi,
Bengaluru-560 001,
Date: 29/03/2019

RECOMMENDATION

Sub:- Departmental inquiry against;

- 1) Sri Puttaswamy, Assistant Conservator of Forests, Bannerghatta National Park, Bengaluru Rural District;
- 2) Sri H.N. Shivegowda, KAS (Junior Scale) officer, the then Tahsildar, Anekal Taluk, Anekal (Presently Assistant Metropolitan Commissioner, BMRDA, Bengaluru); and
- 3) Smt. Sushma, Geologist, Mines and Geology Department, Bengaluru Rural District, Bengaluru (then working in Bengaluru Urban District) – Reg.

- Ref:- 1) Government Order No. ಅಪಜೀ 36 ಆಇವಿ 2014, Bengaluru dated 29/5/2014 (in relation to entrustment of departmental inquiry against DGO-1 Sri Puttasawamy);
- 2) Government Order No. ಆರ್ಡಿ 19 ಎಡಿಇ 2014, Bengaluru dated 13/5/2014 (in relation to entrustment of departmental inquiry against DGO-2 Sri H.N. Shivegowda);
- 3) Government Order No. ಸಿಐ 24 ಎಂಎಂಎನ್ 2014, Bengaluru dated 10/3/2014 (in relation to entrustment of departmental inquiry against DGO-3 – Smt. Sushma) and its corrigendum dated 5/6/2014
- 4) Nomination order No.LOK/INQ/14-A/359/2014, Bengaluru dated 17/6/2014 of Upalokayukta-1, State of Karnataka, Bengaluru
- 5) Inquiry Report dated 27/3/2019 of Additional Registrar of Enquiries-7, Karnataka Lokayukta, Bengaluru.

The Government in Forest, Ecology and Environment Department by its Order dated 29/5/2014 initiated the disciplinary proceedings against Sri Puttaswamy, Assistant

Conservator of Forests, Bannerghatta National Park, 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 Revenue Department by its Order dated 13/5/2014 initiated the disciplinary proceedings against Sri H.N. Shivegowda, KAS (Junior Scale) Officer, the then Tahsildar, Anekal Taluk, Anekal (Presently working as Assistant Metropolitan Commissioner, BMRDA, Bengaluru) (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 Commerce and Industries Department by its Order dated 10/3/2014 read with its corrigendum dated 5/6/2014 initiated the disciplinary proceedings against Smt. Sushma, Geologist, Mines and Geology Department, Bengaluru Rural District, then working in Bengaluru Urban District (hereinafter referred to as Delinquent Govt. Official-3, for short as DGO-3) and entrusted the Departmental Inquiry to this Institution.

4. This Institution by Nomination Order No.LOK/INQ/14-A/350/2014, Bengaluru dated 17/6/2014 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 3 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, Karnataka Lokayukta, Bengaluru was re-nominated as inquiry officer to conduct departmental inquiry against DGOs 1 to 3.

5. The DGO-1 Sri Puttaswamy, Assistant Conservator of Forests, Bannerghatta National Park, Bengaluru Rural District; DGO-2 Sri H.G. Shivegowda, KAS (Junior Scale) officer, the then Tahsildar, Anekal Taluk, Anekal, Bengaluru Urban District and DGO-3 Smt. Sushma Geologist, then working in Bengaluru Urban District were tried for the following charges:-

“While you the DGO No.1 Sri Puttaswamy working as Asst. Conservator of Forests, Bannerghatta National Forest, Bengaluru Rural District; you DGO No.2 Sri Shivegowda, the then Tahsildar, Anekal Taluk, Bengaluru Rural Dist., and you DGO No.3 Smt. Sushma, Geologist, Mines and Geology Department, Bengaluru Rural District have failed to take action to stop illegal mining in Sy.No. 69 of Shivanahally Village by Sri K. Sundar Babu and Sri D. Shankar, inspite of expiry of their lease period.

Further, you DGOs 1 to 3 have failed to take action to stop the illegal stone crushing in a ‘safe zone’ area in Shivanally village and also failed to take steps to mark the ‘safe zone’ to the visibility of public and display the survey numbers and thereby allowed illegal stone mining in the area not leased out.

Further, you DGOs 1 to 3 failed to protect the wild life (the forest animals) and failed to prevent loss/damage caused to environment without displaying proper notice board for the information of the public.

Thereby, you DGOs have failed to maintain absolute integrity and devotion to duty and committed an act which is unbecoming of a Government servant and you are guilty of misconduct under Rule 3(1)(i) to (iii) of KCS (Conduct) Rules, 1966.”


6. The Inquiry Officer (Additional Registrar of Enquiries-7) on proper appreciation of oral and documentary evidence has held that the Disciplinary Authority has failed to prove the above charges against DGO-1 Sri Puttaswamy, Assistant Conservator of Forests, Bannerghatta National Park, Bengaluru Rural District; DGO-2 Sri H.G. Shivegowda, KAS (Junior Scale) officer, the then Tahsildar, Anekal Taluk, Anekal, Bengaluru Urban District and DGO-3 Smt. Sushma Geologist, then working in Bengaluru Urban District.

7. On re-consideration of inquiry report, 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 DGO-1 Sri Puttaswamy, Assistant Conservator of Forests, Bannerghatta National Park, Bengaluru Rural District; DGO-2 Sri H.G. Shivegowda, KAS (Junior Scale) officer, the then Tahsildar, Anekal Taluk, Anekal, Bengaluru Urban District and DGO-3 Smt. Sushma Geologist, then working in Bengaluru Urban District.

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

Connected records are enclosed herewith.


(JUSTICE N. ANANDA) 28/3
Upalokayukta-1,
State of Karnataka,
Bengaluru