

KARNATAKA LOKAYUKTA

No.UPLOK-1/DE/399/2015/ARE-14

Multi Storied Building,
Dr.B.R.Ambedkar Road,
Bangalore-560 001,
Dated: 03/06/2020.**ENQUIRY REPORT****Present :** Smt. **K.Bhagya**, Additional
Registrar of Enquiries-14
Karnataka Lokayukta
Bangalore.**Sub:** Departmental Enquiry against Sri
Muralidhar Deshpande, Executive Officer,
Taluk Panchayath, Hungund Taluk,
Bagalkote District – Reg.

- Ref:**
1. Report u/s 12(3) of the K.L Act, 1984 in
-
- Compt/Uplok/BGM-2613/2016/ARE-5
-
- Dated: 24/12/2016.
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2. Government Order No. ಗ್ರಾಅಪ 24 ಎಸೇಬಿ 2017
-
- Bengaluru Dated: 06.02.2017.
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3. Nomination Order No:UPLOK-1/DE/399/
-
- 2017, dated:18/03/2017 of Hon'ble
-
- Upalokayukta-1, Bangalore.
-
4. Order No.UPLOK-1/DE/2017 Bangalore,
-
- Dated: 6.7.2017 file transferred from
-
- ARE-1 to ARE-7.
-
5. Order No.UPLOK-1 & 2/DE/transfers/2018,
-
- Bengaluru, Dtd: 06/08/2018 file transferred
-
- from ARE-7 to ARE-14.

* * * * *

The complainant by name Sri. Mutturaj Hulagappa
Chalawadi, Ward No.1, Ambedkar Colony, Ilakal, Hungund
Taluk, Bagalkot District has filed the complaint against Sri



Muralidhar Deshpande, Executive Officer, Taluk Panchayath, Hungund Taluk, Bagalkot District alleging misconduct.

2. After completion of the investigation, a report was sent to the Government u/s. 12(3) of the Karnataka Lokayukta Act as per reference No.1. In pursuance of the report, the Government of Karnataka was pleased to issue the G.O. Dated: 06/02/2017 authorizing Hon'ble Upalokayukta-1 to hold enquiry as per reference No.2. In pursuance of the G.O., the Nomination was issued by the Hon'ble Upalokayukta-1 on 18/03/2017 authorizing ARE-1 to hold enquiry and to report as per reference No. 3 and again this file was transferred from ARE-1 to ARE-7 as per reference No.4. Once again, this file is transferred from ARE-7 to ARE-14 as per reference No.5.
3. On the basis of the Nomination, the Articles of Charge against the DGO, framed by the Additional Registrar of Enquiries-1 which includes Articles of Charge at Annexure-I and Statement of Imputation of Misconduct at Annexure No. II are as follows:-

ANNEXURE-I

CHARGE:

While you DGO Sri Muralidhar Deshpande, while working as Executive Officer, Taluk Panchayath, Hungund Taluk, Bagalkote District had drawn Government funds towards execution of the work under SCP and STP project by Taluk Panchayath



Hungund during the year 2015-16 even though no work was executed under SCP and STP project during the said year and had misappropriated the said amount and therefore you DGO has failed to maintain absolute integrity and devotion to duty and committed an act which is unbecoming of a Government Servant and therefore you are guilty of misconduct under Rule 3(1)(i) to (iii) of KCS (Conduct) Rules 1966. Hence, this charge.

ANNEXURE-II

STATEMENT OF IMPUTATION OF MISCONDUCT

Brief facts of the case are:- On the basis of complaint filed by Sri Mutturaj Hulagappa Chalawadi, Ward No.1, Ambedkar Colony, Ilakal, Hungund Taluk, Bagalkot District against Sri Muralidhar Deshpande, Executive Officer, Taluk Panchayath, Hungund Taluk, Bagalkot District alleging misconduct, an investigation was taken up after invoking Section 9 of Karnataka Lokayukta Act, 1984.



According to the Complainant the DGO has drawn amount towards executing SCP and STP works during 2015-16 without executing the road works.

DGO has not submitted comments though he has received letter on 7.11.2016 calling upon to submit his comments. Therefore, it has been taken that he has no comments.

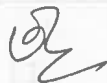
Complainant has produced photo of the road which show that the road work has not been executed and the road is in a very bad condition. DGO has not denied that the amount has been withdrawn though the works are not executed. Therefore, there is no reason to disbelieve the photographs produced and the allegation that the amount has been withdrawn by the DGO without executing the works.

Since the said facts and materials on record prima facie show that Sri Muralidhar Deshpande, Executive Officer, Taluk Panchayath, Hungund Taluk, Bagalkote District has committed



misconduct under Rule 3(1) (i) to (iii) of KCS (Conduct) Rules, 1966 recommendation is made under Section 12(3) of Karnataka Lokayukta Act, 1984 to the Competent Authority to initiate disciplinary proceedings against Sri Muralidhar Deshpande, Executive Officer, Taluk Panchayath, Hungund Taluk, Bagalkote District 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.

4. **The aforesaid 'articles of charge' served on the DGO, but the DGO did not appear before this authority. On 24.7.2017 an advocate has appeared on behalf of the DGO and filed vakalath with an application to set aside the exparte order passed against the DGO. The said application was allowed on that date and posted for filing of written statement. Thereafter, written statement was filed on 07.10.2017, but the DGO did not appear before this authority personally till the present case was posted for arguments. At last, on 18.12.2019, the DGO had appeared before this authority and lead his defence evidence.**



5. According to the complainant's complaint, for the year 2015-16, this DGO being the Executive Officer of the Taluk Panchayath, Hungund Taluk, Bagalkot District had drawn the government funds towards the work under SCP and STP project without executing the said road works and thus has misappropriated the government fund.
6. As already observed above, at first this DGO did not appear before this authority. He has appeared before this authority personally only on 18.12.2019. Before that, his advocate has filed the written statement, in which the DGO has contended that the complainant has lodged a false complaint. He had executed all the works under SCP and STP project. He had got executed the Hadagali SC Colony road by preparing estimation for Rs.1.65 lakhs by giving the same to the contractor under piece work contract. To that effect he had obtained all the necessary documents and the photos also. In the same way, he had also prepared the estimation for Rs.1.65 lakhs for the formation of Chalakamaladinni Harijanakeri road by giving the construction work of the same to a contractor under piece work contract and obtained all the necessary documents and the photos and produced the same. He had prepared an estimation for the construction of Kudalasanga Harijana Keri Road for Rs.1.55 lakhs and for the construction of Marola Harijana Keri road by giving the same work to the contractor under piece work contract and had



obtained all the necessary documents and produced the same. Further, he had also prepared estimation for Rs.1.60 lakhs each for the construction Chikkakodagali LT Road and Chikka Adapura Harijanakeri Road and Iholli S.C. Colony road by giving the said road work to the contractor under piece work contract and after the completion of the said road works, he had obtained all the necessary documents from the contractors and also obtained the photos and produced the same before this authority. All these road works have been done under the supervision and direction of the Asst. Engineer and Assistant Executive Engineer, Panchayath Raj Engineering Sub-Division, Hungund. After the completion of the said road works, by showing the measurements in the M.B. Book, the bills were prepared and submitted, thereafter the amount was released to the concerned contractors. Thus, he being the Executive Officer of the Taluk Panchayath of Hungund Taluk, Bagalkot District had not committed any misconduct and not misappropriated any government funds for the works under SCP and STP Project. Hence, he has prayed to exonerate him from the present proceedings.

7. **As already observed above, this DGO had not submitted his comments even though called by this authority. So, by considering the said fact as well as by considering the complaint and the photographs produced by the complainant along with the complaint, this authority considered that these things prima facie show that the DGO, being a public servant has failed to maintain**



absolute integrity besides devotion to duty and acted in a manner unbecoming of a Government servant and thereby committed misconduct as per Rule 3(1)(i) to (iii) of KCS (Conduct) Rules, 1966 and made himself liable for disciplinary action.

9. The Disciplinary Authority has got examined the complainant as PW-1 and Ex.P.1 to 3 got marked on his side. On the other hand, the DGO himself got examined as DW-1 and Ex.D.1 & 5 got marked on his behalf.

10. The points that arise for my consideration are:

Point No.1 : Whether the charge framed against the DGO is proved?

Point No.2 : What order?

11. Heard, perused the entire case record and heard the argument of both the side.

12. My answer to the above points are as here under:

Point No. 1: **In the affirmative.**

Point no. 2 : **As per final order for the following ;**

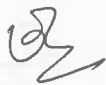
REASONS

13. Point No.1 : The complainant by name Sri. Mutturaj Hulagappa Chalawadi, Ward No.1, Ambedkar Colony, Ilakal, Hungund Taluk, Bagalkot District has filed the complaint against Sri



Muralidhar Deshpande, Executive Officer, Taluk Panchayath, Hungund Taluk, Bagalkot District alleging misconduct.

14. According to the complainant's complaint, for the year 2015-16, this DGO being the Executive Officer of the Taluk Panchayath, Hungund Taluk, Bagalkot District had drawn the government funds towards the work under SCP and STP project without executing the said works and thus has misappropriated the government fund.
15. At first this DGO did not appear before this authority. He has appeared before this authority personally only on 18.12.2019. Before that, his advocate has filed the written statement, in which the DGO has contended that the complainant has lodged a false complaint. He had executed all the works under SCP and STP project. He had got executed the Hadagali SC Colony road work by preparing estimation for Rs.1.65 lakhs by giving the same work to the contractor under piece work contract basis. To that effect, he had obtained all the necessary documents and the photos also. In the same way, he had also prepared an estimation for Rs.1.65 lakhs for the formation of Chalakamaladinni Harijanakeri road work by giving the construction work of the same to a contractor under piece work contract basis and obtained all the necessary documents and the photos and produced the same. He had prepared an estimation for the construction of Kudalasanga Harijana Keri Road for Rs.1.55 lakhs and for the construction of Marola Harijana Keri road by giving the same work to the contractor under piece work contract basis and



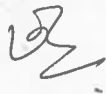
had obtained all the necessary documents and produced the same. Further, he had also prepared an estimation for Rs.1.60 lakhs each for the construction of Chikkakodagali LT Road and Chikka Adapura Harijanakeri Road and Iholli S.C. Colony road by giving the said road work to the contractor under piece work contract basis and after the completion of the said road works, had obtained all the necessary documents from the contractors and also obtained the photos and produced and same before this authority. All these road works were done under the supervision and direction of the Asst. Engineer and Assistant Executive Engineer, Panchayath Raj Engineering Sub-Division, Hungund. After the completion of the said road works, by showing the measurements in the M.B. Book, the bills were got prepared and submitted. Thereafter, the amount was released to the concerned contractors. Thus, he being the Executive Officer of the Taluk Panchayath of Hungund Taluk, Bagalkot District had not committed any misconduct and not misappropriated any government funds for the works under SCP and STP Project. Hence, he has prayed to exonerate him from the present proceedings.

16. The complainant got examined as PW-1. He has deposed before this authority in his chief examination as, “ನನಗೆ ಓದಲು ಬರೆಯಲು ಬರುವುದಿಲ್ಲ. ನನ್ನ ಮಾವ ಆನಂದ ಚಲವಾದಿ ರವರು ಆರ್‌ಟಿಐ ಆಕ್ಟ್ ಅಡಿಯಲ್ಲಿ ದಾಖಲಾತಿಗಳನ್ನು ಪಡೆದುಕೊಂಡು ದೂರನ್ನು ಸಲ್ಲಿಸಿರುತ್ತಾರೆ. ಆ ದೂರಿಗೆ ನಾನು ಸಹಿ ಹಾಕಿರುತ್ತೇನೆ. ನನಗೆ ಓದಲು ಬರೆಯಲು ಬಾರದೇ ಇರುವುದರಿಂದ ದೂರಿನಲ್ಲಿ ಏನನ್ನು ಬರೆಯಲಾಗಿದೆ ಎನ್ನುವುದು ನನಗೆ ಗೊತ್ತಿಲ್ಲ. ಈಗ ನೋಡುತ್ತಿರುವ ದಾಖಲಾತಿಗಳ ಮೇಲೆ ನನ್ನ



ಸಹಿ ಇರುತ್ತದೆ.” The complaint is got marked as Ex.P.1. Form No.1 and 2 are got marked as Ex.P.2 and 3 respectively. In all these Ex.P.1 to 3, the complainant has admitted his signature only but not the contents. Ex.P.4 is the application given by this complainant under Sec.6(1)(7)(1) of Right to Information Act, 2005 seeking for information regarding the work executed under SCP and STP project for the year 2015-16 from the Executive Officer of Taluk Panchayath, Hungund. Ex.P.4(a) is the **statement showing the deduction details of sales tax period from 1.1.2016 to 31.3.2016** given by the Executive Officer of the Taluk Panchayath, for the information sought by the complainant under RTI Act. Ex.P.5 is the 10 photographs produced by the complainant. These are all the documents produced by the complainant himself.

17. As the complainant did not say anything against the DGO, the learned Presenting Officer prayed this authority to treat him as hostile witness and to permit him to cross examine. When the Presenting Officer has cross examined this complainant, he had deposed as, “ಎಸ್‌ಸಿ ಮತ್ತು ಎಸ್‌ಟಿ ಯೋಜನೆಯ ಅಡಿಯಲ್ಲಿ ಚಿಕ್ಕಕೊಡಗಲಿ ಎಲ್‌ಟಿ-01 ರಸ್ತೆಯ ಕಾಮಗಾರಿಯನ್ನು ಮಾಡದೇ ಈ ಆಸನೌರವರು ಹಣವನ್ನು ಡ್ರಾ ಮಾಡಿರುತ್ತಾರೆ ಎಂದು ನಿ.ಪಿ.1 ರಂತೆ ದೂರನ್ನು ನೀಡಿರುತ್ತೀರಿ ಎಂದು ಕೇಳಿದ ಪ್ರಶ್ನೆಗೆ ಸಾಕ್ಷಿ ಆ ದೂರಿಗೆ ಸಹಿ ಹಾಕಿರುತ್ತೇನೆ ಎನ್ನುತ್ತಾರೆ. ನಿ.ಪಿ.1ರಲ್ಲಿ ಬರೆದಿರುವ ವಿಷಯವನ್ನು ತಿಳಿದುಕೊಂಡು ಸಹಿ ಮಾಡಿರುತ್ತೇನೆ ಎನ್ನುವುದು ಸರಿಯಲ್ಲ. ನಮೂನೆ 1 ಮತ್ತು 2ರಲ್ಲಿ ಬರೆದಿರುವ ವಿಷಯಗಳನ್ನು ತಿಳಿದುಕೊಂಡು ಸಹಿ ಹಾಕಿರುತ್ತೇನೆ ಎನ್ನುವುದು ಸರಿಯಲ್ಲ.



ನಿ.ಪಿ.1 ರಿಂದ 3ಕ್ಕೆ ನಾನು ಇಂಗ್ಲೀಷ್‌ನಲ್ಲಿ ಸಹಿ ಹಾಕಿರುತ್ತೇನೆ ಎನ್ನುವುದು ಸರಿ. ಮಾಹಿತಿ ಹಕ್ಕಿನ ಅಡಿಯಲ್ಲಿ ದಾಖಲಾತಿಗಳನ್ನು ಪಡೆದು ನಂತರ ಈ ದೂರನ್ನು ನೀಡಿರುತ್ತೀರಿ ಎಂದು ಮಾಡಿದ ಸಲಹೆಗೆ ಸಾಕ್ಷಿ, ನನ್ನ ಮಾವನವರು ಮಾಹಿತಿ ಹಕ್ಕಿನ ಅಡಿಯಲ್ಲಿ ದಾಖಲಾತಿಗಳನ್ನು ಪಡೆದಿದ್ದರು ಎನ್ನುತ್ತಾರೆ. ಈಗ ತೋರಿಸುತ್ತಿರುವ ದಿನಾಂಕ:1-1-2016 ರಿಂದ 31-03-2016ರವರೆಗಿನ ಸ್ಟೇಟ್‌ಮೆಂಟ್‌ನ್ನು ಮಾಹಿತಿ ಹಕ್ಕಿನ ಅಡಿಯಲ್ಲಿ ನಾನು ಪಡೆದಿರುತ್ತೇನೆ ಎನ್ನುವುದು ಸರಿಯಲ್ಲ. ಆ ದಾಖಲಾತಿಯ ಬಗ್ಗೆ ನನಗೆ ಗೊತ್ತಿಲ್ಲ ಎನ್ನುತ್ತಾರೆ. ಫೋಟೋಗಳ ಸಮೇತ ದೂರನ್ನು ನಾನು ಕೊಟ್ಟಿದ್ದೆ ಎನ್ನುವುದು ಸರಿಯಲ್ಲ. ಈ ಮೊದಲು ನಾನು ದೂರನ್ನು ನೀಡಿದ್ದು, ಈಗ ಆಸನೌರವರಿಗೆ ಸಹಾಯ ಮಾಡುವ ಸಲುವಾಗಿ ಅವರ ಮಾತನ್ನು ಕೇಳಿಕೊಂಡು ಸುಳ್ಳು ಸಾಕ್ಷ್ಯವನ್ನು ನುಡಿಯುತ್ತಿದ್ದೇನೆ ಎನ್ನುವುದು ಸರಿಯಲ್ಲ. ನನ್ನ ಮಾವನ ಹೆಸರು ಆನಂದ ಚಲವಾದಿ ಬಿನ್ ಮಹದೇವಪ್ಪ.” Thus, in the cross examination also this complainant has not deposed anything against the DGO except accepting his signatures on Ex.P.1 to 3. As this complainant has turned hostile, the advocate for DGO has not cross examined him.

18. The DGO got examined as DW-1 and also produced the documents from annexure-A to M which are in total got marked as Ex.D.1. He has deposed in his chief examination saying that under SCP and STP project they have executed 7 road works by reserving Rs.11,20,000/- for the year 2015-16. He has admitted that he was working as the Executive Officer of the Hungund Taluk



Panchayath from 2015 to January 2017. Execution of the works and approval of the project and payment of bill amount after the completion of the road works were his duty and responsibility as an Executive Officer. Here, 7 road works have been executed and he has produced all the necessary documents before this authority i.e, the action plan, work order, estimation, running account bill-C, R.A. bill, memorandum of payments and photographs of each road works (7 road works). This authority has observed all these documents very keenly. Though these documents bear the signature of E.O., Section Officer, Assistant Executive Engineer, contractor, they do not bear the date, month and the year. Further, it is very important to note that the M.B. book of the said works have not been produced by the DGO to prove whether the said works have been executed or not. Here, as already observed above, at first, this DGO even though called upon by this authority to submit his comments, he did not submit the same. So, this is fact is mentioned in the report filed u/s 12(3) of the Karnataka Lokayukta Act against him. Regarding this aspect, he has been cross examined by the learned Presenting Officer. In the cross examination he has deposed as, "ದಿ:7-11-2016ರಂದು ಈ ಸಂಸ್ಥೆಯಿಂದ ನನಗೆ ನೋಟೀಸ್ ಬಂದಿದ್ದರೂ ಸಹಾ ನಾನು ಅದಕ್ಕೆ ಆಕ್ಷೇಪಣೆಯನ್ನು ಸಲ್ಲಿಸಿರುವುದಿಲ್ಲ ಎನ್ನುವುದು ಸರಿಯಲ್ಲ. ಈ ದಿನ ಹಾಜರುಪಡಿಸಿದ ದಾಖಲಾತಿಗಳನ್ನು ಹೊರತುಪಡಿಸಿ, ಈ ಹಿಂದೆ ನಾನು ಯಾವುದೇ ದಾಖಲಾತಿಗಳನ್ನು ಹಾಜರುಪಡಿಸಿರಲಿಲ್ಲ. 2 ವರ್ಷಗಳಿಂದ ಈ



ಪ್ರಕರಣದ ನಡವಳಿಗಳು ನಡೆಯುತ್ತಿವೆ. ಈ ದಿನ ಹಾಜರುಪಡಿಸಿದ ದಾಖಲಾತಿಗಳನ್ನು ಈ ಹಿಂದೆಯೇ ಹಾಜರುಪಡಿಸಲು ತೊಂದರೆ ಏನಿತ್ತು ಎಂದು ಕೇಳಿದ ಪ್ರಶ್ನೆಗೆ ಸಾಕ್ಷಿ, ಈ ಪ್ರಕರಣಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟಂತೆ ನನಗೆ ನೋಟೀಸ್ಸು ಬಂದಿರಲಿಲ್ಲ. ಹೀಗಾಗಿ ಹಾಜರುಪಡಿಸಿರಲಿಲ್ಲ ಎನ್ನುತ್ತಾರೆ.”

Though he has been called upon to submit his comments, he did not submit the same. But deposed before this authority like above. Further, as already observed above, he has appeared before this authority for the first time on 18.12.2019 when the matter was posted for arguments. On that day, he has produced all these documents. If at all, he was in possession of these documents earlier itself, he could have submit his comments and also he could have produced these documents at that stage itself. But, he did not do so. Hence, it can be said very clearly that the documents produced by the DGO are all concocted documents created for the purpose of this case only. Further, the Ex.P.4 is an application filed by this complainant on 28.5.2016 under RTI Act by seeking the information regarding the execution of the work under SCP & STP project for the year 2015-16. The said application was received by the office of this DGO on 28.6.2016 itself for which they gave “**statement showing the deduction details of sale tax period from 01.01.2016 to 31.03.2016 TAN :- BLRT04475C**”, signed by this DGO which is got marked as Ex.P.4(a). Thus, the DGO has not given any proper information to this complainant as sought in the application filed under

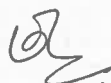


RTI Act except the above statement. Further, the DGO has won over the complainant also, so the complainant has turned hostile, though mentioned the name of this DGO very clearly in his complaint as well as form no.1 & 2.

19. Thus, by going through the evidence of both the side and also the documents produced by the DGO it can be held that the DGO has misappropriated the Government fund and thereby committed misconduct while working as a Government servant.
20. As per Ex.P.4(a) only the total bill amount is Rs.13,66,492/-, which is signed by this DGO. Thus, the DGO has caused loss to the State Exchequer an amount of Rs.13,66,492/-.
21. **Point No. 2** : For the above said reasons and discussion it can be said that the charge framed against the DGO is proved.
22. Hence, I proceed to pass the following:


ORDER

The Disciplinary Authority has proved the charge framed against the DGO Sri Muralidhar Deshpande, Executive Officer, Taluk Panchayath, Hungund Taluk, Bagalkot District.



This report be submitted to the Hon'ble
Upalokayukta-1 in a sealed cover forthwith.

Dated this the 3rd June, 2020

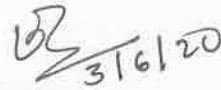

3/6/20

(K.BHAGYA)

Additional Registrar Enquiries-14
Karnataka Lokayukta
Bangalore

ANNEXURES

Sl. No.	Particulars of Documents	
1	Witness examined on behalf of the Disciplinary Authority	
	PW-1	Sri Mutturaja Hulagappa Chalavadi - (Original)
2	Documents marked on behalf of the Disciplinary Authority Ex.P-1 to Ex.P-11	
	Ex.P-1	Complaint filed by the complainant (Original)
	Ex.P-2	Form No.1 (Original)
	Ex.P-3	Form No.2 (Original)
	Ex.P-4 & 4(a)	Application filed under RTI Act & Information given to applicant (Xerox)
	Ex.P-5	10 photographs
	Witness examined on behalf of the DGO, Documents marked on behalf of the DGO	
	DW-1	Sri Mutturaja Hulagappa Chalavadi - (Original)
	Documents marked on behalf of the DGOs through the complainant	
	Ex.D.1	Documents regarding works carried out by Hungund Taluk Panchayath during the year 2015-16 55, 143 (Original) 56-142 (Xerox)

Dated this the 3rd June, 2020

(K.BHAGYA)

Additional Registrar Enquiries-14
Karnataka Lokayukta
Bangalore.

GOVERNMENT OF KARNATAKA



KARNATAKA LOKAYUKTA

No. UPLOK-1/DE/399/2017/ARE-14

Multi Storied Building,
Dr. B.R. Ambedkar Veedhi,
Bengaluru-560 001
Date: **05/06/2020**

RECOMMENDATION

Sub:- Departmental inquiry against;
Sri Muralidhar Deshpande, Executive officer, Taluk
Panchayath, Hunagund Taluk, Bagalkot District – Reg.

Ref:- 1) Govt. Order No. ಸ್ರಾಅಪ 24 ಎಸೇಬಿ 2017, Bengaluru dated
6/2/2017.

2) Nomination order No.UPLOK-1/DE/399/2017,
Bengaluru dated 18/3/2017 of Upalokayukta-1,
State of Karnataka, Bengaluru

3) Inquiry Report dated 03/06/2020 of Additional
Registrar of Enquiries-14, Karnataka Lokayukta,
Bengaluru.

The Government by its order dated 6/2/2017 initiated the disciplinary proceedings against Sri Muralidhar Deshpande, Executive Officer, Taluk Panchayath, Hunagund Taluk, Bagalkot 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.UPLOK-1/DE/399/2017 Bengaluru dated 18/3/2017 nominated Additional Registrar of Enquiries-1, 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. UPLOK-1&2/DE/Transfers/2018, dated 6/8/2018, the Additional Registrar of

Enquiries-14, Karnataka Lokayukta, Bengaluru was re-nominated as inquiry officer to conduct departmental inquiry against DGO.

3. The DGO Sri Muralidhar Deshpande, Executive Officer, Taluk Panchayath, Hunagund Taluk, Bagalkot District was tried for the following charge:-

“While you DGO Sri Muralidhar Deshpande, while working as Executive officer, Taluk Panchayath, Hungund Taluk, Bagalkote District had drawn Government funds towards execution of work under SCP and STP project by Taluk Panchayath, Hunagunda during the year 2015-16 even though no work was executed under SCP and STP project during the said year and has misappropriated the said amount and therefore, you DGO has failed to maintain absolute integrity and devotion to duty and committed an act which is unbecoming of a Government Servant and therefore, you are guilty of misconduct under Rule 3(1)(i) to (iii) of KCS (Conduct) Rules, 1966. Hence, this charge.

4. The Inquiry Officer (Additional Registrar of Enquiries-15) on appreciation of oral and documentary evidence has held that the Disciplinary Authority has proved the above charge against DGO Sri Muralidhar Deshpande, Executive Officer, Taluk Panchayath, Hunagund Taluk, Bagalkot District. The inquiry officer has held that by going through the evidence of both the sides and also the documents produced by the DGO, it can be held that the DGO has misappropriated the Government fund and thereby committed misconduct while working as a Government servant. As per Ex. P4(a) only the total Bill amount is Rs.13,66,492/- which is signed

by this DGO. Thus, the DGO has caused loss to the state exchequer an amount of Rs.13,66,492/-.



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 DGO, he is due to retire from service on 31/1/2033.

7. Having regard to the nature of charge proved against DGO Sri Muralidhar Deshpande, it is hereby recommended to the Government for imposing penalty of recovering a sum of Rs.13,66,492/- from the pay and allowances payable to DGO Sri Muralidhar Deshpande, Executive Officer, Taluk Panchayath, Hunagund Taluk, Bagalkot 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

