

**KARNATAKA LOKAYUKTA**

NO:UPLOK-1/DE/44/2017/ARE-9

M.S.Building,  
Dr. B.R. Ambedkar Veedhi,  
Bengaluru - 560 001.  
Date: 20-03-2019.

**:: ENQUIRY REPORT ::**

**:: Present ::**

**( Lokappa N.R )**

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

Sub: Departmental enquiry against Shri. H.H. Aavari,  
Assistant Director, KRIDL, Kalaburgi - reg.

Ref: 1) Government Order No. ಗ್ರಾಅಪ/07/ಕಗ್ರಾಮೂ/2016  
ಬೆಂಗಳೂರು, ದಿನಾಂಕ 30/12/2016.

2) Nomination Order No: UPLOK-1/DE-44/2017  
dated 11-01-2017 of Hon'ble Upalokayukta-1,  
Karnataka.

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This Departmental Enquiry is initiated against Shri. H.H. Aavari, Assistant Director, KRIDL, Kalaburgi (hereinafter referred to as the Delinquent Government Official for short "DGO").

In view of the Government Order cited above at reference No.1, Hon'ble Upalokayukta vide order dated 11-01-2017 cited above at reference No.2 has Nominated Addl. Registrar of Enquiries-9 to frame the charges and to conduct the enquiry against the aforesaid DGO. Additional Registrar of Enquiries-9 has prepared Articles of charges, statement of imputations of misconduct, list of witnesses

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proposed to be examined in support of the charges and list of documents proposed to be relied on in support of the charges. The copies of the same were issued to the DGO calling upon him to appear before the Enquiry Officer and to submit written statement of defence.

The Article of charges framed by the ARE-9 against the DGO is as under :

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

*2) You-DGO have received the cheque bearing No.871941 dt.24.3.2011 for Rs.9 lakhs in relation to the construction of the Unani Hospital building from the medical officer of the government Unani Hospital Bilwar.*

*thereby you-DGO have failed to maintain absolute integrity, devotion to duty and committed an act which is unbecoming of a Government Servant and thus you-DGO have guilty of misconduct under Rule 3(1) (i) to (iii) of KCS (Conduct) Rules 1966.*

**ANNEXURE-II**  
**STATEMENT OF IMPUTATION OF MISCONDUCT:**

*3)It is alleged in the complaint that You-DGO have misappropriated an amount of ₹ 11.01 Lakhs granted for construction of Unani Hospital building, without constructing the building.*

*4)In comments offered by you-DGO, You-DGOs have denied the complaint allegations. Thereafter, the matter was referred to Superintendent of Police, Karnataka Lokayukta,*

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*Kalaburagi under Section 15(3) of Karnataka Lokayukta Act. The Superintendent of Police, Karnataka Lokayukta, Kalaburagi has submitted a report dated 19/7/2014. In the report, the Superintendent of Police has stated that there was a HT line passing over the site which was proposed for construction of Unani Hospital building. Therefore, there was delay in construction of Unani Hospital Building. Thereafter, alternate site was sought and additional fund of ₹ 5.00 Lakhs was released in April 2014.*

*5)The sum of ₹ 9.00 Lakhs was released by Zilla Panchayath, Gulgarga to Taluk Panchayath. The Bill was presented by Medical Officer, Unani Hospital, Bilwara on 15/3/2011 for ₹ 9.00 Lakhs and cheque was issued by the Treasury officer, Jawargi for ₹ 9.00 Lakhs in favour of Deputy Director, Karnataka Rural Infrastructure Development Corporation Limited. The Assistant Director, KRIDL has issued receipt for having received the cheque for ₹ 9.00 Lakhs. It is stated that the work of construction of Unani Hospital Building was commenced on 26/5/2014. In the circumstances, it is not clear how a sum of ₹ 9.00 Lakhs was released in favour of Deputy Director, KRIDCL, Yadgir on 24/3/2011.*

*6) Further report from Superintendent of Police, Karnataka Lokayukta, Kalaburagi was sought relating to this aspect. On 11/6/2015, the Superintendent of Police, Karnataka Lokayukta, Kalaburagi has submitted a report, wherein it is stated that the Medical officer of Government Unani*

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Hospital, Bilwara had received a sum of ₹ 9.00 Lakhs through cheque bearing No. 871941 dated 24/3/2011 in relation to construction of Unani Hospital Building. The Bill was presented to the Treasury on 15/3/2011. After the cheque was received, the same was given to Asst. Director, KRIDL, Shahpur on 9/5/2011. The connected documents are submitted along with the report. In the note stated supra, it is stated that construction of Unani Hospital Building was not taken up as the HT line was passing over the site and there was a request for grant of alternate site. Thereafter, an additional grant of ₹ 5.00 Lakhs was sanctioned.

7) As could be seen from the photographs taken on 18/7/2014, the construction of Unani Hospital Building is at foundation level and fabricated pillars are erected. As per the documents furnished, the site was handed over by the Medical Officer, Govt. Unani Hospital, Bilwara, to the Asst. Director, Karnataka Rural Infrastructure Development Corporation Limited, Kalaburagi on 18/5/2013.

8) As per the report of Superintendent of Police, the construction of building started from 25/6/2014 and it is under progress. In the circumstances, there was no explanation from you-DGO as to the receipt of ₹ 9.00 Lakhs on 24/3/2011. You-DGO herein was working as Asst. Director, KRIDL, Kalaburagi.

9) You-DGO were in possession of a sum of ₹ 9.00 Lakhs from 24/3/2011, though the work had not been

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*commenced prior to 26/5/2014. Hence, you-DGO have failed to maintain absolute integrity, devotion to duty and have acted in a manner which is unbecoming of a Government Servants for which they you-DGOs have made yourselves liable for departmental action.*

7. *The said facts and materials on record show that you-DGO being Public/Government Servant have failed to maintain absolute integrity besides devotion to duty and acted in a manner unbecoming of Public/Government Servant and thereby committed misconduct and made yourself liable for disciplinary action.*

8. *Since said facts supported by the materials on record prima facie show that you-DGO being Public/Government servant, have committed misconduct as per Rule 3(1)(i) to (iii) of KCS(Conduct) Rules, 1966 and under Rule 14(A) of Karnataka Civil Services(Classification, Control and Appeal) Rules 1957. Hence, the charge.*

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The DGO has appeared on 28/6/2017 before this enquiry authority in pursuance to the service of the Article of charges.

Plea of the DGO has been recorded and he has pleaded not guilty and claimed for holding enquiry.

**The DGO has submitted written statement is that,**

For construction of the Unani Hospital, Bilwar, Jewargi taluk of Gulbarga district the grant of Rs.9 lakh released on 24/3/11. The said work was not commenced due to dispute

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in respect of site and not handover the site from the Medical Officer, Unani Hospital, Bilwar, Jewargi taluk of Gulbarga district. Further submitted that in the month of August 2012 he was transferred to divisional office, KRIDL, Gulbarga as Asst. Director (Technical) from the post of Asst. Director, KRIDL, Gulbarga-1. Further submitted he has not executed the said alleged work the said work executed under the supervision of the J.E. Sri Rathod and Asst. Director Sri B.S. Patil and G.M. Dolli- Dy. Director, KRIDL, Gulbarga-1 and there is no misappropriation of funds. Further submitted that he has not committed any misconduct and dereliction of duty in any manner. Hence prayed to drop the charge leveled against him.

The charges leveled against the DGO. At the time of typing Annexure-I charge one line was missed i.e., "though the work has not been commenced prior to 26/5/2014" which shall be typed after the line No.3 and in continuation of line No.4 in Annexure-I charge as Unani Hospital, Bilwar, though the work has not been commenced prior to 26/5/2014." The same was already stated in Annexure-II Statement of imputation of misconduct para No.9. Hence, it is necessary to read the charge in Annexure-I as "You DGO have received the cheque bearing No.871941 dated 24/3/2011 for Rs.9 lakh in relation to the construction of Unani Hospital building from the Medical Officer of the Government, Unani Hospital, Bilwar, though the work has not been commenced prior to 26/5/2014."

The disciplinary authority has examined the complainant Shri. Mowlali N. Bilwara, R/o Bilawara Grama & Post, Jewargi



Taluk, Kalaburgi District as Pw.1, Sri G.G. Maribashetti, Retired DSP, Dharwad as Pw.2 and Ex.P1 to 11 are got marked. After written statement filed by the DGO, he has not appeared before this enquiry authority. Hence, placed exparte.

Heard the submissions of the disciplinary authority. The DGO placed exparte. I answer the above charge is leveled against the DGO in **NEGATIVE** for the following ;

### **REASONS**

- 3) It is the prime duty of the disciplinary authority to prove the charges that are leveled against the DGO/s.
- 4) The disciplinary authority has examined the complainant Shri. Mowlali N. Bilawara R/o Bilawara Grama & Post, Jewargi Taluk, Kalaburgi District as Pw.1, Sri G.G. Maribashetti, Retired DSP, Dharwad as Pw.2 and Ex.P1 to 11 are got marked. Pw.1 deposed in his chief examination that the DGO was working as Asst. Director, KRIDL and Ramarao was working as District Ayush/ Unani officer, Gulbarga. For construction of Unani Hospital building in Bilwar, Jewargi taluk an estimated amount of Rs.11 lakh was sanctioned in the year 2010-11. Even though the said amount sanctioned the DGO has not constructed the building but, he has misutilizing the entire amount. For that he has filed the complaint before the Lokayukta Office.
- 5) Pw.2 the I.O deposed in his evidence that after receiving the complaint copy with document he has visited Bilwar

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village along with J.E of KRIDL on 17/7/2014. Drawn the mahazar in the presence of villagers and taken the photographs of the spot. When he was visited the spot the foundation work of the Unani Hospital building was going on. Then he has directed to the district Ayush /Unani Officer, Gulbarga to furnish the documents in respect of the said work.

- 6) Further Pw.2 deposed that as per the document Rs.11.01 lakh sanctioned from the government in the year 2010-11 to the construction of Unani Hospital building at Bilwar. Before division of the united district of Gulbarga as Yadgiri and Kalburgi the said Bilwar village coming within the limits of Shahpura taluk. After division of the Gulbarga district as Yadgiri and Kalburgi the said Bilwar village added to Jewargi taluk. For that reason some administrative problem arised regarding the execution of the work by Yadgiri division and Gulbarga division. After clarifying the same the execution of the work continued from Kalburgi division. Further he deposed that there was dispute regarding the site of the alleged Hospital building for the reason the high tension electrical cable passed over the site which to be allotted to construction of the said building. After the requested of the gram Panchayat, Bilwar, Ayush /Unani Officer changed the sit and handover the site measuring 40x20 ft., on 18/5/2013 to the Asst. Director, KRIDL Gulbarga-1. Further deposed that, after handover the site to KRIDL, the officers of the KRIDL prepared the revised estimate and submitted to grant Rs.5 lakh in addition to Rs.9 lakh was already

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released from the government to construct the said building. The same amount was sanctioned in the month of April 2014. After that the construction of building work started.

- 7) Further he deposed that as per the records the Executive Officer, taluk Panchayat, Jewargi counter signed to the bill on 15/3/2011 which was prepared by Ayush Officer, Bilwar and then Ayush Officer presented the same in the Sub treasury Jewargi. Sub Treasury issued the cheque No.871941 dated 24/3/2011 for Rs.9 lakh. The said cheque was handed over to the Asst. Director, KRIDL, Shahpura on 9/5/2011 by Ayush Officer, Bilwar.
- 8) Ex.P1 & 2 is the Complaint Form No.I&II dated 14/6/2013. Ex.P3 is the documents submitted by the complainant along with his complaint it includes 32 sheets page 61-95. Ex.P4 is the comments dated 18/7/2013 of the DGO page 96-97. Ex.P5 is the rejoinder dated 25/9/2013 page 98-99. Ex.P6 is the report dated 18/7/2014 page 100-101. Ex.P7 is the document submitted by the Pw.2 along with report page No.102-170. Ex.P8 is the report dated 19/7/2014 submitted by the S.P, KLA, Gulbarga Pw.2 page 171-172. Ex.P9 is the report dated 8/6/2015 submitted by Pw.2. Ex.P10 is the documents submitted by the Pw.2 page 175-225. Ex.P11 is the report dated 11/6/2015 submitted by the S.P, KLA, Kalburgi.

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9) Perused the evidence of Pw.1, 2 and above said all documents along with AOC. The charge leveled against the DGO is, he has received the cheque bearing No.871941 dated 24/3/2011 for sum of Rs.9 lakh though the work had not been comments prior to 26/5/2014. As per the report submitted by the Pw.2 ie., Ex.P6 dated 18/7/2014 and Ex.P9 dated 8/6/2015 and the report submitted by the SP, KLA, Kalburgi Ex.P8 dated 19/7/2014 and Ex.P11 dated 11/6/2015 the allegation of the complaint not proved and further there is no material in the said report against the DGO. As per the written statement submitted by the DGO, he has transferred as Asst. Director (Technical), KRIDL, Gulbarga-1 from the post of Asst. Director, KRIDL Gulbarga in the month of August 2012. After that the said work continued by Sri B.S. Patil, Asst. Director, KRIDL, Gulbarga-1, JE- Rathod, Deputy Director G.M. Dolli, KRIDL, Gulbarga-1 and the said work was completed as per approved revised estimate and plan. The DGO has also furnished the colour photo of the said building page 32-33 and detail of expenditure page 38-43. The Ex.P3 page No.61-79. The estimate in respect of the construction of Unani Hospital at Bilwar in Jewargi taluk of Gulbarga district. The said estimation was prepared by Sri G.M. Dolli Asst. Director, Karnataka Land Army Corporation (KLAC), Shahapur, Suryaprakash TFC, KLAC, Shahapura Sri Dhananjaya, TFC, KLAC, Shahapura, Sri Sadananda S.Y, ATFC, KLAC, Shahapura. The said estimate was technically approved by Deputy Director, KRIDL, Yadgiri for Rs.11.01 lakh as per TSC



No.143/2010-11 dated 22/2/2011. Then the CEO, ZP, Gulbarga approved Rs.9 lakh only. Ex.P7 page 106-124 and Ex.P3 page No.61-79 are the same documents. This document depicts that the estimate and plan not prepared by the Asst. Director, KRIDL, Gulbarg-1 division. As per Ex.P3 page 84 the CEO, ZP, Gulbarga passed the order dated 15/3/2011 in respect of the administrative approval for construction of Unani Hospital in Bilwar village under non-planning scheme for Rs.9 lakh only under the head of account No.2210-06-001-0-05. Ex.P3 page 85 an acknowledgment 9/5/2011 issued by the Asst. Director, KRIDL, Shahapur regarding receiving of cheque bearing No.871941 dated 24/3/2011 towards the construction of Unani Hospital at Bilwar. As per Ex.P 3 page 86 on 9/5/2011 Medical Officer, Government Unani Hospital, Bilwar sent the above said cheque to the Asst. Director, KRIDL, Shahapura, Yadgiri district. As per the above said document the DGO not at all working as Asst. Director, KRIDL, Shahapura, Yadgiri district and has not received the said cheque. As per the Ex.P3 page 94 xerox copy of the alleged cheque issued by the sub treasury officer, Jewargi in favour of the Dy. Director, KRIDL, Yadgiri. As as per Ex.P3 page 93 the bill submitted by the medical officer government Unani hospital for Rs.9 lakh to sub treasury, Jewargi on the basis of the same the sub treasury officer, Jewargi issued the said cheque. Hence, question of the DGO possessing the said cheque amount does not arise. The Ex.P4 is the comments dated 18/7/2013 of DGO he clearly stated that the site handed



over by the medical officer government Unani, Hospital, Jewargi on 18/5/2013 to construct the hospital building to their department. At that time the DGO was not working as Asst. Director, KRIDL, Shahapura, Yadgiri district or Gulbarga division No.1. As per the written statement of the DGO he was working as Asst. Director (Technical), KRIDL, Gulbarga-1. The Ex.P7 page No.130 spot mahazar drawn by the Pw.2 on 17/7/2014. As per the said document, work was in progress in the site measuring 40x20 ft., in Bilwar village when he visited the spot. As per Ex.P7 page 133, the details submitted by the Asst. Executive Engineer, KRIDL, Gulbarga-1 to construction of Unani hospital, Bilwar. As per the said document Rs.9 lakh was released to KRIDL, Yadgiri and then after revised estimate Rs.5 lakh additional grant released through the cheque No.CI 127120 dated 12/3/2014. The administrative approval in respect of the said hospital building given by the district Ayush officer, Gulbarga for the year 2010-11 on 28/10/2010. The revised estimate Rs.15.75 lakh approved in the year 2013-14 from the district Ayush officer on dated 22/4/2014. The work was commenced on 25/6/2014. Further on 18/5/2013 the site handed over the Medical Officer, government Unani hospital, Bilwar to the Asst. Director, KRIDL, Gulbarga-1. Ex.P7 letter dated 26/3/2013 of Dy. Director, KRIDL, Gulbarga-1. As per the said letter the DGO is the previous Asst. Director, KRIDL, Gulbarga-1 orally submitted before the Deputy Director, that the work was not commenced due to high tension



cable passed over the proposed site. Ex.P7 page 168 is the document regarding handing over the site. As per the said document the medical officer, government Unani hospital, Bilwar handed over the site in dimension 100x100 in sy.No.44 of Bilwar village, Jewargi taluk to KRIDL, Gulbarga-1 project. The possession of the site taken by the JE-B.T. Satish and counter signed by the Asst. Director, KLAC, Gulbarga-1 on 18/5/2013. The Ex.P7 page 169-170 are the photographs of the progress of the construction work when the I.O visited the spot. The above said document clearly reveals that the delay caused to commencement of the work of hospital building is one the administrative problem arised earlier due to united Gulbarga district divided as Yadgiri and Gulbarga districts, after that the said Bilwar village added to Jewargi taluk from Shahapura taluk. Then said work shifted to the KRIDL, Gulbarga-1 from the Shahapura. Further reason the medical officer, government Unani hospital handing over the site to the KRIDL, Gulbarga-1 to construct the hospital building on 18/5/2013. Then the AEE, KRIDL, Gulbarga-1 submitted the revised estimate for Rs.15.75 lakh. The administrative approval given only Rs.12,62,633/- as per the order ಜಿಆಆಐ ಗು/ಸಿಬ್ಬಂದಿ-2/02/2014-15/48/207 and technical sanction No.1/14-15 dated 6/6/2014 Ex.P7 page 150 is the letter of the Executive Engineer, KRIDL, Gulbarga for the above subject to the AEE, KRIDL, Gulbarga-1. The Ex.P7 page 151 -167 is the revised estimate and plan submitted by Jafar Ahmed, TFC, O/o Asst. Director, KRIDL, Gulbarga-1

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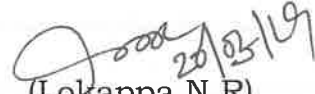
and Sri L.Dhanya Kumar, Asst. Director, KRIDL, Gulbarga-1, Sri R.G.Gaddad, Dy. Director, KRIDL, Gulbarga-1, as per PWD(PWP and IWTD) DSR 2012-13 of Gulbarga circle, Gulbarga. Considering the above said document and evidence of the Pw.1 and 2, the DGO was transferred as Asst. Director (Technical), KRIDL, Gulbarga-1 in the month of August 2012. Further the DGO has not receiving the alleged amount stated in the charge as Asst. Director, KRDL, Gulbarga-1 or Asst. Director, KRIDL, Shahapura, Yadgiri district. Moreover the site handed over by the medical officer, government Unani hospital, Bilwar on 18/5/2013 to the Asst. Director,, KRIDL, Gulbarga-1 that time the DGO was not working as Asst. Director, KRIDL, Gulbarga-1 but he was working as Asst. Director (Technical), KRIDL, Gulbarga-1 division, Gulbarga. Moreover, the said alleged cheque of Rs.9 lakh issued in the name of the Deputy Director, KRIDL, Yadgiri district. Hence, question does not arise that the DGO possessed the amount of Rs.9 lakh from 24/3/2011 to 26/5/2014 without commencement of the construction work of the hospital building and delay caused in construction of the said hospital building by him.

- 10) On the above said discussion and reason there is no material evidence by the side of the disciplinary authority to prove the charge leveled against the DGO ie., the DGO have received the cheque bearing No. 871941 dated 24/3/2011 for Rs.9 lakh in relation to the construction of Unani hospital building from the medical officer of



Government hospital, Bilwar, though the work has not been commenced prior to 26/5/2014 and the DGO responsible for said delay in construction of Unani hospital at Bilwara. Thereby the disciplinary authority failed to prove the charge leveled against the DGO.

- 11) In the In the above said facts and circumstances, the charge leveled against the DGO is not proved. Hence, this report is submitted to Hon'ble Upalokayukta for further action.

  
(Lokappa N.R)

Additional Registrar Enquiries-9  
Karnataka Lokayukta,  
Bengaluru.

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

Pw.1	Shri. Mowlali N. Bilawara R/o Bilawara Grama & Post, Jewargi Taluk, Kalaburgi District dated 23/4/2018 (Original)
Pw.2	Sri G.G. Maribashetti, Retired DSP, Dharwad dated 22/10/2018 (Original)

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

Ex.P1&2 Ex.P1(a)2(a)	Complaint Form No.I&II dated 14/6/2013 Signatures
Ex.P3	Documents submitted by the complainant along with his complaint
Ex.P4	Comments dated 18/7/2013
Ex.P5 Ex.P5(a)	Rejoinder dated 25/9/2013 Signature

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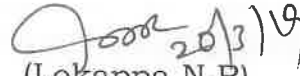
Ex.P6 Ex.P6(a)	Report dated 18/7/2014 Signature
Ex.P7 Ex.P7(a)	Documents submitted by the Pw.2 along with report. Signature
Ex.P8 Ex.P8(a)	Report dated 19/7/2014 submitted by the S.P, KLA, Gulbarga
Ex.P9 Ex.P9(a)	Report dated 8/6/2015 submitted by Pw.2 Signature
Ex.P10	Documents submitted by the Pw.2
Ex.P11 Ex.P11(a)	Report dated 11/6/2015 submitted by the S.P, KLA, Kalburgi Signature

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

Dw.1	NIL
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**iv) List of documents marked on behalf of DGO**

Ex.D1	NIL
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(Lokappa N.R)

Additional Registrar Enquiries-9  
Karnataka Lokayukta,  
Bengaluru.



**GOVERNMENT OF KARNATAKA**



**KARNATAKA LOKAYUKTA**

NO: UPLOK-1/DE/44/2017/ARE-9

Multi Storied Building,  
Dr. B.R. Ambedkar Veedhi,  
Bengaluru-560 001,  
Date: 22/03/2019

**RECOMMENDATION**

Sub:- Departmental inquiry against Sri H.H. Avari, Assistant Director, Karnataka Rural Infrastructure Development Limited (KRIDL), Kalaburagi Division, Kalaburagi- Reg.

Ref:- 1) Government Order No.ಗ್ರಾಅಪ 07 ಕಗ್ರಾಮೂ 2016, Bengaluru dated 30/12/2016

2) Nomination order No.UPLOK-1/DE/44/2017, Bengaluru dated 11/1/2017 of Upalokayukta-1, State of Karnataka, Bengaluru

3) Inquiry Report dated 20/3/2019 of Additional Registrar of Enquiries-9, Karnataka Lokayukta, Bengaluru

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The Government by its Order dated 30/12/2016, initiated the disciplinary proceedings against Sri H.H.Avari, the then Assistant Director, Karnataka Rural Infrastructure Development Limited (KRIDL), Kalaburagi Division, Kalaburagi (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/44/2017, Bengaluru dated 11/1/2017, nominated Additional Registrar of Enquiries-9, 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.

3. The DGO Sri H.H. Avari, the then Assistant Director, Karnataka Rural Infrastructure Development Limited, Kalaburagi Division, Kalaburagi was tried for the following charge:-

“You – DGO have received cheque bearing No. 871941 dated 24/3/2011 for Rs.9 Lakhs in relation to construction of the Unani Hospital building from the Medical Officer of the Government Unani Hospital, Bilwar. Thereby you – DGO have failed to maintain absolute integrity, devotion to duty and committed an act which is unbecoming of a Government Servant and thus you – DGO are guilty of misconduct under Rule 3(1)(i) to (iii) of KCS (Conduct) Rules, 1966.”

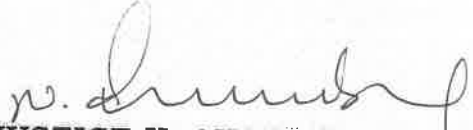
4. The Inquiry Officer (Additional Registrar of Enquiries-9) on proper appreciation of oral and documentary evidence has held that the Disciplinary Authority has failed to prove the above charge against DGO Sri H.H. Avari, the then Assistant Director, Karnataka Rural Infrastructure Development Limited, Kalaburagi Division, Kalaburagi.

5. On re-consideration of inquiry report, I do not find any reason to interfere with the findings recorded by the Inquiry Officer.

6. It is hereby recommended to the Government to accept the report of Inquiry Officer and to exonerate DGO Sri H.H. Avari, the then Assistant Director, Karnataka Rural Infrastructure Development Limited, Kalaburagi Division, Kalaburagi of the aforestated charge.

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

Connected records are enclosed herewith.

  
**(JUSTICE N. ANANDA)** 22/3  
Upalokayukta-1,  
State of Karnátaka,  
Bengaluru

