

GOVERNMENT OF KARNATAKA



KARNATAKA LOKAYUKTA

No.LOK/INQ/14-A/49/2012/ARE-7

Multi Storied Buildings,
Dr.B.R.Ambedkar Veedhi,
Bengaluru-560 001,
Date: **29/07/2020**

RECOMMENDATION

Sub:- Departmental inquiry against;

- 1) Sri G. Mallikarjunappa, Sub-Treasury Officer, Treasury Department (then working in Bengaluru North Sub-Treasury, Malleshwaram, Bengaluru);
- 2) Sri K.B. Nagarajaiah, First Division Assistant, Treasury Department (then working in Bengaluru North Sub-Treasury, Malleshwaram, Bengaluru) - Reg.

Ref:-1) Government Order No.ಆಇ 64 ಆಖಇ 2009 Bengaluru dated 07/12/2011.

- 2) Nomination order No.LOK/INQ/14-A/49/2012 Bengaluru dated 23/01/2012 of Upalokayukta-1, State of Karnataka, Bengaluru.
- 3) Inquiry Report dated 27/07/2020 of Additional Registrar of Enquiries-7, Karnataka Lokayukta, Bengaluru

The Government by its Order dated 07/12/2011 initiated the disciplinary proceedings against (1) Sri G. Mallikarjunappa, Sub-Treasury Officer, Treasury Department (then working in Bengaluru North Sub-Treasury, Malleshwaram, Bengaluru) and (2) Sri K.B. Nagarajaiah, First Division Assistant, Treasury Department (then working in Bengaluru North Sub-Treasury, Malleshwaram, Bengaluru) (hereinafter referred to as Delinquent Government Official's 1 and 2; for short as DGO-1 and DGO-2 respectively) and entrusted the Departmental Inquiry to this Institution.

2. This Institution by Nomination Order No. LOK/INQ/14-A/49/2012 dated 23/01/2012 nominated Additional Registrar of Enquiries-3, Karnataka Lokayukta, Bengaluru, as the Inquiry Officer to frame charges and to conduct Departmental Inquiry against DGOs 1 and 2 for the alleged charge of misconduct, said to have been committed by them. Subsequently by Order No. LOK/INQ/14A/2014 dated 14/3/2014 the Additional Registrar of Enquiries-1 was re-nominated as Inquiry Officer to conduct Departmental inquiry against DGOs 1 & 2. Again by order No. UPLOK-2/DE/2017 dated 4/7/2017, the Additional Registrar of Enquiries-7 was re-nominated as Inquiry Officer to conduct Departmental Inquiry against DGOs 1 and 2.

3. The DGO-1 Sri G. Mallikarjunappa, Sub-Treasury Officer, Treasury Department (then working in Bengaluru North Sub-Treasury, Malleshwaram, Bengaluru) and DGO-2 Sri K.B. Nagarajiah, First Division Assistant, Treasury Department (then working in Bengaluru North Sub-Treasury, Malleshwaram, Bengaluru) were tried for the following charges:-

“That you, Sri Mallikarjunappa (herein after referred to as Delinquent Government Official-1, in short DGO-1), while working as Sub-Treasury Officer in North Sub-Treasury, Bengaluru demanded and accepted a bribe of Rs.1,000/- on 17/7/2008 from complainant Sri N.R. Rathod S/o Roopsingh, Hindi Teacher, RBANMSV High School, Shivajinagar, Bengaluru for passing bill and for issuing cheque with regard to his arrears of pay granted to him in pursuance of 5th Pay Commission that is for doing an official act, and thereby you failed to maintain absolute integrity and devotion to duty and committed an act which is

unbecoming of a Government Servant and thus both of you are guilty of misconduct under Rule 3(1) (i) to (iii) of KCS (Conduct) Rules, 1966.

That you, Sri K.B. Nagarajaiah (herein after referred to as Delinquent Government Official-2, in short DGO-2), while working as FDA in the Office of North Sub-Treasury Office, Malleshwaram demanded a bribe of Rs.2,000/- on 17/7/2008 from complainant Sri N.R. Rathod S/o Roopsingh, Hindi Teacher, RBANMSV High School, Shivajinagar, Bengaluru for getting passed the bill and to issue cheque with regard to his arrears of pay granted to him in pursuance of 5th Pay Commission that is for doing an official act, and thereby you failed to maintain absolute integrity and devotion to duty and committed an act which is unbecoming of a Government Servant and thus both of 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 G.Mallikarjunappa, Sub-Treasury Officer, Treasury Department (then working in Bengaluru North Sub-Treasury, Malleshwaram, Bengaluru) and DGO-2 Sri K.B. Nagarajaiah, First Division Assistant, Treasury Department (then working in Bengaluru North Sub-Treasury, Malleshwaram, Bengaluru).

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 & 2;
- i) DGO-1 Sri G.Mallikarjunappa has retired from service on 30/09/2014 (during the pendency of inquiry).
 - ii) DGO-2 Sri K.B. Nagarajaiah is due to retire from service on 31/07/2027.


7. Having regard to the nature of charge (demand and acceptance of bribe) proved against DGO-1 Sri G.Mallikarjunappa and DGO-2 Sri K.B. Nagarajaiah;

i) it is hereby recommended to the Government for imposing penalty of permanently withholding 50% of pension payable to DGO-1 Sri G.Mallikarjunappa, Sub-Treasury Officer, Treasury Department (then working in Bengaluru North Sub-Treasury, Malleshwaram, Bengaluru).

ii) it is hereby recommended to the Government for imposing penalty of compulsory retirement from service on DGO-2 Sri K.B. Nagarajaiah, First Division Assistant, Treasury Department (then working in Bengaluru North Sub-Treasury, Malleshwaram, Bengaluru)

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

Connected records are enclosed herewith.


(JUSTICE N. ANANDA) 29/7
Upalokayukta-1,
State of Karnataka,
Bengaluru