

ಕರ್ನಾಟಕ ಸರ್ಕಾರ



ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ

ನಂ:ಉಪಲೋಕ್-1/ಡಿಇ/515/2015/ಎ.ಆರ್.ಇ-11

ಬಹುಮಹಡಿಗಳ ಕಟ್ಟಡ,
ಡಾ:ಬಿ.ಆರ್.ಅಂಬೇಡ್ಕರ್ ವೀದಿ,
ಬೆಂಗಳೂರು-560001.
ದಿನಾಂಕ: 27ನೇ ಡಿಸೆಂಬರ್ 2023.

-:: ಶಿಫಾರಸ್ಸು ::-

ವಿಷಯ: ಅಪಾದಿತ ಸರ್ಕಾರಿ ನೌಕರರಾದ ಶ್ರೀ. ಅಲ್ತಾಫ್ ಹುಸೇನ್, ಸಮೂಹ ಸಂಪನ್ಮೂಲ ವ್ಯಕ್ತಿ, ಬಿ.ಇ.ಓ., ಕಚೇರಿ, ವಿಜಯಪುರ ಜಿಲ್ಲೆ ಇವರ ವಿರುದ್ಧದ ಇಲಾಖಾ ವಿಚಾರಣೆ ಕುರಿತು.

- ಉಲ್ಲೇಖ: (1) ಆದೇಶ ಸಂಖ್ಯೆ: ಇಡಿ 159 ಎಲ್‌ಬಿಪಿ 2015 ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 29/10/2015.
(2) ಉಪಲೋಕಾಯುಕ್ತ, ಕರ್ನಾಟಕ ರಾಜ್ಯ ಬೆಂಗಳೂರು ರವರ ನಾಮನಿರ್ದೇಶನ ಆದೇಶ ಸಂಖ್ಯೆ: ಉಪಲೋಕ್-1/ಡಿಇ/515/2015, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 05/11/2015.
(3) ಅಪರ ನಿಬಂಧಕರು ವಿಚಾರಣೆಗಳು-11, ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ ಬೆಂಗಳೂರು ರವರ ವಿಚಾರಣಾ ವರದಿ ದಿನಾಂಕ: 15/12/2023.

ಸರ್ಕಾರದ ಆದೇಶ ದಿನಾಂಕ: 29/10/2015 ರಂತೆ ಶ್ರೀ. ಅಲ್ತಾಫ್ ಹುಸೇನ್, ಸಮೂಹ ಸಂಪನ್ಮೂಲ ವ್ಯಕ್ತಿ, ಬಿ.ಇ.ಓ., ಕಚೇರಿ, ವಿಜಯಪುರ ಜಿಲ್ಲೆ (ಇನ್ನು ಮುಂದೆ ಅಪಾದಿತ ಸರ್ಕಾರಿ ನೌಕರರು ಅಂದರೆ ಚಿಕ್ಕದಾಗಿ 'ಆ.ಸ.ನೌಕರರು' ಎಂದು ಸಂಭೋದಿಸಲಾಗುವುದು) ರವರ ವಿರುದ್ಧ ಶಿಸ್ತು ಪ್ರಕ್ರಿಯೆಯನ್ನು ಕೈಗೊಂಡು ವಿಚಾರಣೆ ಮಾಡಿ, ವರದಿ ಸಲ್ಲಿಸುವಂತೆ ಈ ಸಂಸ್ಥೆಗೆ ಇಲಾಖಾ ವಿಚಾರಣೆಯನ್ನು ವಹಿಸಿರುತ್ತದೆ.

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2. ಈ ಸಂಸ್ಥೆಯ ನಾಮನಿರ್ದೇಶನ ಆದೇಶ ಸಂಖ್ಯೆ: ಉಪಲೋಕ್-1/ಡಿಇ/515/2015, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 05/11/2015ರಂತೆ ಶ್ರೀ. ಅಲ್ತಾಫ್‌ಹುಸೇನ್, ಸಮೂಹ ಸಂಪನ್ಮೂಲ ವ್ಯಕ್ತಿ, ಬಿ.ಇ.ಓ., ಕಚೇರಿ, ವಿಜಯಪುರ ಜಿಲ್ಲೆ ರವರ ವಿರುದ್ಧ ದೋಷಾರೋಪಣಾ ಪಟ್ಟಿ ತಯಾರು ಮಾಡಿ, ವಿಚಾರಣೆ ನಡೆಸಿ, ವರದಿ ಸಲ್ಲಿಸುವಂತೆ ಆದೇಶ ಹೊರಡಿಸಲಾಗಿರುತ್ತದೆ.

3. ಆ.ಸ.ನೌಕರರಾದ ಶ್ರೀ. ಅಲ್ತಾಫ್‌ಹುಸೇನ್, ಸಮೂಹ ಸಂಪನ್ಮೂಲ ವ್ಯಕ್ತಿ, ಬಿ.ಇ.ಓ., ಕಚೇರಿ, ವಿಜಯಪುರ ಜಿಲ್ಲೆ ರವರ ವಿರುದ್ಧ ಈ ಕೆಳಗಿನ ದೋಷಾರೋಪಣೆಗಾಗಿ ಇಲಾಖಾ ವಿಚಾರಣೆಯನ್ನು ನಡೆಸಲಾಯಿತು.

ಅನುಬಂಧ-1
ದೋಷಾರೋಪಣೆ ಪಟ್ಟಿ

ನೀವು ವಿಜಯಪುರ ಜಿಲ್ಲೆಯ ಕ್ಷೇತ್ರ ಶಿಕ್ಷಣಾಧಿಕಾರಿಗಳ ಆಫೀಸಿನಲ್ಲಿ ಸಿ.ಆರ್.ಸಿ. ಸಮೂಹ ಸಂಪನ್ಮೂಲ ವ್ಯಕ್ತಿಯೆಂದು ಕಾರ್ಯ ನಿರ್ವಹಿಸುತ್ತಿರುವಾಗ ಫಿರ್ಯಾದಿದಾರರಾದ ಶರೀಫ್ ಸಲೀಂ ಬಿನ್ ನಬಿಸಾಬ್ ಮಣ್ಣೂರ ಎಂಬುವವರು 2013-14ನೇ ಸಾಲಿನಲ್ಲಿ ಅಲ್ಪಸಂಖ್ಯಾತ ಭಾಷಾ ಶಾಲೆಗಳು 7ನೇ ಹಾಳೂ 10ನೇ ತರಗತಿ ಮಕ್ಕಳ ಪರಿಹಾರ ಭೋಧನೆ ಸಂಭಾವನೆ 56,550-00 ರೂಪಾಯಿಗಳ ಹಣ ಕೊಡಬೇಕಾಗಿದ್ದು, ಅದಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟ ಚೆಕ್ ನೀಡಲು ನೀವು ಒಬ್ಬ ಸರ್ಕಾರಿ ನೌಕರನಾಗಿ ಸದರಿ ಫಿರ್ಯಾದಿದಾರನಿಂದ ದಿನಾಂಕ: 23/03/2014ರಂದು ಮಧ್ಯಾಹ್ನ ಸುಮಾರು 12-45 ಗಂಟೆ ಸಮಯಕ್ಕೆ ಕ್ಷೇತ್ರ ಶಿಕ್ಷಣಾಧಿಕಾರಿಗಳ ಆಫೀಸ್ ಹತ್ತಿರವಿರುವ ಚಹಾ ಅಂಗಡಿಯಲ್ಲಿ ಸಂಭಾವನೆ ಚೆಕ್ ನೀಡುವ ಸಂಬಂಧ ದೂರುದಾರನಿಂದ 20,000-00 ರೂಪಾಯಿಗಳ ಲಂಚದ ಹಣವನವನವು ಕೇಳಿ ಪಡೆದು ಲೋಟಾಯುಕ್ತ ಪೊಲೀಸರ ಬಲೆಗೆ ಸಿಕ್ಕಿ ಬಿದ್ದು, ಆ ಮೂಲಕ ಸರ್ಕಾರಿ ನೌಕರರಲ್ಲದ ರೀತಿಯಲ್ಲಿ ನಡೆದುಕೊಂಡು, ಕರ್ನಾಟಕ ನಾಗರಿಕ ಸೇವಾ (ನಡತೆ) ನಿಯಮಾವಳಿ, 1966 ರ ನಿಯಮ 3(1)(i ರಿಂದ iii)ನ್ನು ಉಲ್ಲಂಘಿಸಿ ಕರ್ತವ್ಯ ಲೋಪ ಎಸಗಿರುತ್ತೀರಿ.

4. ವಿಚಾರಣಾಧಿಕಾರಿಯಾದ (ಅಪರ ನಿಬಂಧಕರು ವಿಚಾರಣೆಗಳು-11), ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ, ಬೆಂಗಳೂರು ರವರು ಮೌಖಿಕ ಮತ್ತು ದಾಖಲಾತಿಗಳ ಸಾಕ್ಷ್ಯಗಳನ್ನು ಕೂಲಂಕುಷವಾಗಿ ಪರಿಶೀಲಿಸಿ, ಆ.ಸ.ನೌಕರರಾದ ಶ್ರೀ. ಅಲ್ತಾಫ್‌ಹುಸೇನ್, ಸಮೂಹ ಸಂಪನ್ಮೂಲ ವ್ಯಕ್ತಿ, ಬಿ.ಇ.ಓ., ಕಚೇರಿ, ವಿಜಯಪುರ ಜಿಲ್ಲೆ ರವರ ವಿರುದ್ಧ ಮೇಲ್ಕಾಣಿಸಿದ ದೋಷಾರೋಪಣೆಯನ್ನು ರುಜುವಾತುಪಡಿಸುವಲ್ಲಿ ಶಿಸ್ತು ಪ್ರಾಧಿಕಾರವು 'ಸಫಲವಾಗಿರುತ್ತದೆ' ಎಂದು ಅಭಿಪ್ರಾಯಿಸಿದ್ದಾರೆ.

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5. ವಿಚಾರಣಾಧಿಕಾರಿಗಳು ಸಲ್ಲಿಸಿರುವ ವಿಚಾರಣಾ ವರದಿಯನ್ನು ಪರಿಶೀಲಿಸಲಾಗಿ, ವಿಚಾರಣಾಧಿಕಾರಿಗಳು ಆ.ಸ.ನೌಕರರ ವಿರುದ್ಧ ದೋಷಾರೋಪಣೆಯನ್ನು ರುಜುವಾತುಪಡಿಸಲು ಮೂವರು ಸಾಕ್ಷಿಗಳನ್ನು ಅಂದರೆ ಪಿ.ಡಬ್ಲ್ಯೂ-1 ರಿಂದ ಪಿ.ಡಬ್ಲ್ಯೂ-3 ರವರುಗಳನ್ನು ವಿಚಾರಣೆಗೆ ಒಳಪಡಿಸಿ ಹಾಗೂ ನಿಶಾನೆ ಪಿ-1 ರಿಂದ ಪಿ-16 ರಂತೆ ದಾಖಲಾತಿಗಳನ್ನು ಗುರುತಿಸಲಾಗಿದೆ. ಆ.ಸ.ನೌಕರರು ಸ್ವತಃ ತಾವೇ ಡಿ.ಡಬ್ಲ್ಯೂ-1 ಆಗಿ ವಿಚಾರಣೆಗೆ ಒಳಪಡಿಸಿಕೊಂಡಿದ್ದು ನಿಶಾನೆ ಡಿ-1 ಮತ್ತು ನಿಶಾನೆ ಡಿ-2 ದಾಖಲಾತಿಗಳನ್ನು ಗುರುತಿಸಿರುತ್ತಾರೆ.

6. ಆ.ಸ.ನೌಕರರ ವಿರುದ್ಧ ಆಪಾದಿಸಿದ ಆರೋಪಗಳ ಬಗ್ಗೆ ವಿಚಾರಣಾಧಿಕಾರಿಗಳು ಸಲ್ಲಿಸಿರುವ ವಿಚಾರಣಾ ವರದಿ ಹಾಗೂ ಅದಕ್ಕೆ ಪೂರಕವಾಗಿ ಸಲ್ಲಿಸಿರುವ ದಾಖಲಾತಿಗಳನ್ನು ಕೂಲಂಕುಷವಾಗಿ ಪರಿಶೀಲಿಸಲಾಗಿ, ವಿಚಾರಣಾಧಿಕಾರಿಗಳು ಸಲ್ಲಿಸಿರುವ ವಿಚಾರಣಾ ವರದಿಯಲ್ಲಿ ಹಸ್ತಕ್ಷೇಪ ಮಾಡಲು ಯಾವುದೇ ಸಕಾರಣಗಳು ಕಂಡುಬಂದಿರುವುದಿಲ್ಲ. ಆದ್ದರಿಂದ, ವಿಚಾರಣಾಧಿಕಾರಿಗಳು ಸಲ್ಲಿಸಿರುವ ವಿಚಾರಣಾ ವರದಿಯನ್ನು ಅಂಗೀಕರಿಸುವಂತೆ ಈ ಮೂಲಕ ಸರ್ಕಾರಕ್ಕೆ ಶಿಫಾರಸ್ಸು ಮಾಡಿದೆ.

7. ಆ.ಸ.ನೌಕರರ ಪ್ರಥಮ ಮೌಖಿಕ ಹೇಳಿಕೆಯ ಪ್ರಕಾರ ವಿಚಾರಣಾಧಿಕಾರಿಗಳು ಸಲ್ಲಿಸಿರುವ ಮಾಹಿತಿಯಂತೆ, ದಿನಾಂಕ: 31/05/2030 ರಂದು ನಿವೃತ್ತಿ ಹೊಂದಲಿದ್ದಾರೆ.

8. ಆ.ಸ.ನೌಕರರಾದ ಶ್ರೀ. ಅಲ್ತಾಫ್‌ಹುಸೇನ್, ಸಮೂಹ ಸಂಪನ್ಮೂಲ ವ್ಯಕ್ತಿ, ಬಿ.ಇ.ಓ., ಕಚೇರಿ, ವಿಜಯಪುರ ಜಿಲ್ಲೆ ರವರ ವಿರುದ್ಧ ಸಾಭೀತಾಗಿರುವ ಆರೋಪದ ಸ್ವರೂಪವನ್ನು ಹಾಗೂ ಸಂದರ್ಭಗಳ ಸಂಪೂರ್ಣತೆಯನ್ನು ಪರಿಗಣಿಸಿ, ಆರೋಪಗಳನ್ನು ರುಜುವಾತುಪಡಿಸುವಲ್ಲಿ ಶಿಸ್ತು ಪ್ರಾಧಿಕಾರವು 'ಸಫಲವಾಗಿರುತ್ತದೆ' ಎಂದು ನಿರ್ಣಯಿಸಿದೆ:-

‘ಆ.ಸ.ನೌಕರರಾದ ಶ್ರೀ. ಅಲ್ತಾಫ್‌ಹುಸೇನ್, ಸಮೂಹ ಸಂಪನ್ಮೂಲ ವ್ಯಕ್ತಿ, ಬಿ.ಇ.ಓ., ಕಚೇರಿ, ವಿಜಯಪುರ ಜಿಲ್ಲೆ ರವರಿಗೆ ಸರ್ಕಾರಿ ಸೇವೆಯಿಂದ ವಜಾಗೊಳಿಸುವ

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~~ಸರ್ಕಾರದ~~ ದಂಡನೆಯನ್ನು ವಿಧಿಸಲು

ಸರ್ಕಾರಕ್ಕೆ ಶಿಫಾರಸ್ಸು ಮಾಡಿದೆ.

9. ಸದರಿ ವಿಷಯದಲ್ಲಿ ತೆಗೆದುಕೊಂಡ ಕ್ರಮವನ್ನು ಈ ಪ್ರಾಧಿಕಾರಕ್ಕೆ ತಿಳಿಸತಕ್ಕದ್ದು.

ಸಂಬಂಧಪಟ್ಟ ದಾಖಲೆಗಳನ್ನು ಇದರೊಂದಿಗೆ ಲಗತ್ತಿಸಿದೆ.

L. 29/12/22
(ನ್ಯಾಯಮೂರ್ತಿ ಕೆ.ಎನ್.ಘಣೇಂದ್ರ)

ಉಪಲೋಕಾಯುಕ್ತ-1,

ಕರ್ನಾಟಕ ರಾಜ್ಯ.

KARNATAKA LOKAYUKTA

NO. UPLOK-1/DE/515/2015/ARE-11

M.S. Building,
Dr. B.R. Ambedkar Veedhi,
Bengaluru-560 001,
Date: 15/12/2023.

:: ENQUIRY REPORT ::

Sub: Departmental Enquiry against
Sri Althaph Hussain, Cluster Resource Person,
Office of the Block Education Officer,
Vijayapura District -reg.

Ref: 1. Report under section 12(3) of the KLA Act.
1984 in No.Compt/Uplok/BGM/363/
2015/PP, dated:22/05/2015.

2. Order No. ಇಡಿ 159 ಎಲ್‌ಬಿಪಿ 2015, ಬೆಂಗಳೂರು,
ದ:29/10/2015.

3. Nomination Order No. UPLOK-
1/DE/515/2015, Bengaluru, dated
05/11/2015.

1. The Departmental Enquiry is initiated against Sri Althaph Hussain, Cluster Resource Person, Office of the Block Education Officer, Vijayapura District (hereinafter referred to as the Delinquent Government Officials, in short DGO) on the basis of the complaint dated 23/04/2014. The allegation in the complaint is that Sri Althaph Hussain while working as Cluster Resource Person in Office of the Block Education Officer, Vijayapura


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District, the complainant who was the Head Master of Government Urdu Girls Primary School, Bijapur had approached DGO in the year 2013-14 to get cheque amount of Rs.56,550/- which was released towards remuneration payable to the teachers who have given tuitions for 7th and 10th Students in Urdu Girls Primary School at Vijayapura for 7 months from September to March, then DGO has demanded bribe of Rs.20,000/- for giving the said cheque and on 13/04/2014 the DGO had come to the school of complainant and demanded Rs.20,000/- bribe and asked him to pay it on tuesday for giving the cheque and again contacted the complainant through phone on 22/04/2014 in this regard.

2. As the complainant was not willing to pay the amount, after contacting Lokayukta Police, Vijayapura lodged complaint before Police Inspector, Karnataka Lokayukta Police Station, Vijayapura (hereinafter referred to as "Investigating Officer"). On the said complaint Investigating Officer registered case in Cr.No.5/2014 against the DGO for the offences punishable under section 7, 13(1)(d) r/w 13(2) of P.C. Act, 1988.
3. The Investigating Officer took up investigation and on 23/04/2014 at 12:45 p.m., DGO was caught red handed while demanding and accepting illegal gratification of Rs.20,000/- from the complainant in a tea shop situated near the office of DGO and the said amount was seized under a mahazar after following post trap formalities by the Investigating Officer, Karnataka Lokayukta, Vijayapura. The DGO has failed to give satisfactory or convincing explanation for

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the said tainted amount found then, when questioned by the said I.O. After completion of investigation the investigating officer has filed charge sheet against the DGO in the concerned jurisdictional Court.

4. The Hon'ble Upalokayukta invoking power vested under section 7(2) of the Karnataka Lokayukta Act, 1984, took up investigation and on perusal of complaint, FIR, Mahazars, FSL report and other documents, found prima facie case and forwarded report dated 22/05/2015 U/s 12(3) of Karnataka Lokayukta Act, 1984 recommended the competent authority to initiate disciplinary proceedings against the DGO and to entrust the enquiry to the Hon'ble Upalokayukta, Karnataka under Rule 14-A of the KCS (CC& A) Rules 1957. The Competent Authority by order dated 29/10/2015 entrusted the matter to the Hon'ble Upalokayukta.
5. The Hon'ble Upalokayukta by order dated 05/11/2015, nominated Additional Registrar Enquiries-11 to conduct the enquiry.
6. The Articles of charge as framed by Additional Registrar Enquiries-11 is as follows:

ಅನುಬಂಧ-1

ದೋಷಾರೋಪಣೆ

ನೀವು ವಿಜಯಪುರ ಜಿಲ್ಲೆಯ ಕ್ಷೇತ್ರ ಶಿಕ್ಷಣಾಧಿಕಾರಿಗಳ ಆಫೀಸಿನಲ್ಲಿ, ಸಿ.ಆರ್.ಸಿ. ಸಮೂಹ ಸಂಪನ್ಮೂಲ ವ್ಯಕ್ತಿಯೆಂದು ಕಾರ್ಯ ನಿರ್ವಹಿಸುತ್ತಿರುವಾಗ


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ಫಿದ್ಯಾಧಿದಾರರಾದ ಶ್ರೀ ಸಲೀಂ ಬಿನ್ ನಬಿಸಾಬ್ ಮಣ್ಣೂರ ಎಂಬುವರು 2013-14ನೇ ಸಾಲಿನಲ್ಲಿ ಅಲ್ಪಸಂಖ್ಯಾತ ಭಾಷಾ ಶಾಲೆಗಳು 7ನೇ ಹಾಗೂ 10ನೇ ತರಗತಿ ಮಕ್ಕಳ ಪರಿಹಾರ ಭೋಧನೆ ಸಂಭಾವನೆ 56,550-00 ರೂಪಾಯಿಗಳ ಹಣ ಕೊಡಬೇಕಾಗಿದ್ದು, ಅದಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟ ಚೆಕ್ ನೀಡಲು ನೀವು ಒಬ್ಬ ಸರ್ಕಾರಿ ನೌಕರನಾಗಿ ಸದರಿ ಫಿದ್ಯಾಧಿದಾರನಿಂದ ದಿನಾಂಕ 23-04-2014 ರಂದು ಮಧ್ಯಾಹ್ನ ಸುಮಾರು 12-45 ಗಂಟೆ ಸಮಯಕ್ಕೆ ಕ್ಷೇತ್ರ ಶಿಕ್ಷಣಾಧಿಕಾರಿಗಳ ಆಫೀಸ್ ಹತ್ತಿರವಿರುವ ಚಹಾ ಅಂಗಡಿಯಲ್ಲಿ ಸಂಭಾವನೆ ಚೆಕ್ ನೀಡುವ ಸಂಬಂಧ ದೂರುದಾರನಿಂದ 20,000-00 ರೂಪಾಯಿಗಳ ಲಂಚದ ಹಣವನ್ನು ಕೇಳಿ ಪಡೆಯ ಲೋಕಾಯುಕ್ತ ಪೊಲೀಸರ ಬಲೆಗೆ ಸಿಕ್ಕಿ ಬಿದ್ದು, ಆ ಮೂಲಕ ಸರ್ಕಾರ ನೌಕರನಿಗೆ ಉಚಿತವಲ್ಲದ ರೀತಿಯಲ್ಲಿ ಅಪ್ರಾಮಾಣಿಕವಾಗಿ ನಡೆದುಕೊಂಡು, ಕರ್ನಾಟಕ ನಾಗರಿಕ ಸೇವಾ ನಿಯಮಗಳು (ನಡತೆ) 1966 ನಿಯಮ 3(1) (i) ರಿಂದ (iii)ರಡಿಯಲ್ಲಿ ದುರ್ನಡತೆಯನ್ನೆಸಗಿರುತ್ತೀರಿ.

7. The statement of imputations of misconduct as framed by Additional Registrar Enquiries-11 is as follows:-

ಅನುಬಂಧ-2

ದೋಷಾರೋಪಣೆ ವಿವರ

ವಿಜಾಪುರದ ಉರ್ದು ಮತ್ತು ಹೆಣ್ಣು ಮಕ್ಕಳ ಶಾಲೆ ನಂ. ಇದರ ಮುಖ್ಯ ಗುರುಗಳಾದ ಶ್ರೀ ಸಲೀಂ ಬಿನ್ ನಬಿಸಾಬ್ ಮಣ್ಣೂರ ರವರು ಪ್ರತಿ ವರ್ಷದಂತೆ 2013-14ನೇ ಸಾಲಿನಲ್ಲಿ ತಮ್ಮ ಶಾಲೆಯ ಅಲ್ಪಸಂಖ್ಯಾತ 7 ಮತ್ತು 10ನೇ ತರಗತಿಯ ಕಲಿಕೆಯಲ್ಲಿ ಹಿಂದುಳಿದ ಮಕ್ಕಳಿಗೆ ಸರ್ಕಾರದಿಂದ ಪರಿಹಾರ ಭೋಧನೆ ತರಗತಿಗಳನ್ನು ತೆಗೆದುಕೊಳ್ಳಲು ಆದೇಶವಾಗಿದ್ದು, ಅದರಂತೆ ಸರ್ಕಾರಿ ಶಾಲೆಯಲ್ಲಿ 69 ವಿದ್ಯಾರ್ಥಿಗಳಿಗೆ ಎರಡು ಭಾಗಗಳನ್ನಾಗಿ ಮಾಡಿ ಎರಡು ತರಗತಿಗಳನ್ನು ಸೆಪ್ಟೆಂಬರ್ ತಿಂಗಳಿನಿಂದ ಮಾರ್ಚಿ ತಿಂಗಳಿನವರೆಗೆ ಸ್ವಯಂ ಸೇವಕ ಶಿಕ್ಷಕರಿಂದ ಮಾಸಿಕ ಸಂಭಾವನೆಯ ಆಧಾರದ ಮೇಲೆ ಪರಿಹಾರ ಭೋಧನೆಯ ಕ್ಲಾಸ್‌ಗಳನ್ನು

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ತೆಗೆದುಕೊಂಡಿದ್ದು, 7 ತಿಂಗಳ ಸಂಭಾವನೆ ಬಿಡುಗಡೆ ಕುರಿತು ಬಿಲ್ಲನ್ನು ಮಾಡಿ ಆಪಾದಿತ ನೌಕರನ ಮುಖಾಂತರ ಕಳುಹಿಸಿಕೊಡಲಾಗಿತ್ತು. ನಂತರ ಆಪಾದಿತ ನೌಕರ ರೂ.56,550-00ಗಳ ಚೆಕ್ ದೂರುದಾರನಿಗೆ ಬಂದಿದ್ದು, ಆದರೆ ಆಪಾದಿತ ನೌಕರ ಆ ಚೆಕ್‌ನ್ನು ಕೊಡುವುದನ್ನು ಬಿಟ್ಟು ವಿನಾ: ಕಾರಣ ದೂರುದಾರನಿಗೆ ಓಡಾಡಿದ ಮತ್ತು ಚೆಕ್ ಕೊಡಲು ರೂ.20,000-00 ಲಂಚ ಹಣದ ಬೇಡಿಕೆ ಇಟ್ಟರು. ನಂತರ ತನಗೆ ತಕ್ಷಣ ಅಷ್ಟು ಹಣ ಸಂಗ್ರಹಿಸಲು ಸಾಧ್ಯವಾಗಲಿಲ್ಲ ಮತ್ತು ಚುನಾವಣೆ ನಂತರ ಕೊಡುತ್ತೇನೆ ಅಂತಾ ಆಪಾದಿತ ನೌಕರನಿಗೆ ತಿಳಿಸಲಾಯಿತು. ಆತ ನಂತರ ದಿನಾಂಕ 22-04-2014ರಂದು ಆಪಾದಿತ ನೌಕರರು ದೂರವಾಣಿ ಮುಖಾಂತರ ಲಂಚದ ಹಣದ ಬಗ್ಗೆ ವಿಚಾರಿಸಿದರು ಮತ್ತು ತಾನು ಮರುದಿನ ಕೊಡುತ್ತೇನೆಂದು ಆಶ್ವಾಸನೆ ಕೊಟ್ಟು ಮನಸ್ಸು ಒಪ್ಪದೇ ಇರುವುದರಿಂದ ಬಿಜಾಪುರ ಲೋಕಾಯುಕ್ತ ಕಾರ್ಯಾಲಯಕ್ಕೆ ದೂರನ್ನು ಸಲ್ಲಿಸದೆ ಎಂದು ತಿಳಿಸಿದ್ದು, ಅದರ ಮೇರೆಗೆ ಅಧ ದಿನ ಲೋಕಾಯುಕ್ತ; ಪೊಲೀಸರು ಅಪರಾಧವನ್ನು ನೊಂದಾಯಿಸಿ ಇಬ್ಬರು ಪಂಚರನ್ನು ಕರೆಸಿಕೊಂಡು ಅದೇ ದಿನ ವಹಿಸಿ ಕೊಡುವಿಕೆ ಪಂಚನಾಮೆಯನ್ನು ಮಾಡಿ, ಮೊಬೈಲ್‌ನಲ್ಲಿ ರೆಕಾರ್ಡ್ ಆದಂತಹ ಸಂಭಾಷಣೆಯನ್ನು ಎಲ್ಲರಿಗೂ ಕೇಳಿಸಿ ಅದರ ಆಧಾರದ ಮೇಲಿನಿಂದ ಅದೇ ದಿನ ಮಧ್ಯಾಹ್ನ ಆಪಾದಿತ ನೌಕರರು ಹೇಳಿದಂತೆ ಬಿಜಾಪುರ ನಗರದ ಕ್ಷೇತ್ರ ಶಿಕ್ಷಣಾಧಿಕಾರಿಗಳ ಆಫೀಸ್ ಹತ್ತಿರ ಪಂಚನೊಂದಿಗೆ ಆಪಾದಿತ ನೌಕರ ಹೇಳಿದ ಜಾಗಕ್ಕೆ ಚಹಾದ ಅಂಗಡಿಗೆ ಹೋಗಿ ರೂ.20,000-00ಗಳ ಲಂಚದ ಹಣವನ್ನು ಕೊಟ್ಟು ಹೊರಗೆ ಬಂದು ಪೊಲೀಸರಿಗೆ ಸಂಜ್ಞೆ ಮಾಡಿದಾಗ, ಪೆನಾಪ್ರಲೀನ್ ಪೌಡರ್ ಹಚ್ಚಿದ ನೋಟುಗಳು ಆಪಾದಿತ ನೌಕರನ ಬಳಿ ಇದ್ದು ಮತ್ತು ಪೊಲೀಸರು ಆಪಾದಿತ ನೌಕರನನ್ನು ದೂರುದಾರರು ಹೇಳಿದ ಮೇರೆಗೆ ಗುರುತಿಸಿ ಆತನನ್ನು ಹಿಡಿದರು. ಈ ಹಣದ ಬಗ್ಗೆ ವಿಚಾರಿಸಿದರು ಎಂದು ತನಿಖೆಯಲ್ಲಿ ಕಂಡುಬಂದಿದೆ. ಇದಾದ ನಂತರ ಆಪಾದಿತ ಕೈಗಳನ್ನು ಸೋಡಿಯಂ ಕಾರ್ಬೋನೇಟ್ ದ್ರಾವಣದಲ್ಲಿ ತೊಳೆಸಿದಾಗ ಅದು ತಿಳಿ ಗುಲಾಬಿ ಬಣ್ಣಕ್ಕೆ ತಿರುಗಿದ್ದು, ಆತ ಹಣ ಇಟ್ಟಿದ್ದ ಪ್ಯಾಂಟಿನ ಜೇಬನ್ನು ಸಹ ತೊಳೆಸಿದಾಗ ಅದು ಕೂಡ ಗುಲಾಬಿ ಬಣ್ಣಕ್ಕೆ ತಿರುಗಿದ್ದು, ಆಗ ಪೊಲೀಸರು ಜಪ್ತು ಮಾಡಿ

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ಪಂಚನಾಮೆಯನ್ನು ಮಾಡಿದರು ಮತ್ತು ಲಂಚದ ಬೇಡಿಕೆ ಮತ್ತು ಲಂಚವನ್ನು ಕೇಳಿ ಪಡೆದ ಸಂಗತಿಯನ್ನು ದೂರುದಾರ ಮತ್ತು ಆತನೊಂದಿಗೆ ಬಂದಂತಹ ಪಂಚರು ಪ್ರತ್ಯಕ್ಷವಾಗಿ ನೋಡಿದ್ದಾರೆ. ಮತ್ತು ಕೇಳಿದ್ದಾರೆ ಮತ್ತು ಇದಾದ ನಂತರ ಟ್ರಾಫ್ ಪಂಚನಾಮೆ ಅಲ್ಲಿ ಮಾಡಲಾಯಿತು. ನೋಟು ತಾಳೆ ಮಾಡಿದಾಗ ಆಫೀಸಿನಲ್ಲಿ ಕೊಟ್ಟಂತಹ ನೋಟುಗಳಿದ್ದವು ಎಂದು ತನಿಖೆಯಲ್ಲಿ ಕಂಡು ಬಂದಿತು. ಟ್ರಾಫ್ ಪಂಚನಾಮೆ ವಿವರವಾಗಿ ಮಾಡಿ. ತನಿಖೆ ವಿವರವಾಗಿ ಮಾಡಿ ದೋಷಾರೋಪಣೆ ಪಟ್ಟಿಯನ್ನು ಬಿಜಾಪುರ ವಿಶೇಷ ನ್ಯಾಯಾಲಯಕ್ಕೆ ಸಲ್ಲಿಸಿದರು.

ಬೆಂಗಳೂರು ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ ಅಪರ ಪೊಲೀಸ್ ಮಹಾನಿರ್ದೇಶಕರು. ಉಪಲೋಕಾಯುಕ್ತರವರಿಗೆ ಪತ್ರ ಬರೆದು ಆಪಾದಿತ ನೌಕರನ ವಿರುದ್ಧ ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ ಕಾಯ್ದೆ 1984ರ ಕಲಂ 7(2) ರಂತೆ ಲೋಕಾಯುಕ್ತದಲ್ಲಿ ಉಪಲೋಕಾಯುಕ್ತರು ವಿಚಾರಣೆ ನಡೆಸುವಂತೆ ಸಾಧ್ಯವಾಗುವಂತೆ ಈ ಪ್ರಕರಣಕ್ಕೆ ಸಂಬಂಧಿಸಿದ ದಾಖಲೆಗಳ ಪ್ರತಿಗಳನ್ನು ಮುಂದಿನ ಕ್ರಮಕ್ಕಾಗಿ ಕಳುಹಿಸಿದರು. ತದನಂತರ. ಗೌರವಾನ್ವಿತ ಉಪಲೋಕಾಯುಕ್ತರು ಆಪಾದಿತ ನೌಕರನಿಗೆ ಅಬ್ದುಲ್‌ವೇಷನ್ ನೋಟ್ ನ್ನು ಕಳುಹಿಸಿದರು ಮತ್ತು 15 ದಿನಗಳ ಒಳಗಾಗಿ ತಮ್ಮ ಆಕ್ಷೇಪಣೆಯನ್ನು ಸಲ್ಲಿಸಲು ಕೇಳಿಕೊಳ್ಳಲಾಯಿತು. ಏಕೆ ಶಿಸ್ತು ಕ್ರಮ ಕೈಗೊಳ್ಳಬಾರದು ಎಂದು ಆಪಾದಿತ ನೌಕರನ ವಿವರಣೆ ಕೇಳಲಾಯಿತು. ಅದಕ್ಕೆ ಆಪಾದಿತ ನೌಕರ ಉತ್ತರ ಕೊಟ್ಟು ಮತ್ತು ಅದನ್ನು ಕೂಲಂಕಷವಾಗಿ ಪರಿಶೀಲಿಸಿದಾಗ. ಆ ವಿವರಣೆ ಸಮಂಜಸ ಕಾರಣಗಳಿಂದ. ತೃಪ್ತಿಕರ ಕಾರಣಗಳಿಂದ ಕೂಡಿರಲಿಲ್ಲ. ಆದ್ದರಿಂದ ಆಪಾದಿತ ನೌಕರನ ವಿರುದ್ಧ ಶಿಸ್ತಿನ ಕ್ರಮಕೈಗೊಳ್ಳಲು ನಿರ್ಧರಿಸಲಾಯಿತು.

ಆ ತನಿಖಾ ವರದಿಯಲ್ಲಿರುವ ಸಂಗತಿಗಳನ್ನು ಪರಿಶೀಲಿಸಿದಾಗ ಆಪಾದಿತ ನೌಕರರು ದುರ್ನಡತೆಯನ್ನು ನಡೆಸಿದ್ದಾರೆಂದು ಮೇಲ್ನೋಟಕ್ಕೆ ಕಂಡುಬಂದಿದ್ದರಿಂದ ಕರ್ನಾಟಕ ನಾಗರಿಕ ಸೇವಾ (ನಡತೆ) ನಿಯಮಾವಳಿ, 1966ರ

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ನಿಯಮ 3(1)ರ ಅಡಿಯಲ್ಲಿ ದುರ್ನಡತೆ ಎಸಗಿರುವುದರಿಂದ ಸದರಿಯವರ ವಿರುದ್ಧ ಇಲಾಖಾ ಶಿಸ್ತು ಕ್ರಮ ಕೈಗೊಳ್ಳಲು ಗೌರವಾನ್ವಿತ ಉಪಲೋಕಾಯುಕ್ತರು, ಕರ್ನಾಟಕ ರಾಜ್ಯ, ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತದ ಅಧಿನಿಯಮದ ಕಲಂ 12(3)ರಡಿಯಲ್ಲಿ ಶಿಸ್ತು ಪ್ರಾಧಿಕಾರಕ್ಕೆ ಶಿಫಾರಸ್ಸು ಮಾಡಿದರು. ಸದರಿ ಶಿಫಾರಸ್ಸಿನ ಮೇರೆಗೆ ಶಿಸ್ತಿನ ಪ್ರಾಧಿಕಾರಿಯವರಾದ ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ, ಸಿಕ್ಷಣ ಇಲಾಖೆ (ಪ್ರೌಢ), ಇವರ ಆದೇಶ ಸಂಖ್ಯೆ ಇಡಿ 159 ಎಲ್‌ಬಿಪಿ 2015 ಬೆಂಗಳೂರು ದಿನಾಂಕ 29-10-2015ರಂದು ಇಲಾಖೆ ವಿಚಾರಣೆ ನಡೆಸಲು ಗೌರವಾನ್ವಿತ ಉಪಲೋಕಾಯುಕ್ತರವರಿಗೆ ವಹಿಸಿಕೊಟ್ಟರು. ಆದ್ದರಿಂದ ನಿಮ್ಮ ಮೇಲೆ ಈ ದೋಷಾರೋಪಣೆ.

8. Notice of Articles of charge, statement of imputation of misconduct with list of witnesses and documents was served upon the DGO. In response to the service of articles of charge, DGO entered appearance before this authority on 16/04/2016, DGO engaged advocate for defence on 25/02/2016. In the course of first oral statement of the DGO recorded on 16/04/2016, they pleaded not guilty and claimed to be enquired. **The date of Retirement of DGO is 31/05/2030.**
9. The DGO has filed his written statement denying the allegations made against him in the articles of charge and statement of imputations of misconduct. DGO has further contended that, he has neither demanded the alleged bribe nor accepted the bribe amount in question from anybody much less from the complainant. The complainant, with an ill conceived motive to defame the reputation of the DGO in the Government Service as

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well as to wreck vengeance, hatched the conspiracy with the I.O. falsely implicating the corruption charges against the DGO.

DGO has further contended that, I.O. has not taken any voice sample of complainant and DGO during investigation for comparing both voices one and same and there is no scientific investigation on this part. It is further submitted that conversation script between DGO and complainant is not reduced in writing in the complaint and entrustment panchanama and there is no impediment to I.O. to reduce the contents to the voice recorded in the complaint which will be send to the Court at earliest opportunity.

DGO has further contended that, I.O. has not given DGO proper and sufficient opportunity and time to explain the sequence of events to give his written statement. I.O. has concocted the material documents which are going to against the prosecution and in his favour and not submitted with the charge sheet. I.O. has suppressed material facts and documents though DGO has produced at the time of incident. At no point of time DGO has abused his official position and obtained illegal gratification either to show a favour or refrain from doing the same by conducting himself in such a unbecoming of a public servant and has not conducted himself thereby contrary to in maintaining the integrity and dignity of the official position.

DGO has further contended that, he humbly submits except forcibly taking signature of DGO after completely drawing the

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mahazar confining the DGO in a separate room in the lokayukta police station, thus the DGO was completely kept in darkness while preparing the mahazar proceedings. Whatever is transpired at the time of the incident tried to correctly account for by the DGO but I.O. has not given sufficient opportunity to DGO to explain sequence of events. After drawing the mahazar the signature of the DGO is obtained forcibly alleging that he has received the copy of the mahazar even though no copy was given. The version of the shadow panch and other staff witnesses and including other witnesses cited by the prosecution have tailored a false story where it is alleged that the DGO has demanded Rs.20,000/- and accepted but, the entire oral and documentary evidence brought on record contradicts its own theory.

DGO has further contended that, work of the complainant was not pending with DGO as on the alleged date of incident and there is no question of showing official favour. That the complainant has made few baseless and concocted allegations. That there is no misconduct on his part and he prayed that he may be exonerated from the imputation of charges levelled against him in the interest of justice and equity.

10. The points that arise for consideration are as follows:-

- 1. Whether the disciplinary authority proves that the DGO Sri Althaph Hussain while working as Cluster Resource Person in Office of the Block Education Officer, Vijayapura District, that the complainant who was the**


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Head Master of Government Urdu Girls Primary School, Bijapur had approached DGO in the year 2013-14 to get cheque amount of Rs.56,550/- which was released towards remuneration payable to the teachers who have given tuitions for 7th and 10th Students in Urdu Girls Primary School at Vijayapura for 7 months from September to March, then DGO has demanded bribe of Rs.20,000/- for giving the said cheque and on 13/04/2014 the DGO had come to the school of complainant and demanded Rs.20,000/- bribe and asked him to pay it on Tuesday for giving the cheque and again contacted the complainant through phone on 22/04/2014 in this regard and the complainant not willing to pay the said amount, lodged complaint before Police Inspector, Karnataka Lokayukta Police Station, Vijayapura, who registered case in Cr.No.5/2014 and took up investigation and on 23/04/2014, DGO was caught red handed while demanding and accepting illegal gratification of Rs.20,000/- from the complainant in tea shop situated near the office of DGO and the said amount was seized by the Investigating Officer and the


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DGO has failed to give satisfactory or convincing explanation for the said tainted amount found them, when questioned by the said I.O., and by this the DGO has committed misconduct, dereliction of duty, acted in a manner unbecoming of a Government Servant and not maintained absolute integrity, violating Rule 3(1)(i) to (iii) of K.C.S.(conduct) Rules, 1966?

2. What findings?

11. (a) The disciplinary authority has examined Sri.Saleem Nabisab Mannur/Complainant as PW-1, Sri.Dayanand/Shadow Witness as PW-2 and Sri.Jagadish Channappa/Investigating Officer as PW-3 and got exhibited Ex.P-1 to 16 on it's behalf.
- (b) The DGO has examined himself as DW-1 and has got marked documents Ex.D-1 and 2 on his behalf.
- (c) Since DGO has adduced evidence by examining himself incriminating circumstances which appeared against him in the evidence of PW-1 to 3 is not put to him by way of questionnaire and the same is dispensed.
12. Heard both side arguments and perused the written argument filed by the counsel for the DGO and perused all the documents.


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13. The answers to the above points are:

1. In the Affirmative.
2. As per final findings for the following:-

REASONS

14. **Point No.1:-** (a) PW-1/Complainant Sri.Saleem Nabisab Mannur has deposed in his evidence that, he was working as Head Master in Government Urdu Girls Primary School, Bijapur from 2010 to 2020. 1st to 7th standard was there in the said school. That their school was meant for minority section. In the year 2013-14 Government had ordered for special classes to be taken to the students of 7th and 10th standard and the fees was to be paid to the teachers by the Government as per the orders. There were 69 students studying at that time in 7th standard and 3 teachers were deputed to take special classes from September 2013 to March 2014. He had prepared bill with respect to their fees and sent it to office, through CRC. DGO was working in the CRC. He had prepared 2 bill for Rs.56,550/-. The said bills were sanctioned and DGO told him to collect the cheques. When he asked DGO to give the cheques he was dodging the matter for 10 days.

PW-1 further deposed that, on 15/04/2014 DGO demanded bribe of Rs. 20,000/- to issue the cheque. He was deputed for election duty during the said period. Hence, he was busy so on

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22/04/2014 the DGO called him and told to give the bribe amount and collect the cheque. He told the DGO that he would collect the cheque on 23/04/2014. Since, he was not willing to pay the bribe amount, he had recorded the conversation of DGO with him and he went to Lokayukta police station on 23/04/2014 and lodged the complaint as per Ex.P-1.

PW-1 further deposed that, the I.O. called for 2 panchas by name Dayananda and Palanna to the station and explained about his complaint to them and introduced him to them. The I.O. played the mobile recordings before the panchas and transcribed it and since the conversation was in urdu they got it translated to Kannada language through one Lamani and got it burnt to CD through laptop. The I.O. seized the CD.

PW-1 further deposed that, he produced 20 notes of Rs. 1,000/- denomination each in total Rs. 20,000/- to lay the trap. The I.O. gave it to CW-2 and he counted the same. CW-3 noted the number and denomination in a sheet as per Ex.P-2. The I.O. got some chemical powder smeared on the notes through the staff and gave it CW-3 and told him to keep it in the back side pocket of his pant. The I.O. washed the hands of CW-3 in chemical solution and the solution turned to pink colour. The I.O. seized the sample of the solution. The I.O. gave him voice recorder and asked him to switch it on when he goes to meet the DGO. The I.O. instructed him to pay the amount only if demanded by DGO and after acceptance to give signal by waving his hand and

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instructed CW 2 to act as shadow witness and follow him and observe the proceedings. The I.O. has drawn mahazar in this regard as per Ex.P-3. The I.O. asked him to call the DGO and when he called the DGO he told him that he is in meeting and asked him to come after one hour to BEO office. All of them left the station and went near BEO office at 12:30 p.m.

PW-1 further deposed that, the I.O. repeated the instructions to him and CW-2 and when he went near the office of DGO he received the call from DGO and since he was before him he has not picked it up. The DGO took him to tea stall which was in front of the office and asked him whether he has brought the amount. He gave the amount to the DGO, he counted it and kept it in the inner pocket of his pant. The DGO gave him the cheque. Later on he gave signal by waving his hand and the I.O. and CW-2 and other staffs came there. The I.O. enquired him and he told him that he has paid the tainted notes to DGO. The I.O. got prepared the solution and washed both the hands of DGO and the colour in both the solution turned to pink. The I.O. seized the solution. The I.O. enquired about the notes to DGO and he told that it is in his pant inner pocket and gave it to I.O. The I.O. got it tallied with the sheet i.e., Ex.P-2 and it was tallying and the I.O. seized the notes. The I.O. took all of them to the BEO office. The I.O. got the portion of the pant pocket washed in the solution after making alternate arrangement of lungi to the DGO. The solution turned to pink colour and I.O. seized both the solution and the pant. The I.O. collected the documents from BEO. The I.O. took explanation of

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the DGO as per Ex.P-4. The I.O. enquired them about the explanation and he told that it is false.

PW-1 further deposed that, the I.O. called Sahira Bhanu Khan, BEO and Geetha, BRC officer and played the recordings which he had given at the time of pre-trap mahazar before them. They have identified the voice of DGO in the said recordings. He gave the voice recorder to I.O. which was given to him before going to the DGO chamber but nothing was recorded in it because it was switch off when DGO called him. The I.O. conducted mahazar about the said proceedings as per Ex.P-5. The I.O. took the cheque from him and got it xeroxed as per Ex.P-6. The I.O. has taken photos of the proceedings as per Ex.P-7. The I.O. arrested the DGO.

(b) Nothing material is elicited by the learned counsel for DGO during the cross examination of PW1 to discredit his testimony or put forth the defence of DGO.

15. (a) PW-2/Shadow Witness Sri.Dayanand has deposed in his evidence that, on 23/04/2014 the Bijapur Lokayukta Police had called him to the police station. He reported before the Lokayukta police station at 9:30 a.m and CW-3 was also present. PW-1 was present there and I.O. introduced him to them and PW-1 told that DGO is demanding Rs.20,000/- bribe for releasing the tuition fee of Rs.52,500/- cheque amount for taking tuitions to minority section. PW-1 produced the memory card which contained the

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conversation between him and DGO. The I.O. played the recordings before them and got it burnt to CD. The I.O. seized the CD. PW-1 produced 20 notes of Rs.1,000/- denomination each. He has told the number of currency notes and CW-3 noted it in a sheet as per Ex.P-2.

PW-2 further deposed that, the I.O. got the phenolphthalein powder smeared to the said notes and CW-3 to count the said notes and to keep it in the pant right side pocket of PW-1. The I.O. got prepared some solution and got the hands of CW-3 washed in that solution and it turned to pink colour. The I.O. seized the sample of the solution in a bottle. The I.O. instructed PW-1 to give the tainted notes to DGO only if he demands and after acceptance to give signal by waving the hands. The I.O. got the photos and has prepared pre-trap mahazar as per Ex.P-3.

PW-2 further deposed that, the I.O. instructed PW-1 to call DGO and PW-1 called DGO through his mobile and DGO told that he is in meeting and he will call back. The DGO called PW-1 at 12:00 p.m. and told him to come near the hotel opposite to BEO office. All of them left the Bijapur Lokayukta police station and reached BEO office, Bijapur at 12:15 p.m. The I.O. repeated the instructions to PW-1 and told him to act as shadow witness and watch the happenings.

PW-2 further deposed that, he and PW-1 went near the hotel opposite to the BEO office and DGO came from inside and asked

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for the money. PW-1 gave the money and the DGO received the amount from his right hand and kept it inside his pant pocket. The DGO gave the cheque to PW-1 after receiving it, PW-1 gave signal by waving his hand. Then immediately the I.O. and his staff and CW-3 came to the spot. The I.O. enquired PW-1 and he told that DGO demanded the money and he has given it. The I.O. introduced himself to DGO and showed his ID card and asked him to co-operate. The I.O. took the DGO inside the hotel and got prepared sodium carbonate solution in the hotel and got both the hands of DGO washed separately and the solution in both the bowls turned to pink colour. The I.O. seized the solutions.

PW-2 further deposed that, the I.O. enquired DGO about the tainted notes and he gave it removing from his pant pocket. The I.O. got it tallied with Ex.P-2 sheet and they were tallying and I.O. seized the same. The I.O. took the cheque from PW-1 and got xerox copy of it and returned it to PW-1 as per Ex.P-6. The I.O. seized the pant of DGO and got the portion of the pant pocket dipped in sodium carbonate solution and it turned to pink colour. The I.O. seized the pant and the solution. The I.O. took all of them to BEO office.

PW-2 further deposed that, the I.O. asked him about the happening and he also reiterated the same facts. The I.O. has taken the explanation of DGO as per Ex.P-4. The I.O. asked him and PW-1 about the explanation and they told that it is false. The I.O. had given one voice recorder to PW-1 before going to DGO's


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office and instructed him to switch it on. The I.O. took the same from PW-1 and PW-1 told that he has not switched it on by mistake.

PW-2 further deposed that, the I.O. called one Bhanu, BEO officer and played the voice recordings produced by PW-1 at the time of pre-trap mahazar in their presence. Bhanu, BEO officer identified the voice of DGO in the said recordings. The I.O. has drawn the rough sketch at the hotel and has drawn mahazar as per Ex.P-5. The I.O. has taken the photos of the trap-proceedings as per Ex.P-7.

(b) Nothing material is elicited by the learned counsel for DGO during the cross examination of PW2 to discredit his testimony or put forth the defence of DGO.

16. (a) PW-3/I.O. Sri.Jagadish Channappa, has deposed in his evidence that, he has worked as Police Inspector in Karnataka Lokayukta, Bijapur from October 2013 to October 2015. On 23/04/2014, at 8:30 a.m. complainant/PW-1 came to his police station, and told that DGO who was working as Cluster Resource Person in BEO office, Bijapur city has demanded bribe of Rs.20,000/- to issue cheque of Rs.56,550/- payable to teachers who were appointed for special tuitions for weak students as per Parihara Bodana Scheme through complainant and not willing to pay the bribe amount and he has lodged the complaint. Further, the complainant has produced the recordings containing demand

A handwritten signature in blue ink, followed by the date '15/12' written below it.

of bribe by DGO on 13/04/2014 and produced it along with the complaint.

PW-3 further deposed that, he received the complaint from PW-1 as per Ex.P-1 and registered the same as crime number 05/2014, for offences u/s 7, 13(1)(d) and 13(2) of P.C. Act, 1988 as per Ex.P-8, after confirming the contents of the memory chip. He sent the said complaint and FIR along with the documents in closed envelope to the jurisdictional court. He secured 2 panch witnesses, PW-2 and CW-3, by sending requisition to Animal Husbandry Department and District Industrial Centre, Bijapur. The panch witnesses reported before me at about 09:30 a.m. He introduced himself and PW-1 to them and also briefed them about the contents of the complaint and gave copy of complaint to them to read and verify the same. That the said witnesses, PW-2 and CW-3 have agreed to act as witnesses and he played the voice recordings in the memory card by using mobile of the complainant and got the conversation heard in presence of the panch witnesses. He got the said conversation burnt to CD and transcribed the same as per Ex.P-9. That he has seized the CD.

PW-3 further deposed that, PW-1 gave him 20 notes of Rs.1,000/- each i.e., total Rs. 20,000/- to lay the trap. That he got the number of the currency notes noted in a sheet by CW-3 on dictation by PW-2 as per Ex.P-2. That he got phenolphthalein powder applied to both sides of the currency notes through his staff and he got the same counted by CW-3 with his both hands


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and got it kept in the pant pocket of PW-1 through CW-3. He got sodium carbonate solution prepared through his staff and took sample of the same and also sample of the sodium carbonate powder. That he got the hands of CW-3 washed in sodium carbonate solution and the solution turned to pink colour and he took sample of the same. That he told PW-1, PW-2 and CW-3 about the reaction between phenolphthalein powder and sodium carbonate solution.

PW-3 further deposed that, all of them washed their hands thoroughly with soap and he got photographs taken of entire proceedings and he drew pre-trap mahazar as per Ex.P-3. The complainant called the DGO through his mobile and DGO replied that he is in a meeting and he will call him so, they waited for the DGO's call. That at 12:00 p.m DGO called complainant and asked him to come to BEO office and all of them left near the BEO office, Bijapur City from his police station.

PW-3 further deposed that, they reached there at about 12:30 p.m, and stopped at a distance near BEO office cross. He got down PW-1 and PW-2 from his jeep and he gave voice recorder to PW-1 and instructed him to keep it in his shirt pocket and to switch on while meeting the DGO. He instructed PW-1 to pay the amount only on demand by DGO, and after acceptance, give signal by waving his hand. He instructed PW-2 to follow PW-1 and act as shadow witness and watch the happenings.

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PW-3 further deposed that, he sent PW-1 to the office of BEO and after sometime at 12:35 p.m, PW-1 came out and went to a tea stall which was opposite to BEO office and at 12:45 p.m., PW-1 came out of tea stall and gave signal by waving his hand. That all of them went near PW-1, and PW-1 took them inside the tea stall where the DGO was sitting. PW-1 showed them the DGO and told that, when PW-1 asked about his work, the DGO demanded money and PW-1 gave him the money. The DGO received the tainted money with right hand and counted it with both the hands and kept in his pant secret pocket and later on he gave cheque for Rs.56,550/-.

PW-3 further deposed that, he showed his identity card to DGO and told him the purpose for coming, and asked him to cooperate. He collected the name, designation and address of DGO. He asked PW-2 about the happenings and he too told the same, and that he watched from a distance.

PW-3 further deposed that, he got sodium carbonate solution prepared in 2 bowls through his staff and took sample of the same and got both the hands of DGO dipped separately in the bowls having solution. That the solution in both the bowls turned to light pink colour and he took sample of the same. That he enquired DGO about the tainted notes and he produced it by removing it from his pant secret pocket. That the said notes were got tallied with Ex.P-2 sheet through PW-2 and CW-3 and they were tallying with the numbers of the notes mentioned in Ex.P-2. That he has

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seized the said notes and prepared rough sketch of the spot as per Ex.P-10. That he took DGO and PW-1, PW-2 and CW-3 and his staff inside the BEO office. That he received the cheque given by DGC to PW-1 and took copy of the same and got it attested by BEO as per Ex.P-6.

PW-3 further deposed that, he got the portion of pant pocket of DGO where tainted money was kept dipped in sodium carbonate solution. The solution turned to light pink colour and he seized the pant, after having made arrangement of alternate pant to DGO and also seized samples of the solution and the pant.

PW-3 further deposed that, he asked the DGO about where he was working and he told that he is working in cluster No. 5 and he has no separate chamber. That he asked DGO about the file of PW1. The DGO told that he has received the documents from PW-1 and submitted to Minority Development office and he is not having any documents of PW-1 with him. That he has taken the resolution of the meeting that has taken place in the BEO office with respect to the meeting conducted by BEO regarding issuance of cheque as per Ex.P-11. That he took the explanation from DGO as per Ex.P-4. PW-1 and PW-2 on seeing the explanation, said that it is false. That he took the voice recorder from PW-1 and found that there was no recordings in it. That he played the CD containing voice recordings of DGO and PW-1 which was taken at the time of pre-trap mahazar and got it played before panchas and Geetha Girish Kulakarni, Co-ordinate officer and Smt. Sairabanu,


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BEO, Bijapur City and they have identified the voice of DGO. That he took photographs of the trap proceedings and has drawn trap mahazar as per Ex.P-5. That he arrested the DGO and followed the arrest procedure and recorded statements of witnesses.

PW-3 further deposed that, he collected the service details of DGO as per Ex.P-12. On 07/05/2014, he has taken the copy of file pertaining to Parihara Bodana Scheme as per Ex.P-13. PW-3 further deposed that, on 11/09/2014, he got the sketch prepared from PWD Engineer as per Ex.P-14. He sent the articles for chemical examination and received the report dated 22/08/2014 as per Ex.P-15. He got the CDRs of PW-1 and DGO as per Ex.P-16. He has taken photos at the time of pre-trap mahazar and trap mahazar as per Ex.P-7. That he filed the charge sheet against the DGO after obtaining sanction.

(b) Nothing material is elicited by the learned counsel for DGO during the cross examination of PW3 to discredit his testimony or put forth the defence of DGO.

17. The DGO has got himself examined as DW-1 and has filed his affidavit in lieu of his chief examination and reiterated the written statement averments and further deposed that, on 10.07.2008, he was promoted to the position of Headmaster in the category of 'Group C employee' and he was due to retire on 31.05.2030. His disciplinary authority is Block Education Officer (BEO), City Division, Vijayapura. He further state that vide official

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memorandum of the office of the Block Education Officer, Vijayapura, City Division, dated 07.07.2012 as per Ex P-13, he was selected as the Cluster Resource Person (CRP) of UBS No. 7 Centre, Vijayapura and he had been discharging his role as the Cluster Resource Person of the said centre ever since, with an unblemished record. That the office of Director, Minorities Welfare Department, Government of Karnataka promulgated a scheme by the name of 'Parihara Bodhana Scheme' dated 11.09.2013, addressing it to the District Officer, Backward Classes and Minorities Welfare Department, Vijayapura District, Vijayapura on 11.09.2013. As per the said scheme, the said District Officer, Backward Classes and Minorities Welfare Department, Vijayapura District, Vijayapura was required to ensure that all the minority Urdu Medium Schools had to conduct special tuition classes for the weaker students of Class 7 and Class 10, in the academic year 2013-14 starting from 16.09.2013 upto 31.03.2014. The said scheme was subject to conditions mentioned therein.

DW-1 further stated that, during March 2014 the said Salim Nabisa Mannur (Centre Nodal Officer) of Government Urdu Girls Higher Primary School - Doulat Koti, Bijapur, approached him and requested him to get the cheque released from District Officer, Backward Classes and Minorities Welfare Department, for conducting classes under Parihar Bodhana Scheme. He had clearly informed him that it was his duty to submit the records for compliance with the conditions of the Scheme and conduct the classes and then collect the Cheque/Honorary payment directly


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from the office of the District Officer, Backward Classes and Minorities Welfare Department, once in every 3 months. Further stated that when he enquired about the records it was noticed that he had not conducted the classes as per the scheme and was claiming payments for classes conducted from the month of July 2013 when the scheme was categorically clear about conduct of classes between September 2013 to March 2014 and more specifically between 16.09.2013 to 31.03.2014. He also noticed that he did not follow and adhere to other conditions regarding selection of the voluntary teachers and the requirement of minimum number of students in each class. Hence, he refused to entertain him since he was being dishonest and resorting to illegal means. He also clearly informed him that he was not competent to issue or release payments for the Scheme and it was the District Officer who was the competent authority for signing, issuance and release of payments. The matter of release of payments under the scheme did not fall within the purview of the Education department at all. That his limited role and duty was to oversee the maintenance of records and to co-ordinate the progress of the school with the Education Department. That he is not connected with any of the duties pertaining to the Parihara Bodhana Scheme.

DW-1 further stated that, upon verification of the attendance registers, he had also noticed that he had tampered with the attendance registers and committed several irregularities and was claiming payments in excess even though he was not entitled to the payments from the government. On several occasions the said

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Mr. Salim Nabisa Mannur, has telephoned him and requested him to get the cheque released from the District Officer, Backward Classes and Minorities Welfare Department. However, he out rightly refused since he is not the concerned person pertaining to any of the duties under the scheme. Also, his demands were unlawful and since he was persisting him, he has clearly told him that he would bring his illegal acts to the notice of his higher authorities.

DW-1 further stated that, on 23.04.2014, the said Mr. Salim Nabisa Mannur, telephoned him and requested to meet him immediately, although he was busy with his official work in the office of Block Education Officer, Vijayapura District, but due to his insistence and repeated calls, he asked him to meet him outside the said office near a tea stall. When he came to the tea stall, Mr. Salim Nabisa Mannur/Centre Nodal Officer of Government Urdu Girls Higher Primary School - Doulat Koti, Bijapur, once again requested him to get the cheque released and suddenly thrust a bundle of currency notes forcibly into his hand despite his resistance.

DW-1 further stated that, immediately thereafter, he called the Lokayukta Officers and complained that he has demanded and received a bribe amount. That he has out rightly denied this allegation to the said Lokayukta police. Even in his defence statement with the police, he has clearly specified that the said Salim Nabisa Mannur had taken Rs.20,000/- (Rupees Twenty

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Thousand Only), from him at an earlier point in time, and was evading repayment of the said amount. That he has also clearly specified that when he has asked for the school record with respect to conducting classes, he has refused to co-operate and has made false allegations regarding demand of bribe amount.

DW-1 further stated that, a matter of record that the District Officer, Backward Classes and Minorities Welfare Department, is the concerned authority for signing and issuing cheques to the concerned Headmaster/Centre Nodal Officer for all schools who are conducting classes as per the conditions prescribed in Parihara Bhodana Scheme of Government of Karnataka, vide the orders passed by the Deputy Director, Minorities Welfare Department dated 11.09.2013. That his Block Education Officer at the relevant point in time was also his disciplinary authority and can validate his statements and he strongly place on record the fact that he had no work of the Headmaster/Centre Nodal Officer by name Mr. Salim Nabisa Mannur pending with him at the relevant point in time or at the time of filing of his compliant dated 23.04.2014. Hence, prays to exonerate him from the charges. In support of his contention he has got marked xerox copy of monthly attendance register of teachers and students submitted by DC as per Ex.D-1 and xerox copy of deposition of DGO given before Principal District and Sessions Judge, Bijapur as per Ex.D-2.

18. On over all evaluation of the oral and documentary evidence adduced by both the parties, the evidence of PW-1/complainant,

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PW-2/shadow witness, PW-3/I.O., reveals that on 23/04/2014 PW1/complainant has lodged complaint stating that DGO who was working as Cluster Resource Person in BEO office, Bijapur city has demanded bribe of Rs.20,000/- to issue cheque of Rs.56,550/- payable to teachers who were appointed for special tuitions for weak students as per Parihara Bodana Scheme through complainant and produced the recordings containing demand of bribe by DGO on 13/04/2014 and lodged complaint in this regard as per Ex.P-1 before PW-3. Further their evidence reveals that PW3/I.O. has called for PW-2 and CW-3 to act as panch witness and PW-1 has produced 20 notes of Rs.1,000/- denomination to lay the trap and PW-3 got the number of the notes noted in a sheet as per Ex.P-2 and got phenolphthalein powder smeared on the either side of the currency notes and got it kept in the back side pant pocket of PW-1 through CW-3 and he got sodium carbonate solution prepared and got both hands of CW-3 washed in the solution and solution turned to pink colour and he has seized the sample. Further their evidence reveals that PW-3/I.O. has played the voice recordings before PW1, PW-2 and CW-3 and made them hear the conversation and got the same transcribed and burnt it to CD and seized the CD. Further their evidence reveals that PW-3/I.O. has instructed PW-1 to give the amount only on demand by DGO and after acceptance to give signal by waving his hand and instructed PW-2 to accompany PW-1 and act as shadow witness and see what transpires between PW-1 and DGO and has drawn pre-trap mahazar as per Ex.P-3. Further their evidence reveals that all of them left the lokayukta police station and

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reached the office of DGO i.e., Taluk Office, Hoskote and PW-1 and PW-2 went inside the office of DGO.

19. PW-1/Complainant has deposed that when he went near the office of DGO he received the call from DGO and since he was before him he has not picked it up. The DGO took him to tea stall which was in front of the office and asked him whether he has brought the amount. He gave the amount to the DGO, he counted it and kept it in the inner pocket of his pant. The DGO gave him the cheque. Later on he gave signal by waving his hand. There is clear evidence of demand and acceptance of bribe by DGO in the evidence of PW1/complainant. Nothing material is elicited from him to discredit his testimony or to put forth the defence of DGO by the DGO counsel.
20. PW-2/Shadow witness who is an independent eye witness, who accompanied PW-1 has deposed in his evidence that he and PW-1 went near the hotel opposite to the BEO office and DGO came from inside and asked for the money. PW-1 gave the money and the DGO received the amount from his right hand and kept it inside his pant pocket. The DGO gave the cheque to PW-1 after receiving it, PW-1 gave signal by waving his hand. Later on lokayukta police came there and caught both hands of DGO.
21. PW-2/Shadow witness who is the independent eye witness has clearly deposed about the demand of bribe amount by DGO with respect to work of complainant and acceptance of the same by DGO. Nothing is elicited in the cross examination of PW-2 to

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discredit his testimony or to put forth the defence of DGO. He has stated that the explanation given by the DGO is false. PW-2 in his cross examination has clearly stated that the PW-1 gave the tainted amount to DGO and after receiving the amount DGO has given cheque to PW-1/complainant and immediately lokayukta police came and surrounded him.

22. As such from the evidence of PW-1/complainant and PW2/shadow witness who is an independent eye witness, there is clear, cogent and convincing evidence with respect to demand and acceptance of bribe by DGO to do official work of the PW-1/complainant.
23. Further the evidence of PW-1 to 3 reveals that after receiving the signal, PW-3 and CW-3 and staff came to the spot and about seizure of tainted notes from pant's secret pocket of DGO and about hand wash of DGO and the solution changing to pink colour and seizure of the sample and also about seizure of the pant of DGO and about wash of the pant pocket in sodium carbonate solution and the solution changing to pink colour and seizure of the solution, tainted notes and pant from DGO. Further their evidence reveals that PW-3/I.O. has taken explanation of DGO as per Exp4. Further they have also deposed about seizure of documents from the possession of DGO and drawing of trap mahazar with respect to above proceedings as pre Ex.P-5.
24. From the evidence of PW1/Complainant, PW2/Shadow witness and PW3/Investigating Officer the disciplinary authority has proved the pre-trap mahazar proceedings as per Ex.P-3 and trap

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proceedings as per Ex.P-5. Nothing material is elicited from the cross examination of PW-1 to PW-3 to discredit their testimony with respect to conducting of trap proceedings, Pre-trap mahazar Ex.P-3 and post trap mahazar Ex.P-5.

25. The specific defence of the DGO is that District Officer, Backward Classes and Minorities Welfare Department is the concerned authority for signing and issuing cheques to the concerned Headmaster/Centre Nodal Officer for all schools who are conducting classes as per the conditions prescribed in Parihara Bhodana Scheme vide the orders passed by the Deputy Director, Minorities Welfare Department dated 11/09/2013. That no work of complainant was pending before him and further contended that on verification of Attendance register he has noticed that the complainant has tampered with the attendance registers and committed several irregularities and was claiming payments in excess even though he was not entitled to the payments from the government. That the complainant had requested him to get the cheque released from the District Officer, Backward Classes and Minorities Welfare Department for which he had refused and on 23/04/2014 the complainant called him and insisted him to come near the tea shop and when he came there he has thrust a bundle of currency notes forcibly into his hand and suddenly the lokayukta police came and caught hold of him.
26. It is further contended by the DGO that he has tried to give explanation to the I.O. but, they have forcibly taken his sign to the


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explanation created by them. In support of his contention the DGO has examined himself as DW-1 and reiterated the written statement averments. The DGO after the trap has given explanation as per Ex.P-4. On perusal of the same it reveals that he has received Rs.20,000/- from PW-1/complainant which is hand loan which he had given to the complainant. Further in his cross examination by the Learned Presenting Officer he has admitted that he had given loan to complainant and he returned the amount on the day of trap. By this the DGO has admitted that he received Rs.20,000/- tainted notes from complainant on the date of trap. But, to prove his contention that it was the loan amount given to complainant the DGO except his self-serving evidence has not placed any material before this authority. PW-1/complainant and PW-2/shadow witness have clearly denied Ex.P-4 explanation given by DGO is false. Nothing is elicited from them in their cross examination by DGO counsel to prove the said explanation. The DGO has not placed any clear, cogent evidence to establish his defence. As such I am not inclined to accept the defence of the DGO.

27. The another defence taken up by the DGO is that he is not the issuing authority and no work of complainant was pending and since he had pointed out irregularities in the maintenance of documents by the complainant with respect to the classes conducted under Parihara Bhodana Scheme due to vengeance the complainant has got him trapped. In order to prove the above said contention except his self-serving evidence the DGO has not placed

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any material before this authority. PW-1 and 2 categorically stated that DGO has demanded bribe of Rs.20,000/- from complainant for issuing cheque and after receiving the amount from PW-1/complainant the DGO has given the cheque of Rs.56,550/- to the complainant which is the amount payable towards the fees for taking special classes to 7th and 10th standard students in the Urdu Girls Primary School, Vijayapura. Nothing is elicited from the cross examination of PW-1 and 2 to discredit their testimony by the DGO counsel or to put forth the defence of the DGO. Further if the DGO had nothing to do with the issuance of cheque then why he was in the possession of the cheque of Rs.56,550/- payable to the complainant towards the fees for taking special classes to 7th and 10th standard students in the Urdu Girls Primary School, Vijayapura, which he has given it to the complainant after receiving the amount. From this inference can be drawn that he has demanded illegal gratification or bribe to give the cheque to complainant for official favour. As such I am not inclined to believe the defence taken by the DGO and DGO has failed to prove his defence by placing clear, cogent, convincing evidence. On the contrary the disciplinary authority by way of evidence of PW-1 to 3 has clearly proved the demand and acceptance of bribe by DGO for official favour.

28. It is well settled that in the criminal trial proof beyond reasonable doubt is the yardstick which needs to be applied while appreciating evidence. Preponderance of probabilities is the yardstick which needs to be applied while appreciating evidence in

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the inquiry of this nature. In order to establish the charge for the offence punishable under section 7, for the offence defined under section 13(1)(d) which is punishable under section 13(2) of The Prevention of Corruption Act, 1988, prosecution has to establish demand and acceptance of illegal gratification in order to extend official favour. Mere possession of tainted cash in the absence of demand will not attract the charge for the offence punishable under section 7, for the offence defined under section 13(1)(d) which is punishable under section 13(2) of The Prevention of Corruption Act, 1988. Evidence of PW1 & PW2 establishes demand and acceptance of bribe by DGO. Evidence of PWs 1 to 3 establishes possession of tainted cash by DGO. Evidence of PWs 1 to 3 establishes change of colour of both hands finger wash and left side shirt pocket wash of DGO and also recovery of tainted cash from the possession of DGO. Further Ex.P-15 i.e., FSL report reveals the presence of phenolphthalein in the right and left hand wash and pant secret pocket wash of DGO and currency notes which corroborates the case of the disciplinary authority. Mere possession of tainted cash in the absence of satisfactory explanation attracts misconduct within the purview of Rule 3 (1)(i) to (iii) of The Karnataka Civil Services (Conduct) Rules, 1966. In the presence of evidence of PWs 1 to 3 as discussed above I am not persuaded to accept the defence put forward in the course of written statement and also contentions raised in the course of written argument of DGO.

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29. Thus, this Additional Registrar Enquiries, finds that, evidence of P.Ws1 to 3, Ex.P-1 to P-16, as reasoned above, has proved that the DGO had demanded and accepted bribe of Rs.20,000/- from the complainant on 23/04/2014. The disciplinary authority has proved the charges against the DGO. Accordingly, this point is answered in the **Affirmative**.

30. **Point No.2** :- For the aforesaid reasons, this Additional Registrar (Enquiries) proceeds to record the following.

FINDINGS

The disciplinary authority has proved the charges against the DGO.

The date of Retirement of DGO is 31/05/2030.

Submitted to Hon'ble Upalokayukta for kind approval, and necessary action in the matter.


(J.P. Archana)

15/12/2023
Additional Registrar (Enquiries-11),
Karnataka Lokayukta,
Bangalore.

ANNEXURES

List of witnesses examined on behalf of the Disciplinary Authority:-

PW1:- Sri. Saleem Nabisab Mannur
 PW2:- Sri. Dayanand
 PW3:- Sri. Jagadish Channappa

List of witnesses examined on behalf of the Defence:-

DW1: Sri Altaf Hussain (DGO)


List of documents marked on behalf of Disciplinary Authority:-

Ex F1	Attested copy of complaint dated 23/04/2014.
Ex F2	Attested copy of list of currency notes.
Ex F3	Attested copy of pre-trap mahazar dated 23/04/2014.
Ex F4	Attested copy of statement of DGO dated 23/04/2014
Ex F5	Attested copy of trap mahazar dated 23/04/2014.
Ex F6	Attested copy of cheque.
Ex F7	Xerox copy Photos.
Ex F8	Attested copy of FIR in Cr.No.5/2014.
Ex F9	Xerox copy of transcription.
Ex F10	Attested copy of rough sketch.
Ex F11	Attested copy of resolution of meeting taken place in BEO Office.
Ex F12	Xerox copy of service details of DGO.
Ex F13	Xerox copy of file pertaining to Parihara Bodana Scheme.
Ex F14	Attested copy of sketch prepared by PWD Engineer.
Ex F15	Attested copy of Chemical Examiner's Report.
Ex F16	Xerox copy of CDR's.

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List of documents marked on behalf of Defence:-

Ex D1	Xerox copy of monthly attendance register of teachers and students submitted by DC.
Ex D2	Xerox copy of deposition of DGO given before Principal District and Sessions Judge, Bijapur.


(J.P. Archana) 15/12/2023

Additional Registrar (Enquiries-11),
Karnataka Lokayukta, Bangalore.

