

GOVERNMENT OF KARNATAKA



KARNATAKA LOKAYUKTA

NO: UPLOK-1/DE/579/2017/ARE-13
(Encl: (a) Recommendation of Hon'ble
Upalokayukta & Inquiry
Report of Inq. Officer, in original
(b) Connected records

Multi Storied Building,
Dr. B.R. Ambedkar Veedhi,
Bengaluru - 560 001
Date: 17/05/2022

/CONFIDENTIAL/

To,
Dr. Ajay Nagabhushan M.N, I.A.S.,
Secretary to Government,
(Municipalities & UDAs)
Urban Development Department,
Vikasa Soudha,
Bengaluru

Respected Sir,

Sub:- Departmental inquiry against:

1. Sri. Nagaraj, the then Chief Officer,
TMC, Channarayapattana, Hassan
District (now retired).
2. Sri. Krishnegowda, the then Revenue
Officer, TMC, Channarayapattana,
Hassan District (now retired).
3. Sri. Shivananda, Revenue Inspector,
TMC, Channarayapattana, Hassan
District.
4. Sri. H.S. Chandrashekar, Chief Officer,
TMC, Channarayapattana Taluk, Hassan
District - reg.

Ref:- 1) Government Order No. UDD 13 DMK
2017, Bengaluru dated 22/03/2017.

2) Nomination order NO. UPLOK-1/DE/579/2017,
Bengaluru dated 22/04/2017 of
Upalokayukta-1, State of Karnataka, Bengaluru.

3) Inquiry Report dated 29/04/2022 of Additional Registrar of Enquiries-12, Karnataka Lokayukta, Bengaluru.

4) Recommendation dated 13/05/2022 of Hon'ble Upalokayukta-2, State of Karnataka, Bengaluru

Adverting to the above, I am directed to forward herewith the Recommendations of the Hon'ble Upalokayukta-2, State Karnataka, Bengaluru, dated 13/05/2022 in original, and the Report of the Inquiry Officer, in original, along with relevant records of inquiry, as detailed below:

File No.	Particulars of Documents	Page Nos.
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File 1	Order Sheet File (Original).	1-22
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	Ex.D-2: The Certificate of service of H.S. Nagaraj which is given Chief Officer, TMC, Chennarayapattna (Xerox)	109
	Ex.D-3: Extract of Property Tax Register (Certified copy)	110

Receipt of the Recommendation of the Hon'ble Upalokayukta-2, along with the Report of the Inquiry Officer in a sealed cover and the connected inquiry records, as mentioned above, may please be acknowledged, at the earliest.

Yours faithfully,



(USHARANI)
Registrar,
Karnataka Lokayukta,
Bengaluru

Copy to
Addl. Registrar of Enquiries -13, Karnataka Lokayukta, Bengaluru
along with copy of recommendation, for information and further
necessary action.



KARNATAKA LOKAYUKTA

No.UPLOK-2/DE/579/2017/ARE-13

Multi Storied Building,
Dr. B.R. Ambedkar Veedhi,
Bengaluru-560 001.
Dated 13.5.2022.

RECOMMENDATION

Sub:-Departmental inquiry against -

1. Sri. Nagaraj, the then Chief Officer, TMC, Channarayapattana, Hassan District (now retired).
2. Sri. Krishnegowda, the then Revenue Officer, TMC, Channarayapattana, Hassan District (now retired).
3. Sri. Shivananda, Revenue Inspector, TMC, Channarayapattana, Hassan District.
4. Sri. H.S. Chandrashekar, Chief Officer, TMC, Channarayapattana Taluk, Hassan District. - reg.

Ref :- 1) Govt. Order No. ನಅಇ 13 ಡಿಫೆಂಚೆ 2017,
ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 22/03/2017.

- 2) Nomination Order No.UPLOK-2/DE/579/2017, Bengaluru, dated: 22/04/2017.
- 3) Inquiry report dated: 29.4.2022 of Additional Registrar of Enquiries-13, Karnataka Lokayukta, Bengaluru.

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The Government by its order dated 22.3.2017 initiated the disciplinary proceedings against 1. Sri. Nagaraj, the

then Chief Officer, TMC, Channarayapattana, Hassan District (now retired). 2. Sri. Krishnegowda, the then Revenue Officer, TMC, Channarayapattana, Hassan District (now retired). 3. Sri. Shivananda, Revenue Inspector, TMC, Channarayapattana, Hassan District. and 4. Sri. H.S. Chandrashekar, Chief Officer, TMC, Channarayapattana Taluk, Hassan District [hereinafter referred to as Delinquent Government Officers/officials, for short as 'DGOs 1 to 4' respectively] and entrusted the departmental inquiry to this Institution.

2. This Institution by Nomination Order No. UPLOK-2/DE/579/2017 dated 22.4.2017 nominated Additional Registrar of Enquiries-4, Karnataka Lokayukta, Bengaluru, as the Inquiry Officer to frame charges and to conduct departmental inquiry against DGOs for the alleged charge of misconduct, said to have been committed by them. Subsequently, by order dated 6.8.2018 the matter was transferred to Additional Registrar of Enquiries -13 as enquiry officer to continue the said departmental enquiry.

2. The DGOs - 1. Sri. Nagaraj, the then Chief Officer, TMC, Channarayapattana, Hassan District (now retired).  
2. Sri. Krishnegowda, the then Revenue Officer, TMC,

Channarayapattana, Hassan District (now retired). 3. Sri. Shivananda, Revenue Inspector, TMC, Channarayapattana, Hassan District. and 4. Sri. H.S. Chandrashekar, Chief Officer, TMC, Channarayapattana Taluk, Hassan District, were tried for the following charges :-

**ಅನುಬಂಧ-1**  
**ದೋಷಾರೋಪಣೆ**

ನೀವು-1ನೇ ಅಪಾದಿತ ಸರ್ಕಾರಿ ನೌಕರ/ ಶ್ರೀ. ನಾಗರಾಜ್, ಹಿಂದಿನ ಮುಖ್ಯಾಧಿಕಾರಿ, ಟಿಎಂಸಿ, ಚನ್ನರಾಯಪಟ್ಟಣ, ಹಾಸನ ಜಿಲ್ಲೆ (ಪ್ರಸ್ತುತ ನಿವೃತ್ತ), ನೀವು/2ನೇ ಅಪಾದಿತ ಸರ್ಕಾರಿ ನೌಕರ/ಶ್ರೀ ಕೃಷ್ಣೇಗೌಡ, ಹಿಂದಿನ ಕಂದಾಯಾಧಿಕಾರಿ, ಟಿಎಂಸಿ, ಚನ್ನರಾಯಪಟ್ಟಣ, ಹಾಸನ ಜಿಲ್ಲೆ (ಪ್ರಸ್ತುತ ನಿವೃತ್ತ), ನೀವು/3ನೇ ಅಪಾದಿತ ಸರ್ಕಾರಿ ನೌಕರ/ಶ್ರೀ. ಶಿವಾನಂದ, ಕಂದಾಯ ನಿರೀಕ್ಷಕರು, ಟಿಎಂಸಿ, ಚನ್ನರಾಯಪಟ್ಟಣ, ಹಾಸನ ಜಿಲ್ಲೆ ಹಾಗೂ ನೀವು/4 ನೇ ಅಪಾದಿತ ಸರ್ಕಾರಿ ನೌಕರ/ಶ್ರೀ. ಹೆಚ್.ಎಸ್. ಚಂದ್ರಶೇಖರ್, ಮುಖ್ಯಾಧಿಕಾರಿ, ಟಿಎಂಸಿ, ಚನ್ನರಾಯಪಟ್ಟಣ ತಾಲ್ಲೂಕು, ಹಾಸನ ಜಿಲ್ಲೆ ಆದ ನೀವು ಶ್ರೀ. ಗೋಪಾಲಕೃಷ್ಣ, ಸದಸ್ಯರು, ಚನ್ನರಾಯಪಟ್ಟಣ, ನಗರ ಸಭೆ, ಹಾಸನ ಜಿಲ್ಲೆ ರವರ ಹೆಂಡತಿಯಾದ ಶ್ರೀಮತಿ ಅನುಸೂಯಮ್ಮ ದಿನಾಂಕ:10/02/2014 ರಂದು ಸ್ವಯಂ ಘೋಷಿತ ಆಸ್ತಿ, ತೆರಿಗೆ ರಿಜಿಸ್ಟರಿಗೆ ನೋಂದಾಯಿಸಲು ಅರ್ಜಿ ಸಲ್ಲಿಸಿದಾಗ ಎರಡೇ ದಿನದಲ್ಲಿ ಅಂದರೆ ದಿನಾಂಕ: 12/02/2014 ರಂದು ದಾಖಲಿಸಿಕೊಂಡಿರುವುದು ಅದೇ ನಿರ್ದೇಶನಾಲಯದ ಸುತ್ತೋಲೆ ಸಂ: ಇಡಿಎಂ.ಪಿ.ಎ.09/05-96 ದಿನಾಂಕ: 18/09/1996 ರ ಸೃಷ್ಟಿ ಉಲ್ಲಂಘನೆಯಾಗಿದೆ. ಅದಕ್ಕೆ ನೀವು-ಅಪಾದಿತ ಸರ್ಕಾರಿ ನೌಕರರು ಸಹಕರಿಸಿ ಕರ್ತವ್ಯ ಲೋಪವೆಸಗಿರುತ್ತೀರಿ. ನೀವು-1 ರಿಂದ 4ನೇ ಅಪಾದಿತ ಸರ್ಕಾರಿ ನೌಕರರು ಸರ್ಕಾರಿ ಸೇವಕರಾಗಿದ್ದು, ನಿಮ್ಮಗಳ ಕರ್ತವ್ಯ ಪಾಲನೆಯಲ್ಲಿ ಪರಿಪೂರ್ಣ ಕರ್ತವ್ಯ ನಿಷ್ಠೆಯನ್ನು ತೋರಿಸದೆ, ಸಾರ್ವಜನಿಕ ಸೇವೆಗೆ ತರವಲ್ಲದ ರೀತಿಯಲ್ಲಿ ನಡೆದುಕೊಂಡಿದ್ದು, ಕರ್ನಾಟಕ ಸರ್ಕಾರಿ ಸೇವಾ (ಸದ್ಭರ್ತನೆ) ನಿಯಮಾವಳಿ 1966 ರ (3)(i) ರಿಂದ (iii) ನೇ ವಿಬಂಧನೆಯನ್ನು ಉಲ್ಲಂಘಿಸಿ ದುರ್ನಡತೆ ಎಸಗಿದ್ದು, ಈ ವಿಚಾರಣಾ ಪ್ರಾಧಿಕಾರದ ಮುಂದೆ ವಿಚಾರಣೆಗೊಳಪಡುತ್ತೀರೆಂದು ಈ ದೋಷಾರೋಪಣೆ.

and thereby committed an act which unbecoming of a government servants and thus you DGO No. 1 to 4 are guilty of misconduct under U/s 3(1) (i) (ii) and (iii) of Karnataka Civil Service (conduct) Rules 1966.

3. In order to establish the delinquency of DGO's 1 to 4, the Disciplinary Authority has examined one witness, PW1 Smt. Vasanthamma and got marked Exs. P1 to P4. The DGOs also examined three witnesses, DW1 to DW3. On perusal of the charges leveled against the DGOs 1 to 4 and the evidence available on record. It is clear that the DGOs 2 to 4 have not denied that the changing of the entries in the property tax register into the name of Smt. Anasuya within two days. Said entry appears to have been made very hurriedly without following the procedure as contemplated in the circular dated 18.1.1996. As such the report of the Enquiry Officer is on the basis of the material on record.

4. Perused the Inquiry Officer report, the Inquiry Officer (Additional Registrar of Enquiries- 13) on proper appreciation of oral and documentary evidence has held that, the above charge levelled against the DGO - 1. Sri.



Nagaraj, the then Chief Officer, TMC, Channarayapattana, Hassan District (now retired) is not proved and DGOs 2. Sri. Krishnegowda, the then Revenue Officer, TMC, Channarayapattana, Hassan District (now retired). 3. Sri. Shivananda, Revenue Inspector, TMC, Channarayapattana, Hassan District. and 4. Sri. H.S. Chandrashekar, Chief Officer, TMC, Channarayapattana Taluk, Hassan District, is 'proved'.

5. On re-consideration of report of inquiry and all other materials on record, I do not find any reason to interfere with the findings recorded by the Inquiry Officer. Therefore, it is hereby recommended to the Government to accept the report of Inquiry Officer.

6. As per the First Oral Statement of DGOs furnished by the Enquiry Officer DGO No-2, Krishnegowda is retired from service on 29/02/2016, DGO No-3, Shivananda is retired from service on 31/05/2016 and DGO No-4, H.S.Chandrashekar is due for retirement on 31/01/2044.

6. Having regard to the nature of charge not proved against DGO No.1, and 'proved' against the DGOs 2 to 4,

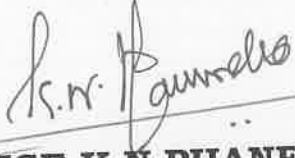
and considering the totality of circumstances, it is hereby recommended to the Government-

- i) 'it is hereby recommended to the Government to accept the report of Inquiry Officer and to exonerate DGO No.1, Sri. Nagaraj, the then Chief Officer, TMC, Channarayapattana, Hassan District of the charges leveled against him'.
- ii) to impose penalty of 'withholding 10% of the pension payable to DGO No. 2 . Sri. Krishnegowda, the then Revenue Officer, TMC, Channarayapattana, Hassan District (now retired).
- iii) to impose penalty of 'withholding 10% of the pension payable to DGO No. 3, Sri. Shivananda, Revenue Inspector, TMC, Channarayapattana, Hassan, District (Now retired).

iv) to impose penalty of 'withholding three annual increments payable to DGO. 4, Sri. H. S. Chandrashekar, Chief Officer, TMC, Channarayapattana Taluk, Hassan District with cumulative effect.

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

Connected records are enclosed herewith.

  
.. 13/05/22  
**(JUSTICE K.N.PHANEENDRA)**  
Upalokayukta-2,  
State of Karnataka.

