

**KARNATAKA LOKAYUKTA**

No: Uplok-1/DE/658/2016/ARE-8

M.S.Building,  
Dr. B.R. Ambedkar Veedhi,  
Bengaluru - 560 001.  
Dated: 28/07/2022  
30/7

**ENQUIRY REPORT**

**Present :** Rajashekar.V.Patil  
Addl. Registrar of Enquiries-8,  
Karnataka Lokayukta,  
Bengaluru.

**Sub:-**The departmental enquiry against Sri. Dharmadas, Kaalawaada, Panchayat Development Officer, Yaraguppi Grama Panchayat, Kundgol Taluk, Dharwad District - reg.

**Ref:-** 1) Report U/Sec 12(3) of the Karnataka Lokayuktha Act 1984 in Complt/Uplok/BGM/167/2012/ARE-8.  
2) G.Order No.ಗ್ರಾಅಪ/754 ಗ್ರಾಪಂಕಾ. 2016, ಬೆಂಗಳೂರು, dated 28/10/2016.  
3) Nomination Order No.Uplok-1/DE/658/2016, Bangalore, dated:24/11/2016.

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Present Departmental Enquiry is initiated on the basis of the complaint lodged by one Sri. Kuthubuddim Imamsab Belagali, aged 35 years, occupation: agriculture, R/o Yaraguppi, Kundgol Taluk, Dharwad District, (herein after referred as 'Complainant') against Sri. Dharmadas,

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30/7/2022

Kaalawaada, Panchayat Development Officer, Yaraguppi Grama Panchayat, Kundgol Taluk, Dharwad District, (herein after referred to as the Delinquent Government Official in short 'DGO') respectively, alleging dereliction of duty.

2. An investigation was undertaken by invoking Section 7 (2) of the Karnataka Lokayuktha Act, DGO submitted his comments. Further an inspection by technical audit cell was directed to inspect the documents of Panchayath and lokayuktha technical audit cell submitted report. Based on the report and the allegations of the complaint, Hon'ble Lokayuktha had sent the report U/Sec. 12(3) of Karnataka Lokayuktha Act on 21/10/2016.
3. The Government on verifying the materials accorded permission vide Ref.No.2 and entrusted the enquiry by issuing notification as per Ref.No.2. Hon'ble Lokayuktha nominated ARE-8 as per Ref. No.3.
4. Brief allegations made in the complaint are that:

Complainant Sri. Kuthubuddim Imamsab Belagali, r/o Yaraguppi, Kundgol Taluk, Dharwad District, lodged a complaint before Lokayuktha on 04/11/2015 with the allegations that an amount of 28 to 30 lakhs has been misappropriated by the DGO while carrying out the works pertaining to employment assurance scheme (NAREGA) and further they have fabricated the documents with regard to

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issuance of job card to the residents of Yeraguppi village, Chikkanarathi village and Mulloli village and out of these job cards and the work carried out 80% of the work is totally false and they have falsely shown the total expenses incurred for completing the project to the extent of Rs.14,67,643/- and further they have fabricated the documents and has shown false project work and mis-appropriated an amount of Rs.12,09,643/- pertaining to the year 2010-11 and further the amount paid to the workers under the employment scheme has not been credited to the bank account of such NAREGA Yojana Workers, though it is shown that they have been paid the wages and above said illegal activity has been committed by the DGO in collusion with the elected president of panchayath.

5. In the course of preliminary enquiry Lokayuktha sent the technical officer from Lokayuktha office, Bengalure, who is auditor and he was instructed to conduct the inspection of the panchayath records pertaining to sanction of amount and expenses incurred by the Yeraguppi village, Chikkanarathi village and Mulloli village grama panchayath of Kundagol Taluk and submit the report and accordingly the report was received. Report was sent to DGO but DGO has not filed his objection.

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20/12/2016

6. On the basis of the nomination, articles of charge was prepared under 11(3) of KCSR & CCA Rules and concerned DGO.

**ANNEXURE No.I**

**CHARGE**

2. That, you – DGO while working as Panchayath Development Officer in Gram Panchayath, Yaraguppi have shown negligence in your duty by issuing job cards to 361 labourers under NAREGA scheme who are not having account in the bank/post office and failed to produce the documents to show that payment has been made to said 361 labourers for the carried out and thereby you DGO have failed to maintain absolute integrity and devotion to duty, the act of which is unbecoming of public/Government Servant and thereby you – DGO have committed misconduct as enumerated under Rule 3(1) of Karnataka Civil Services(Conduct) Rules, 1966.

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Bangalore

**ANNEXURE No.II**

**STATEMENT OF IMPUTATIONS OF MISCONDUCT**

3. On the basis of complaint filed by Sri.Kuthubuddin Imamsab Belagali, r/o Yaraguppi, Kundgol Taluk, Dharwad District (hereinafter referred to as 'complainant' for short) against 1) Sri.Dharmadas Kaalawaada – PDO, Yaraguppi Gram Panchayath, Kundgol Taluk, Dharwad District and 2) Sri.Eranna Sahadevappa Akki, President,

*Done*  
*3.12.2022*

Yaraguppi Gram Panchayath, Kundgol Taluk, Dharwad District alleging misconduct, an investigation was taken up under section 9 of the Karnataka Lokayukta Act, 1984.

4. According to the complainant:

The DGO and Sri.Eranna Sahadevappa have misappropriated Rs.28.30 lakhs in executing the work under MGNREG Scheme during 2010-11. They have issued bogus job cards to the labourers and works have not been executed.

5. Comments of DGO and Sri.Eranna Sahadevappa was called for on the complaint. DGO has submitted comments denying the allegations. He has submitted that the works were verified by the Nodal officers and they expressed satisfaction about the works executed. Sri.Eranna Sahadevappa has submitted comments stating that the accounts of the works executed were placed in Grama Sabha and it was approved in Grama sabha and the amount has been paid after recording the work executed in the M.B. The documents concerning the works have been verified by the higher officers and no illegality have been committed. That he worked as President from 30.6.2011 to November 2012.

6. Complaint was referred to T.A.C. for report. Investigation has been conducted by A.S.-II, T.A.C., Lokayukta (I.O. for short) on the instructions of C.E. The report of I.O. is that:

(i) Under NAREGA scheme it is mandatory for the labourers to have account in bank or post office at the time of registering their names for the job disclosing the account number in the application for the job. But, account number of the bank or post office in respect of 361 labourers is not furnished.

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(ii) There are no documents to show that payment has been made to said 361 labourers for the work carried out by them.

(iii) PDO and the President are responsible to see that the amount is paid to the account of the labourer. But they have failed in their duty in giving job to labourers who have no account in Bank or post office.

7. The report of I.O. was sent to DGO and Sri.Eranna Sahadevappa for reply. DGO has submitted reply, but he has not denied that 361 labourers are not having account in the bank/post office.

8. The report of I.O. prima facie show that DGO had neglected in his duty by issuing job cards to 361 labourers who are not having account in the bank/post office which amounts to misconduct.

9. Since the said facts and materials on record prima facie show that DGO has committed misconduct under Rule 3(1) of KCS (Conduct) Rules 1966, recommendation is made under section 12(3) of Karnataka Lokayukta Act, 1984 to the Competent Authority to initiate Disciplinary Proceedings against the DGO under Rule 14-A of K.C.S. (CCA) Rules, 1957. Accordingly, the Competent Authority initiated Disciplinary Proceedings against the DGO and entrusted the enquiry to the Hon'ble Upalokayukta under Rule 14-A of KCS(CCA) Rules. Hence, the charge.

Additional Registrar Equiries-8,  
Karnataka Lokayukta,  
Bangalore.

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7. Summons was issued along with copy of article of charge and DGO appeared and FOS was recorded, DGO has denied the charges, pleads not guilty and claims to be tried.
8. DGO has filed the objections contending that a false complaint has been lodged against him by the complainant to Lokayuktha and he is not mis-appropriated any money in all three schemes allegedly relating to MGNREG employment Scheme (Mahatma Gandhi National. Rural Employment Guarantee Act 2005, Ministry of Rural Development, Government of India.) and illegal payments or wages being made to the labours for the work carried out under the scheme and present complaint is lodged by the complainant in collusion with the then elected president of panchayath.
9. He has specifically contended that during the period of said work carried out i.e., 2009-2010 and 2010-2011 he was not working as Panchayath Development Officer in the said panchayath and no payments have been made during the period as officer.
10. In order to prove the allegations P.O. made in the articles of charges, the disciplinary authority has examined PW.1 and 2 and got marked Ex.P.1 to Ex.P.13. After the closure of the evidence of enquiry authority DGO got examined himself as DW.1 and got marked Ex.D.1 to Ex.D.7 on his behalf.

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11. Heard the arguments of P.O. and the defence Counsel Sri. RS and advocate for DGO has filed written arguments and case was posted for submitting final report.
12. Following points arise for my consideration;

Whether the Charge leveled against DGO Sri. Dharmadas, Kaalawaada, Panchayat Development Officer, Yaraguppi Grama Panchayat, Kundgol Taluk, Dharwad District, is proved by the Disciplinary Authority?

13. My answer to the above point is in the '**Negative**' for the following:

### **REASONS**

14. In order to prove the allegations made in the Articles of Charges, the P.O. has examined PW.1 and has got marked Ex.P.1 to Ex.P.4.
15. PW.1 complainant has stated that during the period of carrying out the project of work of MGNREG employment scheme from 2009 to 2010-11. DGO was the Panchayath Development Officer during that relevant period and one Eranna was elected president of panchayat having found huge mis-appropriation of the public funds allotted to grama panchayat to carry out unemployment schemes for construction of reservoir and releasing the labour wages by

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not following the procedures introduced by the government by issuing notification such as making payment of the wages to the labours by cash without depositing them in their bank accounts directly as per the statutory requirements.

- 16.** Apparently, the chief examination of complainant is very much cryptic and he has been cross examined by the counsel of DGO, in which PW.1 has stated that he does not know the facts and figures relating to issue job cards under MGNREG employment scheme and he has not produced any records to show that an amount of Rs.28 to 30 lakhs has been misappropriated and he has not produced any job cards issued falsely relating to Chikkanarli village and so also job cards issued to the residents of Mullolli village to the extent of 262 and a direct suggestion has been made in the cross examination that DGO was not working as Panchayath Development Officer in the said panchayath of Yeraguppi village, during the period from 2009-10 and 2010-11 and it is specifically suggested that DGO was working as Panchayath Development Officer in the panchayath from 29/06/2011 to 03/09/2012 and which has been admitted by PW.1 stating that it may be possible, and PW.1 has admitted that he has not produced any records to show that the DGO was working in the said panchayath at relevant time and further admitted that he has not produced any accounts and records along with his complaint pertaining to fabrication of documents and misappropriating the amount and he has not furnished any

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records to show that when this project commenced and when they were completed and he admits that the enquiry file does not contain any accounts or documents relating to misappropriating the government fund while carrying out MGNREG employment scheme by DGO and further admits that he has not lodged any grievance to the superiors of DGO like CAO of Z.P. Dharwad. Further he has specifically admits in the cross examination that his complaint not Ex.P.3 was got written through one S.S. Patil and it is submitted to Lokayuktha.

- 17.** Further in support of the articles of charges, PW.2 M.V. Dattathri, who is Audit Officer appointed through Bengaluru Lokayuktha and he was directed to inspect the records pertaining to the Rural Employment Scheme in three villages referred in the complaint.
- 18.** PW.2 has stated that in response to the instructions and directions given by Hon'ble Lokayuktha office he proceeded to Yeraguppi, Chikkanarli and Mulloli village panchayath and inspected the records pertaining to rural employment scheme wherein the amount was invested for constructing the agricultural water pond, land bunds and also all the accounts of credit and debit pertaining to MGNREG scheme introduced by the government and he has further stated that the Hon'ble Lokayuktha had asked him to find out whether the wages to be paid to agricultural farmers in MGNREG scheme was

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deposited in their bank accounts or not and is it mandatory that the wages of the farmers worked in the scheme are to be paid through bank account payments. In this regard, he collected the relevant notification pertaining to the utilization of the amount involved in the scheme and also mode of payment of the amount and further after verifying the records like the notifications, schemes, mode of implementing all schemes and also the list of agricultural farmers and compulsory requirement of job card holders like agricultural farmers received benefits under the MGNREG scheme or they should have a post office savings account etc., produced records like list of agricultural farmers worked in the scheme like Ex.P.8 and the notification of implementation of the scheme like Ex.P.10 and particularly worker should have bank accounts to receive their wages marked at Ex.P.12.

- 19.** The witness has been cross examined by defence counsel in order to elicit the disputed fact that the DGO was not working as a Panchayath Development Officer in Yeraguppi grama panchayath at the relevant period when this MGNREG employment assurance scheme was implemented. In the cross examination he has admitted that he has not verified the records pertaining to service rendered by DGO during the period of 2010-11 when MGNREG work was alleged to have been carried out and further he has admitted that he has not verified 361 job cards issued to the beneficiaries and he did not summon the DGO to find out the discrepancies and he did

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not enquire the panchayath president members to find out the truth behind the allegations.

- 20.** Close reading of the evidence of PW.1 and 2 makes it clear that the government has introduced MGNREG scheme to three villages falling within the jurisdiction of Yeraguppi village panchayat wherein the rural employment scheme was to be implemented in Chikkanarthi village, Mulloli village and Yeraguppi village.
- 21.** The evidence of PW.1 only deals with the production of complaint Ex.P.1 to 3 and the list of agricultural farmers worked in the rural employment scheme of MGNREG, Ex.P.4 is the cash book pertaining to the said MGNREG scheme it is opened with the date 01//04/2009 with the opening balance of Rs.89,647/- and runs in several pages disclosing the amount allotted for the Krushi Honda, agricultural water pond, cheque Nos. are mentioned, bank commission amount deducted, list of the schemes name like Krushi Honda, constructing of bunds and cash amount having and amount issued through cheque to implement the scheme through banks like KGB Bank and Axis Bank etc., it extends all the three villages of Kundgoal Taluk Panchayath referred above, and this Ex.P.1 discloses that transactions are continued till 20/06/2011 and the name of the persons who worked in the scheme for their wages are mentioned with their job card

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numbers and with their name like Goolappa, Thippanna with Sl.No. 1 to 1294. Further Ex.P.5 and 6 are receipts and application pertaining to information sought by complainant through panchayath, Ex.P.7 is also the list of information pertaining to the scheme implemented in villages, nature of work carried out and Ex.P.8 is also the list of workers, wages issued with job card and worked in MGNREG scheme of rural development employment scheme i.e., from Sl.No.1 to 361. Ex.P.9 is the notification issued by State Government dtd:01/02/2007 by the Secretariat, Rural and Panchayat Raj which discloses the commencement of schemes, fund allotted, mode of implementing the scheme, qualification of the persons to receive the benefits and commencement and concluding period of scheme and documents public added from time to time and mode of registration of persons to be employed in the scheme and payments of wages to be made through banks and post offices pertaining to MGNREG scheme and format of application.

- 22.** Close perusal of the above said report, would make it clear that the grama panchayath of Yeraguppi village implemented the schemes of MGNREG relating to construction of agricultural water pond and other related works, they have issued job cards, prepared the list of employees and the amount paid to them and number of persons who received the benefits.

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**23.** It is relevant to note that Hon'ble Lokayuktha while submitting 12(3) report after receiving the comments from DGO and also rejoinder of the complainant himself has arrived at a conclusion that the documents concerning the work have been verified by higher officer and no misappropriation has been committed during the period as they are supported by the grama panchayat members passed with the resolution signed by president covering the period of work from 30/06/2011 to Nov. 2012. But after receiving the report of the PW.2-Audit officer while preliminary enquiry report under 12(3) of Karnataka Lokayuktha was not convinced about the mandatory requirement to be followed to make payment to the agricultural labour through bank account or post office account and the labours should have a bank account when they are registered by the panchayath as labours to receive benefits under MGNREG scheme. This is the disputed fact which was to be proved in the enquiry.

**24.** The allegations made by the complainant about misappropriating 28 to 30-lakhs of rupees has not been established by the disciplinary authority because PW.1 has not at all produced any records pertaining to alleged committing of misappropriation by the DGO in the scheme by fabricating the panchayath records pertaining to job cards, preparation of list of labours, fabricating false vouchers or

  
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creating registers conveniently to suit the evil purpose of receiving wrongful gain.

**25.** With regard to the material allegation that whether or for which the enquiry is held that whether the labour charges of rural employment scheme were made through bank account payment or not. In this regard, the Auditor-PW.2 has produced the relevant notifications issued by Secretariat office of Rural and Panchayath Raj, Government of Karnataka. In this regard the burden is on the disciplinary authority to prove that amount was not paid to the beneficiaries by directly depositing the amount in their account and no relevant records were produced and technical officer PW.2 has not examined any one of the beneficiaries of the scheme among 294 and 361 labours that whether the labour charges were paid by mode of depositing the amount directly in the bank.

**26.** The second material fact in issue is that whether the DGO was working as Panchayath Development Officer in the said Panchayath during the period when the MGNREG scheme was executed. It is seen from Ex.P.4 and other records the scheme was introduced in 2008 and 2009 and it commenced in April 2009 and it was carried out in continuation till 2011-2012 and cash books are also maintained corresponding to the work turned out by beneficiaries of the schemes and list of





documents of the beneficiaries is also produced. The last payment is said to have been made to the beneficiaries through cheque on 10/03/2011 or so mentioning the cheque numbers and specific amount.

**27.** DW.1 having got himself examined has stated that he was working as a DGO in the said Yeraguppi Grama panchayath of Kundgoal Taluk and took charge on 07/06/2011 and the copy of the said letter of office is marked as Ex.D.2 and report of duty document is at Ex.D.3, which discloses that he took charge on 29/06/2011 and further he has stated that execution officer of Taluk Panchayath, Kundgoal has deputed him as Panchayath Development Officer to his office to carry out the work of scheme in turn he had deputed some officials to carry out the works and on 03/09/2011 he was transferred from Yeraguppi village to Samshi grama panchayath, as per the office Order dtd.11/02/2012 marked at Ex.D.5 and he was also under gone medical leave from 03/09/2012 to 10/12/2012 and he reported at Samshi panchayat on 11/12/2012 marked at Ex.D.6.

**28.** Close assessment of all the records as referred above, disclos that the above said MGNREG rural employment scheme was introduced by the government in three villages like Yerraguppi village, Chikkanarli village and Mulloli village

*7/12/2012*

part of Yerraguppi grama panchayat of Kundgol Taluk, Dharward District and the scheme was in progress, the job card holders were identified from 01/04/2009 and they were given employment and amount was disbursed and accounts are to be maintained, cash book has been maintained, it disclosed that several transactions are noted and they come to an end on 10/03/2011 and also further the job card holders list pertain to two villages concerning of 1294 persons and 391 persons of Yerraguppi grama panchayath and the work of MGNREG almost come to an end by April 2011.

**29.** It is evidenced from records produced by the DGO that he assumed charge at Yerraguppi panchayath as Panchayath Development Officer as per Ex.D.2 which discloses that he took charge on 29/06/2011 and he was again transferred from Yerraguppi village to Samshi panchayat of Kundgola Taluk on 03/09/2011 that means he worked for hardly three months at grama panchayat as Panchayath Development Officer of Yerraguppi village, Kundgola Taluk and it is evident that he was on medical leave from 03/09/2011 to 10/04/2011 which was signed by Taluka Panchayath Officer, Kundgoal, and he reported to duty to Samshi panchayat on 11/12/2012.

**30.** So it is obvious that this scheme of MGNREG had commenced in the month of April 2009 and it continued till April 2011 and DW.1 DGO has assumed charge on

*J. Reddy 30/12/11*

29/06/2011 and was relieved from the post on 03/09/2011. In these three months, he has not made any payments to the agricultural workers or labours who worked in the scheme with job cards issued by panchayat. So it is candidly inferable that misconduct or dereliction of duty is not committed by DGO by making payment of the wages by issuing cheque not depositing them directly in the bank account, as per the mandatory circulars are not established with the evidence of PW.1 and 2 and the relevant documents produced by disciplinary authority.

- 31.** It is not in dispute that the DGO has not misappropriated 28 to 30 lakhs in MGNREG scheme of three villages of Yerraguppi panchayat, because no relevant records are produced by disciplinary authority through PW.1. The material fact in issue was that the wages were not paid to the beneficiaries by directly depositing them in their bank account, though it is made through bank cheques, but the period of service rendered by DGO in Kundgoal panchayat from 29/06/2011 to 03/09/2011 and in three months it is difficult task for any government employee to make payments of Rs.30-lakhs relating to the transactions commencing from April 2009 to March 2011. So the dereliction duty as alleged against DGO that he has not made payment of the wages of agricultural labours during the period of duty from 29/06/2011 till 03/09/2011 who were the beneficiaries under

*Reed*  
30/7/2016

the MGNREG scheme for construction of agricultural reservoirs in three villages of Yerraguppi grama panchayath is not established.

**32.** So to sum-up the evidence of complainant PW.1 is cryptic, he has not produced any records to show that the amount of Rs.28 to 30-lakhs has been misappropriated by DGO by fabricating the documents and issuing false job cards and making fictitious payment in the name of non-existing persons by creating false document. The evidence of PW.2-Auditor only discloses about not making payment of wages by way of depositing in the bank account as per the relevant notifications of Secretariat, Rural Development and Panchayath Raj. Further during the relevant period of implementation of MGNREG scheme from 2009 to 2012, DGO has hardly worked for two and half months and he was not working in the said panchayath as DGO from the date of commencement of scheme and work from April 2009 to Jan.2012.

**33.** In view of the elaborate discussion made above, this enquiry authority is constrained to hold that, the charge framed against DGO is not established. In the result above point is answered in the '**NEGATIVE**' and I proceed to record the following;

*True*  
30/7/2016

### **FINDINGS**

The Disciplinary Authority has not proved the charges leveled against the Delinquent Government Official Sri. Dharmadas, Kaalawaada, Panchayat Development Officer, Yaraguppi Grama Panchayat, Kundgol Taluk, Dharwad District.

Submitted to Hon'ble Registrar, Karnataka Lokayukta, Bengaluru for further action in the matter.

  
(RAJASHEKAR.V.PATIL)

Additional Registrar Enquiries-8  
Karnataka Lokayukta, Bengaluru.

### **ANNEXURES**

**1. LIST OF WITNESSES EXAMINED ON BEHALF OF DISCIPLINARY AUTHORITY:**

PW1	Sri. Kuthubuddin Imamsab Belagali
PW2	Sri. M.V. Dathathri. Retired audit officer, TAC, Bengaluru.

**LIST OF DOCUMENTS MARKED ON BEHALF OF DISCIPLINARY AUTHORITY:**

Ex.P1	Form No.1- complaint submitted before Hon'ble Lokayuktha by the complainant-PW1.
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Ex.P.1(a)	Signature of PW.1
Ex.P2	Form No.2 Complainant's Affidavit
Ex.P.2(a)	Signature of PW.1
Ex.P3	Elaborate complaint submitted by PW.1
Ex.P.3(a)	Signature of PW.1
Ex.P4	Cash Book Documents containing 119-sheets
Ex.P5 & 6	Receipt and endorsement issued by Yeraguppi panchayath to PW.1 complainant
Ex.P7	Information containing two sheets issued by Yeraguppi panchayath to PW.1 complainant
Ex.P8	List of labours containing page No.179 to 193
Ex.P9	Notification from Karnataka Government, Rural Development and Panchayath Raj Department, containing page No.171 to 173.
Ex.P.10	National Rural Employment Scheme instructions 2005 containing page No.176 to 178.
Ex.P.11	Application for appointment form
Ex.P.12	Instructions issued in Gazette Dtd.01/02/2007
Ex.P.13	Note sheet from 55 to 66 submitted by PW.2
Ex.P.13(a)	Signature of PW.2

**2. LIST OF WITNESSES EXAMINED ON BEHALF OF DGO :**

DW1	Sri. Dharmaprasad Kaalawaad
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**LIST OF DOCUMENTS MARKED ON BEHALF OF DGO:**

Ex.D1	Order of promotion from C.E.O. of Z.P. Dharawad, to complainant-PW.1
Ex.D2	Duty report of PW.1 at Kundgoal Taluk panchayat dtd.07/06/2011
Ex.D3	Letter submitted by Executive officer, Taluk Panchayath, Kundgoal to Chief Executive Officer,

	Z.P. Dharawad, dtd.29/06/2011
Ex.D4	Copy of Order issued by Executive officer, Taluk Panchayath, Kundgoal dtd.29/06/2011
Ex.D5	Copy of Order issued from Executive officer, Taluk Panchayath, Kundgoal, dtd.11/12/2012
Ex.D.6	Duty report of complainant PW.1 at Shamshi grama panchayath dtd.11/12/2012.
Ex.D.7	Detail reply submitted by complainant PW.1 to Addl. Registrar, Lokayuktha, dtd.29/03/2014 (two sheets)

  
(RAJASHEKAR.V.PATIL)

Additional Registrar Enquiries-8  
Karnataka Lokayukta,  
Bengaluru.





KARNATAKA LOKAYUKTA

No.UPLOK-1/DE.658/2016/ARE-8

Multi Storied Building,  
Dr. B.R. Ambedkar Veedhi,  
Bengaluru-560 001.  
Dated 02.08.2022.

RECOMMENDATION

Sub:- Departmental inquiry against Sri Dharmadas Kaalawaada, Panchayath Development Officer, Yaraguppi Grama Panchayath, Kundagol Taluk, Dharwad District - reg.

Ref:- 1) Government Order No. RDP 754 GPS 2016 dated 24.11.2016.

2) Nomination order No. UPLOK-1/DE.658/2016 dated 24.11.2016 of Upalokayukta, State of Karnataka.

3) Inquiry report dated 30.07.2022 of Additional Registrar of Enquiries-8, Karnataka Lokayukta, Bengaluru.

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The Government by its order dated 24.11.2016 initiated the disciplinary proceedings against Sri Dharmadas Kaalawaada, Panchayath Development Officer, Yaraguppi Grama Panchayath, Kundagol Taluk, Dharwad District, [hereinafter referred to as Delinquent Government Official, for short as

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'DGO' ] and entrusted the Departmental Inquiry to this Institution.

2. This Institution by Nomination Order No. UPLOK-1/DE.658/20165 dated 24.11.2016 nominated Additional Registrar of Enquiries-8, 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 was tried for the charge of illegally issuing job cards to 361 labourers who were not having bank/post office account and failing to produce documents showing payment made to them under NAREGA scheme and thereby committing misconduct.

4. The Inquiry Officer (Additional Registrar of Enquiries- 8) on proper appreciation of oral and documentary evidence has held that, the Disciplinary Authority has '*not proved*' the above charge against the DGO Sri Dharmadas Kaalawaada,

Panchayath Development Officer, Yaraguppi Grama  
Panchayath, Kundagol Taluk, Dharwad District.

5. On re-consideration of report of inquiry and on perusal of the entire records, 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 and exonerate DGO Sri Dharmadas Kaalawaada, Panchayath Development Officer, Yaraguppi Grama Panchayath, Kundagol Taluk, Dharwad District, of the charges leveled against him.

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

Connected records are enclosed herewith.

  
(JUSTICE K.N.PHANEENDRA)  
Upalokayukta,  
State of Karnataka.

