

GOVERNMENT OF KARNATAKA



KARNATAKA LOKAYUKTA

No.LOK/INQ/14-A/665/2014/ARE-8

Multi Storied Building,
Dr. B.R. Ambedkar Veedhi,
Bengaluru-560 001
Dated 10/07/2019

RECOMMENDATION

Sub:- Departmental inquiry against
Sri Veeresh M., Panchayath Development Officer,
Bijakallu Grama Panchayath, Kushtagi Taluk, Koppal
District. – Reg.

- Ref:- 1) Government Order No.ಗ್ರಾಅಪ/564/ಗ್ರಾಪಂಚಾ/2014 Bengaluru
dated 23/12/2014
- 2) Nomination order No.LOK/INQ/14-A/665/2014,
Bengaluru dated 27/12/2014 of Upalokayukta-1,
State of Karnataka, Bengaluru
- 3) Inquiry Report dated 8/7/2019 of Additional
Registrar of Enquiries-8, Karnataka Lokayukta,
Bengaluru

The Government by its Order dated 23/12/2014, initiated the disciplinary proceedings against Sri Veeresh M., Panchayath Development Officer, Bijakallu Grama Panchayath, Kushtagi Taluk, Koppal District (hereinafter referred to as Delinquent Government Official, for short as DGO) and entrusted the Departmental Inquiry to this Institution.

2. This Institution by Nomination Order No.LOK/INQ/14-A/665/2014, Bengaluru dated 27/12/2014 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 Sri Veeresh M., Panchayath Development Officer, Bijakallu Grama Panchayath, Kushtagi Taluk, Koppal District was tried for the following charge:-

"That you - Sri Veeresh M. - Panchayath Development Officer, Bijakallu Grama Panchayathi, Kushtagi Taluka, Koppal District - DGO while discharging your duties:


- i) You - DGO had not taken photos of construction of the house by Smt. Mallavva Gurappa Upanalala for all three stages;
- ii) You - DGO failed to produce photographs of construction of house by Smt. Nethravathi Narasimha Thotad for all the stages;
- iii) Though Smt. Basamma Gurupadappa Chaluvadi has not constructed any house, you - DGO had taken photograph of the old house already constructed;
- iv) You - DGO had not verified that Smt. Sharanamma Chidanandappa Cheluvadi had not constructed any new house and also made payment for the old house;
- v) You - DGO had released amount to Smt. Manjula Thippanna Bhovi towards already constructed house and failed to produce photographs of the houses constructed;
- vi) You - DGO had released entire amount towards construction of house of Smt. Renuka Gavisiddappa Gadad within a span of four days;

- vii) You – DGO had not verified that Smt. Basamma Shivaputrappa Gadad had not constructed any new house and she had only constructed front wall to the existing house;
- viii) You – DGO made payment to Smt. Sangamma Basappa Bhujamagadi for the existing house and failed to produce photographs of any stage of the construction of the house;
- ix) You – DGO made payment to Smt. Doddamma W/o. Ramanagowda Police Patil, for the house constructed by Junior Engineer and not to the beneficiary namely, Smt. Badravva Shanthavva Gujamagadi;
- x) You – DGO made payment to Smt. Yallavva Yamunappa Guthera, though no house was constructed by her and she had shown an old house;
- xi) You – DGO has not taken photographs of any stage of construction of house by Smt. Gangavva Dyamanna Takkalakki;
- xii) You – DGO has not followed guidelines framed, besides norms of the Scheme under Indira Awaas Yojane.

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

4. The Inquiry Officer (Additional Registrar of Enquiries-8) on proper appreciation of oral and documentary evidence has held that the Disciplinary Authority has proved the above charges against DGO Sri Veeresh M., Panchayath Development Officer, Bijakallu Grama Panchayath, Kushtagi Taluk, Koppal District.
5. On re-consideration of inquiry report, I do not find any reason to interfere with the findings recorded by the Inquiry Officer. It is hereby recommended to the Government to accept the report of Inquiry Officer.
6. As per the First Oral Statement submitted by DGO, he has retired from service on 31/7/2018.
7. Having regard to the nature of charges proved against DGO Sri Veeresh M., it is hereby recommended to the Government for imposing penalty of permanently withholding 10% of pension payable to DGO Sri Veeresh M., Panchayath Development Officer, Bijakallu Grama Panchayath, Kushtagi Taluk, Koppal District.
8. Action taken in the matter shall be intimated to this Authority.

Connected records are enclosed herewith.


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

KARNATAKA LOKAYUKTA

No:LOK/INQ/14-A/665/2014/ARE-8

M.S. Building,
Dr. Ambedkar Veedhi,
Bangalore, Dated: 08-07-2019**ENQUIRY REPORT**

Present: Sri.Mohamed Ashraf Aris,
Additional Registrar Enquiries -8,
Karnataka Lokayukta,
Bengaluru.

Sub: Departmental Inquiry against Sri Veeresh.M
Panchayath Development Officer, Bijakallu
Grama Panchayathi, Kushtagi taluk, Koppal
District

Ref: (1) Government Order No.RDPR 564 GraPamKa
Dated 23-12-2014

(2) Nomination Order No.LOK/INQ/14-A/665/2014
Bengaluru Dated 27-12-2014

Preamble:

1. This is a Departmental Enquiry directed on the basis of Government Order No. RDPR 564 GraPamKa 2014 Bangalore dt.23-12-2014 against Sri Veeresh. M, Panchayath Development Officer, Bijakallu Grama Panchayathi, Kustagi taluk, Koppal district (herein after referred to as Delinquent Government Official, in short 'DGO')



2. The Hon'ble Upalokayukta has nominated Additional Registrar of Enquiries-8, of the office of the Karnataka Lokayukta, to frame charge and to conduct inquiry against the aforesaid DGO as per the nomination order dated 27-12-2014. Accordingly, Articles of Charge was framed by Additional Registrar Enquires-8.

The Articles of Charges against the D.G.O.s is as below;

That you - Sri.Veeresh M. - Panchayath Development Officer, Bijakallu Grama Panchayathi, Kushtagi Taluka, Koppal District - DGO while discharging your duties:

- i. *You - DGO had not taken photos of the construction of the house by Smt.Mallavva Gurappa Upanala for all 3 stages.*
- ii. *You - DGO failed to produce photographs of construction of house by Smt.Nethravathi Narasimha Thotad for all the stages.*
- iii. *Though Smt.Basamma Gurupadappa Cheluvadi has not constructed any house, you - DGO had taken photograph of the old house already constructed.*
- iv. *You - DGO had not verified that Smt.Sharanamma Chidanandappa Cheluvadi had not constructed any new house and also made payment for the old house.*
- v. *You - DGO had released amount to Smt.Manjula Thippanna Bhovi towards already constructed house and failed to produce photographs of the houses constructed.*
- vi. *You - DGO had released entire amount towards construction of house of Smt.Renuka Gavisiddappa Gadad within a span of four days.*
- vii. *You - DGO had not verified that Smt.Basamma Shivaputrappa Gadad had not constructed any new house and she had only constructed front wall to the existing house.*



- viii. You - DGO made payment to Smt.Sangamma Basappa Bhujamagadi for the existing house and failed to produce photographs of any stage of the construction of the house.
- ix. You- DGO made payment to Smt.Doddamma W/o Ramanagowda Police Patil, for the house constructed by Junior Engineer and not to the beneficiary namely, Smt.Badravva Shanthavva Gujamagadi.
- x. You - DGO made payment to Smt.Yallavva Yamunappa Guthera, though no house was constructed by her and she had shown an old house.
- xi. You - DGO has not taken photographs of any stage of construction of house by Smt.Gangavva Dyamanna Takkalakki.
- xii. You - DGO has not followed guidelines framed, besides norms of the Scheme under Indira Awaas Yojane.

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

STATEMENT OF IMPUTATION OF MISCONDUCT
IS AS FOLLOWS:-

An investigation was taken up under Section 9 of the Karnataka Lokayukta Act on the basis of complaint filed by Sri.Kanakappa S.Talawar of Bijakallu in Kustagi Taluka of Koppal District (hereinafter referred to as 'Complainant') against 1) Sri.Veeresh M. - Panchayath Development Officer - DGO, and 2) Sri.Basavaraj Madar - Bill Collector, both of Bijakallu village panchayath in Kushtagi Taluka of Koppal District, alleging their misconduct.

According to the complainant: Sri.Basavaraj though appointed in the year 2001, has acquired properties disproportionate to his known source of income as mentioned in the complaint. So, that matter was referred to Additional Director General of Police, Lokayukta of Bangalore for investigation and report.



A report of the Executive Officer of Taluka Panchayath of Koppal was called for on the complaint. So, after enquiry, the Executive Officer has made report against DGO and one Sri.Siddappa Takkaliki.

Comments were called for from DGO and Sri.Siddappa Takkaliki on the said report and complaint.

DGO filed his comments stating that complainant has filed a false complaint against him for the reasons mentioned by him. However, so far as issuing cheques are concerned, DGO admitted that he issued the cheques under the influence/pressure of Sri.Siddappa Takkaliki as he was bound by the instructions of Sri.Siddappa Takkaliki.

A careful consideration of materials on record shows that:

- i) Photos of the construction of the houses by Smt.Mallavva Gurappa Upanala for all the 3 stages had not been taken;
- ii) Smt.Nethravathi Narasimha Thotad has not constructed any house and even photographs of said house for all the stages are not forthcoming;
- iii) Though Smt.Basamma Gurupadappa Cheluvadi has not constructed any house, photograph of a house already constructed has been taken;
- iv) Smt.Sharanamma Chidanandappa Cheluvadi has also not constructed any new house;
- v) Amount was released to Smt.Manjula Thippanna Bhovi towards already constructed house;
- vi) Within a span of four days, entire amount towards construction of house was released to Smt.Renuka Gavisiddappa Gadad;
- vii) Smt.Bassamma Shivaputrappa Gadad has constructed only front wall to the existing house;



- viii) Payment to Smt.Gangamma Basappa Bhujamagadi was made for the existing house and photographs of any stage of the construction of the house has not been produced;
- ix) Payment was made to Smt.Doddamma w/o Ramanagowda Police Patil, who is the cousin sister of Junior Engineer and not to the beneficiary namely Smt.Badravva Shanthavva Gujamagadi;
- x) Payment was made to Smt.Yallavva Yamunappa Guthera, though no house was constructed by her and she had shown old house;
- xi) Photographs of any stage of construction of house by Smt.Gangavva Dyamanna Takkalakki is not available;
- xii) Guidelines framed besides norms of the Scheme under Indira Awas Yojane have not been followed by DGO and Sri.Basavaraj and Siddappa Takkalakki.

In view of the said facts and material on record besides the statement of DGO in his comments as to why he made payments, his reply is not found satisfactory so as to drop the proceedings against DGO.

The facts supported by the materials on record prima facie show that the DGO, being a public/Government servant, has failed to maintain absolute devotion to duty and also acted in the manner unbecoming of a public/Government servant, and thereby committed misconduct and made herself liable for disciplinary action.

Since the said facts and material on record prima-facie show that DGO has committed misconduct as per Rule 3(1) (ii) & (iii) of the KCS (conduct) Rules, 1966, recommendation under section 12(3) of the Karnataka Lokayukta Act, was made of the competent Authority to initiate disciplinary proceedings against the DGO.

The Competent Authority namely, Government after considering the recommendation made in the report, entrusted the matter of the Hon'ble Upalokayukta to conduct departmental/disciplinary proceedings against the DGO. Hence the charge.



3. DGO appeared before Enquiring Authority in pursuance to service of Articles of Charge.

4. First oral statement was recorded wherein D.G.O. pleaded not guilty and claimed for conducting enquiry.

4. DGO has filed written statement.

DGO's contention in his written statement is as follows:-

In the General Body Meeting held on 23-06-2011, Resolution No.6 was passed as follows, in respect of the Indira Awaz Scheme.

“ಅಧ್ಯಕ್ಷರು ಸಭೆಗೆ 2008-09ನೇ ಸಾಲಿನಲ್ಲಿ ಹೆಚ್ಚುವರಿಯಾಗಿ ಇಂದಿರಾ ಆವಾಸ್ ಮನೆಗಳು ಮಂಜೂರುಯಾಗಿದ್ದು, ಆ ಫಲಾನುಭವಿಗಳ ಮನೆಗಳು ಮಣ್ಣಿನಿಂದ ಕೂಡಿದ್ದು, ಕೆಲವು ಮನೆಗಳು 2009-10ರಲ್ಲಿ ಅತಿ ಮಳೆಯಾಗಿ ಬಿದ್ದಿದ್ದು, ಫಲಾನುಭವಿಗಳಿಗೆ ವಾಸಕ್ಕೆ ತೊಂದರೆಯಾಗಿದ್ದು, ಅವಸರದಲ್ಲಿ ಮನೆಗಳನ್ನು ಕಟ್ಟಿಕೊಂಡಿದ್ದಾರೆ ಎಂದು ತಿಳಿಸಿ ಅವರಿಗೆ ಚೆಕ್ ಕೊಡುವ ವ್ಯವಸ್ಥೆ ಮಾಡಬೇಕಾಗಿದೆ ಎಂದು ತಿಳಿಸಿದರು”

“ಅದಕ್ಕೆ ಕಾರ್ಯದರ್ಶಿಯವರು ವಿವರವಾಗಿ ತಿಳಿಸಿ ಸರ್ಕಾರದ ನಿಯಮದಂತೆ ಮೂರು ಹಂತದ ಫೋಟೋಗಳು ಇದ್ದರೆ ಮಾತ್ರ ಕೊಡಲಾಗುತ್ತಿದೆ ಎಂದು ತಿಳಿಸಿದರು”

“ಸಭೆಯ ಅಧ್ಯಕ್ಷರು ಹಾಗೂ ಸದಸ್ಯರು ಚರ್ಚಿಸಿ ಅವರಿಗೆ ಮೂರು ಹಂತದ ಫೋಟೋ ತೆಗೆಸುವುದು ಗೊತ್ತಿಲ್ಲದ ಕಾರಣ ಫೋಟೋ ತೆಗೆಸಿರುವುದಿಲ್ಲ ಅವರು ಮನೆ ಕಟ್ಟಿಕೊಂಡಿದ್ದು ನಿಜವಿರುತ್ತದೆ. ಅವರಿಗೆ 2 ಹಂತದ ಅಥವಾ ಮೂರು ಹಂತದಲ್ಲಿ ಚೆಕ್ ವಿತರಣೆ ಮಾಡಬಹುದು ಎಂದು ಠರಾವು ಪಾಸ್ ಮಾಡಿದರು”

This resolution has been signed by the President and Panchayath Development Officer. The said Resolution has been done legally and there has been no violation of any law. Cheques have been issued for the houses built under the Indira Awaz Scheme on

humanitarian grounds. The beneficiaries have given written statements stating that the old houses fell due to heavy rains during 2009-10 and hence built the houses as sanctioned by the Government and that they did not know that photos have to be taken at every stage. There is no misappropriation of amount.

5. On behalf of the Disciplinary Authority, four witnesses have been examined as PW1 to PW4 and 29 documents have been marked as Ex.P-1 to P-29.

6. After the closure of evidence on behalf of Disciplinary Authority, the DGO filed Defense Statement repeating the defense stated in his written statement. DGO examined himself as DW-1 and got marked 8 documents as Ex.D-1 to D-8. Both sides have been heard.

8. The following witnesses were examined on behalf of the Disciplinary Authority

- (1) PW1: A.H.Katimani
- (2) PW2: Jayappa.M
- (3) PW3: Kallappa Gurikar
- (4) PW4: C.B.Myageri

9. The following documents were marked as exhibits on behalf of the Disciplinary Authority



- Ex.P-1 Letter dt.19-10-2012 of C.E.P., Z.P., Koppal
- Ex.P-2 Report containing details of payment made through cheque to the beneficiaries of Bijakal G.P.
- Ex.P-3 Letter dt.23-11-2012 of E.O., Taluk Panchayath, Kustagi
- Ex.P-4 Photographs of Beneficiaries
To
- Ex.P-14
- Ex.P-15 File pertaining to Smt.Netravathi, beneficiary
- Ex.P-16 Copy of cash book regarding payment of money to beneficiaries
- Ex.P-17 Letter dt.25-07-2012 addressed to E.O., Taluk Panchayath
- Ex.P-18 Investigation Report
- Ex.P-19 List of beneficiaries
- Ex.P-20 Complaint addressed to Deputy Commissioner
- Ex.P-21 Investigation Report of B.H.Kattimani
- Ex.P-22 Investigation Report submitted by Jayappa, E.O. and Kallappa Gurikar
- Ex.P-23 Copy of Service Register of Sangappa Harijan
- Ex.P-24 Photo of house of Netravathi Grama Panchayath
- Ex.P-25 Statement of Basavaraj Madar dt.20-11-2012
- Ex.P-26 Letter dt.07-05-2013 addressed to A.R.E.-6
- Ex.P-27 Covering letter to the Investigation Report
- Ex.P-28 Investigation Report of C.B.Myageri
- Ex.P-29 Letter dt.30-04-2013 of Bylappa Myageri, Asst. Director and B.H.Katimani, Assistant Statistical Officer
- Ex.P-30 Form No.I
- Ex.P-31 Form No.II
- Ex.P-32 Detail complaint
- Ex.P-33 Documents enclosed to complaint
- Ex.P-34 Comments dt.01-04-2014 of M.Veeresh

10. The following witnesses were examined on behalf of the Disciplinary Authority

(1) DW-1: M.Veeresh (DGO)



11. The following documents were marked on behalf of DGO;

Ex.D-1	Office Order dt.03-05-2011 of E.O., Taluk Panchayath, Kustagi
Ex.D-2	List of beneficiaries
Ex.D-3	Form no.1-application given by beneficiaries
Ex.D-4	Meeting proceedings dt.23-06-2011
Ex.D-5	Statement of beneficiaries
Ex.D-6	Office order of E.O., Taluk Panchayath
Ex.D-7	Report dt.15-06-2015 submitted to Taluk Panchayath
Ex.D-8	Office order dt.05-06-2012

12. Points that arise for determination are as follows:-

- 1) Whether the disciplinary authority proves that the DGO while working as P.D.O. at Bijakallu Grama Panchayath, Kustagi taluk, Koppal district, committed the following irregularities;
 - (i) DGO had not taken photos of the construction of house by Smt.Mallavva Gurappa Upanala for all the 3 stages.
 - (ii) Failed to produce photographs of construction of house by Smt.Netravathi Narasimha Thotad for all the stages.
 - (iii) Though Smt.Basamma Gurupadappa Cheluvadi has not constructed any house, DGO had taken photographs of the old house already constructed.
 - (iv) Not verified that Smt.Sharanamma Chidanandappa Cheluvadi had not constructed any new house and also made payment for the old house.



- 14
- (v) Released amount to Smt.Manjula Thippanna Bhovi towards already constructed house and failed to produce photographs of the houses constructed.
 - (vi) Released entire amount towards construction of house of Smt.Renuka Gavisiddappa Gadad within a span of 4 days
 - (vii) Not verified that Smt.Basamma Shivapurtappa Gadad had not constructed any new house and she had only constructed front wall to the existing house.
 - (viii) Made payment to Smt.Saneamma Basappa Bhiyamagadi for the existing house and failed to produce photographs of any stage of the construction of the house.
 - (ix) Made payment to Smt.Doddamma w/o Ramanagowda Police Patil, for the house constructed by Junior Engineer and not to the beneficiary namely Smt.Badravva Shanthavva Gujamagadi.
 - (x) Made payment to Smt.Yallavva Yamunappa Guthera though no house was constructed by her and she had shown an old house.
 - (xi) Not taken photographs of any stage of construction of house by Smt.Gangavva Dyamma Takkalakki
 - (xii) Not followed guidelines framed, besides norms of the scheme under Indira Awas Yojane.



Thereby failed to maintain absolute integrity and devotion to duty and thereby committed an act which is unbecoming of a government servant and guilty of misconduct and thereby, DGO has committed dereliction of duty and misconduct as enumerated U/R 3(1)(i) to (iii) of K.C.S. (Conduct) Rules 1966?

2) What Order ?

13. Answer to the aforesaid points are as follows:

Point No. 1 - In the Affirmative

Point no. 2 - as per the final order for the following;

REASONS

POINT No.1:

14. PW-3 was the Taluk Nodal Officer at Kushtagi taluk. He was asked by the Executive Officer to inspect and submit a report on the allegations made by the complainant. He visited the Bijakullu Grama Panchayath on 24-07-2012 and inspected the houses and



the relevant documents during his inspection he found the following irregularities;

- (i) DGO had not taken photos of the construction of house by Smt.Mallavva Gurappa Upanala for all the 3 stages.
- (ii) Failed to produce photographs of construction of house by Smt.Netravathi Narasimha Thotad for all the stages.
- (iii) Though Smt.Basamma Gurupadappa Cheluvadi has not constructed any house, DGO had taken photographs of the old house already constructed.
- (iv) Not verified that Smt.Sharanamma Chidanandappa Cheluvadi had not constructed any new house and also made payment for the old house.
- (v) Released amount to Smt.Manjula Thippanna Bhovi towards already constructed house and failed to produce photographs of the houses constructed.
- (vi) Released entire amount towards construction of house of Smt.Renuka Gavisiddappa Gadad within a span of 4 days
- (vii) Not verified that Smt.Basamma Shivapurtappa Gadad had not constructed any new house and she had only constructed front wall to the existing house.



- (viii) Made payment to Smt.Saneamma Basappa Bhiyamagadi for the existing house and failed to produce photographs of any stage of the construction of the house.
- (ix) Made payment to Smt.Doddamma w/o Ramanagowda Police Patil, for the house constructed by Junior Engineer and not to the beneficiary namely Smt.Badravva Shanthavva Gujamagadi.
- (x) Made payment to Smt.Yallavva Yamunappa Guthera though no house was constructed by her and she had shown an old house.
- (xi) Not taken photographs of any stage of construction of house by Smt.Gangavva Dyamma Takkalakki
- (xii) Not followed guidelines framed, besides norms of the scheme under Indira Awas Yojane.

15. Ex.P-18 is the Inspection Report of PW-3. The joint report filed by him and the Executive Officer (PW2) is marked as Ex.P-2. Copy of the photographs of the eleven houses which they have inspected are marked as Ex.P-4 to P-14. Ex.P-17 is the letter of PW-3. PW-2 has submitted this report (Ex.P-2) to the Chief Executive Officer alongwith his covering letter marked as Ex.P-3.



PW-2 has also deposed the same facts in his chief examination. The files of the said 11 beneficiaries are together marked as Ex.P-15. The copy of the cash book showing payment made to the beneficiaries is marked as Ex.P-16. The complaint filed by the complainant under Form No.1 and 2 and the detail complaint are marked as Ex.P-30 to P-32. The documents enclosed to the complaint are marked together as Ex.P-33. Ex.P-19 is the beneficiaries list. Ex.P-20 is the representation given by the complainant and others to the Deputy Commissioner.

16. The Disciplinary Authority has examined the Assistant Accountant of Kushtagi Taluk Panchayath as PW-1. But, he has investigated only on the allegation against the Bill Collector-Basappa. He has filed his report Ex.P-21 and P-22. Ex.P-23 is the service book copy of said Basappa. Ex.P-24 and P-25 are a photo and statement of said Bill Collector. These documents and the evidence of PW-1 has nothing to do with the charge framed against this DGO in this enquiry.

17. The Disciplinary Authority has also got examined Sri C.B.Myageri, former Executive Officer, Kushtagi taluk as PW-4. He



has only forwarded the report of PW-1. Ex.P-26 is his letter addressed to the Lokayukta institution. Ex.P-28 is his report. Ex.P-27 is the forwarding letter. He has not gone to the spot. Further, he has not given any report in respect of the charges framed.

18. Therefore, the evidence of PW-1 and PW-4 and the documents Ex.P-21 to 29 are not concerned to the Articles of Charge framed. They are concerned to the allegation made against the Bill Collector Basavaraj Madora, which is not the subject of the charges framed against the Panchayath Development Officer.

19. The evidence of PW-2 and PW-3 and their reports clearly point out the irregularities committed by this DGO as alleged in the Articles of Charge. Same is supported by documentary evidence Ex.P-2 to Ex.P-19.

20. The DGO has examined himself as DW-1. He has reiterated the same facts as stated by him in his written statement.



20

21. In the cross examination, DW-1 has admitted most of the allegations made in the charge, but he contends that he has followed the resolution passed by the Grama Panchayath. This defence is not at all acceptable.

22. Further, DGO has deposed that he had raised his objections in the General Body meeting held on 23-06-2011. The copy of the proceedings is marked as Ex.D-4. The position of Ex.D-4 wherein the objection raised by this DGO is marked as Ex.D-4(a). At Ex.D-4(a) it is mentioned that the Secretary informed that only if 3 stages photo are there, the payment could be made. Further, it is mentioned that the matter was discussed and it was resolved to make payment as the houses have been built by the beneficiaries. DGO has stated about this in his written statement also. However, he has not informed about [✓]this resolution to the higher authorities and no steps are taken to cancel or rectify the resolution.



23. DGO has produced the copy of the Mortgage deeds and other papers pertaining to the grant of benefits to the beneficiaries. They are marked together as Ex.D-2. The copy of the statements of beneficiaries are marked together as Ex.D-5. These documents are not useful for the DGO to overcome the charge.

24. Further, DGO has contended that he was not there where the houses were built. But, DGO was there when the payments were made.

25. Therefore, the evidence of PW-2 and 3, the documents Ex.P-1 to 20, 30 to 33 and the admission of DGO are sufficient to prove the Articles of Charge. Hence, Point No.1 is answered in the Affirmative.

26. Point No.2:

In the result, the following order is passed;

FINAL ORDER

Disciplinary Authority has proved the charge against the DGO Sri Veeresh.M, Panchayath Development Officer, Bijakallu



grama Panchayathi, Kushtagi taluk, Koppal district. The Articles of Charge (i) to (xii) are proved.

Hence this report is submitted to Hon'ble Upalokayukta for further action.

Dated this 8th day of July 2019



(Mohamed Ashraf Aris)
Additional Registrar Enquiries-8
Karnataka Lokayukta,
Bangalore.

ANNEXURE**List of witness examined on behalf of Disciplinary Authority.**

1. PW1: B.H.Kattimani
2. PW2: Jayappa.M
3. PW3: Kallappa Gurikar
4. PW4: C.B.Myageri

List of Documents marked on behalf of Disciplinary Authority:

- Ex.P-1 Letter dt.19-10-2012 of C.E.P., Z.P., Koppal
- Ex.P-2 Report containing details of payment made through cheque to the beneficiaries of Bijakal G.P.
- Ex.P-3 Letter dt.23-11-2012 of E.O., Taluk Panchayath, Kustagi
- Ex.P-4 Photographs of Beneficiaries
To
Ex.P-14
- Ex.P-15 File pertaining to Smt.Netravathi, beneficiary
- Ex.P-16 Copy of cash book regarding payment of money to beneficiaries
- Ex.P-17 Letter dt.25-07-2012 addressed to E.O., Taluk Panchayath
- Ex.P-18 Investigation Report
- Ex.P-19 List of beneficiaries
- Ex.P-20 Complaint addressed to Deputy Commissioner
- Ex.P-21 Investigation Report of B.H.Kattimani
- Ex.P-22 Investigation Report submitted by Jayappa, E.O. and Kallappa Gurikar
- Ex.P-23 Copy of Service Register of Sangappa Harijan
- Ex.P-24 Photo of house of Netravathi Grama Panchayath
- Ex.P-25 Statement of Basavaraj Madar dt.20-11-2012
- Ex.P-26 Letter dt.07-05-2013 addressed to A.R.E.-6
- Ex.P-27 Covering letter to the Investigation Report
- Ex.P-28 Investigation Report of C.B.Myageri
- Ex.P-29 Letter dt.30-04-2013 of Bylappa Myageri, Asst. Director and B.H.Katimani, Assistant Statistical Officer
- Ex.P-30 Form No.I
- Ex.P-31 Form No.II
- Ex.P-32 Detail complaint
- Ex.P-33 Documents enclosed to complaint
- Ex.P-34 Comments dt.01-04-2014 of M.Veeresh

List of witness examined on behalf of DGO:-

(1) DW-1: M.Veeresh (DGO)

List of Documents marked on behalf of DGO:-

Ex.D-1 Office Order dt.03-05-2011 of E.O., Taluk Panchayath, Kustagi
Ex.D-2 List of beneficiaries
Ex.D-3 Form no.1-application given by beneficiaries
Ex.D-4 Meeting proceedings dt.23-06-2011
Ex.D-5 Statement of beneficiaries
Ex.D-6 Office order of E.O., Taluk Panchayath
Ex.D-7 Report dt.15-06-2015 submitted to Taluk Panchayath
Ex.D-8 Office order dt.05-06-2012

Dated this 8th day of July 2019



(Mohamed Ashraf Aris)
Additional Registrar Enquiries-8
Karnataka Lokayukta,
Bangalore.