

**KARNATAKA LOKAYUKTA**

NO:UPLOK-1/DE/76/2020/ARE-9

M.S.Building,  
Dr. B.R. Ambedkar Veedhi,  
Bengaluru - 560 001.  
Date: 15.9.2022

**:: ENQUIRY REPORT ::**

**:: Present ::**

**(S.GOPALAPPA)**

**I/c Additional Registrar of Enquiries -9  
Karnataka Lokayukta,  
Bengaluru**

Sub: Departmental Enquiry against (1)  
Sri.Channabasavesha G. Jinaga, Assistant  
Engineer, Public Works, Ports and Inland Water  
Transport Department Sub Division, Gadag, (2)  
Sri.Shivanand R.Naik, Executive Engineer  
Public Works, Ports and Inland Water  
Transport Department Sub Division, Gadag  
presently Superintending Engineer, Public  
Works, Ports and Inland Water Transport  
Department Circle, Dharwad and (3)  
Sri.B.H.M.Devaraja, Assistant Executive  
Engineer Public Works, Ports and Inland Water  
Transport Department Sub Division, Gadag -  
reg.

Ref: 1. G.O.No.PWD 84 SeEV 2020 dated: 27.4.2020.

2. Nomination Order No: UPLOK-1/DE/76/2020/ARE-9  
Bangalore dated: 8.5.2020 of Hon'ble Upalokayukta-1

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This Departmental Enquiry is initiated against (1)  
Sri.Channabasavesha G. Jinaga, Assistant Engineer, Public  
Works, Ports and Inland Water Transport Department Sub  
Division, Gadag, (2) Sri.Shivanand R.Naik, Executive  
Engineer Public Works, Ports and Inland Water Transport

Department Sub Division, Gadag presently Superintending Engineer, Public Works, Ports and Inland Water Transport Department Circle, Dharwad and (3) Sri.B.H.M.Devaraja, Assistant Executive Engineer Public Works, Ports and Inland Water Transport Department Sub Division, Gadag (hereinafter referred to as the Delinquent Government Official for short "DGO No.1 to 3").

2. In pursuance of the Government Order cited above at reference No.1, Hon'ble Upalokayukta vide order dated 8.5.2020 cited above at reference No.2 has nominated Additional Registrar of Enquiries-9 to frame the charges and to conduct the enquiry against the aforesaid DGO No.1 to 3.

3. Additional Registrar of Enquiries-9 has issued the Articles of charges to the DGO -1 to 3, enclosing statement of imputations of misconduct, list of witnesses proposed to be examined in support of the charges and list of documents proposed to be relied in support of the charges and called him to appear before the Enquiry Officer.

4. The Article of charges issued by the ARE-9 against the DGO- 1 to 3 is as under :

**ANNEXURE-I**  
**CHARGE**

The work relates to improvements to Kotumuchagi – Thimmapur Road from KM 11.02 to 12.77 in Gadag Taluk (W.I. No. 62072). The estimated cost of work was Rs.150.00 Lakhs. As per the Completion report, the

total expenditure incurred was Rs.122.96 Lakhs. As per the Agreement 5/4/2017, the work was entrusted to Sri C.G. Biradar, Contractor, Gadag and stipulated time for completion is shown as 6 calendar months, including rainy season. The work Order was issued on 5/4/2017. The date of commencement of work is shown as 17/6/2017 and date of completion is shown as 14/12/2017.

**Charge no. I:-** You DGO no.1 Sri C.G. Jinaga, being Assistant Engineer and officer in charge of work has not recorded the measurements in the regular measurement book. There is no Field Note book/hand written measurement book for having recorded the measurements at the spot while taking measurements. There is reason to believe that the you DGO no.1 Sri C.G.Jinaga, Assistant Engineer, has computerised the entries of the estimate in the form of measurement book without verification of work.

**Charge No.II:-** you DGO No.3 Sri B.H.M Devaraja has affixed his signature to the e-measurement book without taking the check measurements of the work. The e-measurement book is a fabricated document, without there being supporting documents to show that the measurements were taken at the spot.

**Charge No.III:-** you DGO No.2 Sri Shivanand R Naik, Executive Engineer, without proper verification of records and measurement books, and without verification of work has passed the RA Bills I to IV. The date of passing of measurements are not forthcoming in any of the RA Bills. You DGO No.2 ought to have verified the work, having regard to the quantum of work and the amount of Bills paid.

Thereby you DGOs No.1 to 3 have committed misconduct and dereliction of duty and failed to maintain absolute integrity and devotion to duty and committed an act which is unbecoming of a Government Servants and therefore you DGOs no.1 to 3 are guilty of misconduct under Rule 3(1)(i) to (iii) of KCS (Conduct) Rules 1966. Hence, this charge.

#### **ANNEXURE-II**

#### **STATEMENT OF IMPUTATION OF MISCONDUCT:**

#### **Brief facts of the case are :-**

On the basis of complaint filed by Sri Huchappa Yallappa Sankad, Resident of Chinchali Village and Post, Gadag Taluk, Gadag District (hereinafter referred to as Complainant) against Sri C.G. Jinaga, PWD Engineer, Gadag. (hereinafter referred to as DGO No.1), an investigation under Section 9 of the Karnataka Lokayukta Act was taken up.

In the complaint it is alleged in the complaint that the work of improvement of road from Kotumuchagi – Thimmapur

Road from 11.02 KM to 12.77 KM in Gadag Taluk executed by DGO No.1 is of sub standard quality.

The comments of DGO No.1 Sri Channabasavaiah G. Jinga was called for and he has submitted comments denying the allegations and stated there was no illegality and irregularity in the execution of above work.

After collection of photocopies relevant records, Sri Shivanand R. Naik, Executive Engineer, Pubic Works Ports and Inland Water Transport Department, Gadag Division, Gadag and Sri B.H.M. Devaraj, Assistant Executive Engineer, Public Works, Ports and Inland Water Transport Department, Gadag Sub Division, Gadag were impleaded as DGO No. 2 and 3 and their comments were called. The DGO 2 & 3 have submitted their comments denying the allegations and stated that the contractor has executed the work in good quality and within the time limit.

The photocopies of the records relating to the above work were verified with reference to the complaint and comments of DGOs and the following discrepancies/irregularities were noticed.

The work relates to improvements to Kotumuchagi - Thimmapur Road from KM 11.02 to 12.77 in Gadag Taluk (W.I. No. 62072). The estimated cost of work was Rs.150.00 Lakhs. As per the Completion report, the total expenditure incurred was Rs.122.96 Lakhs. As per the Agreement 5/4/2017, the work was entrusted to Sri C.G. Biradar, Contractor, Gadag and stipulated time for completion is shown as 6 calendar months, including rainy season. The work Order was issued on 5/4/2017.

The date of commencement of work is shown as 17/6/2017 and date of completion is shown as 14/12/2017. The excess and Savings certificate shows the savings of Rs.23,75,908.72.

The first and part bill in relation to the above work was passed for a sum of Rs.8,55,051/- and after statutory deductions of Rs.72,211/- an amount of Rs.7,82,870/- was paid to the contractor. In the First and Part Bill, there was no reference to the recording of measurements in the measurement book. However, it is stated that date of recording as 28/8/2017.

In the copy of measurement book No.403 (which is e-measurement book), at page No.3, the date of recording of measurement is shown as 28/8/2017. At page 4 of the Measurement book sheet, the measurements in relation to 3 items of estimate was recorded. The DGO No.1 Sri C.G.Jinaga, Section officer has not mentioned the date below his signature for having recorded the measurements. At page 2, DGO No.3 Sri B.H.M. Devaraja, the Assistant Executive Engineer (DGO No.2) has mentioned the date as 5/8/2017, that is prior to the date of recording measurements. The DGO No.3 Sri B.H.M. Devaraj Assistant Executive Engineer has not affixed the date in the abstract. From the entries in the e-measurement sheets, it is not clear whether there was stage wise verification of work by the DGO No.1 Sri G.G. Jinaga, Assistant Engineer and check measurements by DGO No.3 Sri B.H.M. Devaraja Assistant Executive Engineer. Further, there is no verification of work by the DGO No.2 Sri Shivanand R. Naik, Executive Engineer before passing the RA Bill No. I & Part. The DGO No.2, Executive Engineer, having regard to the nature of work, should have verified atleast 25% of the work before passing the Bill.

The II and Part Bill in relation to the above work was passed for a sum of Rs.78,52,743/-. It is stated that a sum of

Rs.77,07,782/- was withheld for LOC. And after deduction of a sum of Rs.11,810/- an amount of Rs.1,33,109/- was paid to the contractor. The Mode of payment and date of passing of Bill by DGO No.2 Sri Shivanand R. Naik Executive Engineer is not forthcoming on the bill. In the details of work attached to the second and part bill there are several numerical alterations, which are not attested by DGOs. The date of recording measurements is shown as 28/11/2017. But the Measurement book Number and page at which the measurements were recorded is not mentioned in the RA Bill No. II & Part. The DGO No.3 Sri B.H.M. Devaraja, Assistant Executive Engineer has attested the details appended to RA Bill No. II and Part without mentioning the date. The photocopy of the photographs appended to the RA Bill No. II & Part do not depict the qualitative and quantitative execution of work.

On the obverse of the photo copy of photographs, the calculation of withheld amount of II & Part bill are shown. It reveals that out of the total withheld amount of Rs.77,07,824/- a sum of Rs.21,60,594/- was released and an amount of Rs.33,553,373/- was paid to the contractor on 10/8/2018. Further, a sum of Rs.22,76,436/- was released and after deduction of Rs.3,47,806/-, a sum of Rs.19,28,630/- was paid to the contractor on 22/9/2018. Again, the balance sum of Rs.32,70,794/- was released and after deduction of Rs.1,34,103/- a sum of Rs.31,36,691/- was paid to the contractor on 8/2/2019.

In relation to the II and Part Bill, the measurements are shown to have been recorded in E measurement book No.403 from pages 7 to 13. The date of recording of measurement is shown as 28/11/2017. At page 7 of the Measurement book sheet, the measurements in relation to items 4, 5 and 3 of estimate were

recorded. The DGO No.1 Sri C.G. Jinaga, Section officer has not mentioned the date below his signature for having recorded the measurements. At page 8, the DGO No.3 Sri B.H.M. Devaraja, Assistant Executive Engineer has mentioned the date as 28/11, i.e., on the same day of recording measurements. The DGO No.3 Sri B.H.M. Devaraja Assistant Executive Engineer has not annexed the date in the abstract. There are several unattested numerical alterations in the abstract. From the entries in the e-measurement sheets, it is not clear whether there was stage wise verification of work by the DGO No.1 Assistant Engineer and check measurements by DGO No.3 Assistant Executive Engineer. It appears, the entire e-measurement book is recorded without stage wise verification of work by the DGO No.1 Assistant Engineer and without check measurement by the DGO No.3 Assistant Executive Engineer. The measurement book is fabricated just for passing the Bill. Further, there is no verification of work by the DGO No.2 Sri Shivanand R. Naik Executive Engineer before passing the RA Bill No. I & Part. The DGO No.2, having regard to the nature of work, should have verified atleast 25% of the work before passing the Bill.

The III and part Bill in relation to the above work was passed for a sum of Rs.35,67,061/- and after statutory deduction of a sum of Rs.2,76,084/- a sum of Rs.32,90,977/- was paid to the contractor. It is shown that amount was paid on 9/2/2019, but the mode of payment is not stated in the III and Part Bill. In the Memorandum of Payment portion, there are alterations of the amount of the Bill, which are unexplained and unattested. Even in the details of work appended to III and Part Bill the entries in the estimate are reiterated. The alterations are not attested. In the III and part bill the date of recording measurements is shown as



9/12/2017. But the measurement book number and page numbers are not mentioned.

As per the e-measurement sheets of Measurement book No. 403, the measurements in relation to RA Bill No. III & Part are recorded at pages 14 to 26. The DGO No.1 Sri C.G. Jinaga, Section Officer has not affixed the date below his signature. The date of recording measurement is shown as 9/12/2017. But, the DGO No.3 Sri B.H.M. Devaraja, Assistant Executive Engineer at page 15 of the e-measurement book has affixed date as 5/12, which is prior to the date of recording measurements. Even at page 17 of the e-measurement book, the DGO No.3 has affixed the date as 6/12, which is prior to the date of recording i.e., 9/12/2017. It appears, the entire e-measurement book is recorded without stage wise verification of work by the DGO No.1 Sri C.G. Jinaga, Assistant Engineer and without check measurement by the DGO No.3 Sri B.H.M. Devaraja Assistant Executive Engineer. The measurement book is created just for passing the Bill. Further, there is no verification of work by the DGO No.2 Sri Shivanand R Naik Executive Engineer before passing the RA Bill No. I & Part. The DGO No.2, having regard to the nature of work, should have verified atleast 25% of the work before passing the Bill.

The IV and Final Bill in relation to the above work was passed for a sum of Rs.21,777/-. But the details of payment made to the contractor is not forthcoming in the IV and Final Bill. Even no entries are forthcoming in relation to the passing of IV & Final Bill in the e-measurement book. The date of passing the IV & Final Bill is not forthcoming.

The photocopy of the completion report shows that the work was commenced on 17/6/2017 and it was completed on

14/12/2017 and the actual expenditure is shown as Rs.122.96 Lakhs. The DGO No.2 Sri Shivanand R. Naik, Executive Engineer has not affixed his signature to the completion report. The date of preparation of completion report is not forthcoming. The photocopy of photographs appended to the completion report do not depict the qualitative and quantitative execution of work.

The DGO No.1 Sri C.G. Jinaga, being Assistant Engineer and officer in charge of work has not recorded the measurements in the regular measurement book. There is no Field Note book/hand written measurement book for having recorded the measurements at the spot while taking measurements. There is reason to believe that the DGO No.1 Sri C.G.Jinaga, Assistant Engineer, has computerised the entries of the estimate in the form of measurement book without verification of work. So also, the DGO No.3 Sri B.H.M Devaraja has affixed his signature to the e-measurement book without taking the check measurements of the work. The e-measurement book is a fabricated document, without there being supporting documents to show that the measurements were taken at the spot.

The DGO No.2 Sri Shivanand R Naik, Executive Engineer, without proper verification of records and measurement books, and without verification of work has passed the RA Bills I to IV. The date of passing of measurements are not forthcoming in any of the RA Bills. The DGO No.2 ought to have verified the work, having regard to the quantum of work and the amount of Bills paid.

The records prima facie reveal the misconduct committed by DGO 1 to 3 in the execution of improvement of road from Kotumuchagi to Thimmapur Road from 11.02 KM to 12.77 KM in Gadag Taluk.

Therefore, acting under Section 12(3) of the Karnataka Lokayukta Act, 1984 recommendation is to the Competent Authority for initiating Disciplinary Proceedings against the following DGOs and to entrust the same to this Authority under Rule 14-A of the Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957.

- 1) Sri Channabasavesh G. Jinaga, Assistant Engineer, Public Works, Ports & Inland Water Transport Sub Division, Gadag (Presently working at Market Development Project Sub Division No.2, Gadag
- 2) Sri Shivanand R. Naik, Executive Engineer, Pubic Works Ports and Inland Water Transport Department, Gadag Division, Gadag (Presently working as Executive Engineer, Public Works Department, Koppal Division, Koppal)
- 3) Sri B.H.M. Devaraj, Assistant Executive Engineer, Public Works, Ports and Inland Water Transport Department, Gadag Sub Division, Gadag.

Since said facts supported by the materials on record prima facie show that you-DGOs No. 1 to 3 being Public/Government servant, have committed misconduct as per Rule 3(1)(i) to (iii) of KCS(Conduct) Rules, 1966 and under Rule 14(A) of Karnataka Civil Services (Classification, Control and Appeal) Rules 1957. Hence, the charge.

**5.** The DGO No.3 appeared on 11.8.2020 before this inquiry authority in pursuance to the service of the Article of charges.

6. At the stage of recording FOS DGOs filed Application No. 10694-10696/2020 before Hon'ble KSAT.

7. Hon'ble KSAT passed orders on 20.12.2021 which is as under;

**“ORDER**  
**Applications are**  
**allowed. The order bearing**  
**No. Lo.E.84 Se.E.V 2020**  
**dated: 27.4.2020 and**  
**Article of charge dated:**  
**21.5.2020 bearing No.**  
**UPLOK-1/DE/76/2020/ARE-9**  
**are set aside and the**  
**matter is remitted to the 1<sup>st</sup>**  
**respondent to take**  
**appropriate decision in**  
**this matter in accordance**  
**with law.**

8. On receipt of the above orders of the Hon'ble Karnataka Administrative Tribunal, opinion of CLC was sought and it is opined that the order of the KSAT is not fit to be challenged before the Hon'ble High court. Therefore, further proceedings against DGO No.1 to 3 are discontinued and inquiry is closed. Now, it is for the Competent Authority to look into the 12(3) report, sent by this institution, apply its mind and then to entrust the matter for enquiry.

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

*Sd/-*

**(S.GOPALAPPA)**

I/c Additional Registrar Enquiries-9  
Karnataka Lokayukta,

Bengaluru.

i) **List of Documents enclosed**

<b>Sl. No.</b>	<b>Particulars</b>
1	Government Order No.PWD 84 SeEV 2020 dated: 27.4.2020
2	Nomination Order No: UPLOK-1/DE/76/2020 Dtd.8.5.2020 of Hon'ble Upalokayukta, Bengaluru Xerox
3	Article of charge No. UPLOK-1/DE/76/2020dated: 21.5.2020 Xerox
4	Order of Hon'ble KSAT dated: 20.12.2021
5	Note dtd: 8.9.2022 from Chairman Karnataka Lokayukta Bengaluru
6	Legal opinion dated: 12.7.2022

*sdl-*  
(S.GOPALAPPA)

I/c Additional Registrar Enquiries-9  
Karnataka Lokayukta,  
Bengaluru.



**GOVERNMENT OF KARNATAKA****KARNATAKA LOKAYUKTA**

No.UPLOK-1/DE/76/2020/ARE-9

Multi Storied Building,  
Dr. B.R. Ambedkar Veedhi,  
Bengaluru-560001  
Date: 17<sup>th</sup> September, 2022.

**RECOMMENDATION**

Sub: Departmental Inquiry against Sriyuths:

- (1) Channabasavesha G. Jinaga, Assistant Engineer, Public Works, Ports and Inland Water Transport Department Sub-Division, Gadag.
- (2) Shivanand R. Naik, Executive Engineer, Public Works, Ports & Inland Water Transport Department, Gadag, presently Superintending Engineer, Public Works, Ports & Inland Water Transport Department Circle, Dharwad.
- (3) B.H.M.Devaraja, Assistant Executive Engineer, Public Works, Ports & Inland Water Transport Department Sub-Division, Gadag-reg.,

Ref: 1) Government Order No.ಲೋಇ 84 ಸೇಇವಿ 2020,  
Bengaluru, dated: 27/04/2020.

2) Nomination Order No.UPLOK-1/DE/76/2020,  
Bengaluru, dated: 08/05/2020 of Upalokayukta,  
State of Karnataka, Bengaluru.

3) Inquiry Report dated: 15/09/2022 of  
Additional Registrar of Enquiries-9, Karnataka  
Lokayukta, Bengaluru.

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The Government by its order dated: 27/04/2020 initiated  
the disciplinary proceedings against (1) Shri Channabasavesha G.

Jinaga, Assistant Engineer, Public Works, Ports and Inland Water Transport Department Sub-Division, Gadag; (2) Shri Shivanand R. Naik, Executive Engineer, Public Works, Ports & Inland Water Transport Department, Gadag, presently Superintending Engineer, Public Works, Ports & Inland Water Transport Department Circle, Dharwad and (3) Shri B.H.M.Devaraja, Assistant Executive Engineer, Public Works, Ports & Inland Water Transport Department Sub-Division, Gadag (hereinafter referred to as Delinquent Government Official, for short as DGOs No.1 to 3) and entrusted the Departmental Inquiry to this Institution.

2. This Institution by Nomination Order No.UPLOK-1/DE/76/2020, Bengaluru, dated: 08/05/2020 nominated Additional Registrar of Enquiries-9, Karnataka Lokayukta, Bengaluru, as the Inquiry Officer to frame charges and to conduct Departmental Inquiry against DGOs No.1 to 3 for the alleged charge of misconduct, said to have been committed by them.
3. The DGO No.1, Shri Channabasavesha G. Jinaga, Assistant Engineer, Public Works, Ports and Inland Water Transport Department Sub-Division, Gadag; DGO No.2, Shri Shivanand R. Naik, Executive Engineer, Public Works, Ports & Inland Water



Transport Department, Gadag, presently Superintending Engineer, Public Works, Ports & Inland Water Transport Department Circle, Dharwad and DGO No.3, Shri B.H.M.Devaraja, Assistant Executive Engineer, Public Works, Ports & Inland Water Transport Department Sub-Division, Gadag were tried for the following charges:

**ANNEXURE-I**

**Charge:-**

Your DGOs No.1 to 3:

The work relates to improvements to Kotumuchagi-Thimmapur Road from KM 11.02 to 12.77 in Gadag Taluk (W.I. No.62072). The estimated cost of work was Rs.150.00 Lakhs. As per the Completion Report, the total expenditure incurred was Rs.122.96 Lakhs. As per the Agreement 05/04/2017, the work was entrusted to Shri C.G.Biradar, contractor, Gadag and stipulated time for completion is shown as 6 calendar months, including rainy season. The work order was issued on 05/04/2017. The date of commencement of work is shown as 17/06/2017 and date of completion is shown as 14/12/2017.

Charge No.1: You DGO No.1, Shri C.G.Jinaga, being Assistant Engineer and office in-charge of work has not recorded the measurements in the regular measurement book. There is no Field Note book/hand written measurement book for having recorded the measurements at the spot while taking measurements. There is reason to believe that you DGO No.1, Shri C.G.Jinaga, Assistant Engineer, has computerized the entries of the estimate in the form of measurement book without verification of work.

Charge No.II: you DGO No.3, Shri B.H.M.Devaraja has affixed his signature to the e-measurement book without taking the check measurements of the work. The e-measurement book is a fabricated document, without there being supporting documents to show that the measurements were taken at the spot.

Charge No.III: you DGO No.2, Shri Shivanand R. Naik, Executive Engineer, without proper verification of records and measurement books, and without verification of work has passed the RA Bills I to IV. The date of passing of measurements are not forthcoming in any of the RA Bills. You DGO No.2 ought to have

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verified the work, having regard to the quantum of work and the amount of Bills paid.

Thereby you DGOs No.1 to 3 have committed misconduct ~~and dereliction of duty and failed to maintain absolute integrity and~~ devotion to duty and committed an act which is unbecoming of a Government Servants and thereby you DGOs No.1 to 3 are guilty of misconduct under Rule 3(1)(i) to (iii) of KCS (Conduct) Rules 1966. Hence, the charge.

4. Notice of Articles of charge, Statement of Imputation of misconduct with list of witnesses and documents was served upon the DGOs No.1 to 3 and posted for appearance.
5. During the pendency of the Inquiry, DGOs No.1 to 3 preferred Application Nos.10694 to 10696/2020 before the KSAT, Belagavi Bench. That on 20/12/2021, the KSAT, Belagavi Bench has allowed the Application filed by DGOs No.1 to 3 and the Order bearing No.Lo.E.84 Se.E.V 2020, dated: 27/04/2020 and Articles of Charge dated: 21/05/2020 bearing No.UPLOK-1/DE/76/2020/ARE-9 are set aside and the matter is remitted to the 1<sup>st</sup> respondent to take appropriate decision in the matter in accordance with law.
6. Opinion given by ARE-9 on 13/07/2022 was approved by Hon'ble Lokayukta on 03/09/2022, that it is not a fit case to challenge the orders of the KSAT by way of Writ Petition before Hon'ble High Court of Karnataka.

7. The file was referred to the Chairman, Legal Cell-2, Karnataka Lokayukta, Bengaluru. In turn, on 05/09/2022 the Chairman, Legal Cell-2, Karnataka Lokayukta, Bengaluru has also approved that, it is not a fit case to challenge the final order of the KSAT, Belagavi Bench in Application No.10694 to 10696/2020.
8. On perusal of the judgement laid down by the KSAT in Application No.10694 to 10696/2020 and on consideration of the totality of circumstances, since, the Order bearing No.Lo.E.84 Se.E.V 2020, dated: 27/04/2020 and Articles of Charge dated: 21/05/2020 bearing No.UPLOK-1/DE/76/2020/ARE-9 are set aside and the matter is remitted to the 1<sup>st</sup> respondent to take appropriate decision in the matter in accordance with law vide order dated: 20/12/2021 by KSAT in Application No.10694 to 10696/2020 and the same is not challenged by the Chairman, Legal Cell, Karnataka Lokayukta, Bengaluru and to close this enquiry against DGOs No.1 to 3. Now, it is for the Competent Authority to look into the 12(3) report, sent by this Institution, apply its mind and then to entrust the matter for enquiry.

“The proceedings initiated against DGOs No.1 to 3, stands closed on account of Order bearing No.Lo.E.84 Se.E.V 2020, dated: 27/04/2020 and Articles of



Charge dated: 21/05/2020 bearing No.UPLOK-1/DE/76/2020/ARE-9 are set aside and the matter is remitted to the 1<sup>st</sup> respondent to take appropriate decision in the matter in accordance with law by KSAT in Application No.10694 to 10696/2020, dated: 20/12/2021.

9. Therefore, it is hereby recommended to the Government to accept the report of Inquiry Officer and to close the proceedings against **DGO No.1**, Shri Channabasavesha G. Jinaga, Assistant Engineer, Public Works, Ports and Inland Water Transport Department Sub-Division, Gadag; **DGO No.2**, Shri Shivanand R. Naik, Executive Engineer, Public Works, Ports & Inland Water Transport Department, Gadag, presently Superintending Engineer, Public Works, Ports & Inland Water Transport Department Circle, Dharwad and **DGO No.3**, Shri B.H.M.Devaraja, Assistant Executive Engineer, Public Works, Ports & Inland Water Transport Department Sub-Division, Gadag, in view of the fact that Order bearing No.Lo.E.84 Se.E.V 2020, dated: 27/04/2020 and Articles of Charge dated: 21/05/2020 bearing No.UPLOK-1/DE/76/2020/ARE-9 are set aside and the matter is remitted to the 1<sup>st</sup> respondent to take appropriate decision in the matter in



accordance with law by KSAT in Application Nos.10694 to 10696/2020, dated: 20/12/2021 and also decided, not fit to challenge the order passed by KSAT, Belagavi Bench. Now, it is for the Competent Authority to look into the 12(3) report, sent by this Institution, apply its mind and then to entrust the matter for enquiry.

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

Connected records are enclosed herewith.



**(JUSTICE K.N.PHANEENDRA)**  
UPALOKAYUKTA-2,  
STATE OF KARNATAKA.

