



KARNATAKA LOKAYUKTA

No.UPLOK-1/DE.975/2017/ARE-8

Multi Storied Building,
Dr. B.R. Ambedkar Veedhi,
Bengaluru-560 001.
Dated 11.01.2023.

RECOMMENDATION

Sub:- Departmental inquiry against Sri N.F.Mevundi,
the then Taluk Watershed Development Officer,
Kundagol, Dharwad District- reg.

Ref:- 1) Government Order No. AD 77 APE 2017 dated
13.07.2017.

2) Nomination order No. UPLOK-1/DE.975/2017
dated 04.09.2017 of Hon'ble Upalokayukta,
State of Karnataka.

3) Inquiry report dated 09.01.2023 of Additional
Registrar of Enquiries-8, Karnataka Lokayukta,
Bengaluru.

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The Government by its order dated 13.07.2017 initiated the disciplinary proceedings against Sri N.F.Mevundi, the then Taluk Watershed Development Officer, Kundagol, Dharwad District, [hereinafter referred to as Delinquent Government Official, for short as ' DGO ' ] and entrusted the Departmental Inquiry to this Institution.

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2. This Institution by Nomination Order No. UPLOK-1/DE.975/2017 dated 04.09.2017 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 following charge:

“ You - Sri N.F.Mevundi, while working as Taluk Watershed Development Officer, Kundagol, Dharwad district have committed following irregularities;

- 1) You, the DGO have drawn amounts through Bank by self cheques allotted to DPAP Scheme during the period between 2006-07 to 31-10-2014 and misappropriated the same.
- 2) You, the DGO have drawn funds amounting to more than Rs.50,000/- through multiple cheques on the same day, though you were not expected to draw more than Rs.50,000/- per day, which is contrary to the instructions contained in the Scheme and in the circular dt.28/29-08-2006 of the Commissioner of Watershed Development department.
- 3) You, the DGO have not submitted the purpose for which the above amounts were withdrawn by self cheques and you have not submitted the accounts for the above amounts.

Thereby, you DGO have failed to take proper action and have failed to maintain absolute integrity and devotion to duty, the act of which is unbecoming of a Government Servant and you have committed misconduct as enumerated under Rule 3(1) of Karnataka Civil Services (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 charge against the DGO Sri N.F.Mevundi, the then Taluk Watershed Development Officer, Kundagol, Dharwad District.

5. On perusal of the entire materials on record, in order to prove the misconduct of the DGO, the Disciplinary Authority has examined one witness as PW-1 and got marked documents Ex. P-1 to P-6. The DGO neither got examined any witnesses nor got marked any documents on his behalf. Though the DGO has denied the charge, the entire evidence discloses that, DGO has committed misconduct. Therefore, there is no reason to deviate from the opinion expressed by the Inquiry Officer. Hence, it is hereby recommended to the Government to accept the report of Inquiry Officer.

6. As per the First Oral Statement of the DGO, DGO Sri N.F.Mevundi, has retired from service on 31.05.2019.

7. Having regard to the nature of charge 'proved' against the DGO and considering the totality of circumstances, it is hereby recommended to the Govt. to impose penalty of 'withholding 10% of pension payable to DGO Sri N.F.Mevundi, for a period of five years.'

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

Connected records are enclosed herewith.

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

**KARNATAKA LOKAYUKTA**

No: Uplok-1/DE/975/2017/ARE-8

M.S.Building,  
Dr. B.R. Ambedkar Veedhi,  
Bengaluru - 560 001.  
Dated: 09/01/2023

**ENQUIRY REPORT**

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

**Sub:-**The departmental enquiry against Sri. N.F. Mevundi, then Taluk Watershed Development Officer, Kunadgol, Dharward District (presently Assistant Agriculture Officer, Kundgola, Dharwad District - reg.

**Ref:-** 1) Report U/Sec 12(3) of the Karnataka Lokayuktha Act, 1984, in Complt/Uplok/BGM/2697/2016/ARLO-1, dtd.18/05/2017.  
2) Government Order No. ಕೃಇ/77/ಕೃಪವಿ/2017, ಬೆಂಗಳೂರು, dtd.13/07/2017.  
3) Nomination Order No.UPLOK-1/DE-975/2017, Bangalore, dtd.04/09/2017.

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Present Departmental Enquiry is initiated on the basis of the complaint lodged by Sri. Gangadhara Gowda S. Patil, r/o Gowdara Oni Devanur, Kundagol Taluk, Dharawada District, (herein after referred as 'Complainant') against Sri.

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N.F. Mevundi, then Taluka Watershed Development Officer, presently working as Assistant Agriculture Officer, in office of Director of Agriculture, Kundagol Taluka, Belagavi District, (herein after referred to as the Delinquent Government Official in short 'DGO').

**2.** Brief allegations made in the complaint are that:

Complainant Gangadhara Gowda S. Patil, r/o Gowdara Oni Devanur, Kundagol Taluk, Dharawada District, has lodged a complaint alleging that DGO while working as Watershed Development Officer, Kundagol Taluk, from 2006-07 to 2014 has drawn the project amount through Bank by self-cheques allotted to DPAP scheme during the period from 2006-07 to 2014. Particularly, page-4 submitted accounts .

| Sl. No. | Date of withdrawal | Number Of Cheques | Name        | Amount | Scheme Bank a/c number              |
|---------|--------------------|-------------------|-------------|--------|-------------------------------------|
| 1       | 2                  | 3                 | 4           | 5      | 6                                   |
| 1       | 02/02/2012         | 3                 | Self        | 118100 | Hariyali SBI, Yellapur 30159894094  |
| 2       | 06/02/2012         | 8                 | N.F.Mevundi | 400000 | -do-                                |
| 3       | 24/02/2012         | 8                 | N.F.Mevundi | 100000 | -do-                                |
| 4       | 07/05/2012         | 5                 | Self        | 225000 | -do-                                |
| 5       | 07/05/2012         | 5                 | Cash        | 400000 | -do-                                |
| 6       | 29/05/2012         | 10                | N.F.Mevundi | 495000 | -do-                                |
| 7       | 29/05/2012         | 10                | Self        | 192000 | -do-                                |
| 8       | 28/04/2010         | 11                | Treasurer   | 550000 | Yeraguppi SBI, Dharwad 30128715310  |
| 9       | 05/05/2010         | 6                 | Treasurer   | 275000 | -do-                                |
| 10      | 29/05/2010         |                   | K.Y.Kariyar | 525000 | Hiregunjal SBI, Dharwad 30128715456 |

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|    |                          |    |                           |        |                                                 |
|----|--------------------------|----|---------------------------|--------|-------------------------------------------------|
| 11 | 28/03/2011               |    | Self                      | 222000 | -do-                                            |
| 12 | 29/03/2012               |    | Self                      | 900000 | -do-                                            |
| 13 | 02/05/2012               |    | Self                      | 54465  | -do-                                            |
| 14 | 19/03/2009               | 6  | Self                      | 255712 | Bhuthariaghatta,<br>SBI, Dharwad<br>30128719948 |
| 15 | 08/06/2012               | 5  | Self                      | 220000 | -do-                                            |
| 16 | 29/03/2011               | 4  | Self                      | 174000 | Hirenarathi, SBI,<br>Dharwad<br>30128704250     |
| 17 | 28/03/2011               | 6  | Self                      | 255000 | Gudenakatti,<br>SBI, Dharwad<br>30128715218     |
| 18 | 17/05/2010               | 5  | Self                      | 225000 | Yatiwala, SBI,<br>Dharwad<br>30128704227        |
| 19 | 08/03/2012               | 10 | Self                      | 490000 | Sanklipura, SBI<br>Dharwad<br>30159900042       |
| 20 | 19/12/2013               | 4  | Self                      | 195000 | -do-                                            |
| 21 | 27/03/2012               | 11 | Self/Mevundi              | 550000 | Gowdageri, SBI,<br>Dharwad<br>30128719891       |
| 22 | 03/05/2010               | 16 | Treasurer/N.<br>F.Mevundi | 800000 | Devanoor, SBI,<br>Dharwad<br>30128715343        |
| 23 | 28/03/2011<br>22/06/2011 |    | Self                      | 261000 | -do-                                            |
| 24 | 10/03/2010               | 7  | Mevundi                   | 331900 | Chikkanarathi<br>SBI, Dharwad<br>30662300735    |
| 25 | 08/03/2011               | 2  | Self                      | 100000 | -do-                                            |
| 26 | 18/03/2011               | 2  | Self                      | 94800  | -do-                                            |
| 27 | 30/04/2011               | 2  | Self                      | 87093  | -do-                                            |
| 28 | 08/06/2012               | 5  | Self                      | 220000 | -do-                                            |

2) The withdrawal of above amount is supported by extracts of bank pass books. The DGO had drawn the above funds through multiple cheques on the same day, though he was not expected to draw more than Rs.50,000/- per day, which is contrary to the instructions contained in the Scheme. As

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per circular dated 28/29-08-2006 of the Commissioner of Watershed Development department, the respondent is not authorized to draw more than Rs.50000/- per day;

3) The DGO has not submitted the purpose for which the above amounts were withdrawn by self cheques and not submitted accounts for the above amounts.

**3.** An investigation was undertaken by invoking Section 9 (3) of the Karnataka Lokayuktha Act, DGO submitted his comments. Based on the allegations of the complaint and preliminary notes, Hon'ble Upa-Lokayuktha had sent the report U/Sec. 12(3) of Karnataka Lokayuktha Act on 18/05/2017 as per Ref. No.1-Complt/Uplok/BGM/2697/2016/ARLO-1, Dtd.18/05/2017.

**4.** The Competent Authority/State Government after verifying the materials accorded permission and entrusted the enquiry by issuing notification as per Ref.No.2 Government Order No.ಕೃಇ/77/ಕೃಪವಿ/2017, ಬೆಂಗಳೂರು, dtd.13/07/2017.

**5.** Hon'ble Lokayuktha nominated ARE-8 as per Ref. No.3-Order No.UPLOK-1/DE/975/2017, Bangalore, dtd. 04/09/2017.

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

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**ANNEXURE No.I**  
**CHARGE**

You – Sri N.F.Mevundi, while working as Taluk Watershed Development Officer, Kundagol, Dharwad district have committed following irregularities;

- 1) You, the DGO have drawn amounts through Bank by self cheques allotted to DPAP Scheme during the period between 2006-07 to 31-10-2014 and mis-appropriated the same.
- 2) You, the DGO have drawn funds amounting to more than Rs.50,000/- through multiple cheques on the same day, though you were not expected to draw more than Rs.50,000/- per day, which is contrary to the instructions contained in the Scheme and in the circular dt.28/29-08-2006 of the Commissioner of Watershed Development department.
- 3) You, the DGO have not submitted the purpose for which the above amounts were withdrawn by self cheques and you have not submitted the accounts for the above amounts.

Thereby, you DGO have failed to take proper action and have failed to maintain absolute integrity and devotion to duty, the act of which is unbecoming of a Government Servant and you have committed misconduct as enumerated under Rule 3(1) of Karnataka Civil Services (Conduct) Rules, 1966.

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**ANNEXURE No.II**  
**STATEMENT OF IMPUTATIONS OF MISCONDUCT**

1. A complaint was filed by Sri Gangadhar Gowda S Patil, r/o Gowdara Oni, Devanur, Kundagol taluk, Dharwad district (hereinafter referred as 'Complainant' for short) against the DGO Sri N.F.Mevundi, then Taluk Watershed Development Officer, presently Assistant Agriculture Officer, Office of the Assistant Director of Agriculture, Kundagol taluk, Dharwad district alleging that;

The DGO had drawn amounts through bank by self cheques allotted to DPAP Scheme during the period between 2006-07 to 31-10-2014 and misappropriated the same.

A careful examination of the material on record shows that-

1) The DGO had drawn the following amount in DPAP Scheme by self cheques and misused the same,

| Sl. No. | Date of withdrawal | Number Of Cheques | Name        | Amount | Scheme Bank a/c number             |
|---------|--------------------|-------------------|-------------|--------|------------------------------------|
| 1       | 2                  | 3                 | 4           | 5      | 6                                  |
| 1       | 02/02/2012         | 3                 | Self        | 118100 | Hariyali SBI, Yellapur 30159894094 |
| 2       | 06/02/2012         | 8                 | N.F.Mevundi | 400000 | -do-                               |
| 3       | 24/02/2012         | 8                 | N.F.Mevundi | 100000 | -do-                               |
| 4       | 07/05/2012         | 5                 | Self        | 225000 | -do-                               |
| 5       | 07/05/2012         | 5                 | Cash        | 400000 | -do-                               |
| 6       | 29/05/2012         | 10                | N.F.Mevundi | 495000 | -do-                               |
| 7       | 29/05/2012         | 10                | Self        | 192000 | -do-                               |
| 8       | 28/04/2010         | 11                | Treasurer   | 550000 | Yeraguppi SBI, Dharwad             |

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|    |                          |    |                           |        |                                                 |
|----|--------------------------|----|---------------------------|--------|-------------------------------------------------|
|    |                          |    |                           |        | 30128715310                                     |
| 9  | 05/05/2010               | 6  | Treasurer                 | 275000 | -do-                                            |
| 10 | 29/05/2010               |    | K.Y.Kariyar               | 525000 | Hiregunjal SBI,<br>Dharwad<br>30128715456       |
| 11 | 28/03/2011               |    | Self                      | 222000 | -do-                                            |
| 12 | 29/03/2012               |    | Self                      | 900000 | -do-                                            |
| 13 | 02/05/2012               |    | Self                      | 54465  | -do-                                            |
| 14 | 19/03/2009               | 6  | Self                      | 255712 | Bhuthariaghatta,<br>SBI, Dharwad<br>30128719948 |
| 15 | 08/06/2012               | 5  | Self                      | 220000 | -do-                                            |
| 16 | 29/03/2011               | 4  | Self                      | 174000 | Hirenarhi, SBI,<br>Dharwad<br>30128704250       |
| 17 | 28/03/2011               | 6  | Self                      | 255000 | Gudenakatti,<br>SBI, Dharwad<br>30128715218     |
| 18 | 17/05/2010               | 5  | Self                      | 225000 | Yatiwala, SBI,<br>Dharwad<br>30128704227        |
| 19 | 08/03/2012               | 10 | Sell                      | 490000 | Sanklipura, SBI<br>Dharwad<br>30159900042       |
| 20 | 19/12/2013               | 4  | Self                      | 195000 | -do-                                            |
| 21 | 27/03/2012               | 11 | Self/Mevundi              | 550000 | Gowdageri, SBI,<br>Dharwad<br>30128719891       |
| 22 | 03/05/2010               | 16 | Treasurer/N.<br>F.Mevundi | 800000 | Devanoor, SBI,<br>Dharwad<br>30128715343        |
| 23 | 28/03/2011<br>22/06/2011 |    | Self                      | 261000 | -do-                                            |
| 24 | 10/03/2010               | 7  | Mevundi                   | 331900 | Chikkanarhi<br>SBI, Dharwad<br>30662300735      |
| 25 | 08/03/2011               | 2  | Self                      | 100000 | -do-                                            |
| 26 | 18/03/2011               | 2  | Self                      | 94800  | -do-                                            |
| 27 | 30/04/2011               | 2  | Self                      | 87093  | -do-                                            |
| 28 | 08/06/2012               | 5  | Self                      | 220000 | -do-                                            |

- 1) The withdrawal of above amount is supported by extracts of bank pass books. The DGO had drawn the above funds

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through multiple cheques on the same day, though he was not expected to draw more than Rs.50,000/- per day, which is contrary to the instructions contained in the Scheme. As per circular dated 28/29-08-2006 of the Commissioner of Watershed Development department, the respondent is not authorized to draw more than Rs.50000/- per day;

- 2) The DGO has not submitted the purpose for which the above amounts were withdrawn by self cheques and not submitted accounts for the above amounts.

Since the facts and material on record prima facie show that the DGO being a Public/Government has failed to maintain absolute integrity besides devotion to duty and acted in a manner unbecoming of a Public/Government servant and thereby committed mis-conduct under Rule 3(1) of the KCS (Conduct) Rules, 1966, recommendation was 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 and to entrust the enquiry to this Authority and recommendation was take to take action against DGO in accordance with law. 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.

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**7.** Summons was issued along with copy of Article of Charges to DGO, DGO appeared through RN advocate and FOS was recorded. DGO has denied the charges, pleaded not guilty and claimed to be tried. Enquiry was posted to file his objections/WS.

**8.** DGO has filed his objections/written statement contending that the allegations made with regard to withdrawal of project under self cheques more than Rs.50,000/- per day which was in violation of Government Order No.28/29-08-2006, issued by Commissioner, Water Shed office and he has not withdrawn more than Rs.50,000/- per day as alleged.

**9.** It is specifically contended that DPAP means Drought prone areas programme (DPAP) in order to implement the schemes guidelines have been issued to encourage horticulture crops like flowers, fruits rearing of fishes, and these works will be carried out through Grama Panchayath assistance by taking the labour service of villagers who are unemployed and also engaged in supplying drinking water after taking NOC from Forest Department. Further contended that all the implementations of these schemes are governed by guidelines and in Circular No.1. It is clearly mentioned that how the amount is to be drawn from the bank, to pay the bills and maintain records etc., and in Circular No.2 and 3, it is clearly mentioned that how the amount is to be distributed

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and the preparation of the bills and also for making payment for purchasing of agriculture instruments and amount will be drawn as per the circulars and guidelines. Further contended that investigation will be taken up on the basis of the allegations made by the complainant are not covered within the jurisdiction of Lokayuktha U/Sec. 8(1)(b) of K.L.Act and prays for dropping the proceedings.

**10.** In order to prove the allegations made in the Article of Charges, the Disciplinary Authority has examined complainant as PW.1 and through him got marked Ex.P.1 to Ex.P.6. After closure of the Disciplinary Authority, sufficient opportunity was given to DGO to lead his evidence, but the Advocate for DGO did not made any representation, so the SOS statement to be recorded for DGO and same was dispensed with and defence evidence is taken as nil and case was posted for arguments.

**11.** Heard the arguments of P.O., and the arguments of DGO was taken as nil as there was no representation from or by his Advocate and case was posted for submitting final report.

**12.** Following point arise for my consideration;

Whether the Charge leveled against DGO Sri. N.F. Mevundi, then Taluk Watershed Development Officer, Kunadgol, Dharward District (presently Assistant Agriculture

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Officer, Kundgola, Dharwad District,  
is proved by the Disciplinary  
Authority?

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

**REASONS**

**14.** P.O. in order to substantiate the allegations made in the complaint has examined complainant as PW.1 and has stated that DGO was working in Agriculture Department from 2006 to 2014 and he has encashed 200-cheques paid to self, paid to Mevundi, cash, relating to the watershed project to enable the farmers to raise horticulture crops which was in violation of circulars. He has withdrawn amount on 29-occassions in between 2009 to 2013 and he has drawn more than Rs.50,000/- in a day, which was in violation of guidelines issued by concerned Department. Further stated that he has produced the circular marked at Ex.P.4 and letters issued by Department at Ex.P.5 and Bank passbook disclosing the withdrawal of amount by DGO from the bank under self-cheques of more than Rs.50,000/- per day.

**15.** PW.1 has been cross examined, it is elicited in the cross examination that complainant has not lodged any complaint to the superiors of watershed department and he has not produced any circular to show that officers like DGO cannot withdrawn more than Rs.50,000/- per day. And he has not

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produced audit report to show the misappropriation committed by DGO and makes suggestion that the passbook pertains to the year 2012 or the transactions pertaining to prior to 2012 and after that when case was posted for defence evidence, no evidence is lead by defence.

**16.** Articles of Charge leveled against DGO distinctly pertains to DGO withdrawal amount by self-cheques allotted to DPAP scheme during 2006-07 to 31/10/2014 and withdrawn the amount on 28-occassions from 2010 to 2012. Second AOC is the DGO has withdrawn the above funds through multiple cheques. On the same though he was not expected to drawn more than Rs.50,000/- per day, which was contrary to instructions contained in the scheme as per the circular 28/29-08-2006 of the Commissioner of Watershed Department. Further DGO has not submitted the purpose for which the above amount has withdrawn. It is relevant to note that the specific charge against the DGO is that he has withdrawn the amount by violating the said circular 28/29-08-2006, which prohibited the official not to withdrawn the amount more than Rs.50,000/- per day. With the relevancy it is marked at Ex.P.4 issued on 28/08/2006. Further second matter in controversy whether the DGO is entitled to withdraw the amount for implementation of the watershed schemes to encourage rising of horticulture products under self-cheques on behalf of the Department.

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**17.** In this regard, the Disciplinary Authority/P.O. has got marked relevant documents Ex.P.4 and Ex.P.5. Ex.P.4 is the circular issued by District Watershed Development Office, Dharawad, it is dtd.28.08.2006 in which it is clearly mentioned that for the purpose of implementing the schemes under watershed development schemes officers are withdrawing amount from Rs1-lakh to Rs.Five-lakhs in a day and withdrawal of amount from Rs.1-lakh to Rs.Five-lakhs in one day to implement the schemes is not necessary, direction is issued to officials of watershed department not to withdraw more than Rs.50,000/- in a day. Further my attention is drawn to Ex.P.5 produced by PW.1 and information obtained from technical officers of District watershed development authority, Dharawad in which it is mentioned that in implementation of the scheme said watershed development office has not issued any authorization to draw the amount by producing the self-cheques and use the said amount for implementation of the schemes. So these two circulars clearly place to emerges on the officers of department of watershed that they have not permitted to withdraw Rs.50,000/- per day and they are prohibited from withdrawing the amount by presenting the self-cheques.

**18.** From the passbook produced by the PW.1 marked at Ex.P.6, it is to be seen that whether DGO has withdrawn more than Rs.50,000/- per day by violating the above said circulars

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28/29-08-2006 and also withdrawing the amount by self-cheques more than Rs.50,000/- per day.

**19.** It is the specific case of the DGO that the allegations made with regard to empowerment if DGO not to withdraw the amount more than Rs.50,000/- per day in implementation of the schemes by Watershed Department is not binding on him or the project to be undertaken to execute the DPAP (Drought Prone Area programmes) project and this project deals with promoting and encouraging the growth of Horticulture crops, rearing of fish and providing employment to farmers and villagers who are unemployed after providing employment engaged them in planting trees and horticulture crops with the permission of Forest Department etc., and also to encourage animal husbandry etc., and he has referred in his objections point to the AOC to some Circulars 1 to 3 providing the process of disbursement of amount of the project and identifying the persons to be engaged in project work. Unfortunately, DGO has not produced these Circulars which will over-raid Ex.P.4. Circular issued and arising out of the proceedings of Watershed Department of Bangalore, issued by Commissioner dtd.28/29-08-2006. It is referred as Circular No.3 which provides that the Watershed Department has undertaken several projects to be implemented under the schemes of in co-ordination with the Panchayath and while executing these project works some of the officials and

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Members of Sub-Committee including the President of Panchayath are withdrawing the amount more than Rs.one lakh to Rs.Five Lakh through the Bank which is beyond the limit of their financial powers and it is further discloses in the circular No.3 that there is no necessity for the authority in implementing the project works to withdraw the amount more than Rs.50,000/- through cheques and getting them encashed and the copy of the Circular has been forwarded to Watershed Department and Horticulture Department Directors. Added to that Ex.P.5 is the letter issued to complainant giving information about the powers of the Watershed Department employees to withdraw the amount more than Rs.50,000/- by presenting the self-cheques. In this regard, District Watershed Department, Dharwad, has replied with a letter dtd.06/03/2014 that no order has been issued from the said Authority to Watershed Department about to withdraw the amount from the Bank relating to project work by presenting the self- addressed cheque. So it is clear that Watershed Department in the year 2006 only has issued circular directing all the officials not to withdraw the amount more than Rs.50,000/- in a day and the cheque is to be encashed having signed by Officers, President of the Committee.

**20.** Second question that arises whether DGO has withdraw more than Rs.50,000/- per day from the Bank by presenting self-cheque more than one time in a day. It is the

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contention of the DGO that all these transactions pertaining to 2012 or prior to that has mentioned in Passbook marked at Ex.P.6. Close observation of the contents of the passbook marked at Ex.P.6 pertaining to SBI Bank, discloses that account standing in the name of Gram Panchayath, Shirur, Watershed, Shirur, the entries started with 2012, 2013 and some of them pertaining to 2009-10 to 2014. On close observation the entries discloses the fact that self-cheques have been presented on 02/02/2012 three times mentioning the amount of Rs.4,10,554/-, Rs.4,10,553/-, Rs.4,10,552/- and again in 2012 in the month of May four self-chques have been presented for encashment Rs.4,10,567/-, Rs.4,10,565/-, Rs.4,10,570/ and Rs.4,10,566/ . It is seen that on several times DGO has withdrawn more than Rs.50,000/- in a day by presenting self cheque which is the clear violation of the circular issued by the District Watershed Department, Dharawad, dtd.28/29-08-2006 and the amounts are withdrawn from 2009 to 2013. To counter these allegations DGO has not produced any documents or presented rebuttal evidence. Except in the cross examination of PW.1, no stout defence has been placed before Enquiry Authority to disbelieve the evidence of PW.1 and Ex.P.1 to Ex.P.6 pertaining to complaint and Circulars prohibiting the DGO officers, employees to withdraw more than Rs.50,000/- per day by presenting self cheque.

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**21.** It is further relevant to note that DGO has filed objections and requested to cross examine the PW.1, he has not lead any evidence on his behalf like getting himself examined as DW.1 or producing circulars which were in his favour to elicit that DGO was not barred as a Development Officer in withdrawing more than Rs.50,000/- per day on several occasions by presenting self-cheques.

**22.** In the absence of rebuttal evidence placed by DGO and relying on the evidence of PW.1 particularly the documents like Ex.P.4 and Ex.P.5 which are the copies of the proceedings of the Department of Watershed Department, prohibiting the DGO like officers not to withdraw the amount from the Bank for more than Rs.50,000/- per day and Ex.P.6-Pssbook clearly discloses that on some occasions DGO has withdrawn the money more than Rs.50,000/- by presenting the self-cheque. In view of this discussion, it is clear to understand that DGO has committed not only procedural irregularity, but he has violated the circular and has committed misconduct as a Government Servant. It is proper to bring on record to show that no allegations are made against the DGO that he has misappropriated the amount allotted by the Government for promoting horticulture crops, rearing of fishes, animal husbandry etc. But he has committed misconduct by withdrawing the amount by presenting the self-cheques in his

*Defendant*  
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name from the Bank by withdrawing the amount more than Rs.50,000/- per day on several occasions.

**23.** In view of the elaborate discussion made above, this enquiry authority is constrained to hold that, the charge framed against DGO is established. In the result above Point is answered in the '**AFFIRMATIVE**' and I proceed to record the following;

### **FINDINGS**

The Disciplinary Authority has proved the charges leveled against the Delinquent Government Official Sri. N.F. Mevundi, then Taluk Watershed Development Officer, Kunadgol, Dharwad District (presently Assistant Agriculture Officer, Kundgola, Dharwad District.

Submitted to Hon'ble Upa-Lokayuktha, 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. Gangadharagowda S. Patil S/o Shrimanthagowda Patil, aged about 35 years, r/o Gowdara Oni, Devanur Taluk, Kundagol, Dharawad District, dtd.02/04/2019. (original) |
|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|

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

|                     |                                                                                                                                |
|---------------------|--------------------------------------------------------------------------------------------------------------------------------|
| Ex.P.1<br>Ex.P.1(a) | Form No.1- complaint submitted before Hon'ble Lokayuktha by the complainant-PW1.(Original)<br>Signature of PW.1                |
| Ex.P2<br>Ex.P.2(a)  | Form-II (complainant's Affidavit) submitted to Lokayuktha (Original copy)<br>Signature of PW.1                                 |
| Ex.P.3<br>Ex.P.3(a) | Complaint submitted by complainant to Lokayuktha office, Bengaluru, dtd.19/08/2015 (original)<br>Signature of PW.1             |
| Ex.P. 4             | Circular dtd.28/29.08.2006 issued by Watershed Department. (xerox copy)                                                        |
| Ex.P.5              | Letter dtd. 06/03/2014, to the complainant issued by District Watershed Development Department office, Dharawada. (xerox copy) |
| Ex.P.6              | Xerox copy of Department passbook (from pages 12 to 42) xerox copies                                                           |

  
**(RAJASHEKAR.V.PATIL)**  
 Additional Registrar Enquiries-8  
 Karnataka Lokayukta,  
 Bengaluru.

