

GOVERNMENT OF KARNATAKA



KARNATAKA LOKAYUKTA

NO: LOK/INQ/14-A/83/2012/ARE-1

Multi Storied Building,
Dr. B.R. Ambedkar Veedhi,
Bengaluru-560 001,
Date: 2/8/2017

RECOMMENDATION

Sub:- Departmental inquiry against;

- (1) Sri K.N. Ramachandra Reddy, the then Assistant Engineer, Office of the Assistant Executive Engineer, Hombegowdanagar Sub Division, Bruhat Bengaluru Mahanagara Palike, Bengaluru;
- (2) Sri H. Puttappa, Gangman, then working in the office of the Assistant Executive Engineer, Hombegowdanagara Sub Division, Ward No.63, Bruhat Bengaluru Mahanagara Palike, Bengaluru

- Ref:- 1) Government Order No. 306 ಸೇಇವಿ 2011,
Bengaluru, dated 21/10/2011 from Public Works,
Ports and Inland Water Transport Department.
- 2) Order No. ಬಿ12(7) ಪಿಆರ್/357/08-09 dated 3/1/2012 of the
Commissioner, Bruhat Bengaluru Mahanagara
Palike, Bengaluru.
 - 3) Nomination order No.LOK/INQ/14-A/83/2012,
Bengaluru dated 18/2/2012 of Upalokayukta-1,
State of Karnataka, Bengaluru
 - 4) Inquiry Report dated 29/7/2017 of Additional
Registrar of Enquiries-1, Karnataka Lokayukta,
Bengaluru

The Government in Public Works, Ports and Inland Water Transport Department by its Order dated 21/10/2011, initiated the disciplinary proceedings against Sri K.N. Ramachandra Reddy, the then Assistant Executive Engineer, Hombegowdanagar Sub Division, Bruhat Bengaluru Mahanagara Palike, Bengaluru (hereinafter referred to as Delinquent Government Official-1, for short as '**DGO-1**') and entrusted the Departmental Inquiry to this Institution.

2. The Commissioner of Bruhat Bengaluru Mahanagara Palike, Bengaluru by its Order dated 3/1/2012 initiated disciplinary proceedings against Sri H. Puttappa, Gangman, then working at the office of the Assistant Executive Engineer, Hombegowdanagar Sub Division, Ward No.63, Bruhat Bengaluru Mahanagara Palike, Bengaluru (hereinafter referred to as Delinquent Government Official-2, for short as '**DGO-2**') and entrusted the Departmental Inquiry to this Institution.

3. This Institution by Nomination Order No.LOK/INQ/14-A/83/2012 dated 18/2/2012, nominated Additional Registrar of Enquiries-3, Karnataka Lokayukta, Bengaluru, as the Inquiry Officer to frame charges and to conduct Departmental Inquiry against DGOs 1 and 2 for the alleged charge of misconduct, said to have been committed by him. Subsequently, by Order No. LOK/INQ/14-A/2014 Dt. 14/3/2014, the Addl. Registrar of Enquiries-1, Karnataka Lokayukta, Bengaluru was re-nominated as Inquiry Officer to conduct departmental inquiry against DGOs 1 and 2.

4. The DGO-1 Sri K.N. Ramachandra Reddy and DGO-2 Sri H. Puttappa were tried for the following charges:-

"That you, Sri K.N. Ramchandra Reddy (hereinafter referred to as Delinquent Government Official-1, in short DGO-1) while working as Assistant Executive Engineer, Hombegowdanagar Sub Division, BBMP, Bangalore demanded and accepted a bribe of Rs.50,000/- on 5/1/2009 through Sri Puttappa, (hereinafter referred to as Delinquent Government Official-2, in short DGO-2), while working as Gangman, O/o. the Assistant Executive Engineer, Hombegowdanagar Sub Division, Ward No.63, BBMP, from the complainant Sri J.M. Nanjunda Gupta

S/o. Late Muniswamy Shetty, R/o. Laksandra at Bangalore for not to stop the construction work of the house of the complainant and not to demolish the portion of the house which was already constructed that is for doing an official act, and thereby both of you failed to maintain absolute integrity and devotion to duty and committed an act which is unbecoming of a Government Servant and thus both of you are guilty of committing misconduct under Rule 3(1)(i) to (iii) of KCS (Conduct) Rules, 1966.

That you Sri Puttappa (hereinafter referred to as Delinquent Government Official-2, in short DGO-2) while working as Gangman, O/o the Assistant Executive Engineer, (Hombegowdanagar) Sub Division, Ward No.63, BBMP, Bangalore demanded and accepted a bribe of Rs.5000/- on 5/1/2009 from the complainant Sri J.M. Nanjunda Gupta S/o. Late Muniswamy Shetty, R/o. Laksandra at Bangalore for not to stop the construction work of the house of the complainant and not to demolish the portion of the house which was already constructed that is for doing an official act, and thereby both of you failed to maintain absolute integrity and devotion to duty and committed an act which is unbecoming of a Government Servant and thus both of you are guilty of misconduct under Rule 3(1)(i) to (iii) of KCS (Conduct) Rules, 1966.”

5. The Inquiry Officer (Additional Registrar of Enquiries-1) on proper appreciation of oral and documentary evidence has held that the Disciplinary Authority has proved the above charges against DGO-1 Sri K.N. Ramachandra Reddy and DGO-2 Sri H. Puttappa.

6. On re-consideration of the evidence, 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.


7. As per the First Oral Statement submitted by DGOs 1 and 2, DGO-1 Sri K.N. Ramachandra Reddy is due to retire from service on 31/7/2018 and DGO-2 Sri H. Puttappa has retired from service on 30/9/2016 (during the pendency of inquiry).

8. Having regard to the nature of charge (demand and acceptance of bribe) proved against DGO-1 Sri K.N. Ramachandra Reddy and DGO-2 Sri H. Puttappa, and the time that may be taken for issuance of I & II Show cause notices, if the penalty of compulsory retirement is imposed on DGO-1, it will be as good as allowing him to retire from service in the normal course. Therefore, it is hereby recommended to the Government to impose penalty of compulsory retirement from service and also permanently withholding 50% of pension payable to DGO-1 Sri K.N. Ramachandra Reddy.

As regards DGO-2 Sri H. Puttappa, he has already retired from service. Therefore, it is hereby recommended to the Government to impose penalty of permanently withholding 50% of pension payable to DGO-2 Sri H. Puttappa.

9. 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