



ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ

ನಂ.ಉಪಲೋಕ್-1/ಡಿ.ಇ/133/2021/ಎ.ಆರ್.ಇ-20

ಬಹುಮಹಡಿಗಳ ಕಟ್ಟಡ,
ಡಾ:ಬಿ.ಆರ್.ಅಂಬೇಡ್ಕರ್ ವೀದಿ,
ಬೆಂಗಳೂರು-560001.
ದಿನಾಂಕ: 29ನೇ ಡಿಸೆಂಬರ್ 2023.

-:: ಶಿಫಾರಸ್ಸು ::-

ವಿಷಯ: ಆಪಾದಿತ ಸರ್ಕಾರಿ ನೌಕರರಾದ ಶ್ರೀ. ಮೊಹಮ್ಮದ್ ರಫಿ.
ಎಂ, ಮುಖ್ಯೋಪಾಧ್ಯಾಯರು, ಸರ್ಕಾರಿ ಹಿರಿಯ ಪ್ರಾಥಮಿಕ
ಶಾಲೆ, ಹನಸಿ, ನವಲಗುಂದ ತಾಲ್ಲೂಕು, ಧಾರವಾಡ ಜಿಲ್ಲೆ
ಇವರ ವಿರುದ್ಧದ ಇಲಾಖಾ ವಿಚಾರಣೆ ಕುರಿತು.

- ಉಲ್ಲೇಖ: (1) ಸರ್ಕಾರಿ ಆದೇಶ ಸಂಖ್ಯೆ: ಇಡಿ 66 ಪಿಎಂಡಬ್ಲ್ಯೂ
2020 ಬೆಂಗಳೂರು, ದಿನಾಂಕ:27/07/2021.
(2) ಉಪಲೋಕಾಯುಕ್ತರು, ಕರ್ನಾಟಕ ರಾಜ್ಯ, ಬೆಂಗಳೂರು
ರವರ ನಾಮ ನಿರ್ದೇಶನ ಆದೇಶ ಸಂಖ್ಯೆ:
ಉಪಲೋಕ್-1/ಡಿಇ/133/2021, ಬೆಂಗಳೂರು,
ದಿನಾಂಕ: 06/08/2021.
(3) ಅಪರ ನಿಬಂಧಕರು ವಿಚಾರಣೆಗಳು-20, ಕರ್ನಾಟಕ
ಲೋಕಾಯುಕ್ತ ಬೆಂಗಳೂರು ರವರ ವಿಚಾರಣಾ ವರದಿ
ದಿನಾಂಕ: 27/12/2023.

ಸರ್ಕಾರದ ಆದೇಶ ದಿನಾಂಕ: 27/07/2021ರಂತೆ ಸ.ಆ.ನೌ. ಶ್ರೀ. ಮೊಹಮ್ಮದ್ ರಫಿ. ಎಂ,
ಮುಖ್ಯೋಪಾಧ್ಯಾಯರು, ಸರ್ಕಾರಿ ಹಿರಿಯ ಪ್ರಾಥಮಿಕ ಶಾಲೆ, ಹನಸಿ, ನವಲಗುಂದ ತಾಲ್ಲೂಕು,
ಧಾರವಾಡ ಜಿಲ್ಲೆ (ಇನ್ನು ಮುಂದೆ ಆಪಾದಿತ ಸರ್ಕಾರಿ ನೌಕರರು ಅಂದರೆ ಚಿಕ್ಕದಾಗಿ
'ಆ.ಸ.ನೌಕರರು'ಎಂದು ಸಂಭೋದಿಸಲಾಗುವುದು) ರವರ ವಿರುದ್ಧ ಶಿಸ್ತು ಪ್ರಕ್ರಿಯೆಯನ್ನು
ಕೈಗೊಂಡು ವಿಚಾರಣೆ ಮಾಡಿ, ವರದಿ ಸಲ್ಲಿಸುವಂತೆ ಈ ಸಂಸ್ಥೆಗೆ ಇಲಾಖಾ ವಿಚಾರಣೆಯನ್ನು
ವಹಿಸಿರುತ್ತದೆ.

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2. ಈ ಸಂಸ್ಥೆಯ ನಾಮನಿರ್ದೇಶನ ಆದೇಶ ಸಂಖ್ಯೆ:ಉಪಲೋಕ್-1/ಡಿಇ/133/2021, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 06/08/2021ರ ರೀತ್ಯಾ ಅಪರ ನಿಬಂಧಕರು ವಿಚಾರಣೆಗಳು-20 ರವರಿಗೆ ಆ.ಸ.ನೌಕರರುಗಳ ವಿರುದ್ಧ ದೋಷಾರೋಪಣಾ ಪಟ್ಟಿ ತಯಾರು ಮಾಡಿ, ವಿಚಾರಣೆ ನಡೆಸಿ, ವರದಿ ಸಲ್ಲಿಸುವಂತೆ ಆದೇಶ ಹೊರಡಿಸಲಾಗಿರುತ್ತದೆ.
3. ಆ.ಸ.ನೌಕರರಾದ ಶ್ರೀ. ಮೊಹಮ್ಮದ್ ರಫಿ. ಎಂ, ಮುಖ್ಯೋಪಾಧ್ಯಾಯರು, ಸರ್ಕಾರಿ ಹಿರಿಯ ಪ್ರಾಥಮಿಕ ಶಾಲೆ, ಹನಸಿ, ನವಲಗುಂದ ತಾಲ್ಲೂಕು, ಧಾರವಾಡ ಜಿಲ್ಲೆ ರವರ ವಿರುದ್ಧ ಈ ಕೆಳಗಿನ ದೋಷಾರೋಪಣೆಗಾಗಿ ಇಲಾಖಾ ವಿಚಾರಣೆಯನ್ನು ನಡೆಸಲಾಯಿತು.

ಅನುಬಂಧ-1

ದೋಷಾರೋಪಣೆ

ಆ.ಸ.ನೌ ಶ್ರೀ. ಮೊಹಮ್ಮದ್ ರಫಿ, ಎಂ, ಮುಖ್ಯೋಪಾಧ್ಯಾಯರು, ಸರ್ಕಾರಿ ಹಿರಿಯ ಪ್ರಾಥಮಿಕ ಶಾಲೆ, ಹನಸಿ ಗ್ರಾಮ, ನವಲಗುಂದ ತಾಲ್ಲೂಕು, ಧಾರವಾಡ ಜಿಲ್ಲೆ ಆದ ನೀವು 2019-20ನೇ ಸಾಲಿನ ಶಾಲಾ ಮಕ್ಕಳಿಗೆ ಶೂ ಮತ್ತು ಸಾಕ್ಸ್ ಖರೀದಿ ವಿಚಾರದಲ್ಲಿ ಈ ಕೆಳಗೆ ವಿವರಿಸಿದಂತೆ ಸಂಪೂರ್ಣ ಪ್ರಾಮಾಣಿಕತೆ ಹಾಗೂ ಕರ್ತವ್ಯ ನಿಷ್ಠೆಯನ್ನು ಪಾಲಿಸದೇ ಮತ್ತು ಸರ್ಕಾರಿ ನೌಕರರಿಗೆ ಉಚಿತವಲ್ಲದ ರೀತಿಯಲ್ಲಿ ನಡೆದುಕೊಂಡಿರುತ್ತೀರಿ;

1) ಶೂ ಮತ್ತು ಸಾಕ್ಸ್‌ಗಳ ಖರೀದಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ಶ್ರೀ ಸಂಗಮೇಶ್ವರ ಎಂಟರ್‌ಪ್ರೈಸಸ್ ಉಣಕಲ್, ಹುಬ್ಬಳ್ಳಿ, ಶ್ರೀ ಸಿದ್ದಿವಿನಾಯಕ ಫುಟ್‌ವೇರ್, ಗಣೇಶಪೇಟೆ ಹುಬ್ಬಳ್ಳಿ, ಸಲೀಂ ಫುಟ್‌ವೇರ್, ಕುಬ್ಜೆಸದ್‌ಗಲ್ಲಿ, ಹುಬ್ಬಳ್ಳಿ ಮತ್ತು ಶ್ರೀ ಆರೋಧ ಎಂಟರ್‌ಪ್ರೈಸಸ್, ನವಲಗುಂದ ಇವರಿಂದ ದರಪಟ್ಟಿಗಳನ್ನು ಪಡೆದಿದ್ದು, ಆದರೆ ಖರೀದಿ ಸಮಿತಿಯು ಶ್ರೀ ಸಂಗಮೇಶ್ವರ ಎಂಟರ್‌ಪ್ರೈಸಸ್ ಸಂಸ್ಥೆಯ ದರಪಟ್ಟಿಯನ್ನು ಒಪ್ಪಿ ಸದರಿ ಸಂಸ್ಥೆಗೆ ಕಾರ್ಯಾದೇಶವನ್ನು ನೀಡಿದ ದಾಖಲೆಗಳು ಇರುವುದಿಲ್ಲ.

2) ಶಾಲಾ ಅಭಿವೃದ್ಧಿ ಮತ್ತು ಮೇಲುಸ್ತುವಾರಿ ಸಮಿತಿಯ ನಡವಳಿ ದಿ:25/08/19 ಮತ್ತು 21/09/19ಗಳನ್ವಯ ಶೂ ಮತ್ತು ಸಾಕ್ಸ್‌ಗಳ ಖರೀದಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ನೋಂದಾಯಿತ ಸಂಸ್ಥೆಗಳಿಂದ ದರಪಟ್ಟಿಗಳನ್ನು ಆಹ್ವಾನಿಸುವ ಬಗ್ಗೆ ಯಾವುದೇ ತೀರ್ಮಾನ ಕೈಗೊಳ್ಳದಿರುವುದು ಕಂಡು ಬಂದಿದೆ;

3) ಕಡತದಲ್ಲಿರುವ ಎಲ್ಲಾ ದರಪಟ್ಟಿಗಳ ದಿನಾಂಕ ಒಂದೇ [19/09/19] ಆಗಿರುವುದಲ್ಲದೇ, ಏಕಕಾಲಕ್ಕೆ ತಯಾರಿಸಿದಂತೆ ಕಂಡು ಬಂದಿದೆ. ಶಾಲಾ ಮುಖ್ಯಗುರುಗಳಿಗೆ ಎಂದು ವಿಳಾಸಿಸಿದ ಕಡೆ ಇರುವ ಕೈಬರವಣಿಗೆಯು ಒಂದೇ ರೀತಿ ಕಾಣುತ್ತದೆ. ಸದರಿ ಎಲ್ಲಾ ಅಂಶಗಳನ್ವಯ, ದರಪಟ್ಟಿಯನ್ನು ಆಹ್ವಾನಿಸುವ ಬಗ್ಗೆ ಶಾಲಾ ಅಭಿವೃದ್ಧಿ ಮತ್ತು ಮೇಲುಸ್ತುವಾರಿ ಸಮಿತಿಯ ತೀರ್ಮಾನ ಇಲ್ಲದಿದ್ದರೂ, ಮುಂದೆ ಆಗಬಹುದಾದ ಕಾನೂನಿನ ತೊಡಕುಗಳಿಂದ ರಕ್ಷಿಸಿಕೊಳ್ಳುವ ಉದ್ದೇಶದಿಂದ ದರಪಟ್ಟಿಗಳನ್ನು ತಯಾರಿಸಿರುವುದು ಮೇಲ್ನೋಟಕ್ಕೆ ಕಂಡು ಬಂದಿದೆ;

4) ಶೂ ಮತ್ತು ಸಾಕ್ಸ್ ಖರೀದಿಯನ್ನು ಶ್ರೀ ಸಂಗಮೇಶ್ವರ ಎಂಟರ್‌ಪ್ರೈಸಸ್, ಹುಬ್ಬಳ್ಳಿ ರವರಿಂದ ಮಾಡಲಾಗಿದೆಯೆಂದು ಹೇಳಿದ್ದು, ಖರೀದಿ ಬಾಬು ಚೆಕ್‌ನಲ್ಲಿ ಒಟ್ಟು ರೂ.66,120/-ನ್ನು ಸದರಿ ಸಂಸ್ಥೆಗೆ ಪಾವತಿ ಮಾಡಿದೆಯೆಂದು ಹೇಳಿದ್ದು, ಚೆಕ್ ಸಂಖ್ಯೆ ಮತ್ತು ದಿನಾಂಕವು ಶಾಲಾ ಅಭಿವೃದ್ಧಿ ಮತ್ತು ಮೇಲುಸ್ತುವಾರಿ ಸಮಿತಿ ಸಭಾ ನಡವಳಿಯಲ್ಲಿ ಮತ್ತು ಟ್ಯಾಕ್ಸ್ ಇನ್‌ಫಾರ್ಮ್‌ನಲ್ಲಿ ದಾಖಲಾಗಿಲ್ಲ;

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5) ಕಡತದಲ್ಲಿರುವ ಶ್ರೀ ಸಂಗಮೇಶ್ವರ ಎಂಟರ್‌ಪ್ರೈಸಸ್, ಗುಲ್ಬರ್ಗ ಸಂಸ್ಥೆಯ ಟ್ಯಾಕ್ಸ್ ಇನ್‌ವಾಯ್ಸ್‌ನಲ್ಲಿ ದಿನಾಂಕ ನಮೂದಿಲ್ಲ. ಹಾಗೆಯೇ, ಯಾವ ಕಂಪನಿಯ ಶೂ ಮತ್ತು ಸಾಕ್ಸ್‌ಗಳನ್ನು ಸರಬರಾಜು ಮಾಡಿದೆಯೆಂಬ ವಿವರಗಳು ಸಹ ಸಂಸ್ಥೆಯ ಟ್ಯಾಕ್ಸ್ ಇನ್‌ವಾಯ್ಸ್‌ನಲ್ಲಿ ನಮೂದಾಗಿಲ್ಲ;

6) ಖರೀದಿಸಿದ ಶೂ ಮತ್ತು ಸಾಕ್ಸ್‌ಗಳನ್ನು ವಿದ್ಯಾರ್ಥಿಗಳಿಗೆ ಹಂಚಿಕೆ ಮಾಡಿದ ಬಗ್ಗೆ ನೀವು ದಾಖಲೆಗಳನ್ನು ಇಟ್ಟಿರುವುದಿಲ್ಲ.

7) ಒಟ್ಟು 240 ವಿದ್ಯಾರ್ಥಿಗಳಿಗೆ ಶ್ರೀ ಸಂಗಮೇಶ್ವರ ಎಂಟರ್‌ಪ್ರೈಸಸ್ ಸಂಸ್ಥೆಯು ಷೂ ಮತ್ತು ಸಾಕ್ಸ್‌ಗಳನ್ನು ಪೂರೈಕೆ ಮಾಡಿದೆಯೆಂದು ಹೇಳಿದ್ದು, ಟ್ಯಾಕ್ಸ್ ಇನ್‌ವಾಯ್ಸ್‌ನ ವಿವರಗಳು ಈ ಕೆಳಗಿನಂತಿವೆ:

Sl.No.	Particulars	Qty.	Rate	Amount
1	Shoes & Socks	156	265.00	41340.00
2	Shoes & Socks	84	295.00	24780.00
Total				66120.00

ಸದರಿ ಟ್ಯಾಕ್ಸ್ ಇನ್‌ವಾಯ್ಸ್‌ನಲ್ಲಿ ಷೂ ಮತ್ತು ಸಾಕ್ಸ್‌ಗಳ ಸಂಖ್ಯೆಯನ್ನು (ಜೊತೆಯನ್ನು) ನಿಖರವಾಗಿ ನಮೂದಿಸಿಲ್ಲ;

8) ಶ್ರೀ ಸಂಗಮೇಶ್ವರ ಎಂಟರ್‌ಪ್ರೈಸಸ್ ಸಂಸ್ಥೆಯು ಷೂ ಮತ್ತು ಸಾಕ್ಸ್‌ಗಳು ಮೇಲೆ ಹೇಳಿದ ಸುತ್ತೋಲೆಯ ಅಂಶ-14 ರಿಂದ 16ರಲ್ಲಿ ನಿಗದಿಪಡಿಸಿದ ವೈಶಿಷ್ಟ್ಯಗಳಿಗನುಗುಣವಾಗಿ ಇತ್ತೀ \ ಇದೆಯೇ ಎಂಬ ಬಗ್ಗೆ ದಾಖಲೆಗಳಿಲ್ಲ;

9) ಯಾವ ಕಂಪನಿಯ ಷೂ \ ಸಾಕ್ಸ್‌ಗಳು ಸರಬರಾಜು ಮಾಡಿದೆಯೆಂಬ ಬಗ್ಗೆ ದಾಖಲೆಗಳಿಲ್ಲ;

10) ಕಡತದಲ್ಲಿರುವ Test Certificate ಅನ್ವಯ ಸರಬರಾಜುದಾರರ ಹೆಸರು Lancer Footwear India Pvt. Ltd., ಎಂದಿದ್ದು, ಅದೇ ಕಂಪನಿಯವರು ತಯಾರಿಸಿದ ಷೂ \ ಸ್ಯಾಂಡಲ್ಸ್ \ ಸಾಕ್ಸ್‌ಗಳನ್ನೇ ಶ್ರೀ ಸಂಗಮೇಶ್ವರ ಎಂಟರ್‌ಪ್ರೈಸಸ್ ಸಂಸ್ಥೆಯು ಸರಬರಾಜು ಮಾಡಿದೆಯೇ ಎಂಬ ಬಗ್ಗೆ ದಾಖಲೆಗಳಿಲ್ಲ;

11) ಸುತ್ತೋಲೆಗೆ ಲಗತ್ತಿಸಿದ ಅನುಬಂಧದಲ್ಲಿ ಷೂ \ ಸಾಕ್ಸ್ ಗಳ ತಾಂತ್ರಿಕ ವಿವರಣೆ [Technical Specification] ಅನ್ವಯ ಸದರಿ ಷೂ \ ಸಾಕ್ಸ್ ಗಳು ಗುಣಮಟ್ಟ ಹೊಂದಿರುವ ಬಗ್ಗೆ ದಾಖಲೆಗಳಿಲ್ಲ. ಸುತ್ತೋಲೆಯ ಷರತ್ತಿನ ಕ್ರಮ ಸಂಖ್ಯೆ:3ರಲ್ಲಿ ನೂಚಿಸಿದಂತೆ ಖರೀದಿಸಿದ ಷೂ ಮತ್ತು ಸಾಕ್ಸ್‌ಗಳು ಎಫ್‌ಡಿಡಿಎ (ನೋಯಿಡಾ) ರವರು ಪ್ರಮಾಣೀಕರಿಸಿರುವ ತಾಂತ್ರಿಕ ಗುಣಮಟ್ಟ ಹೊಂದಿದೆಯೇ ಎಂಬ ಬಗ್ಗೆ ದಾಖಲೆಗಳಿಲ್ಲ.

12) ಶ್ರೀ ಸಂಗಮೇಶ್ವರ ಎಂಟರ್‌ಪ್ರೈಸಸ್ ಸಂಸ್ಥೆಯು ಸುತ್ತೋಲೆಯ ಅಂಶ-15ರಲ್ಲಿ ಹೇಳಿದ ಪ್ರತಿಷ್ಠಿತ ಬ್ರಾಂಡ್‌ಗಳ ಅಧಿಕೃತ ಮಾರಾಟಗಾರರೇ ಎಂಬ ಬಗ್ಗೆ ದಾಖಲೆಗಳಿಲ್ಲ;

13) 2019-20ನೇ ಶೈಕ್ಷಣಿಕ ಸಾಲಿಗೆ ಷೂ ಮತ್ತು ಸಾಕ್ಸ್‌ಗಳನ್ನು ಖರೀದಿಸಬೇಕೆಂದು, ಸುತ್ತೋಲೆಯ ಅಂಶ-8ರನ್ವಯ ಖರೀದಿ ಪ್ರಕ್ರಿಯೆಯು ಜುಲೈ, 15 ರಿಂದ ಜುಲೈ, 30 ರೊಳಗಾಗಿ ಪೂರ್ಣಗೊಳಿಸಬೇಕು. ಸದರಿ ದೂರದಲ್ಲಿ ಎದುರುದಾರರು ಖರೀದಿ ಪ್ರಕ್ರಿಯೆಯನ್ನು ಬಹಳಷ್ಟು ವಿಳಂಬವಾಗಿ ಆಗಸ್ಟ್-ಸೆಪ್ಟೆಂಬರ್, 2019ರಲ್ಲಿ ಪ್ರಾರಂಭಿಸಿದ್ದಾರೆ. ಶ್ರೀ ಸಂಗಮೇಶ್ವರ ಎಂಟರ್‌ಪ್ರೈಸಸ್ ಸಂಸ್ಥೆಯು ಷೂ ಮತ್ತು ಸಾಕ್ಸ್‌ಗಳನ್ನು ಸರಬರಾಜು ಮಾಡಿದ ದಿನಾಂಕವು ಎಲ್ಲಿಯೂ ಲಭ್ಯವಿಲ್ಲದ ಕಾರಣ, ಷೂ ಮತ್ತು ಸಾಕ್ಸ್‌ಗಳ ಸರಬರಾಜು ದಿನಾಂಕ ಯಾವುದೆಂದು ಸ್ಪಷ್ಟವಾಗುವುದಿಲ್ಲ;

14) ಶ್ರೀ ಸಂಗಮೇಶ್ವರ ಎಂಟರ್‌ಪ್ರೈಸಸ್ ಸಂಸ್ಥೆಯು ನೀಡಿದ ಬಿಲ್ಲಿನ ಮೊತ್ತದ ಮೇಲೆ ಆದಾಯ ತೆರಿಗೆ ಮತ್ತು ಮಾರಾಟ ತೆರಿಗೆಯನ್ನು ಕಟಾವಣೆ ಮಾಡಿಲ್ಲ;

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15) ಸರಬರಾಜುದಾರರು ಪೂರೈಕೆ ಮಾಡಿದ ಷೂ ಮತ್ತು ಸಾಕ್ಸ್‌ಗಳನ್ನು ದಾಸ್ತಾನಿಗೆ ತೆಗೆದುಕೊಂಡ ದಾಖಲೆಯಿಲ್ಲ. ಕಾರಣ, ಕರ್ನಾಟಕ ಆರ್ಥಿಕ ಸಂಹಿತೆ, 1958ರ ಅನುಚ್ಛೇದ 164 ಮತ್ತು 165ನ್ನು ಪಾಲನೆ ಮಾಡಿಲ್ಲವೆಂದು ಕಂಡು ಬಂದಿದೆ;

16) ಖರೀದಿ ಪ್ರಕ್ರಿಯೆಯನ್ನು ಪೂರ್ಣಗೊಳಿಸಿ, ಖರೀದಿ ಬಳಕೆ ಪ್ರಮಾಣ ಪತ್ರ ಮತ್ತು ಖರೀದಿ ಸ್ವೀಕೃತಿಗಳನ್ನು ಕ್ಷೇತ್ರ ಶಿಕ್ಷಣಾಧಿಕಾರಿಗಳಿಗೆ ಸಲ್ಲಿಸಿದ ದಾಖಲೆಗಳಿಲ್ಲ;

17) ಕಾರಣ, ಸದರಿ ಖರೀದಿ ಪ್ರಕ್ರಿಯೆಯಲ್ಲಿ ಮೇಲೆ ಹೇಳಿದ ಸುತ್ತೋಲೆಯಲ್ಲಿನ ಅಂಶಗಳನ್ನು ಪಾಲನೆ ಮಾಡದೇ ಇರುವುದು ಹಾಗೂ ಕಳಪೆ ಗುಣಮಟ್ಟದ ಷೂ\ ಸಾಕ್ಸ್‌ಗಳನ್ನು ಖರೀದಿಸಿರುವುದು ಮೇಲ್ನೋಟಕ್ಕೆ ಕಂಡು ಬಂದಿದೆ;

ಮೇಲೆ ವಿವರಿಸಲಾದಂತೆ ನಿಮ್ಮ ಕರ್ತವ್ಯ ಪಾಲನೆಯಲ್ಲಿ ಸಂಪೂರ್ಣ ಪ್ರಾಮಾಣಿಕತೆ ಹಾಗೂ ಕರ್ತವ್ಯ ನಿಷ್ಠೆಯನ್ನು ಪಾಲಿಸದೆ ಮತ್ತು ಸರ್ಕಾರಿ ನೌಕರರಿಗೆ ಉಚಿತವಲ್ಲದ ರೀತಿಯಲ್ಲಿ ನಡೆದುಕೊಂಡು ದುರ್ನಡತೆ/ದುರ್ವರ್ತನೆಯಿಂದ ವರ್ತಿಸಿ, ಕರ್ನಾಟಕ ನಾಗರಿಕ ಸೇವಾ ನಿಯಮಗಳು (ನಡತೆ) 1966, ನಿಯಮ 3(1) ರಡಿಯಲ್ಲಿ ಉಕ್ತವಾದ ದುರ್ನಡತೆ ಎಸಗಿದ್ದೀರಿ ಎಂದು ನಿಮ್ಮ ಮೇಲೆ ದೋಷಾರೋಪಣೆಯನ್ನು ಮಾಡಲಾಗಿದೆ.

4. ವಿಚಾರಣಾಧಿಕಾರಿಯಾದ (ಅಪರ ನಿಬಂಧಕರು ವಿಚಾರಣೆಗಳು-20), ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ, ಬೆಂಗಳೂರು ರವರು ಮೌಖಿಕ ಮತ್ತು ದಾಖಲಾತಿಗಳ ಸಾಕ್ಷ್ಯಗಳನ್ನು ಕೂಲಂಕುಷವಾಗಿ ಪರಿಶೀಲಿಸಿ, ಆ.ಸ.ನೌಕರರಾದ ಶ್ರೀ. ಮೊಹಮ್ಮದ್ ರಫಿ. ಎಂ, ಮುಖ್ಯೋಪಾಧ್ಯಾಯರು, ಸರ್ಕಾರಿ ಹಿರಿಯ ಪ್ರಾಥಮಿಕ ಶಾಲೆ, ಹನಸಿ, ನವಲಗುಂದ ತಾಲ್ಲೂಕು, ಧಾರವಾಡ ಜಿಲ್ಲೆ ರವರ ವಿರುದ್ಧ ಮೇಲ್ಕಾಣಿಸಿದ ದೋಷಾರೋಪಣೆಯನ್ನು ರುಜುವಾತುಪಡಿಸುವಲ್ಲಿ ಶಿಸ್ತು ಪ್ರಾಧಿಕಾರವು 'ವಿಫಲವಾಗಿರುತ್ತದೆ' ಎಂದು ಅಭಿಪ್ರಾಯಿಸಿದ್ದಾರೆ.

5. ವಿಚಾರಣಾಧಿಕಾರಿಗಳು ಸಲ್ಲಿಸಿರುವ ವಿಚಾರಣಾ ವರದಿಯನ್ನು ಪರಿಶೀಲಿಸಲಾಗಿ, ವಿಚಾರಣಾಧಿಕಾರಿಗಳು ಆ.ಸ.ನೌಕರರ ವಿರುದ್ಧ ದೋಷಾರೋಪಣೆಯನ್ನು ರುಜುವಾತುಪಡಿಸಲು ಮೂವರು ಸಾಕ್ಷಿಗಳನ್ನು ಅಂದರೆ ಪಿ.ಡಬ್ಲ್ಯೂ-1 ರವರನ್ನು ವಿಚಾರಣೆಗೆ ಒಳಪಡಿಸಿ ಹಾಗೂ ನಿಶಾನೆ ಪಿ-1 ರಿಂದ ನಿಶಾನೆ ಪಿ-6 ರಂತೆ ದಾಖಲಾತಿಗಳನ್ನು ಗುರುತಿಸಲಾಗಿದೆ. ಆ.ಸ.ನೌಕರರು ಸ್ವತಃ ತಾವೇ ಡಿ.ಡಬ್ಲ್ಯೂ-1 ಸಾಕ್ಷಿಯಾಗಿ ವಿಚಾರಣೆಗೆ ಒಳಪಡಿಸಿಕೊಂಡಿದ್ದು, ನಿಶಾನೆ ಆರ್-1 ರಿಂದ ನಿಶಾನೆ ಆರ್-14ರ ವರೆಗಿನ ದಾಖಲಾತಿಗಳನ್ನು ಗುರುತಿಸಲಾಗಿದೆ.

6. ಆ.ಸ.ನೌಕರರ ವಿರುದ್ಧ ಆಪಾದಿಸಿದ ಆರೋಪಗಳ ಬಗ್ಗೆ ವಿಚಾರಣಾಧಿಕಾರಿಗಳು ಸಲ್ಲಿಸಿರುವ ವಿಚಾರಣಾ ವರದಿ ಹಾಗೂ ಅದಕ್ಕೆ ಪೂರಕವಾಗಿ ಸಲ್ಲಿಸಿರುವ ದಾಖಲಾತಿಗಳನ್ನು ಕೂಲಂಕುಷವಾಗಿ ಪರಿಶೀಲಿಸಲಾಗಿ, ವಿಚಾರಣಾಧಿಕಾರಿಗಳು ಸಲ್ಲಿಸಿರುವ ವಿಚಾರಣಾ ವರದಿಯಲ್ಲಿ

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ಹಸ್ತಕ್ಷೇಪ ಮಾಡಲು ಯಾವುದೇ ಸಕಾರಣಗಳು ಕಂಡುಬಂದಿರುವುದಿಲ್ಲ. ಆದ್ದರಿಂದ, ವಿಚಾರಣಾಧಿಕಾರಿಗಳು ಸಲ್ಲಿಸಿರುವ ವಿಚಾರಣಾ ವರದಿಯನ್ನು ಅಂಗೀಕರಿಸಿ ಆ.ಸ.ನೌಕರರಾದ ಶ್ರೀ. ಮೊಹಮ್ಮದ್ ರಫಿ. ಎಂ, ಮುಖ್ಯೋಪಾಧ್ಯಾಯರು, ಸರ್ಕಾರಿ ಹಿರಿಯ ಪ್ರಾಥಮಿಕ ಶಾಲೆ, ಹಸಸಿ, ನವಲಗುಂದ ತಾಲ್ಲೂಕು, ಧಾರವಾಡ ಜಿಲ್ಲೆ ರವರ ವಿರುದ್ಧ ಹೊರಿಸಲಾದ ಆರೋಪಗಳಿಂದ 'ದೋಷಮುಕ್ತಗೊಳಿಸಲು' ಈ ಮೂಲಕ ಸರ್ಕಾರಕ್ಕೆ ಶಿಫಾರಸ್ಸು ಮಾಡಿದೆ.

7. ಸದರಿ ವಿಷಯದಲ್ಲಿ ತೆಗೆದುಕೊಂಡ ಕ್ರಮವನ್ನು ಈ ಪ್ರಾಧಿಕಾರಕ್ಕೆ ತಿಳಿಸತಕ್ಕದ್ದು.

ಸಂಬಂಧಪಟ್ಟ ದಾಖಲೆಗಳನ್ನು ಇದರೊಂದಿಗೆ ಲಗತ್ತಿಸಿದೆ.

29/12/23

(ನ್ಯಾಯಮೂರ್ತಿ ಕೆ.ಎನ್.ಫಣೀಂದ್ರ)

ಉಪಲೋಕಾಯುಕ್ತ-1,

ಕರ್ನಾಟಕ ರಾಜ್ಯ.



KARNATAKA LOKAYUKTA

No.Uplok-1/DE/133/2021/ARE-20
(Encl: Recommendation & original
Report of Inquiry Officer with
connected records)

Dr.B.R.Ambedkar Veedhi,
Multi Storied Building,
Bengaluru,
dated: 08/01/2024.

To,
Sri.Rithesh Kumar Singh, IAS,
Principal Secretary to Government,
School Education and
Litrecy department,
M.S.Building,
Bengaluru - 560001.

Respected sir,

Sub : Departmental inquiry against Sri.Mohammad Rafi M., Headmaster, Government Higher Primary School, Hansi, Navalugund Taluk, Dharwad dist.. reg.

Ref: Government Order No. ಇಡಿ/66/ಪಿಎಂಡಬ್ಲ್ಯೂ/2020
ಬೆಂಗಳೂರು, dated 27/01/2021

With Reference to the above, I am directed to forward herewith the recommendation of Hon'ble Uplokayukta, State of Karnataka, dated 29.12.2023 along with the report of inquiry Officer and relevant records as noted below:


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Yours faithfully,


 (Usharani)
 Registrar,
 Karnataka Lokayukta,
 Bengaluru.

Copy to the Addl.Registrar of Enquiries-20, Karnataka Lokayukta, Bengaluru.,
 for information and further necessary action.

copy

KARNATAKA LOKAYUKTA

NO:Uplok-1/DE/133/2021/ARE-20

M.S.Building,
Dr. B.R. Ambedkar Veedhi,
Bengaluru - 560 001.
Dt: 27-12-2023

ENQUIRY REPORT

Sub: Departmental Enquiry against Sri. Mohammed Rafi M., Headmaster, Government Higher Primary School, Hansi, Navalgund Taluk, Dharward District- Reg.

Ref: 1. Report Under/Section.12(3) of the Karnataka Lokayukta Act, 1984 in COMPT/UPLOK/BGM/3491/2019/DRE-4.

2. Government order No.66 ED PMW 2020 Bengaluru dated 27-1-2021

3. Nomination order No.UPLOK-1/DE/133/ 2021, Bengaluru dated 6-8-2021.

This report is based on the complaint filed by the complainant by name Smt. Savitri V Kulkarni as shown in the face sheet (hereinafter referred to as the 'complainant') against Sri. Mohammed Rafi M., Headmaster, Government Higher Primary School, Hansi, Navalgund Taluk, Dharward District (hereinafter referred to as the Delinquent Government Official/DGO).

2) The Imputation of Charges leveled against DGO are reproduced herein below;

1) ಶೂ ಮತ್ತು ಸಾಕ್ಸ್‌ಗಳ ಖರೀದಿಗೆ ಸಂಬಂಧಿಸಿದಂಥ ಶ್ರೀ ಸಂಗಮೇಶ್ವರ ಎಂಟರ್‌ಪ್ರೈಸಸ್ ಉಣಕಲ್, ಹುಬ್ಬಳ್ಳಿ, ಶ್ರೀ ಸಿದ್ದಿವಿನಾಯಕ ಫುಟ್‌ವೇರ್, ಗಣೇಶಪೇಟೆ ಹುಬ್ಬಳ್ಳಿ, ಕಾಲಂ ಫುಟ್‌ವೇರ್, ಕುಬ್ಜೆಸದ್‌ಗಲ್ಲ, ಹುಬ್ಬಳ್ಳಿ ಮತ್ತು ಶ್ರೀ ಆರೋಧ ಎಂಟರ್‌ಪ್ರೈಸಸ್, ನವಲಗುಂದ ದರಪಟ್ಟಿಗಳನ್ನು ಪಡೆದಿದು, ಆದರೆ ಖರೀದಿ ಸಮಿತಿಯು ಶ್ರೀ ಸಂಗಮೇಶ್ವರ ಎಂಟರ್‌ಪ್ರೈಸಸ್ ಸಂಸ್ಥೆಯ ದರಪಟ್ಟಿಯನ್ನು ಒಪ್ಪಿ ಸದರಿ ಸಂಸ್ಥೆಗೆ ಕಾರ್ಯಾದೇಶವನ್ನು ನೀಡಿದ ದಾಖಲೆಗಳು ಇರುವುದಿಲ್ಲ.

2) ಶಾಲಾ ಅಭಿವೃದ್ಧಿ ಮತ್ತು ಮೇಲುಸ್ತುವಾರಿ ಸಮಿತಿಯ ನಡವಳಿ ದಿ:25/08/19 ಮತ್ತು 21/09/19 ಗಳನ್ವಯ ಶೂ ಮತ್ತು ಸಾಕ್ಸ್‌ಗಳ ಖರೀದಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ನೋಂದಾಯಿತ ಸಂಸ್ಥೆಗಳಿಂದ ದರಪಟ್ಟಿಗಳನ್ನು ಆಹ್ವಾನಿಸುವ ಬಗ್ಗೆ ಯಾವುದೇ ತೀರ್ಮಾನ ಕೈಗೊಳ್ಳದಿರುವುದು ಕಂಡು ಬಂದಿದೆ;

3) ಕಡತದಲ್ಲಿರುವ ಎಲ್ಲಾ ದರಪಟ್ಟಿಗಳ ದಿನಾಂಕ ಒಂದೇ [19/09/19] ಆಗಿರುವುದಲ್ಲದೇ, ಏಕಕಾಲಕ್ಕೆ ತಯಾರಿಸಿದಂತೆ ಕಂಡು ಬಂದಿದೆ. ಶಾಲಾ ಮುಖ್ಯಗುರುಗಳಿಗೆ ಎಂದು ವಿಳಾಸಿಸಿದ ಕಡೆ ಇರುವ ಕೈಬರವಣಿಗೆಯು ಒಂದೇ ರೀತಿ ಕಾಣುತ್ತದೆ. ಸದರಿ ಎಲ್ಲಾ ಅಂಶಗಳನ್ವಯ, ದರಪಟ್ಟಿಯನ್ನು ಆಹ್ವಾನಿಸುವ ಬಗ್ಗೆ ಶಾಲಾ ಅಭಿವೃದ್ಧಿ ಮತ್ತು ಮೇಲುಸ್ತುವಾರಿ ಸಮಿತಿಯ ತೀರ್ಮಾನ ಇಲ್ಲದಿದ್ದರೂ, ಮುಂದೆ ಆಗಬಹುದಾದ ಕಾನೂನಿನ ತೊಡಕುಗಳಿಂದ ರಕ್ಷಿಸಿಕೊಳ್ಳುವ ಉದ್ದೇಶದಿಂದ ದರಪಟ್ಟಿಗಳನ್ನು ತಯಾರಿಸಿರುವುದು ಮೇಲ್ನೋಟಕ್ಕೆ ಕಂಡು ಬಂದಿದೆ;

4) ಶೂ ಮತ್ತು ಸಾಕ್ಸ್ ಖರೀದಿಯನ್ನು ಶ್ರೀ ಸಂಗಮೇಶ್ವರ ಎಂಟರ್‌ಪ್ರೈಸಸ್, ಹುಬ್ಬಳ್ಳಿ ರವರಿಂದ ಮಾಡಲಾಗಿದೆಯೆಂದು ಹೇಳಿದ್ದು, ಖರೀದಿ ಬಾಬು ಚೆಕ್‌ನಲ್ಲಿ ಒಟ್ಟು ರೂ.66,120/-ನ್ನು ಸದರಿ ಸಂಸ್ಥೆಗೆ ಪಾವತಿ ಮಾಡಿದೆಯೆಂದು ಹೇಳಿದ್ದು, ಚೆಕ್ ಸಂಖ್ಯೆ ಮತ್ತು ದಿನಾಂಕವು ಶಾಲಾ ಅಭಿವೃದ್ಧಿ ಮತ್ತು ಮೇಲುಸ್ತುವಾರಿ ಸಮಿತಿ ಸಭಾ ನಡವಳಿಯಲ್ಲಿ ಮತ್ತು ಟ್ಯಾಕ್ಸ್ ಇನ್‌ವಾಯ್ಸ್‌ನಲ್ಲಿ ದಾಖಲಾಗಿಲ್ಲ;

5) ಕಡತದಲ್ಲಿರುವ ಶ್ರೀ ಸಂಗಮೇಶ್ವರ ಎಂಟರ್‌ಪ್ರೈಸಸ್, ಗುಲ್ಬರ್ಗ ಸಂಸ್ಥೆಯ ಟ್ಯಾಕ್ಸ್ ಇನ್‌ವಾಯ್ಸ್‌ನಲ್ಲಿ ದಿನಾಂಕ ನಮೂದಿಲ್ಲ. ಹಾಗೆಯೇ, ಯಾವ ಕಂಪನಿಯ ಶೂ ಮತ್ತು ಸಾಕ್ಸ್‌ಗಳನ್ನು ಸರಬರಾಜು ಮಾಡಿದೆಯೆಂಬ ವಿವರಗಳು ಸಹ ಸಂಸ್ಥೆಯ ಟ್ಯಾಕ್ಸ್ ಇನ್‌ವಾಯ್ಸ್‌ನಲ್ಲಿ ನಮೂದಾಗಿಲ್ಲ;

6) ಖರೀದಿಸಿದ ಶೂ ಮತ್ತು ಸಾಕ್ಸ್‌ಗಳನ್ನು ವಿದ್ಯಾರ್ಥಿಗಳಿಗೆ ಹಂಚಿಕೆ ಮಾಡಿದ ದಾಖಲೆಗಳನ್ನು ಇಟ್ಟಿರುವುದಿಲ್ಲ

7) ಒಟ್ಟು 240 ವಿದ್ಯಾರ್ಥಿಗಳಿಗೆ ಶ್ರೀ ಸಂಗಮೇಶ್ವರ ಎಂಟರ್‌ಪ್ರೈಸಸ್ ಸಂಸ್ಥೆಯು ಷೂ ಮತ್ತು ಸಾಕ್ಸ್‌ಗಳನ್ನು ಪೂರೈಕೆ ಮಾಡಿದೆಯೆಂದು ಹೇಳಿದ್ದು, ಟ್ಯಾಕ್ಸ್ ಇನ್‌ವಾಯ್ಸ್‌ನ ವಿವರಗಳು ಈ ಕೆಳಗಿನಂತಿದ್ದು:

Sl. No.	Particulars	Qty.	Rate	Amount
1	Shoes & Socks	156	265.00	41,340.00
2	Shoes & Socks	84	295.00	24,780.00
Total				66,120.00

ಸದರಿ ಟ್ಯಾಕ್ಸ್ ಇನ್‌ವಾಯ್ಸ್‌ನಲ್ಲಿ ಷೂ ಮತ್ತು ಸಾಕ್ಸ್‌ಗಳ ಸಂಖ್ಯೆಯನ್ನು (ಜೊತೆಯನ್ನು) ನಿಖರವಾಗಿ ನಮೂದಿಸಿಲ್ಲ;

8) ಶ್ರೀ ಸಂಗಮೇಶ್ವರ ಎಂಟರ್‌ಪ್ರೈಸಸ್ ಸಂಸ್ಥೆಯು ಷೂ ಮತ್ತು ಸಾಕ್ಸ್‌ಗಳು ಮೇಲೆ ಹೇಳಿದ ಸುತ್ತೋಲೆಯ ಅಂಶ-14 ರಿಂದ 16ರಲ್ಲಿ ನಿಗದಿಪಡಿಸಿದ ವೈಶಿಷ್ಟ್ಯತೆಗಳನುಗುಣವಾಗಿ ಇತ್ತೇ \ ಇದೆಯೇ ಎಂಬ ಬಗ್ಗೆ ದಾಖಲೆಗಳಿಲ್ಲ;

9) ಯಾವ ಕಂಪನಿಯ ಷೂ \ ಸಾಕ್ಸ್‌ಗಳು ಸರಬರಾಜು ಮಾಡಿದೆಯೆಂಬ ಬಗ್ಗೆ ದಾಖಲೆಗಳಿಲ್ಲ;

10) ಕಡತದಲ್ಲಿರುವ Test Certificate ಅನ್ವಯ ಸರಬರಾಜುದಾರರ ಹೆಸರು Lancer Footwear India Pvt. Ltd., ಎಂದಿದ್ದು, ಅದೇ ಕಂಪನಿಯವರು ತಯಾರಿಸಿದ ಷೂ\ ಸ್ಯಾಂಡಲ್ಸ್ \ ಸಾಕ್ಸ್‌ಗಳನ್ನೇ ಶ್ರೀ ಸಂಗಮೇಶ್ವರ ಎಂಟರ್‌ಪ್ರೈಸಸ್ ಸಂಸ್ಥೆಯು ಸರಬರಾಜು ಮಾಡಿದೆಯೇ ಎಂಬ ಬಗ್ಗೆ ದಾಖಲೆಗಳಿಲ್ಲ;

11) ಸುತ್ತೋಲೆಗೆ ಲಗತ್ತಿಸಿದ ಅನುಬಂಧದಲ್ಲಿ ಷೂ \ ಸಾಕ್ಸ್ ಗಳ ತಾಂತ್ರಿಕ ವಿವರಣೆ [Technical Specification] ಅನ್ವಯ ಸದರಿ ಷೂ \ ಸಾಕ್ಸ್ ಗಳು ಗುಣಮಟ್ಟ ಹೊಂದಿರುವ ಬಗ್ಗೆ ದಾಖಲೆಗಳಿಲ್ಲ. ಸುತ್ತೋಲೆಯ ಷರತ್ತಿನ ಕ್ರಮ ಸಂಖ್ಯೆ:3ರಲ್ಲಿ ಸೂಚಿಸಿದಂತೆ ಖರೀದಿಸಿದ ಷೂ ಮತ್ತು ಸಾಕ್ಸ್‌ಗಳು ಎಫ್‌ಡಿಡಿಐ (ನೋಯಿಡಾ) ರವರು ಪ್ರಮಾಣೀಕರಿಸಿರುವ ತಾಂತ್ರಿಕ ಗುಣಮಟ್ಟ ಹೊಂದಿದೆಯೇ ಎಂಬ ಬಗ್ಗೆ ದಾಖಲೆಗಳಿಲ್ಲ.

12) ಶ್ರೀ ಸಂಗಮೇಶ್ವರ ಎಂಟರ್‌ಪ್ರೈಸಸ್ ಸಂಸ್ಥೆಯು ಸುತ್ತೋಲೆಯ ಅಂಶ-15ರಲ್ಲಿ ಹೇಳಿದ ಪ್ರತಿಷ್ಠಿತ ಬ್ರಾಂಡ್‌ಗಳ ಅಧಿಕೃತ ಮಾರಾಟಗಾರರೇ ಎಂಬ ಬಗ್ಗೆ ದಾಖಲೆಗಳಿಲ್ಲ;

13) 2019-20ನೇ ಶೈಕ್ಷಣಿಕ ಸಾಲಿಗೆ ಷೂ ಮತ್ತು ಸಾಕ್ಸ್‌ಗಳನ್ನು ಖರೀದಿಸಬೇಕಿದ್ದು, ಸುತ್ತೋಲೆಯ ಅಂಶ-8ರನ್ವಯ ಖರೀದಿ ಪ್ರಕ್ರಿಯೆಯು ಜುಲೈ, 15 ರಿಂದ ಜುಲೈ, 30 ರೊಳಗಾಗಿ ಪೂರ್ಣಗೊಳಿಸಬೇಕು. ಸದರಿ ದೂರಿನಲ್ಲಿ ಎದುರುದಾರರು ಖರೀದಿ ಪ್ರಕ್ರಿಯೆಯನ್ನು ಬಹಳಷ್ಟು ವಿಳಂಬವಾಗಿ ಆಗಸ್ಟ್-ಸೆಪ್ಟೆಂಬರ್, 2019ರಲ್ಲಿ ಪ್ರಾರಂಭಿಸಿದ್ದಾರೆ. ಶ್ರೀ ಸಂಗಮೇಶ್ವರ ಎಂಟರ್‌ಪ್ರೈಸಸ್ ಸಂಸ್ಥೆಯು ಷೂ ಮತ್ತು ಸಾಕ್ಸ್‌ಗಳನ್ನು ಸರಬರಾಜು ಮಾಡಿದ ದಿನಾಂಕವು ಎಲ್ಲಯೂ ಲಭ್ಯವಿಲ್ಲದ ಕಾರಣ, ಷೂ ಮತ್ತು ಸಾಕ್ಸ್‌ಗಳ ಸರಬರಾಜು ದಿನಾಂಕ ಯಾವುದೆಂದು ಸ್ಪಷ್ಟವಾಗುವುದಿಲ್ಲ;

14) ಶ್ರೀ ಸಂಗಮೇಶ್ವರ ಎಂಟರ್‌ಪ್ರೈಸಸ್ ಸಂಸ್ಥೆಯು ನೀಡಿದ ಬಿಲ್ಲನ ಮೊತ್ತದ ಮೇಲೆ ಆದಾಯ ತೆರಿಗೆ ಮತ್ತು ಮಾರಾಟ ತೆರಿಗೆಯನ್ನು ಕಟಾವಣಿ ಮಾಡಿಲ್ಲ;

15) ಸರಬರಾಜುದಾರರು ಪೂರೈಕೆ ಮಾಡಿದ ಷೂ ಮತ್ತು ಸಾಕ್ಸ್‌ಗಳನ್ನು ದಾಸ್ತಾನಿಗೆ ತೆಗೆದುಕೊಂಡ ದಾಖಲೆಯಿಲ್ಲ. ಕಾರಣ, ಕರ್ನಾಟಕ ಆರ್ಥಿಕ ಸಂಹಿತೆ, 1958ರ ಅನುಚ್ಛೇದ 164 ಮತ್ತು 165ನ್ನು ಪಾಲನೆ ಮಾಡಿಲ್ಲವೆಂದು ಕಂಡು ಬಂದಿದೆ;

16) ಖರೀದಿ ಪ್ರಕ್ರಿಯೆಯನ್ನು ಪೂರ್ಣಗೊಳಿಸಿ, ಖರೀದಿ ಬಳಕೆ ಪ್ರಮಾಣ ಪತ್ರ ಮತ್ತು ಖರೀದಿ ಸ್ವೀಕೃತಿಗಳನ್ನು ಕ್ಷೇತ್ರ ಶಿಕ್ಷಣಾಧಿಕಾರಿಗಳಿಗೆ ಸಲ್ಲಿಸಿದ ದಾಖಲೆಗಳಿಲ್ಲ;

17) ಕಾರಣ, ಸದರಿ ಖರೀದಿ ಪ್ರಕ್ರಿಯೆಯಲ್ಲಿ ಮೇಲೆ ಹೇಳಿದ ಸುತ್ತೋಲೆಯಲ್ಲಿನ ಅಂಶಗಳನ್ನು ಪಾಲನೆ ಮಾಡದೇ ಇರುವುದು ಹಾಗೂ ಕಳಪೆ ಗುಣಮಟ್ಟದ ಷೂ\ ಸಾಕ್ಸ್‌ಗಳನ್ನು ಖರೀದಿಸಿರುವುದು ಮೇಲ್ನೋಟಕ್ಕೆ ಕಂಡು ಬಂದಿದೆ;

The above 'charges' are enumerated in 'Articles of Charge' – Annexure-1 at page 1 to 4.

3) The facts in brief are as under:

On 25-8-2019 the 'supervisory committee' SDMC of the Government Higher Primary School Hanasi passed a resolution and selected 'the purchase committee' for the purchase of shoes and socks in the Government grant for the year 2019-20. On 21-9-2019 in the resolution passed by 'supervisory committee' in respect of the same, it was resolved to purchase one fair shoes of Lancer Co. and two fair socks worth Rs.63,550/- for 240 students in the Government grant. It was also resolved to pay said grant of Rs.63,550/- at the first instance and the deficit amount of Rs.2,570/- later on to Sri. Sangameshwar Enterprises after the deficit amount is got released from the Government. The Government order bearing Go.No.ED 134 ಯೋಯೋಕೆ 2018 dated 6-5-2019 based upon which the Commissioner of Pubic Instructions passed a circular No.ಸಿಪಿಇ(1)ಪಾದರಕ್ಕೆ (ಷೂ)-06/18-19 dated 21-6-2019, which involved the terms and conditions shown at Para

No.7(3) of Annexure-2 at Page Nos.7 to 11 of Articles of Charge.

4) Out of the quotations of 4 establishments, the quotation of Sri. Sangameshwar Enterprises Unkal Hubli was resolved to be accepted by the 'supervisory committee'. The tax invoice No. of Sangameshwar Enterprises Gulbarga shown as 397 is available which is undated.

5) Thus it is alleged that the DGO being the Member Secretary of 'purchasing committee' and the Government servant committed dereliction of his official duty, maladministration and misconduct and committed an act which is unbecoming of a Government servant and that he is guilty of misconduct as enumerated in Rule 3(1) (i) to (iii) of Karnataka Civil Service (Conduct) Rules, 1966.

6) In pursuance of investigation in COMPT/UPLOK/BGM/3491/2029 and the result thereof, this authority sent report to the Government Under/Section.12(3) of the Karnataka Lokayukta Act by virtue of reference No.1 shown above. In response to report, the Government issued Government Order ('G.O' for short) bearing G.O No. ED 66 PMDW 2020, Bengaluru, dated 27-7-2021 and thereby authorized Hon'ble Upalokayukta-1 to hold enquiry as per reference No.2. In pursuance of the relevant GO His Lordship issued the nomination authorizing ARE-20 to hold enquiry and submit report as per reference No.3.

7) The Articles of Charge is served on DGO which is not in dispute. In pursuance of the service the DGO appeared before this authority on 29-12-2021. The First Oral Statement of DGO as required under Rule 11(9) of KCS (CCA) Rules is recorded by ARE-20 which the DGO denied pleading not guilty and claimed the enquiry.

8) In the written statement of defence by DGO while denying the allegations against him, he submits that; as per the resolution of 'purchase committee' the bid of Sangameshwar Enterprises Unkal Hubli was accepted and on 20-9-2019 the work order was issued to it. According to the DGO the purchase committee was formed on 25-8-2019 consisting of SDMC Chairman, Headmaster of the school and 3 Members and the committee agreed for purchase. The DGO submits that the said committee passed resolution dated 20-9-2019 in continuation of the proceedings dated 25-8-2019. He further submits that the quotations were invited as per the resolution and that in pursuance of the same the agencies had submitted the quotations on one and same date i.e. on 19-9-2019. He also submits that he had hand written on those quotations 'at the place of address' as per the direction issued by Chairman SDMC since the agencies had omitted to fill-up the address of the school, the date. According to him the committee resolved to pay Rs.66,120/- in the meeting dated 21-9-2019 through cheque whereas the Government grant was Rs.63,550/-. Hence the committee resolved to pay the amount after collecting entire amount. Accordingly at the

conclusion of purchase cheque No.299005/24-10-2019 for Rs.63,550/- and cheque No.361662/18-2-2020 for Rs.2,570/- were issued mentioning the details in the stock register. The DGO further submits that Sri. Sangameshwar Enterprises Hubli distributed the shoes and socks on 30-9-2019 as per resolution dated 25-8-2019 of purchase committee. According to the DGO said enterprises due to oversight did not mention the date in the tax invoice. The DGO further submits that shoes and socks were distributed in presence of the President and Members to the students on 3-10-2019. As regards "Test Certificate" the DGO states that said enterprises in response to invitation for quotations, had produced the "Test Certificate" certified by 'FDDI' along with two pair of shoe and socks which had all the specifications mentioned in Government Circular. The DGO further submits that the shoes and socks purchased are that of Lancer Company as resolved in the resolution dated 21-9-2019. According to the DGO the initial Government grant released on 24-7-2019 was only Rs.63,550/- as against the required amount of Rs.66,120/- and the same was reason for delay in purchase. According to him on 30-9-2019 the actual purchase is done. The DGO further submits that said enterprises had informed him to have paid the sale tax pertaining to GST No.29AXQEG5054MIZT. The DGO also submits that the material supplied by said enterprises is taken to the stock register. He also states that after completion of purchase 'the consumption certificate' dated 18-11-2019 is submitted to BEO through resource persons.

Thus claiming himself innocent the DGO states that there is no substance in the allegations.

9) On behalf of the complainant/presenting authority the P.W-1 is examined; the documents at Ex.P-1 to P-6.

10) In the Second Oral Statement dated 7-10-2022 also the DGO claims to be innocent and opts to lead his evidence and produce documents on his behalf.

11) DGO himself got examined as D.W-1 and got marked the documents at Ex.R-1 to R-14 are marked.

12) Heard the arguments and perused the material on record.

“Whether the alleged Articles of Charge and misconduct against DGO are proved within the purview of Rule 3(1)(i) to (iii) of Karnataka Civil Services (Conduct) Rules, 1966”;

is the point for consideration.

REASONS

13) Ex.P-1 is the complaint and Ex.P-1(a) is signature of P.W-1. The complaint simply reads that there has been corruption in HPS Hansi School in respect of shoe and socks purchase pertaining to the year 2019-20. The complaint does not disclose brief facts relating to the alleged action against which it is filed. Even in Exs.P-2 and P-3 viz., Form Nos.1 and

2 also no relevant facts pertaining to alleged action are mentioned. Exs.P-4 to P-6 are the copies of quotations submitted to DGO by three different agencies wherein the prices of shoe and two pair socks are quoted. All the quotations bear one and single date viz., 19-9-2019. These quotations are alleged to have been prepared on same date with the handwriting of DGO thereon, to get protection from the legal consequences. Further allegation in respect of these quotations is that there was no resolution passed by SDMC for invitation of those quotations. A suggestion is made in cross examination of D.W-1 (DGO) about these allegations. The witness D.W-1 denies the same. He further explains that those quotations are handed over to him on the same day and sticks up to the statement in his chief examination. On the other hand P.W-1 in her cross examination shows unawareness about SDMC committee. As per Ex.R-1 on 25-8-2019, a special meeting is held by SDMC to select "The purchase committee". The purchase committee consisted of the President, the Member Secretary and 3 nominated Members as per the resolution. D.W-1 in his cross examination denies the suggestion that there was no quotation of Sangameshwar Enterprises Hubli. He also denies that there was no work order issued to said agency. He further denies that there was no resolution for the invitation of quotations.

14) Ex.R-1 is the resolution dated 25-8-2019 passed by SDMC which shows that two resolutions are passed on that

day. The 1st resolution has got the agenda of selection of purchase committee. The agenda of 2nd resolution is to purchase shoes and socks and for its distribution among the students of 1st to 8th standard of the school. In the said resolution the purchase amount of Rs.41,340/- is fixed for 1st standard to 8th standard students while Rs.25,075/- is fixed 6th to 8th standard students. Thus the committee has arrived at figure of total Rs.66,450/- with shortage of some amount to the amount already sanctioned by the Government.

15) Ex.R-2 is the quotation of Sri. Sangameshwar Enterprises dated 19-9-2019. This is to be read with Ex.P-4 to P-6 which are also the quotations of other agencies and which bear the same date.

16) Ex.R-3 is the copy of 'invitation for quotation'. As per this document a meeting is held by 'purchase committee' on 20-9-2019. In the said meeting a resolution is passed for invitation for quotations from the agencies listed therein and those agencies are none other than the one mentioned in Ex.P-4 to P-6 and Ex.R-2. Further the resolution is approved by the 'purchase committee'. This goes to show that the 'purchase committee' verified those quotations dated 19-9-2019 and brought them on record into the said resolution, through meeting dated 20-9-2019.

17) Ex.R-4 is the copy of resolution pertaining to 'comparative price list'. As per this document on 20-9-2019 itself based upon the quotations viz., Ex.P-4 to P-6 and

Ex.R-2 the 'purchase committee' has passed the resolution approving the work order to be issued to 'Sangameshwar Enterprises Hubli'. The documents Ex.R-3 and Ex.R-8 support Ex.R-4. The perusal of Ex.R-8 viz., the proceedings pertaining to 'the conclusion of purchase' shows that on 20-9-2019 invitation for quotations was approved by purchase committee and after receipt of quotations the name of 'Sangameshwar Enterprises Hubli' was approved by the 'purchase committee' for issuance of work order. These factors reveal that though the quotations are bearing the disputed date 19-9-2019, they were verified by 'purchase committee' on 20-9-2019.

18) Ex.R-6 is the 'work order' dated 20-9-2019. As per this document the 'purchase committee' has issued the work order to 'Sangameshwar Enterprises Hubli' for supply of one pair shoe and two pair socks for 240 students of the school on 20-9-2019 itself. As per Ex.R-8 said agency is instructed to supply the material before 27-9-2019. Ex.R-8 itself discloses that said agency supplied the material on 30-9-2019.

19) Ex.R-5 is the resolution dated 21-9-2019 which pertains to the continuation of SDMC meeting. In the said meeting again two resolutions are passed. In the first resolution the agenda is the discussion of how to use the amount sanctioned for free shoes and socks. The next resolution is regarding the entrustment of transaction to Sangameshwar Enterprises and selection of Lancer Company shoes.

20) As seen from Ex.R-8 on 30-9-2019 itself the 'purchase committee' has verified the quality of the material supplied by 'Sangameshwar Enterprises Hubli' and approved the quality and standard of the material. The document Ex.R-8 also pertains to the 'conclusion of purchase' with dates and minutes of the proceedings. The proceedings commenced with the credit of sanction amount on 24-7-2019 to SDMC account and it concluded on 18-2-2020 following the issuance of cheque for deficit amount to Sangameshwar Enterprises.

21) Ex.R-14 is the copy of 'stock register' dated 30-9-2019. As per this document on 30-9-2019 itself after approval of the quality and standard of the material, the material is entered into the stock register on 30-9-2019. As per the remark in Ex.R-14 the material is supplied to the students on 3-10-2019.

22) Ex.R-9 is the copy of 'test certificate' showing the supplier's name as 'Lancer footwear India Pvt. Ltd'. According to the DGO this test certificate was submitted by the agency along with Ex.R-10 on the date on which the material was distributed to the students. Ex.R-10 is the tax invoice issued by Sangameshwar Enterprises.

23) Ex.R-11 is the copy of 'SDMC bank account extract' to show that an amount of Rs.63,550/- is credited on 24-7-2019. This fact is revealed in the resolution Ex.R-1.

24) Ex.R-12 is statement showing self assessed tax payment of Sangameshwar Enterprises which pertains to the financial year 2019-20.

25) Ex.R-7 is the copy of 'distribution register' dated 3-10-2019. This document consists of the list of the students to whom the material is distributed. It also consists of the statement of declaration for having distributed the material as per the resolution of 'purchase committee' which is approved by BEO, Navalagund. Again as per the resolution the deficit amount of Rs.2,570/- is reported to the BEO as per this document.

26) Ex.R-13 is 'the consolidated certificate of use'. It shows that the DGO has declared to have used the sanction amount of the Government for the purpose for which it was sanctioned. Said declaration is made on 14-11-2019 in Form No.SSK27 to District Project Coordinator/BEO.

27) With the above material, the charges that are leveled against the DGO are to be seen one after another.

28) There is 'allegation (charge)' of no material to show that the purchase committee had accepted the quotation of Sangameshwar Enterprises and that it had issued the work order to said agency. Ex.R-5 is relevant to this allegation. It discloses that on 21-9-2019 in continuation of the previous proceedings a meeting of SDMC is held with the agenda of purchasing shoes and socks. In the said meeting the shoes

and socks of Lancer Company are selected by the committee based upon the quotation Ex.R-2 submitted by Sangameshwar Enterprises. Before the said meeting as per Ex.R-4 there has been the verification of comparative prices on 20-9-2019.

29) The 'charge' is regarding 'absence of resolution' to call for the quotations of registered agencies. It is pertinent to note that before passing the resolutions dated 21-9-2019 the details of the agencies based upon the quotations are collected and placed before purchase committee on 20-9-2019. The quotations enlisted in Ex.R-3 are none other than the quotations pertaining to a registered agency. This could be gathered from the GST numbers pertaining to said agencies. This is done one day before the resolution dated 21-9-2019 by the purchase committee. Ex.R-3 is to be read with the resolutions dated 25-8-2019 and 21-9-2019. This makes it clear that there has been resolution for invitation of the quotations.

30) Further 'charge' is that the quotations bearing one and the same date (19-9-2019) are prepared without the resolution of the committee for 'invitation for quotations'. The evidence of D.W-1 is relevant in this regard. D.W-1 deposes that based upon the resolution dated 25-8-2019 the quotations were submitted on 19-9-2019 and thereafter on 20-9-2019 the details of the quotations were prepared, verified and that finally the name of Sangameshwar Enterprises was resolved by the purchase committee. Thus

according to D.W-1 these factors are again discussed in the meeting dated 21-9-2019. In cross examination he denies the suggestion that there was no resolution for the invitation of quotations by registered agencies. As already discussed above there is material to show that there had been the resolution for 'invitation of quotations' from 'the registered agencies'. Therefore it is unacceptable to say that the purchase committee had not resolved for invitation of quotations from registered agencies. Further this allegation appears to have been made on the ground that there is handwriting of 'DGO' in those quotations 'at the place of address'. There is no material to show that the other agencies had raised this as an issue. Further this issue of DGO's handwriting' in the quotations has not been the subject matter of the meeting dated 21-9-2019. On the other hand it is evidence of D.W-1 that he had filled up the address column of the quotations at the instance of the committee. Merely because a single date is mentioned and the address column is filled up by one and same person in the quotations it cannot be said that those quotations are prepared to escape from law.

31) The 'charge' is that the cheque number and cheque dates are not mentioned in SDMC proceedings. It is pertinent to note that the first meeting is held on 25-8-2019 while the second meeting is held on 21-9-2019. As per Ex.R-8 the cheques are dated 24-10-2019 and 18-2-2020. Thus the meetings are prior in time to the cheques that are issued to Sangameshwar Enterprises. Thus there was no occasion to

mention those cheque numbers and date in the resolutions which were prior in time to the date of issuance of those cheques.

32) In respect of 'tax invoice - Ex.R-10' the 'charge' is that the cheque number and cheque date, so also the date of invoice, particulars of the shoe company and quantity of the material are not mentioned therein. It is pertinent to note that the invoice number is 397 and its GST number is mentioned in Ex.R-10. Further the same GST number is mentioned in Ex.R-4-comparative pricelist. This goes to show that the purchase committee before resolving to entrust the transaction to Sangameshwar Enterprises has verified the tax invoice on 20-9-2019 itself. If that is so, the particulars of the cheques being subsequent events it was suffice to mention GST particulars since the particulars of Lancer shoes is the issue which is subsequently decided on 21-9-2019 by purchase committee. It is pertinent to note that the particulars mentioned in tax invoice tally with the particulars mentioned in other documents such as the resolutions, stock register and distribution register.

33) The 'charge' is that there are no documents for having distributed shoes and socks to the students. The document Ex.R-7 is relevant to this allegation. This document contains various names of the students with the signatures showing the acknowledgement of one pair shoe and two pair socks. This document is annexed with the declaration of DGO for having distributed the shoe and socks. This is verified by the

concerned BEO. Further this distribution register shows that the distribution has taken place on 3-10-2019. A remark is made in the stock register Ex.R-14 in respect of the same. Thus from Ex.R-14 it is clear that the material is taken to stock register on 30-9-2019 and it is distributed to the students on 3-10-2019.

34) In respect of 'Ex.R-9 - test certificate' the charge is that the shoes and socks are not in accordance with specification made in the circular dated 21-6-2019. It is also alleged that there is nothing to show that 'the material' belonged to Lancer footwear India Pvt. Ltd. Company. It is also alleged that there is nothing to show the required standard of shoes and socks as per FDDI certification. It is further alleged that there is nothing to show that Sangameshwar Enterprises is the authorized seller of the prestigious brand. Ex.R-9 is relevant to these allegations. This document 'Ex.R-9 test certificate' is issued by International Testing Centre. Admittedly this document is produced from the custody of BEO. It is also not in dispute that this 'test certificate' was submitted along with the tax invoice on 3-10-2019. There is no material to show that either DDPI or BEO had raised any objection in respect of this document. The test certificate shows that 'Lancer Footwear India Pvt. Ltd.' is the supplier. This shows that the material supplied was belonging to said company with specification of 'Rexine' material. The Lancer Company shoe is one among the material listed in the circular dated 21-6-2019. The doubts in the form of allegations that are raised

above appear to be baseless. There is no evidence to support those doubts. There is also nothing to show that any of the beneficiaries or others had raised any objection about the quality of the material used in those shoes and socks. Thus the above said allegations are not supported by any cogent evidence. It is pertinent to note that said shoes and socks are selected after visiting the business place of Sangameshwar Enterprises and thereafter they are resolved to be distributed to the students. This is reflected in Ex.R-5 viz., the meeting held on 21-9-2019. It is also pertinent to note that mere doubts about 'the quality and standard' of the material do not take the place of a charge. Further no evidence is lead in support of these allegations to show the contrary circumstances. Ex.R-9 qualifies all the specifications made in the circular dated 21-6-2019.

35) There is also 'charge of delay' in supply of the material to the students as per the time-mandate specified in the circular. It is alleged that the purchase proceedings are much late to the period mandated in the circular. The mandated period was from the July 15th to July 30th of academic year but here in this case the purchase proceedings are held in August-September of the academic year. The document Ex.R-8 is again relevant here. The dates and minutes of purchase proceedings commenced from 21-9-2019 after the 'resolution for issuance of work order' was passed. The distributing agency was instructed to supply the material before 27-9-2019 and it actually supplied the material on 30-9-2019. The

delay if properly explained it has to be accepted having regard to the circumstances. Moreover the mandate period in circular for distribution of shoes and socks to the students has to be construed as 'guidelines' since all involved in purchase proceedings are responsible for the delay. Further initial amount sanctioned by the Government on 24-7-2019 was not sufficient for completion of purchase. Subsequently the deficit amount is sanctioned by the Government and thereafter the cheques have been issued to said agency. It was not possible for the purchase committee to proceed with the purchase without sanction of entire amount required. This could be gathered from dates and minutes of the proceedings enumerated in 'Ex.R-8-conclusion of the purchase'.

36) The 'charge' is also in respect of tax deduction. It is alleged that income tax and sale tax on the bill issued by Sangameshwar Enterprises are not deducted. Ex.R-12 is the statement of payment of self-assessed tax pertaining to Sangameshwar Enterprises for the financial year 2019-20. As per the say of DGO the tax has been deducted by said agency. It is pertinent to note here that Ex.R-10 is the tax invoice bearing No.397. This has to be reported by said agency to the concerned taxing authorities for the relevant year and accordingly the tax has to be paid by said agency based upon said tax invoice. This allegation has no relevance to the DGO as it is between taxing authority and tax payer. Even

otherwise DGO states that the tax has been paid by said agency as informed to him.

37) The 'charge' is that the material supplied by the said agency is not entered into stock register and that the provisions of Karnataka Financial Code have not been followed. Ex.R-14 is relevant to show that the material supplied by the agency is taken to the stock register on 30-9-2019. The contents of stock register are in consistence with the resolutions passed by the purchase committee.

38) The 'charge' is that the documents viz., certificate of use and purchase acknowledgments are not submitted to the BEO. Ex.R-13 is the 'consolidated certificate of use' and it is produced from the custody of BEO. There is no material to show that the amount sanctioned was used for some other purpose than the one mentioned in Ex.R-13.

39) P.W-1 who is the complainant shows unawareness in her chief examination about the allegations. It is her version that shoes and socks were purchased for more value than the market value. As already noted above her complaint simply reads that there has been corruption in HPS Hansi School in the purchase of the year 2019-20. The complaint does not disclose brief and relevant facts as to how the act of corruption took place. Even in Form Nos.1 and 2 it is not disclosed. In cross examination of P.W-1 it is brought on record that the witness is not aware of the contents of her complaint who states that she signed the complaint at the

instance of her husband. She is also not aware of contents of Form Nos.1 and 2. She is also not aware of strength of the school children, that of school teachers so also the strength of SDMC committee. This goes to show that she is not aware of the meetings of SDMC committee and purchase committee. It is also brought on record in her cross examination that herself and her husband are in the habit of filing various complaints. Her conduct shows that she is aware of consequences of filing such complaints against different persons. This only shows that without collecting necessary information and relevant material for the allegations herself and her husband are in the habit of filing such complaints. Neither she is aware of the process of purchasing and distributing such shoes and socks under the scheme of the Government.

40) On the other hand it is evidence of D.W-1 (DGO) that the SDMC committee of the school elected the purchase committee on 25-8-2019; that on 19-9-2019 four agencies including Sri. Sangameshwar Enterprises Hubli had submitted their quotations; that on 20-9-2019 the resolution for invitation for quotations was passed at the instance of purchase committee after preparation of details of 'quotation list' wherein the name of Sangameshwar Enterprises was finalized by the committee; that on 20-9-2019 itself the work order was issued; that on 21-9-2019 though Lancer company shoes and socks were resolved to be distributed due to deficit amount it was resolved to intimate and get sanctioned the

deficit amount from Government and thereafter to pay the amount; that the purchase transaction was concluded on 30-9-2019 but certificate of the use was submitted only after the distribution of the shoes and socks after sanction of the deficit amount; that the agency had not shown the deducted tax amount in the tax invoice; that the certificate of use was submitted only on 14-11-2019 to the Coordinator after completion of purchase transaction which is received by the Coordinator on 18-11-2019.

41) In cross examination when questioned about Ex.R-7 viz., distribution register copy D.W-1 denies the suggestion that Ex.R-7 is falsely created. Though D.W-1 admits that there is no endorsement about the quality of the material in Ex.R-9 – test certificate, a careful scrutiny of test certificate shows that quality of the material is as per the requirement. Though D.W-1 is cross examined in respect of Ex.R-2 and Ex.R-14, the consistency found in his evidence with those documents is not impeached. In the chief examination itself D.W-1 deposes that Ex.R-13 was submitted to the Coordinator on 14-11-2019 and that it was received by the Coordinator on 18-11-2019. This evidence which is in consistence with Ex.R-13 – the certificate of use remains unaffected by his admission in cross examination. In cross examination D.W-1 admits that he had not submitted the ‘purchase report’ and the ‘documents’ to the BEO. Because of such weak kind of admission, Ex.R-13 cannot be disregarded.

42) Thus the entire scrutiny of oral and documentary evidence shows that the charges made against the DGO are not established in the enquiry. Though misconduct was alleged against the DGO during investigation, in the enquiry the Disciplinary Authority is not able to establish the Articles of Charge and the imputation of misconduct against him. Consequently the Articles of Charge and the imputation of misconduct against the DGO are **'not proved'**. Accordingly the point for consideration is answered **'in the negative'**.

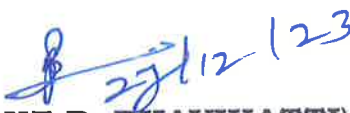
43) For the aforesaid reasons I proceed to give the following;

FINDING

The Disciplinary Authority has **'failed to prove'** the Articles of Charge and imputation of misconduct against the DGO.

Date of retirement of the DGO is 31-5-2039.

This report is submitted to the Hon'ble Upalokayukta-1 in a sealed cover.


(**SHASHIKANT B. BHAVIKATTI**)
Additional Registrar Enquiries-20
Karnataka Lokayukta
Bengaluru

ANNEXURE

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

PW.1	Smt. Savithri W/o. Virupakshgowda
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2. LIST OF WITNESSES EXAMINED ON BEHALF OF DELIQUENT GOVERNMENT OFFICIALS:

DW.1	Sri. Mohammad Rafi M. (DGO)
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3. LIST OF DOCUMENTS MARKED ON BEHALF OF DISCIPLINARY AUTHORITY:

Ex.P1	Copy of complaint
Ex.P1(a)	Signature of PW.1
Ex.P2	Form No.I
Ex.P2(a)	Signature of PW.1
Ex.P-3	Form No.II
Ex.P-3(a)	Signature of PW-1
Ex.P-4	Copy of Quotation dated 19-9-2019 of Shri Siddivinayak Foot Wear
Ex.P-5	Copy of Quotation of Shri Aroda Enterprises
Ex.P-6	Copy of Quotation dated 19-9-2019 of Saleem Foot Wear

4. LIST OF DOCUMENTS MARKED ON BEHALF OF DELEQUENT GOVERNMENT OFFICIALS:

Ex.R-1	Copy of resolution dated 25-8-2019
Ex.R-2	Copy of quotation dated 19-9-2019 of Sangameshwar Enterprises

Ex.R-3	Copy of invitation for quotation
Ex.R-4	Copy of resolution pertaining to comparative pricelist.
Ex.R-5	Copy of resolution dated 21-9-2019
Ex.R-6	Copy of work order dated 20-9-2019
Ex.R-7	Copy of distribution register dated 3-10-2019
Ex.R-8	Copy of 'the conclusion of sale' and 'attestation of quality control'
Ex.R-9	Copy of test certificate
Ex.R-10	Copy of tax invoice
Ex.R-11	Copy of SDMC bank account
Ex.R-12	Copy of statement of self assessed tax payment of Sangameshwar Enterprises
Ex.R-13	Copy of 'the consolidated certificate of use'
Ex.R-14	Copy of 'stock register' dated 30-9-2019


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