



KARNATAKA LOKAYUKTA

No. Lok/ARE-10/Enq-108/2014

Multi-storeyed Building,
Dr.B.R. Ambedkar Veedhi,
Bengaluru, dt.20.03.2015.RECOMMENDATION

Sub: Departmental Enquiry against (1) Shri TP Shivaprakash, the then Head Master, Govt. Higher Primary Girls School, Hirisave, Channarayapatna Taluk, Hassan District (retd.); and
(2) Smt. S. Nagamma, Assistant Teacher, Govt. Higher Primary Girls School, Hirisave, Channarayapatna Taluk, Hassan District (presently working at Govt. Higher Primary School, Dundanayakanahalli, Hassan Taluk and District - reg.

Ref: 1. Government Order No. ED 647 PBS 2013 dated 05.02.2014.

2. Nomination Order No. LOK/INQ/14-A/108/2014 dated 18.02.2014 & modified Nomination order dt. 14.03.2014.

~~~~~

The Government by its Order dated 05.02.2014 initiated the disciplinary proceedings against (1) Shri T.P. Shivaprakash, the then Head Master, Government Higher

✓

Primary Girls School, Hirisave, Channarayapatna Taluk, Hassan District (retd.); and (2) Smt. S. Nagamma, Assistant Teacher, Government Higher Primary Girls School, Hirisave, Channarayapatna Taluk, Hassan District (presently working at Government Higher Primary School, Dundanayakanahalli, Hassan Taluk and District (herein after referred to as the Delinquent Government Officials 1 & 2, for short 'DGO1 & 2' respectively) and entrusted the disciplinary inquiry to this Institution. This Institution, by nomination order dated 18.02.2014 & modified nomination order dt. 14.03.2014 nominated the Additional Registrar of Enquiries-10, Karnataka Lokayukta, Bengaluru, to conduct the departmental inquiry against the DGOs 1 & 2 for the alleged misconduct alleged to have been committed by them.

2. The Inquiry Officer, after completing the inquiry, by his report dated 10.03.2015 has held that, the charge of misconduct alleged against the DGOs is proved.

3. The charge alleged against the DGOs 1 & 2 was that, DGOs 1 & 2 while they were working in Govt. Higher Primary Girls School, Hirisave, Channarayapatna Taluk, Hassan District, failed to disburse the scholarship to the students of Govt. Higher Primary Girls School, Hirisave, Channarayapatna Taluk, Hassan District for the year 2009-10 and in turn, misappropriated the said scholarship amount and thereby, DGOs 1 & 2 failed to maintain absolute integrity, devotion to duty and as such, rendered themselves as unbecoming of Government servants. Thus, they are guilty of misconduct in terms of Rule 3(1)(i) to (iii) of Karnataka Civil Service (Conduct) Rules, 1966.

4. In order to prove the charge of misconduct, the Disciplinary Authority has examined 2 witnesses as PWs 1 to 2. PW1 is the complainant, PW2 is the Deputy Director of Public Instructions (Admn.). The complainant has stated that, both the DGOs 1 & 2 colluding each other without disbursing the scholarship sanctioned by the Government to the students belonging to the Scheduled Caste and Scheduled Tribe category

had misappropriated the said amount and in this regard, he had produced the documents such as, his complaint, news report in the newspaper and also filing of the complaint before the Police Inspector. PW2 is the then DDPI (Admn.) working in the office of DDPI, Hassan. He has opined that the DGOs 1 & 2 have committed dereliction of duty in disbursement of the scholarship to the students, whereas the DGOs 1 & 2, who have got examined themselves as DWs1 & 2 respectively, in their evidence have stated that the scholarship amount of four students was not disbursed, whereas DW2 has stated that, the four students had failed to bring their parents for disbursement of the scholarship. The evidence of DWs 1 & 2 do not inspire that, they have followed the rules, but the fact remains that, contrary to the rules, they have denied the disbursement of scholarship to the four deserving students.

5. Considering the evidence and other materials, the Inquiry Officer has held that the charge of misconduct alleged against the DGOs 1 & 2 is proved. Even on reconsideration of the

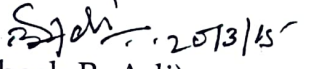
✓

entire material, I find that, there is no justifiable reason to disagree with the findings of the Inquiry Officer.

6. Having regard to the nature and gravity of the charge alleged against the DGOs, I hereby recommend that, the DGO1 - Shri T.P. Shivaprakash, the then Head Master, Government Higher Primary Girls School, Hirisave, Channarayapatna Taluk, Hassan District (now retired from service), be punished with penalty of withholding of 5% pensionary benefit permanently and DGO2 - Smt. S. Nagamma, Assistant Teacher, Government Higher Primary Girls School, Hirisave, Channarayapatna Taluk, Hassan District (presently working at Government Higher Primary School, Dundanayakanahalli, Hassan Taluk and District, be punished with penalty of withholding of three annual increments with cumulative effect in exercise of powers under Rule 214 of Karnataka Civil Service Rules and under Rule 8(iii) of the Karnataka Civil Service (Classification, Control and Appeal) Rules, 1957 respectively.

✓

7. Action taken in the matter is to be intimated to this Authority. Connected records are enclosed here with.

  
(Justice Subhash B. Adi)  
Upalokayukta,  
State of Karnataka.