

KARNATAKA LOKAYUKTA

No. Lok/ARE-8/14-A/Enq-124/2013

Multi-storeyed Building,
Dr.B.R. Ambedkar Veedhi,
Bangalore, dt.13.02.2015.RECOMMENDATION

Sub: Departmental Enquiry against Shri K.
Gangadhar s/o K.C. Rudranna Gowda,
Second Division Assistant & Record Keeper,
Taluk Office, Bellary - reg.

Ref: 1. Government Order No. RD 217 MVS 2012
dated 19.02.2013.
2. Nomination Order No. LOK/INQ/14-A/
124/2013 dated 07.03.2013 & modified
Nomination Order dt. 14.03.2014.

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By order dt. 19.02.2013, the Government initiated the disciplinary proceedings against Shri K. Gangadhar son of Shri K.C. Rudrannagowda, Second Division Assistant & Record Keeper in Taluk Office, Bellary (herein after referred to as the

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Delinquent Government Official, for short 'DGO') and entrusted the disciplinary inquiry to this Institution.

2. This Institution, by nomination order dated 07.03.2013 and modified nomination order dated 14.03.2014, nominated the Additional Registrar of Enquiries-10, Karnataka Lokayukta, Bangalore, as the Inquiry Officer to conduct the departmental inquiry against the DGO for the alleged misconduct alleged to have been committed by him.
3. The Inquiry Officer, after completing the inquiry, by his report dt. 27.01.2015 has held that, the Disciplinary Authority has proved the charge of misconduct alleged against the DGO.
4. The charge alleged against the DGO was that, while he was working as Second Division Assistant and Record Keeper in Taluk Office, Bellary, one Shri S. Venkatesh son of Shri S. Sathyanarayan, resident of Millarpet in Bellary (in short referred to as 'the complainant'), approached the DGO seeking

certified copies of the revenue records of his wife's ancestral property bearing Sy. No. 533 and 543 situated at B.Belagallu village, Bellary Taluk, pertaining to the years 1960-2000 as the said documents were required for the purpose of court dispute. However, to discharge the said official function, the DGO demanded and accepted the bribe amount of Rs.600/- on 30.06.2011. As a result, he failed to maintain absolute integrity, devotion to duty and acted in a manner unbecoming a Government servant. The act of the DGO is misconduct within the meaning of Rule 3(1)(i) to (iii) of Karnataka Civil Service (Conduct) Rules, 1966.

5. The Disciplinary Authority, in support of its charge of misconduct, had examined 4 witnesses, whereas, DGO got himself examined as DW1.

6. PW1 is the complainant. He admits that, he had approached the DGO on behalf of Smt. Sharadamma. He also admits that when he met the DGO for issue of certified copy of




the revenue records, DGO demanded bribe amount. As such, complainant being unwilling to pay the said amount had approached the Lokayukta police which conducted trap, in which the DGO was caught and found in possession of the tainted amount. The evidence of PW2 shows that, an application for issue of revenue documents were pending. Also shows that, he had approached the DGO, who in turn, demanded and accepted the bribe amount. PWs 2 and 3 are panch and shadow witness. Their evidence also shows that, filing of the complaint by PW1, preparation of entrustment mahazar, conduct of trap and seizure mahazar of tainted amount. All these evidence categorically show that, the Disciplinary Authority has proved the charge of misconduct. The entire evidence not only corroborate each other, but also establishes the charge of misconduct against the DGO. Even on reconsideration of the said evidence, I find that the evidence of PWs 1 to 4 not only corroborate each other, but convincingly proved the charge of misconduct.

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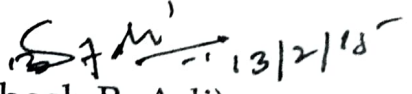
7. Though the DGO got himself examined as DW1, however the evidence of DW1 is not supported by any material in order to disbelieve the charge of misconduct nor the DGO has justified his case that, he was not working during the said period. Hence, having reconsidered the entire evidence and the findings of the Inquiry Officer, I am of the opinion that there is no justifiable reason to differ with the findings of Inquiry Officer.

8. The charge of misconduct alleged against the DGO being one of demanding and accepting bribe amount to discharge the official function which by itself is an offence under the provisions of Prevention of Corruption Act, 1988. Further, having regard to the nature and gravity of the misconduct alleged against the DGO, I find that the DGO deserves major punishment of dismissal from service.



9. Hence, having regard to the findings of the Inquiry Officer and for the reasons stated above, I hereby recommend to the Government to impose major punishment of dismissal of DGO viz., Shri K. Gangadhar son of Shri K.C. Rudrannagowda, Second Division Assistant & Record Keeper in Taluk Office, Bellary, from service in exercise of powers under Rule 8(viii) of the Karnataka Civil Service (Classification, Control and Appeal) Rules.

10. 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.