

KARNATAKA LOKAYUKTA

NO:UPLOK-2/DE/173/2018/ARE-9

M.S.Building,
Dr. B.R. Ambedkar Veedhi,
Bengaluru - 560 001.
Date:22.12.2022

:: ENQUIRY REPORT ::**:: Present ::****(S.GOPALAPPA)**

**Additional Registrar of Enquiries -9
Karnataka Lokayukta,
Bengaluru**

Sub: Departmental Inquiry against (1) Sri. T.V.L.N. Raju, the then Assistant Director, Tourism Department, Lotus Mahal, Kamalapura, Hospet, Bellary District (presently working as Assistant Director, Tourism Department, Chikkamagalur); (2) Sri.Vittal R.Gowdar, Tourism promoter, Tourism Department, Kamalapura, Hospet, Bellary District; (3) Sri.Agasara Channappa, Driver, Tourism Department, Kamalapura, Hospet, Bellary District - reg.

Ref: 1. G.O.No.ಪ್ರ ಇ 62 ಪ್ರವಾಸಿ 2017 ಬೆಂಗಳೂರು ದಿ:
2.2.2018.

2.Nomination Order No: UPLOK-
2/DE/173/2018 Bangalore dated: 26.3.2018
of Hon'ble Upalokayukta-2

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This Departmental Inquiry is initiated against (1) Sri. T.V.L.N. Raju, the then Assistant Director, Tourism Department, Lotus Mahal, Kamalapura, Hospet, Bellary District (presently working as Assistant Director, Tourism Department, Chikkamagalur); (2) Sri.Vittal

R.Gowdar, Tourism promoter, Tourism Department, Kamalapura, Hospet, Bellary District; (3) Sri.Agasara Channappa, Driver, Tourism Department, Kamalapura, Hospet, Bellary District (hereinafter referred to as the Delinquent Government Official for short “**DGO No.1 to 3**”).

2. In pursuance of the Government Order cited above at reference No.1, Hon'ble Upalokayukta vide order dated 26.3.2018 cited above at reference No.2 has nominated Additional Registrar of Enquiries-9 (in short ARE-9) to frame Articles of charges and to conduct the inquiry against the aforesaid DGOs.

3. This Authority (ARE-9) has issued the Articles of charges, Statement of imputations of misconduct, list of witnesses proposed to be examined in support of the charges and list of documents proposed to be relied in support of the charges.

4. The Article of charges issued by the ARE-9 against the DGOs is as under :

ANNEXURE-I
CHARGE

2. ಆಸನೌ ಆದ ನೀವು -

ಕರ್ನಾಟಕ ಪ್ರವಾಸೋದ್ಯಮ ಇಲಾಖೆಯ ವತಿಯಿಂದ
ಎಸ್.ಸಿ/ಎಸ್.ಟಿ./ಟಿ.ಎಸ್.ಟಿ ಯೋಜನೆಯ ಅಡಿಯಲ್ಲಿ 2013-14ನೇ ಸಾಲಿನಲ್ಲಿ
ಪರಿಶಿಷ್ಟ ಜಾತಿ ಮತ್ತು ಪಂಗಡಗಳ ಅರ್ಹ ನಿರುದ್ಯೋಗ ವಿದ್ಯಾವಂತ ಅಭ್ಯರ್ಥಿಗಳಿಗೆ
ಪ್ರವಾಸಿ ಟ್ಯಾಕ್ಸಿ ಖರೀದಿಸಲು ತಲಾ ರೂ.2 ಲಕ್ಷಗಳ ಸಹಾಯ ಧನ ವಿತರಿಸಲು
ಅನುಮೋದನೆಯಾಗಿದೆ. ಆಯ್ಕೆ ಪ್ರಕ್ರಿಯೆಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ಪ್ರವಾಸೋದ್ಯಮ
ಇಲಾಕೆ ಕಮಲಾಪುರದಲ್ಲಿ ನೀವು ಕರ್ತವ್ಯ ನಿರ್ವಹಿಸುತ್ತಿದ್ದು

1) ಆಸನೌ-1 ಆದ ನೀವು ಆಯ್ಕೆಯಲ್ಲಿ ಸರಿಯಾದ ಮಾನದಂಡ ಅನುಸರಿಸಿಲ್ಲ, ಸರಿಯಾದ ನೋಟ್‌ಶೀಟ್‌ಗಳನ್ನು ಬರೆದಿರುವುದಿಲ್ಲ. ನಿಮಗೆ ಬೇಕಾದ ಅರ್ಜಿದಾರರಿಗೆ ಸರಿಯಾದ ದಾಖಲೆಗಳು ಇಲ್ಲದಿದ್ದರೂ ಆಯ್ಕೆ ಮಾಡಿಕೊಂಡಿದ್ದೀರಿ. ಕೊನೆಯ ದಿನಾಂಕದ ನಂತರ ದಾಖಲಾತಿಗಳನ್ನು ಪಡೆದುಕೊಂಡಿದ್ದೀರಿ. ಅರ್ಜಿ ಪರಿಶೀಲನಾ ಸಮಿತಿ ಷರಾ ಮಾಡಿದ್ದನ್ನು ತಿದ್ದುಪಡಿ ಮಾಡಿ ನಿಮಗೆ ಬೇಕಾದವರನ್ನು ಆಯ್ಕೆ ಮಾಡಿಕೊಂಡಿರುತ್ತೀರಿ. ಲಂಚದ ಹಣ ಕೊಡುತ್ತೇವೆ ಅಂತ ಹೇಳಿದವರಿಗೆ ಸಂದರ್ಶನ ಇರುವ ಬಗ್ಗೆ ಮುಂಚಿತವಾಗಿ ತಿಳಿಸುವುದು, ಹಣ ಕೊಡಲು ಒಪ್ಪದೇ ಇದ್ದವರಿಗೆ ಹಿಂದಿನ ದಿವಸ ರಾತ್ರಿ ಮೊಬೈಲ್ ಮೂಲಕ ಸಂದೇಶ ಕಳುಹಿಸಿ ಉದ್ದೇಶಪೂರ್ವಕವಾಗಿ ಸಂದರ್ಶನಕ್ಕೆ ಹಾಜರಾಗುವುದನ್ನು ತಪ್ಪಿಸಿರುತ್ತೀರಿ. ಹಿಂದಿನ ಸಾಲಿನಲ್ಲಿಯೇ ಪ್ರವಾಸಿ ಟ್ಯಾಕ್ಸಿ ಪಡೆದಿರುವ ಅಭ್ಯರ್ಥಿಗಳು ಮತ್ತು ಅವರ ಕುಟುಂಬದವರಿಗೆ ಪುನಃ ಆಯ್ಕೆ ಮಾಡಿಕೊಂಡಿದ್ದು, ನಿರಂತರವಾಗಿ ಸದರಿ ಅರ್ಜಿದಾರರ ಜೊತೆ ಮೊಬೈಲ್ ಸಂಪರ್ಕ ಇಟ್ಟುಕೊಂಡಿರುತ್ತೀರಿ.

2) ಆಸನೌ-2 ಆದ ನೀವು ಆಯ್ಕೆ ಪ್ರಕ್ರಿಯೆ ಪ್ರಾರಂಭದಿಂದ ಅರ್ಜಿ ಸಲ್ಲಿಸಿದ ಅಭ್ಯರ್ಥಿಗಳ ಜೊತೆ ಪೋನ್‌ನಲ್ಲಿ ಸಂಪರ್ಕ ಇಟ್ಟುಕೊಂಡಿರುತ್ತೀರಿ. ದಾಖಲಾತಿ ಇಲ್ಲದ ಅಭ್ಯರ್ಥಿಗಳಿಗೆ ಆಯ್ಕೆ ಮಾಡಲು ಸಹಕಾರ ಕೊಟ್ಟಿರುತ್ತೀರಿ. ಲಂಚದ ಹಣ ಕೊಡುತ್ತೇವೆ ಅಂತ ಹೇಳಿದವರಿಗೆ ಸಂದರ್ಶನ ಇರುವ ಬಗ್ಗೆ ಮುಂಚಿತವಾಗಿ ತಿಳಿಸುವುದು, ಹಣ ಕೊಡಲು ಒಪ್ಪದೇ ಇದ್ದವರಿಗೆ ಹಿಂದಿನ ದಿವಸ ರಾತ್ರಿ ಮೊಬೈಲ್ ಮೂಲಕ ಸಂದೇಶ ಕಳುಹಿಸಿ ಉದ್ದೇಶಪೂರ್ವಕವಾಗಿ ಸಂದರ್ಶನಕ್ಕೆ ಹಾಜರಾಗುವುದನ್ನು ತಪ್ಪಿಸಿರುತ್ತೀರಿ. ಹೊಟೆಲ್‌ಗಳಲ್ಲಿ ನೀವು ಹಣದ ವ್ಯವಹಾರ ನಡೆಸಿರುವುದು ಸಹ ಕಂಡುಬಂದಿದೆ.

3) ಆಸನೌ-3 ಆದ ನೀವು ಆಯ್ಕೆ ಪ್ರಕ್ರಿಯೆ ಪ್ರಾರಂಭದಿಂದ, ಅರ್ಜಿ ಸಲ್ಲಿಸಿದ ಅಭ್ಯರ್ಥಿಗಳ ಜೊತೆ ಪೋನ್‌ನಲ್ಲಿ ಸಂಪರ್ಕ ಇಟ್ಟುಕೊಂಡಿರುತ್ತೀರಿ. ದಾಖಲಾತಿ ಇಲ್ಲದ ಅಭ್ಯರ್ಥಿಗಳಿಗೆ ಆಯ್ಕೆ ಮಾಡಲು ಸಹಕಾರ ಕೊಟ್ಟಿದ್ದೀರಿ. ಲಂಚದ ಹಣ ಕೊಡುತ್ತೇವೆ ಅಂತ ಹೇಳಿದವರಿಗೆ ಸಂದರ್ಶನ ಇರುವ ಬಗ್ಗೆ ಮುಂಚಿತವಾಗಿ ತಿಳಿಸುವುದು, ಹಣ ಕೊಡಲು ಒಪ್ಪದೇ ಇದ್ದವರಿಗೆ ಹಿಂದಿನ ದಿವಸ

ರಾತ್ರಿ ಮೊಬೈಲ್ ಮೂಲಕ ಸಂದೇಶ ಕಳುಹಿಸಿ ಉದ್ದೇಶಪೂರ್ವಕವಾಗಿ ಸಂದರ್ಶನಕ್ಕೆ ಹಾಜರಾಗುವುದನ್ನು ತಪ್ಪಿಸಿರುತ್ತೀರಿ. ನೀವು ಕೇವಲ ಕಾರು ಚಾಲಕರಾಗಿದ್ದರೂ ಸಹ ನಿಮ್ಮ ಮನೆಯನ್ನು ತನಿಖಾಧಿಕಾರಿಗಳು ಶೋಧನೆ ಮಾಡಿದಾಗ, ಪ್ರವಾಸೋದ್ಯಮ ಇಲಾಖೆಯಿಂದ ವಿತರಿಸುವ ಕಾರುಗಳಿಗೆ ಸಂಬಂಧಪಟ್ಟ ಅಭ್ಯರ್ಥಿಗಳ ಹೆಸರು ಮತ್ತು ವಿಳಾಸಗಳನ್ನು ಕೈಯಿಂದ ಬರೆದ ನೋಟ್‌ಬುಕ್, ಆಯ್ಕೆಯಾದ ಅಭ್ಯರ್ಥಿಗಳ ಪಟ್ಟಿಯನ್ನು ಹರಿದು ಹಾಕಿದ ಚೂರುಗಳು ಅರ್ಜಿಗಳ ನಕಲುಗಳು ಕಚ್ಚಾ ಪತ್ರಗಳು, ಜಿಲ್ಲಾಧಿಕಾರಿಗಳು ಬಳ್ಳಾರಿ ಇವರಿಗೆ ಕೋರಿಯರ್ ಮೂಲಕ ಕಳುಹಿಸಿದ ರಶೀದಿಗಳು ಮತ್ತು 2 ಡಿ.ವಿ.ಡಿ.ಗಳು ಮತ್ತು ರೂ.9,000/- ಗಳ ಹಣ, ಬಿಳಿ ಹಾಳೆಯ ತುಂಡು, ಅದರಲ್ಲಿ ಬರೆದಿರುವ ಬರಹಗಳು ಸಹ ದೊರಕಿರುತ್ತವೆ.

ಆದ್ದರಿಂದ, ಆಸನೊ-1 ರಿಂದ 3 ಆದ ನೀವು ಅನರ್ಹ ಅಭ್ಯರ್ಥಿಗಳನ್ನು ಆಯ್ಕೆ ಮಾಡಿ ಅರ್ಹ ಅಭ್ಯರ್ಥಿಗಳು ಸರ್ಕಾರಿ ಯೋಜನೆಯ ಲಾಭವನ್ನು ಪಡೆಯುವುದನ್ನು ತಪ್ಪಿಸಿರುತ್ತೀರಿ. ಆದ್ದರಿಂದ, ನೀವು ಕರ್ತವ್ಯಲೋಪವೆಸಗಿ ಸರ್ಕಾರಿ ನೌಕರರಿಗೆ ಉಚಿತವಲ್ಲದ ರೀತಿಯಲ್ಲಿ ನಡೆದುಕೊಂಡು ದುರ್ನಡತೆಯಿಂದ ವರ್ತಿಸಿ ಕರ್ನಾಟಕ ನಾಗರಿಕ ಸೇವಾ ನಿಯಮಗಳು (ನಡತೆ) 1966 ನಿಯಮ 3(1) (i) ರಿಂದ (iii) ರಡಿಯಲ್ಲಿ ದುರ್ನಡತೆಯನ್ನೆಸಗಿದ್ದೀರಿ.

ANNEXURE - 2

STATEMENT OF IMPUTATIONS OF MISCONDUCT

ಅಪರ ಪೊಲೀಸ್ ಮಹಾ ನಿರ್ದೇಶಕರು, ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ, ಬೆಂಗಳೂರು ಇವರು ಹೊಸಪೇಟೆ ಲೋಕಾಯುಕ್ತ ರಾಣಿಯ ಪೊಲೀಸ್ ಉಪಾಧೀಕ್ಷಕರು (ಇನ್ನು ಮುಂದೆ ತನಿಖಾಧಿಕಾರಿ ಎಂದು ಕರೆಯಲ್ಪಡುತ್ತಾರೆ) ತನಿಖಾ ವರದಿ ಮತ್ತು ಸಂಬಂಧಿಸಿದ ದಾಖಲೆಗಳೊಂದಿಗೆ ಸಲ್ಲಿಸಿದ ವರದಿಯಲ್ಲಿ (1) ಶ್ರೀ ಟಿ.ವಿ.ಎಲ್.ಎನ್. ರಾಜು, ಸಹಾಯಕ ನಿರ್ದೇಶಕರು, ಪ್ರವಾಸೋದ್ಯಮ ಇಲಾಖೆ, ಲೋಟಸ್ ಮಹಲ್, ಕಮಲಾಪುರ, (2) ಶ್ರೀ.ವಿಠಲ್ ಆರ್. ಗೌಡರ,

ಪ್ರವಾಸಿ ಪ್ರವರ್ತಕರು, ಪ್ರವಾಸೋದ್ಯಮ ಇಲಾಖೆ, ಕಮಲಾಪುರ ಮತ್ತು (3) ಶ್ರೀ ಅಗಸರ ಚನ್ನಪ್ಪ, ಚಾಲಕರು, ಪ್ರವಾಸೋದ್ಯಮ ಇಲಾಖೆ, ಕಮಲಾಪುರ (ಇನ್ನು ಮುಂದೆ ಆಸನೌ-1 ರಿಂದ 3 ಎಂದು ಕರೆಯಲ್ಪಡುತ್ತಾರೆ) ಆಸನೌ-1 ರಿಂದ 3 ಆದ ನೀವು ಸರ್ಕಾರಿ/ಸಾರ್ವಜನಿಕ ನೌಕರರಾಗಿದ್ದು ಹೊಸಪೇಟೆ ಲೋಕಾಯುಕ್ತ ತಾಣೆಗೆ ಅನಾಮದೇಯವಾಗಿ ಬಂದಿದ್ದ ದೂರು ಅರ್ಜಿಯನ್ನು ಪೊಲೀಸ್ ನಿರೀಕ್ಷಕರು-1 ಕ.ಲೋ ಹೊಸಪೇಟೆ ಇವರು ಸ್ವೀಕರಿಸಿ ವಿಚಾರಣೆಗಾಗಿ ಪೊಲೀಸ್ ಅಧೀಕ್ಷಕರು, ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ, ಬಳ್ಳಾರಿ ಇವರ ಅನುಮತಿ ಕೋರಿದ್ದು ದಿನಾಂಕ: 5-4-2014 ರಂದು ಪೊಲೀಸ್ ಅಧೀಕ್ಷಕರು, ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ ಬಳ್ಳಾರಿ ಇವರು ವಿಚಾರಣೆ ನಡೆಸಲು ಆದೇಶಿಸಿರುತ್ತಾರೆ. ಅದರಂತೆ, ತನಿಖೆ ಮಾಡಲಾಗಿ ಆಸನೌ-1 ರಿಂದ 3 ರವರು ದುರ್ನಡತೆ ತೋರಿಸಿರುತ್ತಾರೆ ಎನ್ನುವುದು ಮೇಲ್ನೋಟಕ್ಕೆ ಕಂಡು ಬಂದಿದ್ದರಿಂದ, ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ ಕಾಯಿದೆ 1984 ರ ಕಲಂ 7(2) ರನ್ವಯ ಗೌರವಾನ್ವಿತ ಉಪಲೋಕಾಯುಕ್ತರವರು ತನಿಖೆ ಕೈಗೊಂಡಿರುತ್ತಾರೆ.

2) ಆಪಾದನೆಯ ಸಂಕ್ಷಿಪ್ತ ಸಾರಾಂಶ :

ಎ) ಕರ್ನಾಟಕ ಪ್ರವಾಸೋದ್ಯಮ ಇಲಾಖೆಯ ವತಿಯಿಂದ ಎಸ್.ಸಿ/ಎಸ್.ಟಿ./ಟಿ.ಎಸ್.ಟಿ ಯೋಜನೆಯ ಅಡಿಯಲ್ಲಿ 2013-14ನೇ ಸಾಲಿನಲ್ಲಿ ಪರಿಶಿಷ್ಟ ಜಾತಿ ಮತ್ತು ಪಂಗಡಗಳ ಅರ್ಹ ನಿರುದ್ಯೋಗ ವಿದ್ಯಾವಂತ ಅಭ್ಯರ್ಥಿಗಳಿಗೆ ಪ್ರವಾಸಿ ಟ್ಯಾಕ್ಸಿ ಖರೀದಿಸಲು ತಲಾ ರೂ.2 ಲಕ್ಷಗಳ ಸಹಾಯ ಧನ ವಿತರಿಸಲು ಅನುಮೋದನೆಯಾಗಿದೆ. ಆಯ್ಕೆ ಪ್ರಕ್ರಿಯೆಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ಪ್ರವಾಸೋದ್ಯಮ ಇಲಾಖೆ ಕಮಲಾಪುರದಲ್ಲಿ ಕರ್ತವ್ಯ ನಿರ್ವಹಿಸುತ್ತಿದ್ದು ಆಸನೌ ರವರು ಲಂಚದ ಹಣ ಪಡೆದು ಕೆಲವು ಅಭ್ಯರ್ಥಿಗಳಿಗೆ ಆಯ್ಕೆ ಆಗಲು ಸಹಕರಿಸಿದ್ದು, ಲಂಚದ ಹಣ ನೀಡದೇ ಇರುವ ಅಭ್ಯರ್ಥಿಗಳಿಗೆ ಉದ್ದೇಶಪೂರ್ವಕವಾಗಿ ಅರ್ಜಿಗಳನ್ನು ತಿರಸ್ಕರಿಸಿದ್ದು, ಸಂದರ್ಶನಕ್ಕೆ ಹಾಜರಾಗಲು ಮುಂಚಿತವಾಗಿ ಮಾಹಿತಿ ನೀಡಿ ನಂತರ ಖಾಸಗಿ ದೂರವಾಣಿ ಅಥವಾ ಸಂದೇಶಗಳ ಮುಖಾಂತರ ಸಂದರ್ಶನಕ್ಕೆ ಬರದಂತೆ ತಡೆಗಟ್ಟಿರುತ್ತಾರೆ. ತಮಗೆ ಬೇಕಾದ ಅಭ್ಯರ್ಥಿಗಳಿಗೆ ಸಂದರ್ಶನಕ್ಕೆ ಬರಲು ಖಾಸಗಿ ದೂರವಾಣಿಗಳ ಮುಖಾಂತರ ತಿಳಿಸಿರುತ್ತಾರೆ.

ಬಿ) ಕಾರು ಚಾಲಕರಾದ ಆಸನೌ-3 ರವರ ಮನೆಯನ್ನು ಶೋಧನೆ ಮಾಡಿದಾಗ, ಪ್ರವಾಸೋದ್ಯಮ ಇಲಾಖೆಯಿಂದ ವಿತರಿಸುವ ಕಾರುಗಳಿಗೆ ಸಂಬಂಧಪಟ್ಟ ಅಭ್ಯರ್ಥಿಗಳ ಹೆಸರು ಮತ್ತು ವಿಳಾಸಗಳನ್ನು ಕೈಯಿಂದ ಬರೆದ ನೋಟ್‌ಬುಕ್, ಆಯ್ಕೆಯಾದ ಅಭ್ಯರ್ಥಿಗಳ ಪಟ್ಟಿಯನ್ನು ಹರಿದು ಹಾಕಿದ ಚೂರುಗಳು ಅರ್ಜಿಗಳ ನಕಲುಗಳು ಕಚ್ಚಾ ಪತ್ರಗಳು, ಜಿಲ್ಲಾಧಿಕಾರಿಗಳು ಬಳಾರಿ ಇವರಿಗೆ ಕೋರಿಯರ್ ಮೂಲಕ ಕಳುಹಿಸಿದ ರಶೀದಿಗಳನ್ನು ಜಪ್ತಿ ಮಾಡಿದ್ದಾರೆ. ಇದೇ ಶೋಧನೆಯ ಸಮಯದಲ್ಲಿ 2 ಡಿ.ವಿ.ಡಿ.ಗಳು ಮತ್ತು ರೂ.9,000/- ಗಳ ಹಣ, ಬಿಳಿ ಹಾಳೆಯ ತುಂಡು, ಅದರಲ್ಲಿ ಬರೆದಿರುವ ಬರಹಗಳು ಜಪ್ತಿ ಮಾಡಿಕೊಂಡು ಹಣ ವಾಪಸ್ಸು ಕೊಡಲಾಗಿದೆ. ಒಟ್ಟು 367 ಅಭ್ಯರ್ಥಿಗಳು ಸಲ್ಲಿಸಿದ್ದ ಲಕೋಟೆಗಳನ್ನು ಮತ್ತು ಇನ್ನು ಹಲವಾರು ದಾಖಲೆಗಳನ್ನು ಆಸನೌ ರವರ ಕಛೇರಿಯಿಂದ ವಶಪಡಿಸಿಕೊಂಡಿದ್ದಾರೆ. ತನಿಖಾ ಕಾಲದಲ್ಲಿ 232 ಸಾಕ್ಷಿದಾರರ ಹೇಳಿಕೆಗಳನ್ನು ತೆಗೆದುಕೊಂಡಿದ್ದಾರೆ.

ಸಿ) ಆಸನೌ-1 ರವರು ಆಯ್ಕೆಯಲ್ಲಿ ಸರಿಯಾದ ಮಾನದಂಡ ಅನುಸರಿಸಿಲ್ಲ, ಸರಿಯಾದ ನೋಟ್‌ಶೀಟ್‌ಗಳನ್ನು ಬರೆದಿರುವುದಿಲ್ಲ. ತಮಗೆ ಬೇಕಾದ ಅರ್ಜಿದಾರರಿಗೆ ಸರಿಯಾದ ದಾಖಲೆಗಳು ಇಲ್ಲದಿದ್ದಲ್ಲಿ ಆಯ್ಕೆ ಮಾಡಿಕೊಂಡಿದ್ದಾರೆ. ಕೊನೆಯ ದಿನಾಂಕದ ನಂತರ ದಾಖಲಾತಿಗಳನ್ನು ಪಡೆದುಕೊಂಡಿದ್ದೀರಿ. ಅರ್ಜಿ ಪರಿಶೀಲನಾ ಸಮಿತಿ ಷರಾ ಮಾಡಿದ್ದನ್ನು ತಿದ್ದುಪಡಿ ಮಾಡಿ ತಮಗೆ ಬೇಕಾದವರನ್ನು ಆಯ್ಕೆ ಮಾಡಿಕೊಂಡಿರುತ್ತಾರೆ. ಲಂಚದ ಹಣ ಕೊಡುತ್ತೇವೆ ಅಂತ ಹೇಳಿದವರಿಗೆ ಸಂದರ್ಶನ ಇರುವ ಬಗ್ಗೆ ಮುಂಚಿತವಾಗಿ ತಿಳಿಸುವುದು, ಹಣ ಕೊಡಲು ಒಪ್ಪದೇ ಇದ್ದವರಿಗೆ ಹಿಂದಿನ ದಿವಸ ರಾತ್ರಿ ಮೊಬೈಲ್ ಮೂಲಕ ಸಂದೇಶ ಕಳುಹಿಸಿ ಉದ್ದೇಶಪೂರ್ವಕವಾಗಿ ಸಂದರ್ಶನಕ್ಕೆ ಹಾಜರಾಗುವುದನ್ನು ತಪ್ಪಿಸಿರುತ್ತಾರೆ ಹಿಂದಿನ ಸಾಲಿನಲ್ಲಿಯೇ ಪ್ರವಾಸಿ ಟ್ಯಾಕ್ಸಿ ಪಡೆದಿರುವ ಅಭ್ಯರ್ಥಿಗಳು ಮತ್ತು ಅವರ ಕುಟುಂಬದವರಿಗೆ ಪುನಃ ಆಯ್ಕೆ ಮಾಡಿಕೊಂಡಿದ್ದು, ನಿರಂತರವಾಗಿ ಸದರಿ ಅರ್ಜಿದಾರರ ಜೊತೆ ಮೊಬೈಲ್ ಸಂಪರ್ಕ ಇಟ್ಟುಕೊಂಡಿದ್ದಾರೆ.

ಡಿ) ಆಸನೌ-2 ರವರು ಆಯ್ಕೆ ಪ್ರಕ್ರಿಯೆ ಪ್ರಾರಂಭದಿಂದ ಅರ್ಜಿ ಸಲ್ಲಿಸಿದ ಅಭ್ಯರ್ಥಿಗಳ ಜೊತೆ ಪೋನ್‌ನಲ್ಲಿ ಸಂಪರ್ಕ ಇಟ್ಟುಕೊಂಡಿದ್ದಾರೆ. ದಾಖಲಾತಿ ಇಲ್ಲದ ಅಭ್ಯರ್ಥಿಗಳಿಗೆ ಆಯ್ಕೆ ಮಾಡಲು ಸಹಕಾರ ಕೊಟ್ಟಿರುತ್ತಾರೆ. ಲಂಚದ ಹಣ ಕೊಡುತ್ತೇವೆ ಅಂತ ಹೇಳಿದವರಿಗೆ ಸಂದರ್ಶನ ಇರುವ ಬಗ್ಗೆ ಮುಂಚಿತವಾಗಿ ತಿಳಿಸುವುದು, ಹಣ ಕೊಡಲು ಒಪ್ಪದೇ ಇದ್ದವರಿಗೆ ಹಿಂದಿನ ದಿವಸ ರಾತ್ರಿ ಮೊಬೈಲ್ ಮೂಲಕ ಸಂದೇಶ ಕಳುಹಿಸಿ ಉದ್ದೇಶಪೂರ್ವಕವಾಗಿ ಸಂದರ್ಶನಕ್ಕೆ ಹಾಜರಾಗುವುದನ್ನು ತಪ್ಪಿಸಿರುತ್ತಾರೆ. ಹೊಟೆಲ್‌ಗಳಲ್ಲಿ ಹಣದ ವ್ಯವಹಾರ ನಡೆಸುತ್ತಿರುವುದು ಸಹ ಕಂಡುಬಂದಿದೆ.

ಇ) ಆಸನೌ-3 ರವರು ಆಯ್ಕೆ ಪ್ರಕ್ರಿಯೆ ಪ್ರಾರಂಭದಿಂದ, ಅರ್ಜಿ ಸಲ್ಲಿಸಿದ ಅಭ್ಯರ್ಥಿಗಳ ಜೊತೆ ಪೋನ್‌ನಲ್ಲಿ ಸಂಪರ್ಕ ಇಟ್ಟುಕೊಂಡಿದ್ದಾರೆ. ದಾಖಲಾತಿ ಇಲ್ಲದ ಅಭ್ಯರ್ಥಿಗಳಿಗೆ ಆಯ್ಕೆ ಮಾಡಲು ಸಹಕಾರ ಕೊಟ್ಟಿದ್ದಾರೆ. ಲಂಚದ ಹಣ ಕೊಡುತ್ತೇವೆ ಅಂತ ಹೇಳಿದವರಿಗೆ ಸಂದರ್ಶನ ಇರುವ ಬಗ್ಗೆ ಮುಂಚಿತವಾಗಿ ತಿಳಿಸುವುದು, ಹಣ ಕೊಡಲು ಒಪ್ಪದೇ ಇದ್ದವರಿಗೆ ಹಿಂದಿನ ದಿವಸ ರಾತ್ರಿ ಮೊಬೈಲ್ ಮೂಲಕ ಸಂದೇಶ ಕಳುಹಿಸಿ ಉದ್ದೇಶಪೂರ್ವಕವಾಗಿ ಸಂದರ್ಶನಕ್ಕೆ ಹಾಜರಾಗುವುದನ್ನು ತಪ್ಪಿಸಿದ್ದಾರೆ. ಕೇವಲ ಚಾರು ಚಾಲಕರಾಗಿದ್ದರೂ ಸಹ ಇವರ ಮನೆಯಲ್ಲಿ ಶೋದನೆಯ ಸಮಯದಲ್ಲಿ ಆಯ್ಕೆ ಪ್ರಕ್ರಿಯೆಗೆ ಸಂಬಂಧಪಟ್ಟ ದಾಖಲಾತಿಗಳು ಮತ್ತು ಆಯ್ಕೆ ಮಾಡಿದ ಅಭ್ಯರ್ಥಿಗಳ ಪಟ್ಟಿ ಇನ್ನು ಹಲವಾರು ದಾಖಲೆಗಳು ದೊರೆತಿವೆ.

ಎಫ್) ಆದ್ದರಿಂದ, ಆಸನೌ ರವರು ಅನರ್ಹ ಅಭ್ಯರ್ಥಿಗಳನ್ನು ಆಯ್ಕೆ ಮಾಡಿ ಅರ್ಹ ಅಭ್ಯರ್ಥಿಗಳು ಸರ್ಕಾರಿ ಯೋಜನೆಯ ಲಾಭವನ್ನು ಪಡೆಯುವುದನ್ನು ತಪ್ಪಿಸಿದ್ದಾರೆ. ಆದ್ದರಿಂದ ಪೊಲೀಸ್ ಉಪಾಧೀಕ್ಷಕರು, ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ, ಹೊಸಪೇಟೆ ಇವರು ಹೊಸಪೇಟೆ ಲೋಕಾಯುಕ್ತ ತಾಣಾ ಮೊಕದ್ದಮೆ ನಂ:4/2014 ಕಲಂ 11, 13(1)(ಸಿ) ಸಹ ಕಲಂ 13(2) ಭ್ರಷ್ಟಾಚಾರ ನಿಷೇಧ ಅಧಿನಿಯಮದ ಅಡಿಯಲ್ಲಿ ನ್ಯಾಯಾಲಯಕ್ಕೆ ದೋಷಾರೋಪಣೆ ಪಟ್ಟಿಯನ್ನು ಸಲ್ಲಿಸಿದ್ದಾರೆ.

ಜಿ) ಸಾಕ್ಷಿದಾರರ ಹೇಳಿಕೆಗಳು, ದೂರು ಅರ್ಜಿ ಹಾಗೂ ತನಿಖಾಧಿಕಾರಿ ಸಂಗ್ರಹಿಸಿದ ದಾಖಲೆ ಮತ್ತು ಇತರ ಅಂಶಗಳು, ಆಸನೌ ರವರ ಸತತವಾದ ದುರ್ನಡತೆಯನ್ನು ತೋರಿಸುತ್ತದೆ.

3) ಈ ಮೇಲ್ಕಂಡ ಅಂಶ ಮತ್ತು ಹಾಜರು ಪಡಿಸಿರುವ ದಾಖಲೆಗಳನ್ನು ಪರಿಶೀಲಿಸಿದಾಗ ಆಸನೌ ರವರು ಸರ್ಕಾರಿ/ಸಾರ್ವಜನಿಕ ನೌಕರರಾಗಿ ದುರ್ನಡತೆ ತೋರಿಸಿರುವುದಲ್ಲದೆ, ಕರ್ತವ್ಯಲೋಪ ಎಸಗಿದ್ದಾರೆ ಎನ್ನುವುದು ಕಂಡುಬಂದಿರುತ್ತದೆ. ಆದ್ದರಿಂದ 1 ರಿಂದ 3ನೇ ಆಸನೌ ರವರು ಸರ್ಕಾರಿ/ಸಾರ್ವಜನಿಕ ನೌಕರರಾಗಲು ಅನರ್ಹರು ಹಾಗೂ ಶಿಸ್ತು ಕ್ರಮಕ್ಕೆ ಒಳಪಡಲು ಜವಾಬ್ದಾರರಾಗಿರುತ್ತಾರೆ.

4) ಮೇಲಿನ ಎಲ್ಲಾ ಅಪಾದನೆಗಳ ಬಗ್ಗೆ ಆಸನೌ ರವರಿಗೆ ಪರಿವೀಕ್ಷಣಾ ಟಿಪ್ಪಣಿಯನ್ನು ಕಳುಹಿಸಿ ಅವರಿಂದ ತಕರಾರು/ಉತ್ತರಗಳನ್ನು ಕೇಳಲಾಗಿತ್ತು.

(ಎ) ಆಸನೌ-1 ರಿಂದ 3 ರವರು ನೀಡಿರುವ ಉತ್ತರ/ಆಕ್ಷೇಪಣೆಗಳನ್ನು ಪರಿಶೀಲಿಸಿದಾಗ ತಾಲ್ಲೂಕು ಸಮಿತಿಯ ಸದಸ್ಯರುಗಳ ಸಮಕ್ಷಮದಲ್ಲಿ ಅರ್ಜಿ ಲಕೋಟೆಗಳನ್ನು ಒಡೆದು ತೆಗೆಯಲಾಗಿದೆ. ಅರ್ಹ ಮತ್ತು ಅನರ್ಹ ಅಭ್ಯರ್ಥಿಗಳನ್ನು ವಿಂಗಡನೆ ಮಾಡಲಾಗಿದೆ. ವಿಡಿಯೋ ಕಾನ್‌ಪರನ್ಸ್‌ನಲ್ಲಿ ಪರಿಶಿಷ್ಟ ಜಾತಿ/ವರ್ಗದವರಿಗೆ ತ್ವರಿತ ಕ್ರಮ ವಹಿಸಲು ಜಿಲ್ಲಾಧಿಕಾರಿಗಳು ತಿಳಿಸಿದ್ದರಿಂದ ಮತ್ತು ಕಛೇರಿಯಲ್ಲಿ ದೂರವಾಣಿ ಸೌಲಭ್ಯ ಇಲ್ಲದೇ ಇರುವುದರಿಂದ ಕಛೇರಿಯಲ್ಲಿ ಗ್ರೂಪ್-ಡಿ ನೌಕರರು ಮತ್ತು ಕಂಪ್ಯೂಟರ್ ಆಪರೇಟರ್‌ಗಳು ಇಲ್ಲದೇ ಇರುವುದರಿಂದ, ವಿಷಯ ನಿರ್ವಾಹಕ ಮತ್ತು ವಾಹನ ಚಾಲಕನನ್ನು ಉಪಯೋಗಿಸಿಕೊಳ್ಳಲಾಗಿದೆ. ಕಛೇರಿಯಲ್ಲಿ ಝರಾಕ್ಸ್ ಕೆಟ್ಟು ಹೋಗಿದ್ದರಿಂದ ಕಡತವನ್ನು ಹೊಸಪೇಟೆಗೆ ತರಲಾಗಿತ್ತು, ಇತ್ಯಾದಿಯಾಗಿ ಉತ್ತರಿಸಿದ್ದಾರೆ. ಆಸನೌ ರವರು ತಮ್ಮ ವಿರುದ್ಧದ ನಡವಳಿಕೆಯನ್ನು ಕೈ ಬಿಡಲು ಸೂಕ್ತ/ಸಮಂಜಸ/ಸಮಾಧಾನಕರ ಕಾರಣ ತೋರಿಸಿಲ್ಲವೆಂಬ ಅಭಿಪ್ರಾಯಕ್ಕೆ ಬರಲಾಗಿದೆ.

5. ಆದ್ದರಿಂದ, ಆಸನೌ ರವರು ಸಲ್ಲಿಸಿರುವ ಉತ್ತರ/ಆಕ್ಷೇಪಣೆಗಳನ್ನು ಪರಿಶೀಲಿಸಿದಾಗ ಅವರು ತಮ್ಮ ವಿರುದ್ಧದ ನಡವಳಿಕೆಯನ್ನು ಕೈ ಬಿಡಲು ಸೂಕ್ತ/ಸಮಂಜಸ/ಸಮಾಧಾನಕರ ಕಾರಣ ತೋರಿಸಿಲ್ಲವೆಂಬ ಅಭಿಪ್ರಾಯಕ್ಕೆ

ಬರಲಾಗಿದೆ. ಆದುದರಿಂದ ಆಸನೌ ರವರು ಸಾರ್ವಜನಿಕ/ಸರ್ಕಾರಿ ಸೇವಕರಾಗಿ ಪರಿಪೂರ್ಣ ಕರ್ತವ್ಯ ಪರಾಯಣತೆ ಮತ್ತು ಸಾರ್ವಜನಿಕ ಸೇವಕರಿಗೆ ತರವಲ್ಲದ ರೀತಿಯಲ್ಲಿ ನಡೆದುಕೊಂಡು, ದುರ್ವರ್ತನೆ/ದುರ್ನಡತೆ ಎಸಗಿರುವುದು ಮೇಲ್ನೋಟಕ್ಕೆ ಕಂಡುಬರುತ್ತದೆ.

ಆಸನೌ 1 ರಿಂದ 3 ರವರು ಕರ್ತವ್ಯ ಪರಿಪಾಲನೆಯಲ್ಲಿ ನಿಷ್ಠೆಯನ್ನು ತೋರದೆ, ಕರ್ತವ್ಯಲೋಪವೆಸಗಿ, ದುರ್ವರ್ತನೆ ತೋರಿಸಿ, ಸಾರ್ವಜನಿಕ/ಸರ್ಕಾರಿ ನೌಕರರಿಗೆ ತರವಲ್ಲದ ರೀತಿಯಲ್ಲಿ ನಡೆದುಕೊಂಡಿರುವುದು ಮೇಲ್ನೋಟಕ್ಕೆ ಕಂಡುಬರುತ್ತಿರುವುದರಿಂದ, ಕರ್ನಾಟಕ ನಾಗರೀಕ ಸೇವೆ (ನಡತೆ) ನಿಯಮ 1966ರ ನಿಯಮ 3(i) ಮತ್ತು (iii) ರನ್ವಯ ಶಿಸ್ತು ಕ್ರಮಕ್ಕೆ ಬಾಧ್ಯರಾಗಿರುತ್ತಾರೆಂದು ಕಂಡುಬಂದಿದ್ದು, ಆಸನೌ ರವರ ವಿರುದ್ಧ ಶಿಸ್ತಿನ ಕ್ರಮ ಕೈಗೊಳ್ಳಲು ಹಾಗೂ ಕರ್ನಾಟಕ ನಾಗರೀಕ ಸೇವಾ (ವರ್ಗೀಕರಣ, ನಿರ್ಬಂಧ ಮತ್ತು ಮೇಲ್ಮನವಿ) ನಿಯಮಗಳು 1957ರ ನಿಯಮ 14-ಎ ರಡಿಯಲ್ಲಿ ಆಸನೌ ರವರ ವಿರುದ್ಧ ಇಲಾಖಾ ವಿಚಾರಣೆಯನ್ನು ನಡೆಸಲು ಗೌರವಾನ್ವಿತ ಉಪಲೋಕಾಯುಕ್ತರವರು ಸರ್ಕಾರಕ್ಕೆ ವರದಿಯನ್ನು ಸಲ್ಲಿಸಿದ ಮೇರೆಗೆ ಸರ್ಕಾರವು ಮೇಲೆ ಉಲ್ಲೇಖಿಸಿದ ಆದೇಶದಲ್ಲಿ ಇಲಾಖಾ ವಿಚಾರಣೆ ನಡೆಸಲು ಅನುಮತಿ ನೀಡಿರುತ್ತದೆ. ಅದರಂತೆ, ಗೌರವಾನ್ವಿತ ಉಪಲೋಕಾಯುಕ್ತರವರು, ಅಪರ ನಿಬಂಧಕರು, ವಿಚಾರಣೆಗಳು-9 ರವರಿಗೆ ವಿಚಾರಣೆ ನಡೆಸಿ ವರದಿಯನ್ನು ಸಲ್ಲಿಸಲು ಸೂಚಿಸಿರುತ್ತಾರೆ. ಆದ್ದರಿಂದ, ಈ ದೋಷಾರೋಪಣೆ.

5. The Article of charge was issued to the DGOs calling upon them to appear before this authority and to submit written statement.

6. The DGOs appeared before this inquiry authority in pursuance to the service of the Article of charges. In FOS plea of the DGOs have been recorded and they pleaded not guilty and claimed for holding inquiry. Thereafter, DGO-1 to 3 submitted joint written statement.

7. DGO-1 to 3 in their joint written statement, have stated that they have not committed any sort of illegalities or irregularities with respect to the process of appointing tourist taxis from un-employed youths. Further DGOs deny the allegations of any sort of showing favourism or demanding or insisting of the amounts from the candidates. DGOs further stated that they specifically deny the allegations of any sort of loss and much less as alleged to the state Government or wasteful expenditure, as alleged in the charge. They deny the allegations of any sort of loss or misappropriation of the state funds in doing the work. With these grounds, they prayed to drop the charges leveled against them.

8. The disciplinary authority has examined the Investigating officer Sri. N.R.Mahantha Reddy, the then Deputy Superintendent of Police, Karnataka Lokayukta Hospete as PW.1 and got marked documents as **Ex.P-1 to ExP-32**.

9. Thereafter, second oral statement of DGOs have been recorded. DGO -1 Sri. T.V.L.N. Raju, the then Assistant Director, Tourism Department, has got examined himself as DW-1, DGO -2 Sri.Vittal R.Gowdar, Tourism promoter, Tourism Department has got examined himself as DW-2, and DGO No. 3 Sri.Agasara Channappa, Driver, Tourism Department, has got examined himself as DW-3 and got marked one documents as **Ex.D-1**.

10. Heard the submissions of Presenting Officer and DGOs No. 1 to 3 submitted written brief. Perused the entire records. The only point that arise for my consideration is:

**1. Whether the Disciplinary Authority proves
the charge framed against the DGOs ?**

My finding on the above point is in **AFFIRMATIVE** for the following:

REASONS

11. According to PW-1 on 30.7.2014 anonymous petition was received in Hospete Lokayukta Police station. Police Inspector Mahantesh with the permission of Superintendent of Police enquired about the petition and submitted a report to the Superintendent of Police, Bellary. On the basis of the said report Superintendent of Police with the permission ADGP Karnataka Lokayukta ordered to register the case and to conduct the enquiry. He received the file and found that in Karnataka Tourism department, during the year 2013-14 there were irregularities and misuse of power in giving subsidy to purchase cars to SC & ST beneficiaries. It was alleged that they are receiving bribe from the beneficiaries. Therefore they registered Crime No. 4/2014 against DGO -1 to 3. After obtaining search warrant along with staff and panchas at 5.30 PM formed four teams and gave two panchas to each team.

12. Further according to PW-1, Sri.G.Pompapathi and Sri.Rajendra Prasad were the panchas accompanied him. Other panchas accompanied three teams. On 31.7.2014 at 7-00 AM the investigating officer and panchas appeared before him, themselves along with staff and panchas went near the rented house of DGO No. 1 and conducted search from 9-00 AM to 2-00 PM. At the time of search he found SC & ST pravasi taxi file for the year 2013-14, copies

of ACRs and APRs of the DGOs and computerized copies of submissions of the beneficiaries, stating that they have not paid any money to the tourism department, letters regarding distribution of taxi to SC & ST beneficiaries for the year 2013-2014, bank letters and other documents, letters pertaining to the DGOs, cheque leaf, ATM card, cash and mobiles. He returned back the letter relating to DGOs cheque leaf, ATM card, cash and mobile. At that time, he has drawn the mahazar Ex.P-5 and seized the above said documents as per Ex.P-7.

13. The Investigating officer Sri.Basappa Burli along with panchas and swamy and Sahebagowda went to the house of DGO-2 conducted search from 8-30 AM to 12.30 PM and found no document. At that time mahazar Ex.P-8 was drawn.

14. The another Investigating officer Sri.Mahantesha along with panchas Sri.Raviprakash and Sri.Hulugesh went to the house of DGO-3 and conducted search from 8.30 AM to 4-00 PM and seized a note book containing name of beneficiaries and address, torn list of beneficiaries who were selected, rough letters containing the copies of applications, names of beneficiaries and serial number of applications, unsigned letters of Tourism department, Hospete addressed to president, Deputy commissioner and District Tourism development Samithi Bellary in respect of distribution of funds to SC & ST beneficiaries and courier receipts addressed by Sri.M.C. Veeraswamy to Deputy commissioner, Bellary and Police Inspector Karnataka Lokayukta. The Investigating officer converted the documents file found in the computer to DVD and seized them. He returned back cash of Rs. 9000/- and unwanted articles to DGO No. 3. At that time

the Investigating officer has drawn the mahazar Ex.P-9 and seized the other documents as per Ex.P-10.

15. Further according to PW-1 the Investigating officer Sri.J.S.Hebbala along with panchas Sri.Adavappa Talawara and Sri.Chandrashekar Kalmatta and staff went to the office of Assistant Director Tourism Department conducted search from 10.15 AM to 5 PM drawn the mahazar as per Ex.P-11 and seized the documents as per Ex.P-12. All the seized articles were subjected to property form and he submitted mahazar and property forms and seized documents to the court.

16. On 1.8.2014 he requested Bhagyodhaya showroom to furnish information about the messages sent to the beneficiaries to appear for interview. On 20.8.2014 he received documents from Bhagyodhaya showroom as per Ex.P-13. On 10.10.2014 he recorded the statement of Sri.K.Raghavendra Rao Shirasthedhar, Taluk office, Sandur as per Ex.P-14. On 27.10.2014 he recorded the statement of Sri.N.Rajappa District Social Welfare officer as per Ex.P-15. On 3.11.2014 he recorded the statement of Sri.Noor Ahammed Pasha RTO Yeshwanthapura Bangalore, Sri.Ramesh P.Konareddy Tahasildar Shiggav and Smt. Roopa, FDA, RTO office Hospete as per Ex.P-15 to 17.

17. Further According to PW-1 on 10.11.2014 he recorded the statement of Sri.P.Sunil kumar, Assistant Commissioner, IAS Hospete as per Ex.P-18 . On 12.11.2014 he recorded the statement of Sri.H.A. Iqbal, Senior Motor Inspector, RTO office Bellary as per Ex.P-17. On 3.12.2014 he recorded the statement of Sri.K.Pampapathi RTO Bellary as per Ex.P-19. On 6.12.2014 he

recorded the statement of Sri.P.Lakshmana as per Ex.P-19(b) . On 8.2.2014 he recorded the statement of Sri.G.Mukanna District Manager Ambdekar Abhivridhi Nigama Bellary as per Ex.P-20 On 19.10.2015 himself and Superintendent of Police recorded the statement of Amdhan Adithya biswawas Divisional commissioner Kalburgi as per Ex.P-21. On the same day he recorded the statement of Anirudha P.Shraavan IAS Chief Executive Officer Zilla panchayath Kalburgi as per Ex.P-22

18. Further according to PW-1 on 7.2.2015 he received Ex.P-23, on 21.8.2015 he received Ex.P-24. On 16.1.2016 he received Ex.P-25 On 14.1.2016 he received Ex.P-26. On the same day he received Ex.P-27. On 8.1.2016 he received Ex.P-28 and Ex.P-29. Out of 367 applicants he recorded the statement of 207 applicants, assistant Investigation officer and staff as per Ex.P-22 (b). He recorded the statement of panchas Sri.Pampapathi, Sri.Rajendra Prasad, Sri.S.K.Swamy, Sri.Sahebagowda, Sri.Ravi Prakash, Sri.Hulugesh, Sri.Adivappa Thalavara, Sri.Chandrashekar Kalmatt, Sri.Desai Venkobarao and Sri.K. Manjunath as per Ex.P-30. He recorded the statement of Mohammed Gouzs FDA Tahasildar office Hospete as per Ex.P-31. He recorded the further statement of Sri.Pampapathi as per Ex.P-20 (b). The DGOs have given their explanations as per Ex.P-32.

19. Further according to PW-1 on verification, he found that the DGOs have committed irregularities in selection of beneficiaries, misused their powers, tampered the documents and violated the selection process. Without selecting the eligible beneficiaries they have selected the beneficiaries who offer bribe, misused the power

and committed dereliction of duty. From the date of commencement of selection process the DGOs have phone contact with the beneficiaries. Though relevant documents were not furnished by the beneficiaries DGOs facilitated them expecting bribe and colluded with the higher authorities in selection of beneficiaries. Prior intimation regarding interview was given to the beneficiaries who agreed to give money. For the beneficiaries who were not agreed to give bribe, for the name sake on the previous night of interview, mobile message was sent. After the selection of beneficiaries the DGOs were in regular contact, with who agreed to pay the bribe. It was also found that money transaction was done in the hotel. The DGOs helped in selection of ineligible beneficiaries misused their power and committed dereliction of duty. After completion of investigation he submitted the investigation report to the ADGP Karnataka Lokayukta on 21.6.2016.

20. In the cross examination the PW-1 admits that on 28.12.2013 Bellary Deputy commissioner approved the scheme for giving government grants of Rs. 2 lakhs each to SC & ST unemployed applicants to purchase taxi in the year 2013-14. He admits that applications were called to select 319 beneficiaries . He admits that a committee was formed to verify the applications of beneficiaries. According to PW-1, the Assistant Commissioner Hospete Sub division, Tahasildar Hospete Taluk, District social welfare officer Bellary, Deputy director / Assistant Director Tourism department Hospete, RTO Hospete, Manager Dr. B.R.Ambedkar development Board Bellary were the committee members. He admits that 367 beneficiaries had submitted applications under this scheme. He

admits that time was given to submit applications from 31.1.2014 to 20.2.2014. According to PW-1 all the six members of the committee entrusted the work of verification of applications to DGO-1. DGO -1 was members secretary of the selection committee. There was no order passed by the committee authorising DGO -1 to verify the applications. PW-1 admits that after verifying 367 applications it is mentioned, who is eligible and who is not eligible. DGO-1 informed that he has verified 367 applications but he has not put his signatures to these applications.

21. Further PW-1 admits that DGO -1 has given his statement that on the oral directions of Sri.K.Raghavendra Rao, Shirastedhar and Tahasildar, he has verified 367 applications and mentioned that those applications will be considered or rejected and he has put his signature. He admits that similarly Sri.K.Pampapathi RTO Bellary has given his statement as per Ex.P-19. He admits that similarly Sri.Mohammed Gouse FDA also has given his statement as per Ex.P-31. He admits that similarly Sri.N.Rajappa District social welfare officer has given his statement as per Ex.P15. He admits that Sri.B.NooraHamed Pasha O/o RTO Yeshwanthapura Bangalore also has given his statement Ex.P-15(b) asking Smt.Roopa orally to verify the driving licenses and to submit report. He admits that Smt. J.Roopa has given her statement as per Ex.P-17 stating that she has verified the driving licenses and has given endorsement. He admits that similarly Sri.H.A.Iqbal and Sri.K.Pampapathi have given their statement Ex.P-17 (b) and Ex.P-19 stating that they have verified the driving licenses and have given endorsements. He admits that Sri.P.Lakshmana Rtd., Taluka Social Welfare officer has given his

statement Ex.P-19 (b) stating that he has verified the cast certificates and has given his endorsements.

22. Further PW-1 admits that the interview was called on 3.3.2014 in the office of Deputy commissioner Bellary. He has not verified whether the land line facility was there or not in Hospete Tourism department office. He denies that on 3.3.2014 on the oral direction of Deputy commissioner, Assistant Commissioner has conducted interview. He denies that Assistant Commissioner himself conducted interview and has given 'A' 'B' and 'C' grades. According to PW-1 Sri.Rajappa District social welfare officer Bellary. Sri.Popaiah District Tribal Welfare Officer Bellary RTO Bellary and member secretary Sri.T.V.I.N.Raju DGO-1 have conducted interview. He admits that Ex.P-7 are the documents showing the interview and showing the grades given to the beneficiaries. He admits that all the documents are containing the same handwriting. He does not remember who wrote the said handwriting at the time of interview.

23. Further PW-1 has deposed that he has verified the selection list prepared by DGO-1 which was said to be published by Deputy commissioner, Assistant Commissioner, committee members, Assistant Director Tourism department, Lotus Mahal. PW-1 admits that Deputy commissioner was the president of the committee for the interview dtd: 3.3.2014. He admits that Assistant Commissioner Anirudh Sharavan was the committee member. He denies that Assistant Commissioner Anirudh Sharavan personally conducted interview to the each candidate and prepared. He admits that in his investigation he has reported that the ineligible beneficiaries were selected. He admits that in his report he has stated that rejected

candidates applications also were selected as beneficiaries. PW-1 admits that DGO -1 has not written in the applications appearing in page No. 614 to 647, 1207-1238, 1564-1596, 1683-1718, 1989-2030, 3035-3072, 4031-4075, 4386-4425, 6942-6990, 6991-7033 stating that the applications are rejected.

24. In his report at page No. 38 the shara made by committee for rejection was struck off and written as 'can be considered' at page No. 2165 (1)-2165(44), 3003-3034, 3343-3388, 6416-6449 he admits that DGO-1 has not put his signature to this over writing. He admits that the beneficiaries list was published and objections were called. He has deposed as, it may be true that the beneficiaries list is not yet finalized.

25. Further according to PW-1, he has not enquired that the beneficiaries list of the year 2012-13 was not published. But for the year 2012-13 beneficiaries list was prepared. It may be true that since the beneficiaries list of the year 2012-13 was not published, there is possibility to remove the names of beneficiaries. He denies that all the committee members are responsible in selection of beneficiaries. He admits that Page No. 134-135 of Ex.P-7 is the committee proceedings dated: 3.3.2014. He admits that according this proceedings all the six committee members have put their signatures. He admits that Deputy commissioner has put his signatures to all the pages of beneficiaries list. He has not personally visited Kamalapura Tourism office. But according to the information there was no land line in the office. He admits that on the oral direction of Deputy commissioner dated: 1.3.2014 it was decided to conduct interview on 3.3.2014.

26. Since there was no land line in the office DGO -2 and 3 have sent the messages to the beneficiaries intimating the date of interview. But intimation could be given from coin booths situated near the office. PW-1 admits that message interview conducting at Bellary, Ananthapura road I.B, at 11 AM on Monday 3rd March 2014 for selection of candidate by tourism department and Deputy commissioner Bellary. "Please attend the interview, for more details contact Chennappa, 9449125708 or Vittal 9448879986," was sent to the applicants. But DGOs 2 and 3 were not the committee members. The said mobile numbers are not belonging to the committee members. DGO No. 2 Sri.Vittal was the guide and DGO-3 Sri.Chennappa was the driver. PW-1 admits that DGO No. 2 and 3 have no role in selection of beneficiaries. PW-1 denies that since the applications were called from the department, DGO No. 2 and 3 also had responsibility, therefore they have sent the message to the beneficiaries. He denies that since DGO No. 2 and 3 have no responsibility, demanding or receiving bribe does not arise.

27. PW-1 admits that in the raid conducted on 31.7.2016 on the house of DGO No. 3 he did not participate. He denies that the Investigating officer refused to receive explanation regarding the documents seized from DGO No. 3. He denies that since Bangalore office had asked information about the beneficiaries list, in order to get them xerox he had brought it to Hospete, the names and address of beneficiaries were written down in the note book and since there was a mistake he had torn the list. The higher authority referred in his report who facilitated to select the beneficiaries for 2nd time who

offered bribe is DGO-1. Further PW-1 has denied the rest of the suggestion made by the learned defence assistance.

28. According to DGO-1 he was working as Assistant Director in the Tourism dept during the year 2014 and now he is retired from service on 30.9.2020. The state government vide Notification dtd: 22.11.2013 had introduced the scheme for providing financial assistance to the SC/ST candidates in purchasing the taxi. The guidelines were framed by the Government in implementing the said scheme.

29. Further deposed that for effecting the scheme the state government in its guidelines had constituted a committee for scrutinizing the applications and documents and for listing the candidates as eligible and the said committee consisted of Assistant Commissioner (chairman), Tahasildar, Deputy Director/ Assistant Director and District officer from social welfare department. Further another committee by name selection committee.

30. Further deposed that in view of the said notification, applications were invited through paper publication on 31.1.2014 and 367 applications were received in the closed cover. After the receipt of the applications they were placed before the scrutinizing committee for verification with respect to their eligibility at Hospet and Bellary under the chairmanship of Assistant Commissioner of the talukas. The members who were in the scrutinizing committed did not come for scrutinizing the application, but sent their officials on their behalf and they scrutinized the applications and certificates pertaining to their department and accordingly endorsed over the applications. Even Tahasildar , Assistant Commissioner have also scrutinized the said

applications and behind each and every applications they have also affixed their signatures.

31. Further deposed that after the scrutiny of the applications they were bifurcated and the same was brought to the notice of the Deputy commissioner and On 1.3.2014 Deputy commissioner directed to conduct the interview on 3.3.2014. Since the time was short, and since there was no landline or computer facility he sought the assistance from Sri. Manjunath General Manager of Bhagyodhaya Motors show room who was the authorized dealer for the previous years from 2008-2012 for providing the facility of computer and telephone in their office. Accordingly, DGO-1 to 3 have prepared the list of candidates whose applications were eligible and approved by the committee and separate list of not selected candidates was also prepared. Eligible candidates were informed over phone to get in contact and also message has been sent to them to attend the interview. Apart from this, the message have been sent to all the eligible applicants through the mobile of DGO-2 and 3 for record purposes. The Deputy commissioner directed Assistant Commissioner to conduct the interview of the candidates under his leadership. Assistant Commissioner with the members of the selection committee conducted the interview. DGO-1 is the member secretary, he just wrote the applications along with the officials DGO-2 and 3. Assistant Commissioner during the course of interview verified the documents of each applications and affixed his signature on the top of each application and then conducted the interview of each candidate. Assistant Commissioner assigned grade A, B, C to the candidates who attended the interview and during the process of interview some of the

candidates were not selected. Later Assistant Commissioner scrutinized their applications with original certificates and affixed his signatures on the top of their applications. Accordingly those applications who were not selected in the application selection committee were also interviewed and some of them have been selected by the Assistant Commissioner. After the selection process is completed, the same was typed and published in the notice board on the next date, further the said selection list is only a temporary list and even till today the candidates have not been finalized as no final selection has been made.

32. DGO-1 had no role with respect to the selection of the candidates or the assigning of the grade etc., He just forwarded the applications before the Assistant Commissioner and later, on the selection being made he got typed the same and forwarded to the Deputy commissioner and same was announced.

33. DW-1 further deposed that the selection list is only temporary and it is subject to scrutiny by the bank officials. Before releasing the subsidy amount the candidates should get NOC from the Bank for non availing the loan facility earlier and also NOC from Police department that they are not having any criminal backgrounds. Only on the due verification of the original certificates by the Deputy commissioner and Assistant Commissioner then the orders will be passed by the Deputy commissioner to release the funds from his head of account to the candidate on its final selection. As on now no subsidy amount nor the vehicles have been released and as such there is no financial loss being caused to the Government.

34. DW-1 has further deposed that in view of lack of time in the entire selection process, he could not get sufficient time to make each and every entry of the said process in the office note sheet, Since general elections was announced He was placed to the elections duty, and he could not update the note sheet. He followed the instructions given by Assistant Commissioner and Deputy commissioner.

35. On 1.3.2014 the Deputy commissioner directed to conduct interview on 3.3.2014 there was no occasion to keep in contact the candidates and to intimate the candidates about the interview much earlier than the previous date itself.

36. DW-1 further deposed that he has not modified the endorsements being made by the scrutiny committee with respect of the applications being scrutinized by them. the committee mistakenly rejected few of the applications and same was brought to the notice of the said committee and rectified the endorsement.

37. DW-1 has further deposed that he does not have any knowledge with respect to the candidates who have been selected though they have already taken the benefit on the earlier occasion. He has deposed that the present list is only temporary list, there was still a scrutiny process to be conducted with respect to their obtaining the NOC from the bank and he had no role to play with respect to the selection of the candidates or verification of the documents.

38. He has further deposed that he has never came in contact with any of the candidates with regard to helping them in the said selection process. He has not demanded any sort of illegal gratification from any of the candidates nor accepted the same. With these he pray to exonerate from the present charge.

39. In the cross examination DW-1 admits that in the year 2014 he was working as Assistant Director in Tourism dept in Hosapete (Kamalapura). He admits that a notification was published on 28.11.2013 calling eligible SC/ST candidates for grant of Rs. 2 lakhs to purchase taxi. He admits that at that time he was working in Tourism department in Kamalapura. He denies that in the said scheme the beneficiaries were not selected according to the procedure. He denies that the said proceedings also is not written properly in the note sheet. He denies that they have selected the ineligible candidates. For the suggestion that they have selected the candidate who have no proper documents, DW-1 has deposed that he had no authority to verify the documents. He denies that he has made over writings on the shara put up by the committee and inserted the names of beneficiaries according to his vims and fancies. He denies that under the said scheme he had fixed the date of interview. But the date was fixed by Deputy commissioner. He denies that they had given prior intimation to the applicants who had given money and for the other beneficiaries they gave intimation over phone on the previous night. DW-1 has deposed that intimation about interview was given to him only two days before, therefore before one day he gave intimation about the interview to all the applicants. He denies that the said beneficiaries are family members of the beneficiaries who are selected twice. DW-1 admits that on 31.7.2014 at 7-00 AM the Investigating officer gave a visit to his house situated in Hospete. The documents were seized from his house but the mobile was not seized. He has denied that he facilitated the ineligible candidates to get the benefits under the scheme.

40. According to DW-2-he was working as SDA in the year 2014 in the tourism dept Hospete. He has further deposed that he does not have any role to play in the process of the scheme. Since he was a clerk he assisted in collecting the applications covers, kept them in order and on interview as per the instructions of DGO-1 he was doing the work of peon of calling the candidates for attending interview in the chamber and other peon works.

41. Further he has deposed that in view of lack of staff and time and as per the orders of the Deputy commissioner he assisted in calling the candidates through phone and through messages. He never participated in the selection process as he has no role to play in the selection process and it is done by his higher officials. He has not given any assistance to any of the candidates in the selection process.

42. Further he has deposed that he does not know anything about the letter alleged to have been collected by the Lokayukta Inspector with respect to non accepting the bribe amount during the course of interview and he denies that he has accepted the illegal gratification in perusing the application or the selecting the candidates in the said scheme. With these he prays to exonerate from the present charge.

43. In the cross examination he admits that during the year 2014 in Hospete (Kamalapura) tourism dept under SESP /PSP scheme for the year 2013-14 a notification dtd: 28.11.2013 was published calling applications from eligible SC & ST unemployees for grant of Rs. 2 lakhs to purchase taxi. He admits that at that time he was working in Kamalapura tourism department office. He has no authority to select the beneficiaries. He denies that for the candidate

who gave money they have given prior intimation and for the other candidates they have given the intimation in the previous night. He denies that he was in regular phone contact with the applicants who had given the money. He denies that he was doing money transaction sitting in the hotel. He admits that on 31.7.2014 at 8-00 AM Investigating officer visited his house. He admits that Investigating officer has verified the documents in his house. He denies that colluding with DGO No. 1 and 3 ineligible candidates were selected.

44. According to DW-3 during the year 2014 he was working as driver in Hospete Tourism dept. Since there was no land line himself and office staff had given their numbers to the applicants to contact them on the directions of his higher authorities, only to give information and not for collecting bribe. Tahasildar, Deputy commissioner, District Level Officers, IAS officers were in the selection committee. They have conducted the interview. He has not conducted the interview and he had no power to select the beneficiaries. Therefore there was no occasion for him to facilitate the candidates. According to the oral direction of Deputy commissioner dtd: 1.3.2014 to conduct interview on 3.3.2014 he gave information over mobile to the applicants to appear for interview on 3.3.2014 at 11-00 AM in Bellary I.B. He had not given prior intimation to any of the candidates. Because of the direction of the Deputy commissioner and as 2.3.2014 was on Sunday there was no sufficient time to give intimation to the applicants. Therefore messages were sent through mobile and there was no malafide intention.

45. Further according to the DW-3 they had to give information to the central office Bangalore to place it before cabinet meeting, therefore in order to get the Xerox copies he had brought the documents to Hospete. To give timely information to his higher authority he had written down the name and address of the applicants in the note book. Since there was a mistake in the applicants list he had torn them. In the said documents there were copies of applications and couriers receipts. To transport the said documents the vehicle was under repair. Hospete situated 16 KM away from their office, there was no Xerox machine in the office, there was no attender in the office, therefore on the directions of his higher authorities, he had brought the documents at 3-00 PM, getting it Xerox and giving information to central office was last up to 6-00 PM, thereafter in order to take back the documents to the office on the next day he had brought the documents to his house. His son was a photographer and therefore he has a computer in his house and some of the documents given by his higher authorities were prepared and the same information were collected in two DVDs. The Investigating officer has verified the cash of Rs. 9000/- which was kept for house expenses. About one year back he had performed the marriage of his son, he had borrowed loan for marriage expenses, therefore in order to re pay the money he had prepared the details of money transactions. The Investigating officer has seized the said piece of documents. He has not demanded or received the money from the applicants and not committed any dereliction of duty. Hence prays to exonerate from the charges.

46. In the cross examination DW-3 admits that during the year 2014 in Hosapete (Kamalapura) Tourism department he was working as driver. He admits about the scheme and at the time of scheme he was working as driver. He denies that he had given prior intimation to the applicants who has given the money. He had no authority to select the beneficiaries according to government notification and procedure. He dines that he was in regular contact with the applicants. He admits that on 31.7.2014 at 8-00 AM Investigating officer visited his house. For the suggestion that at the time of conducting raid Investigating officer has found and seized note book containing the names and address of the applicants, torn list of beneficiaries, copies of application, rough letters, two DVDs and couriers receipts. DW-3 has deposed that Investigating officer has returned cash of Rs. 9000/-. He denies that he has colluded with the other DGOs in selection of ineligible beneficiaries.

47. On perusal of evidence on record, it is evident that according to First Information Repot Ex.P-1 and 2, Police Inspector, Karnataka Lokayukta received information that in SCSP /TSP scheme during the year 2013-14 in the selection of beneficiaries in tourism department, the officers and staff of Kamalapura office, misused their powers, cheated eligible beneficiaries, received bribe from ineligible beneficiaries and selected them. The complainant found during enquiry that DGO No. 1 to 3 received bribe amount from ineligible beneficiaries and facilitated them for their selection. Intimation was not given to appear for interview for the beneficiaries who did not give bribe amount, caused delay in giving information, early information was given to the beneficiaries to appear for

interview, though the proper documents were produced the eligible beneficiaries were not selected. The DGOs had regular contact with the selected beneficiaries from the beginning. The DGOs also were used their private phones to give information to the beneficiaries.

48. Thereafter Crime No. 4/2014 was registered, the Investigating officer formed four teams to conduct search on the houses of DGOs 1 to 3 and the office. PW-1 and the team conducted the search of DGO-1 and PW-1 has found file pertaining to 2013-14th year SC/ST pravasi taxi copies of ACRs and APRs of the DGOs, computerized copies of submission letters of beneficiaries stating that they have not paid any money to the Tourism department, letters regarding distribution of taxis to SC /ST beneficiaries for the year 2013-14, bank letters and other documents, letters pertaining to the DGOs, cheque leafs, ATM card, cash and mobiles as per Ex.P-7. At the time of seizing these documents PW-1 has drawn the mahazar Ex.P-5 in the presence of panchas. PW-1 has not produced any written or oral acceptable explanation to show that he was authorized to keep all the files and documents related to the beneficiaries in his residence.

49. Page No. 39 to 319 of Ex.P-7 is the proceedings, from the date of decision taken for calling applications for the benefit from Tourism Department. Only 20 days times was given to give publication, but vide publication was to be given calling for applications to select beneficiaries under the scheme. Similarly after fixing the date for interview prior intimation must have been given to the applicants giving sufficient time for them to appear for interview with all information and documents. But the interview was fixed

giving reasonable time to all the applicants. The DGOs have not explained why they kept the documents pertaining to applicants in their residences. More over the DGO-3 being the driver of the vehicle has retained the names and particulars of the selected beneficiaries their mobile numbers, hand written list of beneficiaries their mobile numbers and torn list and mobile numbers of beneficiaries. DGO No. 2 maintained his regular contact with the beneficiaries. There are 1254 outgoing calls, including SMS from his mobile No. 9448482615 as per Ex.P-8 from 1.1.2014 to 30.4.2014

50. Therefore the contention taken by the DGOs cannot be accepted. DGO-2 from the date of commencement of application process had regular phone contact with the applicants / beneficiaries. DGO -2 has given prior intimation to some of the applicants and not given prior intimation to the other applicants to appear for interview. These process was not completed, because of the attitude of DGOs real beneficiaries were deprived of their opportunity. Thereby DGOs cheated not only the state but the needy beneficiaries also. DGO No. 3 was good enough to find out mistakes in beneficiaries list, misused the same to exceed his limits.

51. The Investigating officer Sri.Basappa Burli along with his team conducted the search of house of DGO-2 and found no documents in his house. At that time the Investigating officer has drawn the mahazar Ex.P-8. According to Ex.P-29 there are 1254 outgoing calls including SMS from his mobile No. 9448482615 as per Ex.P-8 from 1.1.2014 to 30.4.2014. DGO No. 2 has not produced any written or oral acceptable explanation to show that he was authorized to make calls and to send SMS message to the applicants.

52. The Investigating officer Sri.Mahantesh along with his team conducted the search of the house of DGO-3 and seized a note book containing the names of beneficiaries and address, torn list of beneficiaries who were selected, rough letters containing the copies of applications, names of beneficiaries and serial Numbers of applications, unsigned letters of tourism department, Hospete, addressed to president, Deputy commissioner, and district tourism department samethi, Bellary in respect of distribution of funds to SC/ST beneficiaries and courier receipts addressed by Sri. M.C. Veeraswamy to Deputy commissioner, Bellary and Police Inspector, Karnataka Lokayukta. Those seized documents are at Ex.P-10. The Investigating officer has drawn the mahazar Ex.P-9 and seized all the documents in the presence of mahazar witnesses. DGO No. 3 has three mobiles bearing No. 9482053440, 9449125708 & 9591542924.

53. The DGO No. 3 has not placed any written or oral acceptable explanation to show that he was authorized to keep all these documents in his residence. The Investigating officer conducted the search of the office of Assistant Director of Tourism Department drawn the mahazar Ex.P-11 and seized the documents as pre Ex.P-12. The documents commencing from the page No. 376 are containing the names of applicants, from page No. 488 the selected beneficiaries have given their statements stating that the Tourism Department never asked for any kind of money and they have not given any such money to the officers of Tourism Department. This shows that predicting this type of action DGOs have taken these undertakings from the beneficiaries.

54. The mahazar Ex.P-5 and documents marked as Ex.P-7 namely files pertaining to SC/ST Pravasi Taxi for the year 2013-14, copies of ACR's and APR's of the DGOs, computerized copies of submissions of the beneficiaries, letters regarding distribution of taxi to SC /ST beneficiaries for the year 2013-14, bank letters and other documents, letters pertaining to the DGOs, cheque leaf, clearly shows that DGO-1 without having sufficient reasons retained the original files and other documents in his residence. DGO-1 has not written the note sheet properly, thought there are no proper documents, he selected the beneficiaries according to his vim's and fancies. Even after the last date he received applications.

55. Charge No. 1:- ಆಸನಾ-1 ಆದ ನೀವು ಆಯ್ಕೆಯಲ್ಲಿ ಸರಿಯಾದ ಮಾನದಂಡ ಅನುಸರಿಸಿಲ್ಲ, ಸರಿಯಾದ ನೋಟ್‌ಶೀಟ್‌ಗಳನ್ನು ಬರೆದಿರುವುದಿಲ್ಲ. ನಿಮಗೆ ಬೇಕಾದ ಅರ್ಜಿದಾರರಿಗೆ ಸರಿಯಾದ ದಾಖಲೆಗಳು ಇಲ್ಲದಿದ್ದರೂ ಆಯ್ಕೆ ಮಾಡಿಕೊಂಡಿದ್ದೀರಿ. ಕೊನೆಯ ದಿನಾಂಕದ ನಂತರ ದಾಖಲಾತಿಗಳನ್ನು ಪಡೆದುಕೊಂಡಿದ್ದೀರಿ. ಅರ್ಜಿ ಪರಿಶೀಲನಾ ಸಮಿತಿ ಷರಾ ಮಾಡಿದ್ದನ್ನು ತಿದ್ದುಪಡಿ ಮಾಡಿ ನಿಮಗೆ ಬೇಕಾದವರನ್ನು ಆಯ್ಕೆ ಮಾಡಿಕೊಂಡಿರುತ್ತೀರಿ. ಲಂಚದ ಹಣ ಕೊಡುತ್ತೇವೆ ಅಂತ ಹೇಳಿದವರಿಗೆ ಸಂದರ್ಶನ ಇರುವ ಬಗ್ಗೆ ಮುಂಚಿತವಾಗಿ ತಿಳಿಸುವುದು, ಹಣ ಕೊಡಲು ಒಪ್ಪದೇ ಇದ್ದವರಿಗೆ ಹಿಂದಿನ ದಿವಸ ರಾತ್ರಿ ಮೊಬೈಲ್ ಮೂಲಕ ಸಂದೇಶ ಕಳುಹಿಸಿ ಉದ್ದೇಶಪೂರ್ವಕವಾಗಿ ಸಂದರ್ಶನಕ್ಕೆ ಹಾಜರಾಗುವುದನ್ನು ತಪ್ಪಿಸಿರುತ್ತೀರಿ. ಹಿಂದಿನ ಸಾಲಿನಲ್ಲಿಯೇ ಪ್ರವಾಸಿ ಟ್ಯಾಕ್ಸಿ ಪಡೆದಿರುವ ಅಭ್ಯರ್ಥಿಗಳು ಮತ್ತು ಅವರ ಕುಟುಂಬದವರಿಗೆ ಪುನಃ ಆಯ್ಕೆ ಮಾಡಿಕೊಂಡಿದ್ದು, ನಿರಂತರವಾಗಿ ಸದರಿ ಅರ್ಜಿದಾರರ ಜೊತೆ ಮೊಬೈಲ್ ಸಂಪರ್ಕ ಇಟ್ಟುಕೊಂಡಿರುತ್ತೀರಿ. *This charge relates to DGO no.1 only.*

My findings on charge No. 1:- He has over written the remarks made by the verification committee and selected his beneficiaries. Prior intimation was given to the persons who promised to pay the bribe amount and intimation was given just before one day, who had not offered the bribe amount and thereby made them to mis the interview. DGO-1 selected the beneficiaries twice who had taken the benefit on the previous occasion. **Thereby the disciplinary authority has proved the charge no. 1 leveled against the DGO no. 1.**

56. Charge No. 2:- ಆಸನೌ-2 ಆದ ನೀವು ಆಯ್ಕೆ ಪ್ರಕ್ರಿಯೆ ಪ್ರಾರಂಭದಿಂದ ಅರ್ಜಿ ಸಲ್ಲಿಸಿದ ಅಭ್ಯರ್ಥಿಗಳ ಜೊತೆ ಪೋನ್‌ನಲ್ಲಿ ಸಂಪರ್ಕ ಇಟ್ಟುಕೊಂಡಿರುತ್ತೀರಿ. ದಾಖಲಾತಿ ಇಲ್ಲದ ಅಭ್ಯರ್ಥಿಗಳಿಗೆ ಆಯ್ಕೆ ಮಾಡಲು ಸಹಕಾರ ಕೊಟ್ಟಿರುತ್ತೀರಿ. ಲಂಚದ ಹಣ ಕೊಡುತ್ತೇವೆ ಅಂತ ಹೇಳಿದವರಿಗೆ ಸಂದರ್ಶನ ಇರುವ ಬಗ್ಗೆ ಮುಂಚಿತವಾಗಿ ತಿಳಿಸುವುದು, ಹಣ ಕೊಡಲು ಒಪ್ಪದೇ ಇದ್ದವರಿಗೆ ಹಿಂದಿನ ದಿವಸ ರಾತ್ರಿ ಮೊಬೈಲ್ ಮೂಲಕ ಸಂದೇಶ ಕಳುಹಿಸಿ ಉದ್ದೇಶಪೂರ್ವಕವಾಗಿ ಸಂದರ್ಶನಕ್ಕೆ ಹಾಜರಾಗುವುದನ್ನು ತಪ್ಪಿಸಿರುತ್ತೀರಿ. ಹೊಟೆಲ್‌ಗಳಲ್ಲಿ ನೀವು ಹಣದ ವ್ಯವಹಾರ ನಡೆಸಿರುವುದು ಸಹ ಕಂಡುಬಂದಿದೆ. ***This charge relates to DGO no.2 only.***

My findings on charge No. 2:- Thereby the DGO-2 was in regular contact with the applicants from the date of commencement of the proceedings, facilitated the applicants who had no proper documents, gave the prior information to the applicants who promised to pay the bribe amount, only one night prior intimation was sent to the applicants through SMS, thereby made them to mis the interview. **Thereby the disciplinary authority has proved the charge no. 2 leveled against the DGO no. 2.**

57. Charge No.3:- ಆಸನಾ-3 ಆದ ನೀವು ಆಯ್ಕೆ ಪ್ರಕ್ರಿಯೆ ಪ್ರಾರಂಭದಿಂದ, ಅರ್ಜಿ ಸಲ್ಲಿಸಿದ ಅಭ್ಯರ್ಥಿಗಳ ಜೊತೆ ಪೋನ್‌ನಲ್ಲಿ ಸಂಪರ್ಕ ಇಟ್ಟುಕೊಂಡಿರುತ್ತೀರಿ. ದಾಖಲಾತಿ ಇಲ್ಲದ ಅಭ್ಯರ್ಥಿಗಳಿಗೆ ಆಯ್ಕೆ ಮಾಡಲು ಸಹಕಾರ ಕೊಟ್ಟಿದ್ದೀರಿ. ಲಂಚದ ಹಣ ಕೊಡುತ್ತೇವೆ ಅಂತ ಹೇಳಿದವರಿಗೆ ಸಂದರ್ಶನ ಇರುವ ಬಗ್ಗೆ ಮುಂಚಿತವಾಗಿ ತಿಳಿಸುವುದು, ಹಣ ಕೊಡಲು ಒಪ್ಪದೇ ಇದ್ದವರಿಗೆ ಹಿಂದಿನ ದಿವಸ ರಾತ್ರಿ ಮೊಬೈಲ್ ಮೂಲಕ ಸಂದೇಶ ಕಳುಹಿಸಿ ಉದ್ದೇಶಪೂರ್ವಕವಾಗಿ ಸಂದರ್ಶನಕ್ಕೆ ಹಾಜರಾಗುವುದನ್ನು ತಪ್ಪಿಸಿರುತ್ತೀರಿ. ನೀವು ಕೇವಲ ಕಾರು ಚಾಲಕರಾಗಿದ್ದರೂ ಸಹ ನಿಮ್ಮ ಮನೆಯನ್ನು ತನಿಖಾಧಿಕಾರಿಗಳು ಶೋಧನೆ ಮಾಡಿದಾಗ, ಪ್ರವಾಸೋದ್ಯಮ ಇಲಾಖೆಯಿಂದ ವಿತರಿಸುವ ಕಾರುಗಳಿಗೆ ಸಂಬಂಧಪಟ್ಟ ಅಭ್ಯರ್ಥಿಗಳ ಹೆಸರು ಮತ್ತು ವಿಳಾಸಗಳನ್ನು ಕೈಯಿಂದ ಬರೆದ ನೋಟ್‌ಬುಕ್, ಆಯ್ಕೆಯಾದ ಅಭ್ಯರ್ಥಿಗಳ ಪಟ್ಟಿಯನ್ನು ಹರಿದು ಹಾಕಿದ ಚೂರುಗಳು ಅರ್ಜಿಗಳ ನಕಲುಗಳು ಕಚ್ಚಾ ಪತ್ರಗಳು, ಜಿಲ್ಲಾಧಿಕಾರಿಗಳು ಬಳ್ಳಾರಿ ಇವರಿಗೆ ಕೋರಿಯರ್ ಮೂಲಕ ಕಳುಹಿಸಿದ ರಶೀದಿಗಳು ಮತ್ತು 2 ಡಿ.ವಿ.ಡಿ.ಗಳು ಮತ್ತು ರೂ.9,000/- ಗಳ ಹಣ, ಬಿಳಿ ಹಾಳೆಯ ತುಂಡು, ಅದರಲ್ಲಿ ಬರೆದಿರುವ ಬರಹಗಳು ಸಹ ದೊರಕಿರುತ್ತವೆ. ***This charge relates to DGO no. 3 only***

My findings on charge No.3:- The Mahazar Ex.P-9 and the documents seized as per Ex.P-10 namely, note book containing the name of beneficiaries and address, torn list of beneficiaries who were seized, rough letters containing the copies of applications, name of beneficiaries and Serial numbers of applications, unsigned letters of tourism department Hospete address of president, Deputy commissioner and District Tourism development samethi Bellary in respect of distribution of funds to SC/ST beneficiaries and courier receipts and the files found in the computer, clearly shows that DGO-3 was in regular phone contract with the applicants from the date of commencement of the proceedings, he helped the applicants who had no proper documents, prior intimation was given to the applicants

who promised to give the bribe amount. Only one night intimation was given to the persons who were not willing to pay the bribe amount. Thereby made the applicants to miss the interview, DGO-3 being a driver had the possession of all the above documents, not only that he has stored the details of applicants and at the time of raid he torn the list of beneficiaries. **Thereby the disciplinary authority has proved the charge no. 3 leveled against the DGO no. 3.**

58. Therefore, overall examination of the evidence on record shows that the disciplinary authority has established the charges leveled against DGOs No.1 to 3. Hence, I proceed to record the following:-

FINDINGS

59. The Disciplinary Authority has proved the charges leveled against DGOs No.1 to 3. Hence, this report is submitted to Hon'ble Upalokayukta for further action.

60. The Date of retirement of DGO-1 is 30.9.2020, DGO -2 is 30.6.2023 and DGO-3 is 31.5.2026.

sdt

(S.GOPALAPPA)

I/c Additional Registrar Enquiries-9
Karnataka Lokayukta, Bengaluru.

i) List of witnesses examined on behalf of Disciplinary Authority.

| | |
|------|---|
| PW.1 | Sri. N.R.Mahantha Reddy, the then Deputy Superintendent of Police, Karnataka Lokayukta Hospete original |
|------|---|

ii) List of Documents marked on behalf of Disciplinary Authority.

| | |
|----------|--|
| Ex.P 1 | Ex.P-1 is the complaint copy of Sri.Mahanthesh |
| Ex.P 2 | Ex.p-2 are the FIR |
| Ex.P-3 | Ex.P-3 is the letter from ADGP Karnataka Lokayukta Bengaluru |
| Ex.P-4 | Ex.P-4 is the search warrant copy |
| Ex.P-5 | Ex.P-5 is the mahazar dtd: 31.7.2014 |
| Ex.P-6 | Ex.P-6 is the list of seized documents pertaining to the property list No. 6/2014 |
| Ex.P-7 | Ex.p-7 is the documents as per Ex.P-5 mahazar |
| Ex.p-8 | Ex.p-8 is the mahazar |
| Ex.P-9 | Ex.P-9 is the search mahazar of Mahantesh V.Hosapete |
| Ex.P- 10 | Ex.P-10 is the seized documents as per Exp-9 |
| Ex.P-11 | Ex.p-11 is the mahazar |
| Ex.P-12 | Ex.P-12 is the seized documents as per Exp-11 |
| Ex.P-13 | Ex.P-13 is the information sent by Bhagodaya showroom pertaining to the message sent through mobile on 20.8.2014 |
| Ex.P-14 | Ex.P-14 is the written statement dtd: 10.10.2014 of K.Raghavendra Rao Shirasthedhar Taluk office, Sanduru |
| Ex.P-15 | Ex.P-15 is the written statement dtd: 27.10.2014 of N.Rajappa District Social Welfare officer, Bellary. |
| Ex.P-16 | Ex.P-16 is the written statement of P.Konareddy |
| Ex.P-17 | Ex.P-17 is the written statement of Smt. K.Roopa |
| Ex.P-18 | Ex.P-18 is the written statement dtd: 10.11.2014 of Sri.P.Sunil Kumar, Assistant Commissioner, |

| | |
|---------|--|
| | IAS Hospete. |
| Ex.P-19 | Ex.P-19 is the written statement dtd: 3.12.2014 of Sri.K.Pampapathi RTO, Bellary |
| Ex.P-20 | Ex.P-20 is the written statement dtd: 8.2.2014 of Sri.G.Mukkanna, District Manager, Ambedkar Development Ltd., Bellary |
| Ex.P-21 | Ex.P-21 is the written statement dtd: 19.10.2015 of Sri.Amdhin Adithya Biswas Regional commissioner, Kalburgi |
| Ex.P-22 | Ex.P-22 is the written statement dtd: 19.10.2015 of Sri.Anirudh P.Shraavan IAS, Chief Executive Officer, Kalburgi |
| Ex.P-23 | Ex.P-23 is the letter dtd: 7.2.2015 from Assistant Director, Tourism department Hospete |
| Ex.P-24 | Ex.P-24 is the service particulars dtd: 21.8.2015 of DGO No. 2 and 3 obtained from Tourism department |
| Ex.P-25 | Ex.P-25 is the service particulars dtd: 16.1.2016 of DGO No. 1 |
| Ex.P-26 | Ex.P-26 is the information regarding paper publication dtd: 14.1.2016 from Assistant Director, Tourism department Hospete |
| Ex.P-27 | Ex.P-27 is the process of file documents obtained from Director, Tourism department Bengaluru |
| Ex.p-28 | Ex.P-28 is the information dtd: 8.1.2016 regarding 319 tourist spots in Karnataka obtained from Assistant Director, Tourism department |
| Ex.P-29 | Ex.P-29 is the mobile call details of DGOs |
| Ex.p-30 | Ex.P-30 is the written statement of panchas Sri. Panpapathi, Rajendra Prasad, and 8 other persons. |
| Ex.P-31 | Ex.P-31 is the written statement of Mohammed Gouse, FDA, Tahasildar's office, Hosapete. |
| Ex.P-32 | Ex.P-32 is the written explanation of DGO |

iii) **List of witnesses examined on behalf of DGOs**

| | |
|------|--|
| DW-1 | DGO -1 Sri. T.V.L.N. Raju, the then Assistant Director, Tourism Department, original |
|------|--|

| | |
|------|---|
| DW-2 | DGO -2 Sri.Vittal R.Gowdar, Tourism promoter, Tourism Department original |
| DW-3 | DGO No. 3 Sri.Agasara Channappa, Driver, Tourism Department, original |

iv) **List of documents marked on behalf of DGO**

| | |
|--------|---|
| Ex.D-1 | Ex.D-1 is the office order dtd: 10.7.2013 from Assistant Director, Tourism department Hospete |
|--------|---|

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(S.GOPALAPPA)

I/c Additional Registrar Enquiries-9
Karnataka Lokayukta,
Bengaluru.

GOVERNMENT OF KARNATAKA**KARNATAKA LOKAYUKTA**

No.UPLOK-2/DE/173/2018/ARE-9

Multi Storied Building,
Dr. B.R. Ambedkar Veedhi,
Bengaluru-560001
Date: 30th December, 2022.

RECOMMENDATION

Sub: Departmental Inquiry against Shriyuths:

- (1) T.V.L.N.Raju, the then Assistant Director, Tourism Department, Lotus Mahal, Kamalapura, Hospet, Bellary District (presently working as Assistant Director, Tourism Department, Chikkamagalur);
- (2) Vittal R. Gowdar, Tourism Promoter, Tourism Department, Kamalapura, Hospet, Bellary District; and
- (3) Agasara Channappa, Driver, Tourism Department, Kamalapura, Hospet, Bellary District-reg.

Ref: 1) Government Order No.ಪ್ರಜ 62 ಪ್ರವಾಸಿ 2017, Bengaluru, dated: 02/02/2018.

2) Nomination Order No.UPLOK-2/DE/173/2018, Bengaluru, dated: 26/03/2018 of Upalokayukta, State of Karnataka, Bengaluru.

3) Inquiry Report dated: 22/12/2022 of Additional Registrar of Enquiries-9, Karnataka Lokayukta, Bengaluru.

The Government by its order dated: 02/02/2018 initiated the disciplinary proceedings against (1) Shri T.V.L.N.Raju, the then Assistant Director, Tourism Department, Lotus Mahal, Kamalapura, Hospet, Bellary District (presently working as Assistant Director, Tourism Department, Chikkamagalur); (2) Shri Vittal R. Gowdar, Tourism Promoter, Tourism Department, Kamalapura, Hospet, Bellary District; and (3) Shri Agasara Channappa, Driver, Tourism Department, Kamalapura, Hospet, Bellary District (hereinafter referred to as Delinquent Government Official, for short as DGO Nos.1 to 3) and entrusted the Departmental Inquiry to this Institution.

2. This Institution by Nomination Order No.UPLOK-2/DE/173/2018, Bengaluru, dated: 26/03/2018 nominated Additional Registrar of Enquiries-9, Karnataka Lokayukta, Bengaluru, as the Inquiry Officer to frame charges and to conduct Departmental Inquiry against DGOs No.1 to 3.
3. The **DGO No.1**, Shri T.V.L.N.Raju, the then Assistant Director, Tourism Department, Lotus Mahal, Kamalapura, Hospet, Bellary District (presently working as Assistant Director, Tourism Department, Chikkamagalur); **DGO No.2**, Shri Vittal R. Gowdar,



Tourism Promoter, Tourism Department, Kamalapura, Hospet,
Bellary District; and **DGO No.3**, Shri Agasara Channappa,
Driver, Tourism Department, Kamalapura, Hospet, Bellary
District were tried for the following charges:

ಅನುಬಂಧ-1
ದೋಷಾರೋಪಣೆ

ಆಸನಾ ಆದ ನೀವು -

ಕರ್ನಾಟಕ ಪ್ರವಾಸೋದ್ಯಮ ಇಲಾಖೆಯ ವತಿಯಿಂದ ಎಸ್.ಸಿ/ಎಸ್.ಟಿ./ಟಿ.ಎಸ್.ಟಿ ಯೋಜನೆಯ ಅಡಿಯಲ್ಲಿ 2013-14ನೇ ಸಾಲಿನಲ್ಲಿ ಪರಿಶಿಷ್ಟ ಜಾತಿ ಮತ್ತು ಪಂಗಡಗಳ ಅರ್ಹ ನಿರುದ್ಯೋಗ ವಿದ್ಯಾವಂತ ಅಭ್ಯರ್ಥಿಗಳಿಗೆ ಪ್ರವಾಸಿ ಟ್ಯಾಕ್ಸಿ ಖರೀದಿಸಲು ತಲಾ ರೂ.2 ಲಕ್ಷಗಳ ಸಹಾಯ ಧನ ವಿತರಿಸಲು ಅನುಮೋದನೆಯಾಗಿದೆ. ಆಯ್ಕೆ ಪ್ರಕ್ರಿಯೆಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ಪ್ರವಾಸೋದ್ಯಮ ಇಲಾಕೆ ಕಮಲಾಪುರದಲ್ಲಿ ನೀವು ಕರ್ತವ್ಯ ನಿರ್ವಹಿಸುತ್ತಿದ್ದು

(ಅ) ಆಸನಾ-1 ಆದ ನೀವು ಆಯ್ಕೆಯಲ್ಲಿ ಸರಿಯಾದ ಮಾನದಂಡ ಅನುಸರಿಸಿಲ್ಲ ಸರಿಯಾದ ನೋಟೀಶೀಟ್‌ಗಳನ್ನು ಬರೆದಿರುವುದಿಲ್ಲ. ನಿಮಗೆ ಬೇಕಾದ ಅರ್ಜಿದಾರರಿಗೆ ಸರಿಯಾದ ದಾಖಲೆಗಳು ಇಲ್ಲದಿದ್ದರೂ ಆಯ್ಕೆ ಮಾಡಿಕೊಂಡಿದ್ದೀರಿ. ಕೊನೆಯ ದಿನಾಂಕದ ನಂತರ ದಾಖಲಾತಿಗಳನ್ನು ಪಡೆದುಕೊಂಡಿದ್ದೀರಿ. ಅರ್ಜಿ ಪರಿಶೀಲನಾ ಸಮಿತಿ ಷರಾ ಮಾಡಿದ್ದನ್ನು ತಿದ್ದುಪಡಿ ಮಾಡಿ ನಿಮಗೆ ಬೇಕಾದವರನ್ನು ಆಯ್ಕೆ ಮಾಡಿಕೊಂಡಿರುತ್ತೀರಿ. ಲಂಚದ ಹಣ ಕೊಡುತ್ತೇವೆ ಅಂತ ಹೇಳಿದವರಿಗೆ ಸಂದರ್ಶನ ಇರುವ ಬಗ್ಗೆ ಮುಂಚಿತವಾಗಿ ತಿಳಿಸುವುದು, ಹಣ ಕೊಡಲು ಒಪ್ಪದೇ ಇದ್ದವರಿಗೆ ಹಿಂದಿನ ದಿವಸ ರಾತ್ರಿ ಮೊಬೈಲ್ ಮೂಲಕ ಸಂದೇಶ ಕಳುಹಿಸಿ ಉದ್ದೇಶಪೂರ್ವಕವಾಗಿ ಸಂದರ್ಶನಕ್ಕೆ ಹಾಜರಾಗುವುದನ್ನು ತಪ್ಪಿಸಿರುತ್ತೀರಿ. ಹಿಂದಿನ ಸಾಲಿನಲ್ಲಿಯೇ ಪ್ರವಾಸಿ ಟ್ಯಾಕ್ಸಿ ಪಡೆದಿರುವ ಅಭ್ಯರ್ಥಿಗಳು ಮತ್ತು ಅವರ ಕುಟುಂಬದವರಿಗೆ ಪುನಃ ಆಯ್ಕೆ ಮಾಡಿಕೊಂಡಿದ್ದು, ನಿರಂತರವಾಗಿ ಸದರಿ ಅರ್ಜಿದಾರರ ಜೊತೆ ಮೊಬೈಲ್ ಸಂಪರ್ಕ ಇಟ್ಟುಕೊಂಡಿರುತ್ತೀರಿ.

(ಆ) ಆಸನಾ-2 ಆದ ನೀವು ಆಯ್ಕೆ ಪ್ರಕ್ರಿಯೆ ಪ್ರಾರಂಭದಿಂದ ಅರ್ಜಿ ಸಲ್ಲಿಸಿದ ಅಭ್ಯರ್ಥಿಗಳ ಜೊತೆ ಪೋನ್‌ನಲ್ಲಿ ಸಂಪರ್ಕ ಇಟ್ಟುಕೊಂಡಿರುತ್ತೀರಿ. ದಾಖಲಾತಿ ಇಲ್ಲದ ಅಭ್ಯರ್ಥಿಗಳಿಗೆ ಆಯ್ಕೆ ಮಾಡಲು ಸಹಕಾರ ಕೊಟ್ಟಿರುತ್ತೀರಿ. ಲಂಚದ ಹಣ ಕೊಡುತ್ತೇವೆ ಅಂತ ಹೇಳಿದವರಿಗೆ ಸಂದರ್ಶನ ಇರುವ ಬಗ್ಗೆ ಮುಂಚಿತವಾಗಿ ತಿಳಿಸುವುದು, ಹಣ ಕೊಡಲು ಒಪ್ಪದೇ ಇದ್ದವರಿಗೆ ಹಿಂದಿನ ದಿವಸ ರಾತ್ರಿ ಮೊಬೈಲ್ ಮೂಲಕ ಸಂದೇಶ ಕಳುಹಿಸಿ ಉದ್ದೇಶಪೂರ್ವಕವಾಗಿ ಸಂದರ್ಶನಕ್ಕೆ

L

ಹಾಜರಾಗುವುದನ್ನು ತಪ್ಪಿಸಿರುತ್ತೀರಿ. ಹೊಟೆಲ್‌ಗಳಲ್ಲಿ ನೀವು ಹಣದ ವ್ಯವಹಾರ ನಡೆಸಿರುವುದು ಸಹ ಕಂಡುಬಂದಿದೆ.

(ಇ) ಅಸನೌ-3 ಆದ ನೀವು ಆಯ್ಕೆ ಪ್ರಕ್ರಿಯೆ ಪ್ರಾರಂಭದಿಂದ, ಅರ್ಜಿ ಸಲ್ಲಿಸಿದ ಅಭ್ಯರ್ಥಿಗಳ ಜೊತೆ ಪೋನ್‌ನಲ್ಲಿ ಸಂಪರ್ಕ ಇಟ್ಟುಕೊಂಡಿರುತ್ತೀರಿ. ದಾಖಲಾತಿ ಇಲ್ಲದ ಅಭ್ಯರ್ಥಿಗಳಿಗೆ ಆಯ್ಕೆ ಮಾಡಲು ಸಹಕಾರ ಕೊಟ್ಟಿದ್ದೀರಿ. ಲಂಚದ ಹಣ ಕೊಡುತ್ತೇವೆ ಅಂತ ಹೇಳಿದವರಿಗೆ ಸಂದರ್ಶನ ಇರುವ ಬಗ್ಗೆ ಮುಂಚಿತವಾಗಿ ತಿಳಿಸುವುದು, ಹಣ ಕೊಡಲು ಒಪ್ಪದೇ ಇದ್ದವರಿಗೆ ಹಿಂದಿನ ದಿವಸ ರಾತ್ರಿ ಮೊಬೈಲ್ ಮೂಲಕ ಸಂದೇಶ ಕಳುಹಿಸಿ ಉದ್ದೇಶಪೂರ್ವಕವಾಗಿ ಸಂದರ್ಶನಕ್ಕೆ ಹಾಜರಾಗುವುದನ್ನು ತಪ್ಪಿಸಿರುತ್ತೀರಿ. ನೀವು ಕೇವಲ ಕಾರು ಚಾಲಕರಾಗಿದ್ದರೂ ಸಹ ನಿಮ್ಮ ಮನೆಯನ್ನು ತನಿಖಾಧಿಕಾರಿಗಳು ಶೋಧನೆ ಮಾಡಿದಾಗ, ಪ್ರಪಾಸೋಧ್ಯಮ ಇಲಾಖೆಯಿಂದ ವಿತರಿಸುವ ಕಾರುಗಳಿಗೆ ಸಂಬಂಧಪಟ್ಟ ಅಭ್ಯರ್ಥಿಗಳ ಹೆಸರು ಮತ್ತು ವಿಳಾಸಗಳನ್ನು ಕೈಯಿಂದ ಬರೆದ ನೋಟ್‌ಬುಕ್, ಆಯ್ಕೆಯಾದ ಅಭ್ಯರ್ಥಿಗಳ ಪಟ್ಟಿಯನ್ನು ಹರಿದು ಹಾಕಿದ ಚೂರುಗಳು ಅರ್ಜಿಗಳ ನಕಲುಗಳು ಕಚ್ಚಾ ಪತ್ರಗಳು, ಜಿಲ್ಲಾಧಿಕಾರಿಗಳು ಬಳ್ಳಾರಿ ಇವರಿಗೆ ಕೋರಿಯರ್ ಮೂಲಕ ಕಳುಹಿಸಿದ ರಶೀದಿಗಳು ಮತ್ತು 2 ಡಿ.ವಿ.ಡಿ.ಗಳು ಮತ್ತು ರೂ.9,000/- ಗಳ ಹಣ, ಬಿಳಿ ಹಾಳೆಯ ತುಂಡು, ಅದರಲ್ಲಿ ಬರೆದಿರುವ ಬರಹಗಳು ಸಹ ದೊರಕಿರುತ್ತವೆ.

ಆದ್ದರಿಂದ, ಅಸನೌ-1 ರಿಂದ 3 ಆದ ನೀವು ಅನರ್ಹ ಅಭ್ಯರ್ಥಿಗಳನ್ನು ಆಯ್ಕೆ ಮಾಡಿ ಅರ್ಹ ಅಭ್ಯರ್ಥಿಗಳು ಸರ್ಕಾರಿ ಯೋಜನೆಯ ಲಾಭವನ್ನು ಪಡೆಯುವುದನ್ನು ತಪ್ಪಿಸಿರುತ್ತೀರಿ. ಆದ್ದರಿಂದ, ನೀವು ಕರ್ತವ್ಯಲೋಪವೆಸಗಿ ಸರ್ಕಾರಿ ನೌಕರರಿಗೆ ಉಚಿತವಲ್ಲದ ರೀತಿಯಲ್ಲಿ ನಡೆದುಕೊಂಡು ದುರ್ನಡತೆಯಿಂದ ವರ್ತಿಸಿ ಕರ್ನಾಟಕ ನಾಗರಿಕ ಸೇವಾ ನಿಯಮಗಳು (ನಡತೆ) 1966 ನಿಯಮ 3(1) (i) ರಿಂದ (iii) ರಡಿಯಲ್ಲಿ ದುರ್ನಡತೆಯನ್ನೆಸಗಿದ್ದೀರಿ.

4. The Inquiry Officer (Additional Registrar of Enquiries-9) on proper appreciation of oral and documentary evidence has held that the Disciplinary Authority has **'Proved'** the charges leveled against **DGO No.1**, Shri T.V.L.N.Raju, the then Assistant Director, Tourism Department, Lotus Mahal, Kamalapura, Hospet, Bellary District (presently working as Assistant Director,

Tourism Department, Chikkamagalur); **DGO No.2**, Shri Vittal R. Gowdar, Tourism Promoter, Tourism Department, Kamalapura, Hospet, Bellary District; and **DGO No.3**, Shri Agasara Channappa, Driver, Tourism Department, Kamalapura, Hospet, Bellary District.

5. On perusal of the Inquiry Report, in order to prove the guilt of DGOs No.1 to 3, the Disciplinary Authority has examined one witness i.e., PW-1 and Ex. P-1 to P-32 documents were got marked. DGOs No.1 to 3 were examined themselves as DW-1 to DW-3 and Ex. D-1 document was got marked.
6. On re-consideration of Inquiry Report and taking note of the totality of the circumstances of the case, I do not find any reason to interfere with the findings recorded by the Inquiry Officer. Therefore, it is hereby recommended to the Government to accept the report of the Inquiry Officer.
7. As per the First Oral Statement of DGOs No.1 to 3 furnished by the Inquiry Officer, DGO No.1, Shri T.V.L.N.Raju, has retired from service on 30/09/2020; DGO No.2, Shri Vittal R. Gowdar, will retire from service on 30/06/2023 and DGO No.3, Shri Agasara Channappa, will retire from service on 31/05/2026.



8. Having regard to the nature of charge '**Proved**' the charges leveled against **DGO No.1**, Shri T.V.L.N.Raju, the then Assistant Director, Tourism Department, Lotus Mahal, Kamalapura, Hospet, Bellary District (presently working as Assistant Director, Tourism Department, Chikkamagalur); **DGO No.2**, Shri Vittal R. Gowdar, Tourism Promoter, Tourism Department, Kamalapura, Hospet, Bellary District; and **DGO No.3**, Shri Agasara Channappa, Driver, Tourism Department, Kamalapura, Hospet, Bellary District and on consideration of the totality of circumstances:-


"It is hereby recommended to the Government to impose penalty of withholding 50% of pension payable to DGO No.1, Shri T.V.L.N.Raju, the then Assistant Director, Tourism Department, Lotus Mahal, Kamalapura, Hospet, Bellary District (presently working as Assistant Director, Tourism Department, Chikkamagalur), permanently, without reducing the same below the minimum prescribed, in exercise of powers under Rule 214(1)(a) of Karnataka Civil Service Rules".

"It is hereby recommended to the Government to impose penalty of dismissal from the service to DGO No.2, Shri Vittal R. Gowdar, Tourism Promoter, Tourism Department, Kamalapura, Hospet, Bellary District".

"It is hereby recommended to the Government to impose penalty of dismissal from the service to DGO No.3, Shri Agasara Channappa, Driver, Tourism Department, Kamalapura, Hospet, Bellary District".

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

Connected records are enclosed herewith.


(JUSTICE K.N.PHANEENDRA)
UPALOKAYUKTA-2,
STATE OF KARNATAKA.

