

KARNATAKA LOKAYUKTA

NO:UPLOK-1/DE/264/2018/ARE-9

M.S.Building,
Dr. B.R. Ambedkar Veedhi,
Bengaluru - 560 001.
Date: 12.4.2023

:: ENQUIRY REPORT ::

:: Present ::

(S.GOPALAPPA)

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

Sub: Departmental Inquiry against (1)
Sri.Mahadevappa Patil, the then incharge
Executive Officer, Taluk Panchayath, Manvi
Taluk, Raichur District (now Retd) (Dead)
(2) **Smt.Bipasha, Secretary, Neeramanvi
Grama Panchayath, Manvi Taluk,
Raichur District and (3) Sri.Prahlad Rao,
Junior Engineer, PRE Sub Division,
Manvi Taluk, Raichur District - reg.**

Ref: 1. G.O.No.GraAa Pa 39 ENQ 18 Bengaluru
dated: 28.5.2018.

2.Nomination Order No: UPLOK-
1/DE/264/2018 Bangalore dated: 5.6.2018
of Hon'ble Upalokayukta-1

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This Departmental Inquiry is initiated against (1)
Sri.Mahadevappa Patil, the then incharge Executive Officer, Taluk
Panchayath, Manvi Taluk, Raichur District (now Retd) (Dead) (2)
**Smt.Bipasha, Secretary, Neeramanvi Grama Panchayath, Manvi
Taluk, Raichur District and (3) Sri.Prahlad Rao, Junior Engineer,**

PRE Sub Division, Manvi Taluk, Raichur District (hereinafter referred to as the Delinquent Government Official for short “**DGO**”).

2. In pursuance of the Government Order cited above at reference No.1, Hon’ble Upalokayukta vide order on 5.6.2018 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

Charge No.1) Following works are executed under MGNREG Scheme during 2014-2015 Neermanavi Grama Panchayath, Raichur District:

a. Construction of drainage from Govt School up to canal in Neeramanvi Village. (The work is stated to be completed).

b. Construction of protection wall for Government Lower Primary School in Sooryanaikana Palya Thanda (The work is stated to be completed)

- c. Construction of check wall for canal from the house of Iyanna up to the house of Thippanna.
- d. Construction of C.D. near the land of Mallappa Hoogara in Tungabhadra Left bank distributory canal 89/6 (The work completed)
- e. Construction of Dhobi ghat in Neeramanvi Thanda near the house of Savareddy. (The work is completed)
- f. Construction of sheep barn for Channa. (The work is completed)
- g. Construction of shed for Lingappa/Ramsingh. (The work is completed).
- h. Construction of shed for Budeppa (The work is completed)
- i. Construction of cattle shed for Dhansingh (The work is completed.)
- j. Improvement of road from the land of Gafur up to Harishchandra Ghat in Neermanvi.
- k. Improvement of road by laying murrum from the house of Maratigudda up to the house of Shankarappa.
- l. Improvement of road from Siravara-Manvi Main road up to the house of Mallaiah.
- m. Improvement of road from Ramanna hotel up to the house of Hanumaiah.

The above said 13 works are of substandard you-DGO No.2 and 3 as a PDO and Junior Engineer, PRE, Sub Division, Manvi have not executed the works in accordance with estimate and also not maintained the records properly.

Charge No.2) The Works under 13th finance scheme have not been executed in accordance with action plan. Receipts for having purchased materials were not maintained and were not available. Amount released under 13th finance scheme has been spent towards salary for the staff and for private persons towards private programmes and not called for quotation for purchasing materials and has not executed the works in accordance with action plan. For that you-DGO No.2 responsible.

Charge No.3) Amount collected towards tax during 2014-15 has been spent towards salary for the staff and contingent purpose. Receipts/records were not available for having paid salary to the staff. Salary paid to the staff without obtaining receipts. For that you-DGO No.2 responsible.

Charge No.4) During 2014-15 an amount of Rs.2,61,067/- has been paid towards salary to the Grama Panchayath staff and elected members towards D.A. and Rs.2,51,021/- towards contingent expenses, but no records/receipts were maintained for having paid amount to the staff and elected members for that you-DGO No.2 responsible.

Charge No.5) Records for having spent amount towards works executed during 2014-15 under BRGF scheme were not maintained for that you-DGO No.2 responsible.

Charge No.6) Files of beneficiaries in respect of construction of toilets under the scheme of NBA for not maintained as per rules. Measurement books were not available in respect of construction toilets of the beneficiaries - Shantamma Vaddara, Rasul Sab, Narayana, Shanmukh s/o Ramaiah, Ganaraj. You DGO No.2 and 3 are responsible.

Charge No.7) You DGO No.1 has failed to supervise the above said works done by the DGO No.2 and 3 as a superior officer and not taken any action against them for committing above said irregularities.

Thereby you –DGO No.1 to 3 have failed to maintain absolute integrity, devotion to duty and committed an act which is unbecoming of a government servant and thus you are guilty of misconduct u/r 3 (1) (i) to (iii) of Karnataka Civil Service (conduct) Rules 1966.

ANNEXURE - 2

STATEMENT OF IMPUTATIONS OF MISCONDUCT

On the basis of complaint filed by Sri.Ramu Neeramanvi, K.H.B. Colony, L/26 Manvi, Manvi Taluk, Raichur District (hereinafter referred to as 'complainant' for short) against 1)Bipasha, Secretary, Grade-1, Neeramanvi Grama Panchayath (2) Sri. Prahlad Rao, Junior Engineer, PRE Sub.Divn, Manvi, Raichur District and (3)Sri.Mahadevappa Patil, AEE/the then Executive Officer, Taluk Panchayath, Manvi Taluk, Raichur District (now retired) residing at No.7-1101/48A, Bhagya Nilaya, Ganj Bank Colony, Kalaburgi - 585104 alleging that the DGOs have committed misconduct, an

investigation was taken up under Section 9 of Karnataka Lokayukta Act, 1984.

According to the Complainant :-

Illegalities have been committed in executing works during 2014-15 under MG NREGA Scheme under taken by Neermanvi Grama Panchayath and DGO No.1 to 3 have misappropriated amount without forming drains, check walls, without executing road improvement work, without constructing C.D and dhobi ghat, cattle shed, without laying gravel for the road and without constructing toilets. The DGO No.1 to 3 have also misappropriated amount released under 13th finance scheme, Gram Swaraj Yojane, drinking water scheme, statutory grant, N.B.A. and backward areas development grant without executing the works.

The DGO No.2- Bipasha, PDO/Secretary Grade-1 has submitted comments dt: 3.8.2016 denying the allegations. She has submitted that works have been executed in accordance with the estimate and works executed are satisfactory.

Report was called for from S.P., Karnataka Lokayukta, Raichur on the Complaint. S.P. has submitted report dt: 30.5.2017. He has submitted that investigation has been conducted by Dy.S.P., Lokayukta Raichur (I.O. for short) and he has submitted the report of I.O. dt:27.5.2017. The report of I.O. is that the allegations made in the Complaint are substantiated.

After receiving the report of I.O., the DGO No.2-Sri. Prahlad Rao, Junior Engineer, PRE Sub.Divn, Manvi, Raichur District

and the DGO No.1-Sri.Mahadevappa Patil, AEE/the then Executive Officer, Taluk Panchayath, Manvi Taluk, Raichur District (now retired) have been impleaded as Respondent Nos.2 and 3. Comments of DGO No.1 to 3 were called by forwarding copy of Complaint as well as report of I.O. They have submitted their comments.

The DGO 2 and 3 have submitted comments stating that works under MGNREG Scheme that is murrum road work and desilting of canal are executed about 3 years before and as such the work executed about 3 years before appeared to be of less quantity. Works were executed after obtaining approval for action plan under 13th finance scheme. The DGO No.2 has stated that he has not misappropriated the amount under drinking water scheme and Gram Swaraj Scheme and D.C. bills. Amount is paid for construction of 32 toilets under NBA scheme as per rules. The DGO No.3 has further stated that the works under drinking water scheme and the amount involved under D.C. bills do not pertain to him.

The DGO No.1 has submitted comments dt: 23.8.2017 stating that he is working as incharge Executive Officer of Manvi Taluk Panchayath. If any illegality or mis-management is found in the works undertaken by Grama Panchayath, they are to be brought to the knowledge of Taluk Panchayath or Z.P. in writing. He can only recommend for the action when such illegal or irregular acts are brought to his notice in writing. If illegalities were found in executing works under MGNREG scheme during 2014-15, the concerned Secretary, President and PDO of Grama Panchayath are responsible for the same. The President will sign the bills after verification. The Engineer will record the measurements in the Measurement Book and

prepare the bills and submit the bills to Grama Panchayath. Bill will be signed by the President of Grama Panchayath and he is not responsible for any illegal acts committed.

The records collected during the investigation including the records collected by the I.O. during investigation show that:

- i. Following works are executed under MGNREG Scheme during 2014-2015 Neermanavi Grama Panchayath, Raichur District:
 - a. Construction of drainage from Govt School up to canal in Neeramanvi Village. (The work is stated to be completed).
 - b. Construction of protection wall for Government Lower Primary School in Sooryanaikana Palya Thanda (The work is stated to be completed)
 - c. Construction of check wall for canal from the house of Iyanna up to the house of Thippanna.
 - d. Construction of C.D. near the land of Mallappa Hoogara in Tungabhadra Left bank distributory canal 89/6 (The work completed)
 - e. Construction of Dhobi ghat in Neeramanvi Thanda near the house of Savareddy. (The work is completed)
 - f. Construction of sheep barn for Channa. (The work is completed)
 - g. Construction of shed for Lingappa/Ramsingh. (The work is completed).
 - h. Construction of shed for Budeppa (The work is completed)

i. Construction of cattle shed for Dhansingh (The work is completed.)

j. Improvement of road from the land of Gafur up to Harishchandra Ghat in Neermanvi.

k. Improvement of road by laying murrum from the house of Maratigudda up to the house of Shankarappa.

l. Improvement of road from Siravara-Manvi Main road up to the house of Mallaiah.

m. Improvement of road from Ramanna hotel up to the house of Hanumaiah.

ii. The above said 13 works are of substandard as reported by Asst. Executive Engineer - Sri.Virupakshappa, PRE Sub.Divn, Manvi, in the letter dt:23.5.2017 (the Letter of AEE is document No.2 produced by the I.O.). the DGO No.2 – Bipasha and DGO No.3 Prahlad Rao are responsible for executing the said works. Respondent No.3 – Prahlad Rao has recorded measurements in the Measurement Book without verifying the works. The DGO No.2 – Bipasha, PDO and the DGO No.3 - Prahlad Rao have not executed the works in accordance with the estimate. NMR, work verification certificate of Nodal officer and work completion certificate were not available in the file.

iii) The Works under 13th finance scheme have not been executed in accordance with action plan. Receipts for having purchased materials were not maintained and were not available. Amount released under 13th finance scheme has been spent towards

salary for the staff and for private persons towards private programmes and the DGO No.2- Bipasha is responsible for said payments. The DGO No.2 has not called for quotation for purchasing materials and she has not executed the works in accordance with action plan.

iv) Amount collected towards tax during 2014-15 has been spent towards salary for the staff and contingent purpose. Receipts/records were not available for having paid salary to the staff. The DGO No.2 –Bipasha is responsible for payment of salary to the staff without obtaining receipts.

v) During 2014-15 an amount of Rs.2,61,067/- has been paid towards salary to the Grama Panchayath staff and elected members towards D.A. and Rs.2,51,021/- towards contingent expenses, but no records/receipts were maintained for having paid amount to the staff and elected members and DGO No.2- Bipasha , PDO is responsible for the same.

(vi) Records for having spent amount towards works executed during 2014-15 under BRGF scheme were not maintained and the DGO No.2 – Bipasha, PDO is responsible for the same.

(vii) Files of beneficiaries in respect of construction of toilets were not maintained as per rules. Measurement books were not available in respect of construction toilets of the beneficiaries- Shantamma Vaddara and Narayana. The DGO No.2- Bipasha, PDO and the DGO No.3 - Prahlad Rao, J.E. (Technical Assistant), PRE Sub.Divn, Manvi, are responsible for the same.

(viii) the DGO No.1-Mahadevappa Patil, AEE/Executive Officer, Manvi Taluk Panchayath has failed to supervise the work and take action against the DGO No.2 and 3. DGO No.3 has not signed the estimates prepared for construction of toilets. The files of beneficiaries were not maintained as per rules.

In view of the lapses stated above committed by DGOs, comments submitted by the DGO No.1 to 3 are not acceptable to drop the proceedings against them.

The DGO No.1- Sri.Mahadevappa Patil, AEE is stated to be retired on 31.5.2017. The alleged works are executed and bills passed during the year 2014 and 2015. Therefore 4 years from the date of incident lapses in the year 2019. Therefore action can be initiated against DGO No.1 under the provision of Rule 214(2)(b) of KCSRs.

Since said facts and material on record prima-facie show that the DGO No.1 to 3 committed misconduct, now, acting under section 12(3) of Karnataka Lokayukta Act, recommendation is made to the Competent Authority to initiate disciplinary proceedings against the DGOs and to entrust the inquiry to this Authority under Rule 14-A of Karnataka Civil Service (Classifications, Control and Appeal) Rules, 1957 along with sanction as required under Rule 214(2)(b)(i) of KCSRs. As per the Government order No. ಗ್ರಾಅಪ 39 ಇಎನ್‌ಕೂ, 18 ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 28/5/2018, sanctioned to initiate departmental enquiry against the said DGO No.1 who was retired from service. Hence the charge.

Abatement report of DGO No. 1 Sri.Mahadevappa Patil, the then incharge Executive Officer is already sent to disciplinary authority on 15.9.2022.

5. The Article of charge was issued to the DGO-2 and 3 calling upon him 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, they submitted written statement.

7. DGO-2 and 3 submitted joint written statement and denied the charges No. 1 to 7. The works executed under MGNREG scheme during 2014-15 by the Neermanavi Grama Panchayath, Raichur District are not substandard and they have executed the works in according with estimation and also maintained connected records properly. Works were executed after obtaining approval for action plan under 13th finance scheme and all the documents are maintained. They have not misappropriated the amount under drinking water scheme and Gram Swaraj Scheme and D.C. bills. Amount is paid for construction of 32 toilets under NBA scheme as per rules. Records for having spent amount towards works executed during 2014-15 under BRGF scheme were maintained by the DGO No. 2 and same are available in the office of panchayath.

Further submitted that during the investigation of the complaint by the IO the records/documents available in the panchayath are not properly examined and hence IO's report is incomplete for not having inspected the records properly. Further submitted that they have maintained all the documents and records pertaining to all the works in the complaint. With these grounds, they prayed to drop the charges leveled against them.

8. The disciplinary authority has examined the complainant Sri.Ramu S/o Mudhakappa Agriculturist, Manvi Taluk, Raichur District as PW.1, Investigating officer Sri.Venkanagowda Patil the then Deputy superintendent of Police, Bidar District as PW-2 and got marked documents as **Ex.P-1 to ExP-17**.

9. Thereafter, second oral statements of DGOs were recorded. Opportunity was provided to DGOs to adduce evidence and DGO-2 Smt.Bipasha, Secretary, Neeramanvi Grama Panchayath, has got examined herself as DW-1, DGO-3 Sri.Prahlad Rao, Junior Engineer, has got examined himself as DW-2 and got marked the documents as **Ex.D-1 to Ex.D-7**.

10. Heard the submissions of Presenting Officer and DGOs 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-2 and 3 ?**

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

REASONS

11. According to the complainant during the year 2014-15 under MGNREGA scheme money was mis appropriated in the name of drainage work, protection wall work, road development work, construction of dhobi ghatt, cattle sheds, road murram and toilet works. The works were not executed as per the action plan. The DGOs have created bogus bills and mis appropriated the money. He has lodged the complaint as per Ex.P-1 to 3 along with the documents Ex.P-4, 5 and 6, stating that under 13th finance scheme in grama swaraj drinking water scheme, DCB, BRGF, MBA scheme money was misappropriated.

In the cross examination PW-1 admits that on perusal of Ex.P-4 muster roll one cannot make out that the money is misappropriated. After filing the complaint information was not sought from him. But it was informed to him that the Investigating officer will come to spot inspection and he was asked to show the work spots. PW-1 admits that the works appearing in Ex.P-5 and Ex.P-6 are not concerned to each other. He admits that he has lodged the many complaints in Karnataka Lokayukta institution. Further PW-1 has denied the rest of the suggestion made by Learned defence counsel.

According to PW-2 (Investigating officer) on his request Panchayath development officer has produced the documents and he

verified the same. On 27.4.2017. He visited Neeramanvi village. In the presence of complainant JE Kiran Kumar, Secretary (DGO-2) Thenicial assistant Pralhad Joshi (DGO-3), he inspected drainage work from Government school to canal protection wall to GHPS Pooryanayaka thanda protection wall constructed from the house of Annayya to the house of Thippanna. C.D. work near the land of Mallappa, Dhobi ghat work, cattle shed works to Channa, Lingappa /Rama singh, Boodyappa and Dhansingh, road development works and road murram works. The Technical Assistant Krian Kumar has reported that the works were executed as per estimate but they are average standard.

Further according to the PW-2 those works were executed during the tenure of DGO-2 and 3, but have not executed as per the estimate. The Technical assistant DGO-3 without verifying the works has recorded the MB book has shown irresponsibility and committed dereliction of duty. DGO- 2 and 3 have not maintained Nodel officers scrutiny certificate, work completion certificate MIS and printed NMR's.

Further according to PW-2 in Neeramanvi Grama panchayath under 13th finance scheme during the year 2014-15 approval was taken for the works worth Rs. 8,96,000/-. According to action plan the money is spent, but the government guidelines are not followed. The money is spent towards salary of the staff and private functions. The money under this scheme is utilized for different works. While purchasing the materials worth more than Rs. 5000/- quotations were not called. Therefore the DGOs without spending money as per action

plan have used the money for other schemes. During the year 2014-15 the DGOs have not maintained the receipts for having paid monthly salary to the staff. Thereby DGO-2 has committed mis conduct. On perusal of the cash book of the year 2014-15 it was found that DGO-2 are not maintained receipts for having paid monthly salary to the staff and allowance to the elected members and thereby committed dereliction of duty.

In BRGF scheme DGO-2 has not maintained the documents for having spent the funds. In Nirmala Bharath Abhiyana (NBA) scheme during the year 2014-15 in toilet works in respect of Shanthamma Vaddar, Rasool Sab, Nayayana, Shanmuka, Ganaraja DGOs have not maintained the documents. In some of the beneficiaries out of 32 MB book were not available. DGO-3 has not put the signature to the estimate documents of all 32 beneficiaries and thereby shown his negligence. The DGO-2 and 3 under NBA scheme have not maintained the documents and only for name sake some of the documents are kept and files are prepared. Though DGO -2 and 3 have not performed their duty in accordance with law. DGO-1 being another officer has failed to supervise the works and documents and thereby committed dereliction of duty.

Further according to PW-2 after completion of investigation he has submitted his report Ex.P-7 to S.P and in turn SP submitted his report as per Ex.P-8. PW-2 has produced the documents Ex.P-9 to 17.

In the cross examination PW-2 has deposed that he has not recorded the statements of president, vice president and members of Grama Panchayath. As it was not necessary. He admits that Ex.P-10 is the report of Technical assistant Krian Kumar. He admits that according to the report of Krian Kumar the sheds of Lingappa/ Ram singh and Boodyappa are executed as per estimate. PW-2 has voluntarily deposed that according to the said report the works executed are average standard. PW-2 admits that a per Ex.P-10 all the works are executed as per estimate. He does not know that in the year 2014-15 in Neeramanvi Grama panchayath audit was approved. PW-2 has deposed that the said audit report was not produced before him. On 23.3.2017 he has given a requisition Ex.P-9 to DGO-2 to produce the documents. He admits that in Ex.P-9 he has not specifically requested DGO-2 to produce the document of sheds of Ramsingh and Boodyappa. He admits that similarly he has not specifically mentioned to produce the audit report. After this letter also he has not separately sent letters or notices requesting DGOs to produce the documents pertaining to cattle sheds –Lingappa Ram singh and Boodyappa and audit report. According to his knowledge from the year 2014 to 2017 audit was not conducted. Further PW-2 has denied rest of the suggestion made by Learned defence counsel.

According to DW-1 from 15.5.2014 to 1.5.2016 he was working as Secretary of Neeramanvi grama panchayath at that time DGO-1 was working as Executive officer and DGO-3 was worked as Junior Engineer. All the works executed are good standard according to the estimate. They have maintained scrutiny certificate and work

completion certificate, NMR, according to MGNREGA guidelines. In respect of 2nd charge under 13th Finance scheme during the year 2014-15 works worth Rs. 8,96,000/- was approved. According to the action plan and government guidelines the money was spent. The money was not spent towards salary of staff and private functions. Since she was not aware quotation was not called. But the receipts were maintained properly. Money was not misappropriated. Works are executed according to the action plan, money was not spent for other purpose. They have maintained the receipts for having paid salary to the staff. They have maintained receipts for having paid remuneration to the elected members and monthly salary to the staff. The receipts are maintained for having spent amount in (ಹಿಂದುಳಿದ ಪ್ರದೇಶಗಳ ಅಭಿವೃದ್ಧಿ) BRGF scheme.

Under Nirmala Bharath Abhiyana (NBA) scheme during the year 2013-14 toilet works were executed & concerned files are available. In some of the files of beneficiaries, measurement books are available. By over sight the signature of DGO-3 is missing in estimate documents. There is no malafide intension or negligence in this regard the files are maintained properly in accordance with Law in respect of toilet works. The documents in respect of cattle shed works of Lingappa /Ramsingh and Boodhiyappa maintained and they were available. PW-2 at 5.30 PM came to the office and took the documents on whichever he could lay the hands. Since he was not properly verified he could not trace some of the documents, & for that she is not responsible.

Further according to the DW-1 under 13th finance scheme in first installment out of Rs. 8,96,000/-, Rs.2,00,000/- towards purchase of pipeline materials and borewell repair. Rs. 2,00,000/- towards purchase of 5 HP motor, Rs. 1,00,000/- towards purchase of text book under SC/ST 25% scheme, Rs. 1,80,000/- towards drinking water to schools, Rs.60,000/- towards street light, Rs. 16,000/- towards repairs of Panchayath, out of specially challenged 3% scheme and Rs.40,000/- towards purchase of Anganawadi kids toys was not spent. But out of this amount the amount was spent towards drainage water pipelines and pumpset, to newly started high school at Neeramanvi and Adharsh school. For this expenditure resolution was passed in the Panchayath. The earlier secretary Sri.N.Moosa has spent Rs. 2,000/- and Rs. 3,000/- towards celebration of Ambedkar Day and for Ambedkar statue.

In the cross examination DW-1 has deposed that during the year 2014-15 she was working as secretary in Neeramanvi grama Panchayath. She admits that during that year Government funds were released for different scheme. She deines that during the year 2014-15 drainage work at Neeramanvi village, protection wall work at Karya nayakana playa Thanda, check wall work, CD work at Karya nayakana playa thanda, Dhobi ghat, cattle sheds, road development and murrum works at Neeramanvi Thanda, road development work at Shiravara – Manvi, road development work from Ramaiah hotel to the house of Hanumaiahna were not executed as per estimate.

DW-1 denies that she has not maintained the documents properly. She denies that under 13th Finance scheme works were not

executed as per action plan. She denies that the receipts for having purchase of the materials were not maintained and not produced. She denies that the funds released under 13th Finance scheme was sent towards payment of salary to the staff and payment to the private persons. She denies that before purchasing the materials the quotation was not called. She denies that she has not maintained the receipts of the documents pertaining to the tax collected in the year 2014-15 and regarding salary paid to the staff.

Further DW-1 denies that she has not maintained and not produced the receipts of the documents towards payment of Rs. 2,61,067/- to the Panchayath staff and elected members and regarding contingent expenditure of Rs. 2,51,021/-. She denies that she has not maintained and produced the documents pertaining to the expenditure under BRGF scheme during the year 2014-15. She denies that she has not maintained files properly pertaining to toilet works. She denies that she has not maintained and produced the measurement books pertaining to toilet works of Shanthamma Vaddar, Rasool Sab, Nayayana, Shanmuka, & Ganaraja. She denies that she has created Ex.D-7 for the purpose of this enquiry. She denies that she has committed dereliction of duty.

According to the DW-2 during the year 2014-15, he was working as JE in Panchayath Raj sub division Manvi. On 30.11.2022 he was retired from the service. On verification of spots he prepared the estimates. The works are executed according to the estimate. He has reported the progress of work to his higher authorities. This

complaint is filed 2 years after the completion of works. He has not committed any dereliction of duty. Hence prays to exonerate from the charges.

In the cross examination DW-2 has denied that during the year 2014-15 in Neeramanvi village, drainage work, protection wall work, check wall work, CD work at Karya nayakana playa Thanda, Dhobi ghat, cattle sheds, road development and murrum work at Neeramanvi Thanda, road development work at Shiravara – Manvi and Ramaiah hotel to the house of Hanumaiahna was not executed as per estimate. He denies that they have not maintained the documents pertaining to the above said works. He denies that the files are not maintained pertaining to the toilet works. He denies that they have not maintained and produced measurement book pertaining to the toilet works of Shanthamma Vaddar, Rasool Sab, Nayayana, Shanmuka, & Ganaraja. He denies that without performing his duty properly he has committed dereliction of duty.

My findings on charge No. 1:-

As admitted by the DGO-2 and 3 drainage work, protection wall work, check wall work, CD work, Dhobi ghat work, cattle sheds work, improvement of roads were executed in Neeramanvi village, Karya nayakana playa Thanda and Neeramanvi Thanda. According to the report of technical assistant Kiran Kumar the works executed were average standard. Ex.D-1 is a documents pertaining to the cattle sheds. Only the estimate, measurement book copy, the application form copy, notice copy, photos, bills are maintained in case of

Hanumaiahna. The name of Hanumaiahna is strike off and name of Lingappa / Ram Singh is mentioned. Check list is not available in the document, Work entrustment order and NMR is not available in the document, spot verification certificate is not available in the document work, completion certificate is not available in the document. Similarly in other cattle shed work also the documents are not properly maintained.

Ex.D-2 is the copy of contract certificate pertaining to the construction of Anganawadi building at Neeramanvi village. Ex.D-3 is the copy of cash book and other documents. Ex.D-4 is the copy of payment register and Ex.D-5 is the copy of cash book. Ex.D-6 are the documents pertaining to the toilet works. According to the report of Junior Engineer Kiran Kumar the works are of average standard. In the documents produced by the DGOs all the documents are not available. There by DGOs have suppressed the true facts. **Hence, the charge No. 1 framed against DGO 2 and 3 are proved.**

My findings on charge No. 2:-

The DGOs have produced the copy of cash book but not produced the receipts for having purchased the materials after calling for quotations. The evidence of Investigating officer, is also very much clear that under 13th Finance scheme the money has been spent towards the salary of the staff and payment to private persons towards private programmes and not called for quotation for purchasing materials and not executed the works in accordance with action plan. **Hence, the charge No. 2 framed against DGO- 2 is proved.**

My findings on charge No. 3:-

The evidence of PW-2 clearly shows that the amount collected towards tax during the year 2014-15 has been spent towards salary for the staff and contingent purpose. Receipts are not maintained for having paid salary to the staff. **Hence, the charge No. 3 framed against DGO- 2 is proved.**

My findings on charge No. 4:-

During the year 2014-15 an amount of Rs. 2,61,067/- has been paid towards salary to the grama panchayath staff and elected members towards D.A and Rs. 2,51,021 /- towards contingency expenses as per the copy of cash book. But along with the cash book DGOs have not produced any receipts for having paid salary and allowance to the grama panchayath staff and elected members. **Hence, the charge No. 4 framed against DGO- 2 is proved.**

My findings on charge No. 5:-

The evidence of PW-2 is very clear that records for having spent amount towards the drainage work, protection wall work, check wall work, CD work at Karya nayakana playa Thanda, Dhobi ghat, cattle sheds, road development work and murrum work at Neeramanvi Thanda, road development work at Shiravara – Manvi and Ramaiah hotel to the house of Hanumaiahna executed during the year 2014-15 under BRGF scheme are not maintained. **Hence, the charge No. 5 framed against DGO- 2 is proved.**

My findings on charge No. 6:-

Ex.D-6 are the copy of documents pertaining to the toilet work. Only the copy of estimate, NMR, application, notices and photos are available, but the MB book, commencement certificate, completion certificate, check list, three stages photographs are not produced. **Hence, the charge No. 6 framed against DGO- 2 and 3 are proved.**

My findings on charge No. 7 is against DGO-1 and abatement report is already submitted.

53. Therefore, overall examination of the evidence on record shows that the disciplinary authority has established the charge No.1 to 6 leveled against DGO- 2 and 3. Hence, I proceed to record the following:-

FINDINGS

54. The Disciplinary Authority has proved the charges No.1 to 6 leveled against DGO- 2 and 3. Hence, this report is submitted to Hon'ble Upalokayukta for further action.

55. The date of retirement of DGO- 2 is 31.10.2019 and DGO- 3 is 30.11.2022.

sdl
(S.GOPALAPPA)
I/c Additional Registrar Enquiries-9
Karnataka Lokayukta, Bengaluru.

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

PW.1	Sri.Ramu S/o Mudhakappa Agriculturist, Manvi Taluk, Raichur District original
PW-2	Sri.Venkanagowda Patil the then Deputy superintendent of Police, Bidar District original

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

Ex.P 1	Ex.P-1 is the detailed complaint dated: 16.3.2016 submitted by PW-1 in Karnataka Lokayukta Office.
Ex.P 2 & 3	Ex.p-2 and 3 are the complaint in form No. 1 and 2 dated: 16.3.2016 submitted by PW-1 in Karnataka Lokayukta Office.
Ex.P-4	Ex.P-are the documents enclosed along with complaint submitted by PW-1 in Karnataka Lokayukta Office.
Ex.P-5	Ex.P-5 are the photos
Ex.P-6	Ex.P-6 are the photos
Ex.P-7	Ex.P-7 is the investigation report dtd: 27.5.2017 submitted by DSP Karnataka Lokayukta Raichur
Ex.P-8	Ex.P-8 is the investigation report dated: 30.5.2017 submitted by SP Karnataka Lokayukta Raichur
Ex.P-9	Ex.P-9 are the documents pertaining to the MGNREGA scheme for the year 2014-15
Ex.P-10	Ex.P-10 is the letter dtd: 23.5.2017 from Assistant Executive Engineer PRE sub division, Raichur. To DSP, Karnataka Lokayukta Raichur.
Ex.P-11	Ex.P-11 is the documents pertaining 13 th financial year scheme.
Ex.P-12	Ex.P-12 is the documents pertaining to Grama Swaraj scheme
Ex.P-13	Ex.P-13 is the documents pertaining to drinking water scheme.
Ex.P-14	Ex.P-14 is the documents pertaining to DC bills

Ex.P-15	Ex.P-15 is the documents pertaining to ಶಾಸನಬದ್ಧ ಅನುದಾನ
Ex.P-16	Ex.P-16 is the documents pertaining to BRGF Scheme
Ex.P-17	Ex.P-17 is the documents pertaining to NBA Scheme

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

DW-1	DGO-2 Smt.Bipasha, Secretary, Neeramanvi Grama Panchayath, Manvi Taluk, Raichur District original
DW-3	DGO-3 Sri.Prahlad Rao, Junior Engineer, PRE Sub Division, Manvi Taluk, Raichur District original

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

Ex.D-1	Ex.D-1 is the copy of estimate of panchayath raj Engineering Division Raichur.
Ex.D-2	Ex.D-2 are the documents pertaining to BRGF scheme for the year 2014-15
Ex.D-3 & 4	Ex.D-3 & 4 are the documents pertaining to DC bill
Ex.D-5	Ex.D-5 are the copies of cash books and vouchers
Ex.D-6	Ex.D-6 are the documents pertaining to Nirmala Bharath Abiyana
Ex.D-7	Ex.D-7 are the copies of cash book pertaining to the year 2014-15

sd/-
(S.GOPALAPPA)

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

ಕರ್ನಾಟಕ ಸರ್ಕಾರಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ

ನಂ.ಉಪಲೋಕ್-1/ಡಿಇ/264/2018/ಎ.ಆರ್.ಇ-9

ಬಹುಮಹಡಿಗಳ ಕಟ್ಟಡ,
ಡಾ:ಬಿ.ಆರ್.ಅಂಬೇಡ್ಕರ್ ವೀದಿ,
ಬೆಂಗಳೂರು-560001.
ದಿನಾಂಕ: 15ನೇ ಏಪ್ರಿಲ್ 2023.

-:: ಶಿಫಾರಸು ::-

ವಿಷಯ: ಆಪಾದಿತ ಸರ್ಕಾರಿ ನೌಕರರುಗಳಾದ :

- (1) ಶ್ರೀಮತಿ ಬಿಪಾಶಾ, ಕಾರ್ಯದರ್ಶಿ, ನೀರಮಾನವಿ ಗ್ರಾಮ ಪಂಚಾಯತ್, ಮಾನವಿ ತಾಲ್ಲೂಕು, ರಾಯಚೂರು ಜಿಲ್ಲೆ (ಆ.ಸ.ನೌಕರ-2); ಮತ್ತು
- (2) ಶ್ರೀ ಪ್ರಹ್ಲಾದ್ ರಾವ್, ಕಿರಿಯ ಅಭಿಯಂತರರು, ಪಂಚಾಯತ್ ರಾಜ್ ಇಂಜಿನಿಯರಿಂಗ್ ಉಪ ವಿಭಾಗ, ಮಾನವಿ ತಾಲ್ಲೂಕು, ರಾಯಚೂರು ಜಿಲ್ಲೆ (ಆ.ಸ.ನೌಕರ-3) ರವರುಗಳ ವಿರುದ್ಧದ ಇಲಾಖಾ ವಿಚಾರಣೆ ಕುರಿತು.

- ಉಲ್ಲೇಖ: (1) ಸರ್ಕಾರಿ ಆದೇಶ ಸಂಖ್ಯೆ ಗ್ರಾಅಪ 39 ಇಎನ್‌ಕ್ಯೂ 18, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 28/05/2018.
- (2) ಉಪಲೋಕಾಯುಕ್ತ, ಕರ್ನಾಟಕ ರಾಜ್ಯ, ಬೆಂಗಳೂರು ರವರ ನಾಮನಿರ್ದೇಶನ ಆದೇಶ ಸಂಖ್ಯೆ.ಉಪಲೋಕ್-1/ಡಿಇ/264/2018, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 05/06/2018.
- (3) ಅಪರ ನಿಬಂಧಕರು ವಿಚಾರಣೆಗಳು-9, ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ ಬೆಂಗಳೂರು ರವರ ವಿಚಾರಣಾ ವರದಿ ದಿನಾಂಕ: 12/04/2023.

ಸರ್ಕಾರದ ಆದೇಶ ದಿನಾಂಕ: 28/05/2018 ರಂತೆ (1) ಶ್ರೀ ಮಹಾದೇವಪ್ಪ ಪಾಟೀಲ್, ಹಿಂದಿನ ಪ್ರಭಾರಿ ಕಾರ್ಯನಿರ್ವಾಹಕ ಅಧಿಕಾರಿ, ತಾಲ್ಲೂಕು ಪಂಚಾಯತ್,

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ಮಾನವಿ ತಾಲ್ಲೂಕು, ರಾಯಚೂರು ಜಿಲ್ಲೆ; (2) ಶ್ರೀಮತಿ ಬಿಪಾಶಾ, ಕಾರ್ಯದರ್ಶಿ, ನೀರಮಾನವಿ ಗ್ರಾಮ ಪಂಚಾಯತ್, ಮಾನವಿ ತಾಲ್ಲೂಕು, ರಾಯಚೂರು ಜಿಲ್ಲೆ; ಮತ್ತು (3) ಶ್ರೀ ಪ್ರಹ್ಲಾದ್ ರಾವ್, ಕಿರಿಯ ಅಭಿಯಂತರರು, ಪಂಚಾಯತ್ ರಾಜ್ ಇಂಜಿನಿಯರಿಂಗ್ ಉಪ ವಿಭಾಗ, ಮಾನವಿ ತಾಲ್ಲೂಕು, ರಾಯಚೂರು ಜಿಲ್ಲೆ (ಇನ್ನು ಮುಂದೆ ಆಪಾದಿತ ಸರ್ಕಾರಿ ನೌಕರರುಗಳು ಅಂದರೆ ಚಿಕ್ಕದಾಗಿ '1 ರಿಂದ 3ನೇ ಆ.ಸ.ನೌಕರರುಗಳು' ಎಂದು ಸಂಭೋದಿಸಲಾಗುವುದು) ರವರುಗಳ ವಿರುದ್ಧ ಶಿಸ್ತು ಪ್ರಕ್ರಿಯೆಯನ್ನು ಕೈಗೊಂಡು ವಿಚಾರಣೆ ಮಾಡಿ, ವರದಿ ಸಲ್ಲಿಸುವಂತೆ ಈ ಸಂಸ್ಥೆಗೆ ಇಲಾಖಾ ವಿಚಾರಣೆಯನ್ನು ವಹಿಸಿರುತ್ತದೆ.

2. ಈ ಸಂಸ್ಥೆಯ ನಾಮನಿರ್ದೇಶನ ಆದೇಶ ಸಂಖ್ಯೆ:ಉಪಲೋಕ್-1/ಡಿ.ಇ/264/2018, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 05/06/2018ರ ರೀತ್ಯಾ ಅಪರ ನಿಬಂಧಕರು ವಿಚಾರಣೆಗಳು-9 ರವರಿಗೆ 1 ರಿಂದ 3ನೇ ಆ.ಸ.ನೌಕರರುಗಳ ವಿರುದ್ಧ ದೋಷಾರೋಪಣಾ ಪಟ್ಟಿ ತಯಾರು ಮಾಡಿ, ವಿಚಾರಣೆ ನಡೆಸಿ, ವರದಿ ಸಲ್ಲಿಸುವಂತೆ ಆದೇಶ ಹೊರಡಿಸಲಾಗಿರುತ್ತದೆ.
3. 1ನೇ ಆ.ಸ.ನೌಕರರಾದ ಶ್ರೀ ಮಹಾದೇವಪ್ಪ ಪಾಟೀಲ್, ಹಿಂದಿನ ಪ್ರಭಾರಿ ಕಾರ್ಯನಿರ್ವಾಹಕ ಅಧಿಕಾರಿ, ತಾಲ್ಲೂಕು ಪಂಚಾಯತ್, ಮಾನವಿ ತಾಲ್ಲೂಕು, ರಾಯಚೂರು ಜಿಲ್ಲೆ; 2ನೇ ಆ.ಸ.ನೌಕರರಾದ ಶ್ರೀಮತಿ ಬಿಪಾಶಾ, ಕಾರ್ಯದರ್ಶಿ, ನೀರಮಾನವಿ ಗ್ರಾಮ ಪಂಚಾಯತ್, ಮಾನವಿ ತಾಲ್ಲೂಕು, ರಾಯಚೂರು ಜಿಲ್ಲೆ ಮತ್ತು 3ನೇ ಆ.ಸ.ನೌಕರರಾದ ಶ್ರೀ ಪ್ರಹ್ಲಾದ್ ರಾವ್, ಕಿರಿಯ ಅಭಿಯಂತರರು, ಪಂಚಾಯತ್ ರಾಜ್ ಇಂಜಿನಿಯರಿಂಗ್ ಉಪ ವಿಭಾಗ, ಮಾನವಿ ತಾಲ್ಲೂಕು, ರಾಯಚೂರು ಜಿಲ್ಲೆ ರವರುಗಳ ವಿರುದ್ಧ ಈ ಕೆಳಗಿನ ದೋಷಾರೋಪಣೆಗಾಗಿ ಇಲಾಖಾ ವಿಚಾರಣೆಯನ್ನು ನಡೆಸಲಾಯಿತು.

ANNEXURE-I
CHARGE

Charge No.1) Following works are executed under MGNREG Scheme during 2014-2015 Neermanavi Grama Panchayath, Raichur District:

- a. Construction of drainage from Govt School up to canal in Neeramanvi Village. (The work is stated to be completed).
- b. Construction of protection wall for Government Lower Primary School in Sooryanaikana Palya Thanda (The work is stated to be completed)
- c. Construction of check wall for canal from the house of Iyanna up to the house of Thippanna.
- d. Construction of C.D. near the land of Mallappa Hoogara in Tungabhadra Left bank distributory canal 89/6 (The work completed)
- e. Construction of Dhobi ghat in Neeramanvi Thanda near the house of Savareddy. (The work is completed)
- f. Construction of sheep barn for Channa. (The work is completed)
- g. Construction of shed for Lingappa/Ramsingh. (The work is completed).
- h. Construction of shed for Budeppa (The work is completed)
- i. Construction of cattle shed for Dhansingh (The work is completed.)
- j. Improvement of road from the land of Gafur up to Harishchandra Ghat in Neermanvi.
- k. Improvement of road by laying murrum from the house of Maratigudda up to the house of Shankarappa.
- l. Improvement of road from Siravara-Manvi Main road up to the house of Mallaiiah.
- m. Improvement of road from Ramanna hotel up to the house of Hanumaiah.

The above said 13 works are of substandard you-DGO No.2 and 3 as a PDO and Junior Engineer, PRE, Sub Division, Manvi have not executed the works in accordance with estimate and also not maintained the records properly.

Charge No.2) The Works under 13th finance scheme have not been executed in accordance with action plan. Receipts for having purchased materials were not maintained and were not available. Amount released under 13th finance scheme has been spent towards salary for the staff and for private persons towards private programmes and not called for quotation for purchasing materials and has not executed the works in accordance with action plan. For that you-DGO No.2 responsible.

Charge No.3) Amount collected towards tax during 2014-15 has been spent towards salary for the staff and contingent

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purpose. Receipts/records were not available for having paid salary to the staff. Salary paid to the staff without obtaining receipts. For that you-DGO No.2 responsible.

Charge No.4) During 2014-15 an amount of Rs.2,61,067/- has been paid towards salary to the Grama Panchayath staff and elected members towards D.A. and Rs.2,51,021/- towards contingent expenses, but no records/receipts were maintained for having paid amount to the staff and elected members for that you-DGO No.2 responsible.

Charge No.5) Records for having spent amount towards works executed during 2014-15 under BRGF scheme were not maintained for that you-DGO No.2 responsible.

Charge No.6) Files of beneficiaries in respect of construction of toilets under the scheme of NBA for not maintained as per rules. Measurement books were not available in respect of construction toilets of the beneficiaries - Shantamma Vaddara, Rasul Sab, Narayana, Shanmukh s/o Ramaiah, Ganaraj. You DGO No.2 and 3 are responsible.

Charge No.7) You DGO No.1 has failed to supervise the above said works done by the DGO No.2 and 3 as a superior officer and not taken any action against them for committing above said irregularities.

Thereby you -DGO No.1 to 3 have failed to maintain absolute integrity, devotion to duty and committed an act which is unbecoming of a government servant and thus you are guilty of misconduct u/r 3 (1) (i) to (iii) of Karnataka Civil Service (conduct) Rules 1966.

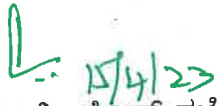
4. ವಿಚಾರಣಾಧಿಕಾರಿಯಾದ (ಅಪರ ನಿಬಂಧಕರು ವಿಚಾರಣೆಗಳು-9), ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ, ಬೆಂಗಳೂರು ರವರು ಮೌಖಿಕ ಮತ್ತು ದಾಖಲಾತಿಗಳ ಸಾಕ್ಷ್ಯಗಳನ್ನು ಕೂಲಂಕುಷವಾಗಿ ಪರಿಶೀಲಿಸಿ, 2ನೇ ಆ.ಸ.ನೌಕರರಾದ ಶ್ರೀಮತಿ ಬಿಪಾಶಾ, ಕಾರ್ಯದರ್ಶಿ, ನೀರಮಾನವಿ ಗ್ರಾಮ ಪಂಚಾಯತ್, ಮಾನವಿ ತಾಲ್ಲೂಕು, ರಾಯಚೂರು ಜಿಲ್ಲೆ ಮತ್ತು 3ನೇ ಆ.ಸ.ನೌಕರರಾದ ಶ್ರೀ ಪ್ರಹ್ಲಾದ್ ರಾವ್, ಕಿರಿಯ ಅಭಿಯಂತರರು, ಪಂಚಾಯತ್ ರಾಜ್ ಇಂಜಿನಿಯರಿಂಗ್ ಉಪ ವಿಭಾಗ, ಮಾನವಿ ತಾಲ್ಲೂಕು, ರಾಯಚೂರು ಜಿಲ್ಲೆ ರವರುಗಳ ವಿರುದ್ಧ ಮೇಲ್ಕಾಣಿಸಿದ 1 ರಿಂದ 6ನೇ ದೋಷಾರೋಪಣೆಯನ್ನು ರಜುವಾತುಪಡಿಸುವಲ್ಲಿ ಶಿಸ್ತು ಪ್ರಾಧಿಕಾರವು 'ಸಫಲವಾಗಿರುತ್ತದೆ' ಎಂದು ಅಭಿಪ್ರಾಯಿಸಿದ್ದಾರೆ.

5. 1ನೇ ಆ.ಸ.ನೌಕರರಾದ ಶ್ರೀ ಮಹಾದೇವಪ್ಪ ಪಾಟೀಲ್, ಹಿಂದಿನ ಪ್ರಭಾರಿ ಕಾರ್ಯನಿರ್ವಾಹಕ ಅಧಿಕಾರಿ, ತಾಲ್ಲೂಕು ಪಂಚಾಯತ್, ಮಾನವಿ ತಾಲ್ಲೂಕು, ರಾಯಚೂರು ಜಿಲ್ಲೆ ರವರು ದಿನಾಂಕ: 15/07/2018 ರಂದು ಮರಣ ಹೊಂದಿರುವುದರಿಂದ, ಸದರಿಯವರ ವಿರುದ್ಧ ಈಗಾಗಲೇ ದಿನಾಂಕ: 17/09/2022 ರಂದು ಶಿಫಾರಸ್ಸು ವರದಿಯನ್ನು ಕಳುಹಿಸಲಾಗಿರುತ್ತದೆ.
6. ವಿಚಾರಣಾಧಿಕಾರಿಗಳು ಸಲ್ಲಿಸಿರುವ ವಿಚಾರಣಾ ವರದಿಯನ್ನು ಪರಿಶೀಲಿಸಲಾಗಿ, ವಿಚಾರಣಾಧಿಕಾರಿಗಳು 2 ರಿಂದ 3ನೇ ಆ.ಸ.ನೌಕರರುಗಳ ವಿರುದ್ಧ ದೋಷಾರೋಪಣೆಯನ್ನು ರುಜುವಾತುಪಡಿಸಲು ಇಬ್ಬರು ಸಾಕ್ಷಿಗಳನ್ನು ಅಂದರೆ ಪಿ.ಡಬ್ಲ್ಯೂ-1 ಮತ್ತು ಪಿ.ಡಬ್ಲ್ಯೂ-2 ರಂತೆ ವಿಚಾರಣೆಗೆ ಒಳಪಡಿಸಿ ರಾಜ್ಯ ನಿಶಾನೆ ಬಿ-1 ರಿಂದ ಬಿ-17 ರವರೆಗೆ ದಾಖಲಾತಿಗಳನ್ನು ಗುರುತಿಸಲಾಗಿದೆ. 2 ಮತ್ತು 3ನೇ ಆಪಾದಿತ ಸರ್ಕಾರಿ ನೌಕರರುಗಳು ಸ್ವತಃ ತಾವೇ ಕ್ರಮವಾಗಿ ಡಿ.ಬ್ಲ್ಯೂ-1 ಮತ್ತು ಡಿ.ಬ್ಲ್ಯೂ-3 ಎಂಬ ಸಾಕ್ಷಿಗಳಾಗಿ ವಿಚಾರಣೆ ಮಾಡಿಕೊಂಡು, ನಿಶಾನೆ ಡಿ-1 ಮತ್ತು ಡಿ-7 ರಂತೆ ದಾಖಲಾತಿಗಳನ್ನು ಗುರುತಿಸಿಕೊಂಡಿರುತ್ತಾರೆ.
7. ಆ.ಸ.ನೌಕರರುಗಳ ವಿರುದ್ಧ ಆಪಾದಿಸಿದ ಆರೋಪಗಳ ಬಗ್ಗೆ ವಿಚಾರಣಾಧಿಕಾರಿಗಳು ಸಲ್ಲಿಸಿರುವ ವಿಚಾರಣಾ ವರದಿ ಹಾಗೂ ಅದಕ್ಕೆ ಪೂರಕವಾಗಿ ಸಲ್ಲಿಸಿರುವ ದಾಖಲಾತಿಗಳನ್ನು ಕೂಲಂಕುಷವಾಗಿ ಪರಿಶೀಲಿಸಲಾಗಿ, ವಿಚಾರಣಾಧಿಕಾರಿಗಳು ಸಲ್ಲಿಸಿರುವ ವಿಚಾರಣಾ ವರದಿಯಲ್ಲಿ ಹಸ್ತಕ್ಷೇಪ ಮಾಡಲು ಯಾವುದೇ ಸರ್ಕಾರಿಗಳು ಕಂಡುಬಂದಿರುವುದಿಲ್ಲ. ಆದ್ದರಿಂದ, ವಿಚಾರಣಾಧಿಕಾರಿಗಳು ಸಲ್ಲಿಸಿರುವ ವಿಚಾರಣಾ ವರದಿಯನ್ನು ಅಂಗೀಕರಿಸುವಂತೆ ಈ ಮೂಲಕ ಸರ್ಕಾರಕ್ಕೆ ಶಿಫಾರಸು ಮಾಡಿದೆ.
8. ಆ.ಸ.ನೌಕರರುಗಳ ಪ್ರಥಮ ಮೌಖಿಕ ಹೇಳಿಕೆಯ ಪ್ರಕಾರ ವಿಚಾರಣಾಧಿಕಾರಿಗಳು ಸಲ್ಲಿಸಿರುವ ಮಾಹಿತಿಯಂತೆ, 2ನೇ ಆ.ಸ.ನೌಕರರಾದ ಶ್ರೀಮತಿ ಬಿಪಾಶಾ ರವರು ದಿನಾಂಕ: 31/10/2019 ರಂದು ನಿವೃತ್ತಿ ಹೊಂದಿರುತ್ತಾರೆ ಮತ್ತು 3ನೇ ಆ.ಸ.ನೌಕರರಾದ ಶ್ರೀ ಪ್ರಹ್ಲಾದ್ ರಾವ್ ರವರು ದಿನಾಂಕ: 30/11/2022 ರಂದು ನಿವೃತ್ತಿ ಹೊಂದಿರುತ್ತಾರೆ.

9. 2ನೇ ಆ.ಸ.ನೌಕರರಾದ ಶ್ರೀಮತಿ ಬಿಪಾಶಾ, ಕಾರ್ಯದರ್ಶಿ, ನೀರಮಾನವಿ ಗ್ರಾಮ ಪಂಚಾಯತ್, ಮಾನವಿ ತಾಲ್ಲೂಕು, ರಾಯಚೂರು ಜಿಲ್ಲೆ ಮತ್ತು 3ನೇ ಆ.ಸ.ನೌಕರರಾದ ಶ್ರೀ ಪ್ರಹ್ಲಾದ್ ರಾವ್, ಕಿರಿಯ ಅಭಿಯಂತರರು, ಪಂಚಾಯತ್ ರಾಜ್ ಇಂಜಿನಿಯರಿಂಗ್ ಉಪ ವಿಭಾಗ, ಮಾನವಿ ತಾಲ್ಲೂಕು, ರಾಯಚೂರು ಜಿಲ್ಲೆ ರವರುಗಳ ವಿರುದ್ಧ ಸಾಬೀತಾಗಿರುವ ಆರೋಪದ ಸ್ವರೂಪವನ್ನು ಹಾಗೂ ಸಂದರ್ಭಗಳ ಸಂಪೂರ್ಣತೆಯನ್ನು ಪರಿಗಣಿಸಿ, 1 ರಿಂದ 6ನೇ ಆರೋಪಗಳನ್ನು ರುಜುವಾತುಪಡಿಸುವಲ್ಲಿ 'ಸಫಲವಾಗಿರುತ್ತದೆ' ಎಂದು ನಿರ್ಣಯಿಸಿದೆ:-

- (1) 2ನೇ ಆ.ಸ.ನೌಕರರಾದ ಶ್ರೀಮತಿ ಬಿಪಾಶಾ, ಕಾರ್ಯದರ್ಶಿ, ನೀರಮಾನವಿ ಗ್ರಾಮ ಪಂಚಾಯತ್, ಮಾನವಿ ತಾಲ್ಲೂಕು, ರಾಯಚೂರು ಜಿಲ್ಲೆ ರವರಿಗೆ ಪಾವತಿಸಬೇಕಾಗಿರುವ ಪಿಂಚಣಿಯಲ್ಲಿ ಶೇ.15% ನ್ನು 5 ವರ್ಷಗಳ ಅವಧಿಯವರೆಗೆ ತಡೆಹಿಡಿಯಲು ಸರ್ಕಾರಕ್ಕೆ ಶಿಫಾರಸು ಮಾಡಿದೆ.
- (2) 3ನೇ ಆ.ಸ.ನೌಕರರಾದ ಶ್ರೀ ಪ್ರಹ್ಲಾದ್ ರಾವ್, ಕಿರಿಯ ಅಭಿಯಂತರರು, ಪಂಚಾಯತ್ ರಾಜ್ ಇಂಜಿನಿಯರಿಂಗ್ ಉಪ ವಿಭಾಗ, ಮಾನವಿ ತಾಲ್ಲೂಕು, ರಾಯಚೂರು ಜಿಲ್ಲೆ ರವರಿಗೆ ಪಾವತಿಸಬೇಕಾಗಿರುವ ಪಿಂಚಣಿಯಲ್ಲಿ ಶೇ.15% ನ್ನು 5 ವರ್ಷಗಳ ಅವಧಿಯವರೆಗೆ ತಡೆಹಿಡಿಯಲು ಸರ್ಕಾರಕ್ಕೆ ಶಿಫಾರಸು ಮಾಡಿದೆ.

10. ಸದರಿ ವಿಷಯದಲ್ಲಿ ತೆಗೆದುಕೊಂಡ ಕ್ರಮವನ್ನು ಈ ಪ್ರಾಧಿಕಾರಕ್ಕೆ ತಿಳಿಸತಕ್ಕದ್ದು.
ಸಂಬಂಧಪಟ್ಟ ದಾಖಲೆಗಳನ್ನು ಇದರೊಂದಿಗೆ ಲಗತ್ತಿಸಿದೆ.


 (ನ್ಯಾಯಮೂರ್ತಿ ಕೆ.ಎನ್.ಫಣೀಂದ್ರ)
 ಉಪಲೋಕಾಯುಕ್ತ-2,
 ಕರ್ನಾಟಕ ರಾಜ್ಯ