

**KARNATAKA LOKAYUKTA**

No: Lok/ARE-10/Enq-280/2011

Dated: 05-09-2014

**RECOMMENDATION**

Sub: Departmental Enquiry against

Sri S.Gullaiah, Recovery Officer, the  
Then In-charge District Manager,  
Dr.B.R.Ambedkar Development  
Corporation Ltd. D.K.District,  
Mangalore

1. Government Order No. ಡಾ.ಬಿ.ಆರ್. ಅಂಜನಿ:ಸಿ-ಆ:  
ಲೋಕಾ 2011-12/11574 ದಿ. 8-9-2011
2. Nomination Order No.LOK/INQ/14-  
A/280/2011 Bangalore Dated: 22-09-2011  
& dt 14-03-2014 of Hon'ble Upalokayukta.

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1. In pursuance of the report submitted by this institution U/S 12(3) of the Karnataka Lokayukta Act dt.03-06-2011, Govt., by order dt.08-09-2011 initiated disciplinary proceedings against Sri S.Gullaiah, the then Recovery Officer, and in-charge District Manager of Dr.B.R.Ambedkar Development Corporation Ltd., Dakshina Kannada district, Mangalore (in short referred to as "DGO") and entrusted the departmental enquiry to this institution. Accordingly, this institution by order dt.22-09-2011, and modified order dt.14-03-2014, nominated the Assistant Registrar of Enquiries-10

as Enquiry Officer to conduct the departmental enquiry against the DGO. The Enquiry Officer, after completion of the enquiry, has submitted a report dt.30-08-2014, inter-alia holding the disciplinary authority has proved the charge of mis-conduct against the DGO.

2. The charge against the DGO was that, while he was working as in-charge District Manager of Dr.B.R.Ambedkar Development Corporation Ltd., Mangalore, demanded bribe amount of ₹ 5000/- to sanction a sum of ₹ 86,000/- to the complainant by name Vamana Naik s/o Koraga Naik, Munibettu house, Budoli village in Buntwal taluk, Dakshina Kannada district (herein after referred to as "Complainant") towards digging of borewell pump set and electricity connection, on the land of the complainant and demanded and accepted ₹ 4000/- as bribe amount on 04-11-2009 to do the official work.

3. Before the Enquiry Officer four witnesses were examined, complainant was examined as PW-1. In his evidence, he has supported the case of the Disciplinary Authority. PW-2 is a shadow witness, PW-3 is panch witness, PW-2 and 3 are

independent witnesses have supported the case of the Disciplinary Authority. PW-4 is an I.O. has also supported the case of the Disciplinary Authority. Their evidence clearly establishes that the DGO in order to discharge his official function has demanded and accepted ₹ 4000/- from the complainant, the evidence also proves that the application of the complainant was pending before the DGO. It further proves that he had accepted the bribe amount to sanction ₹ 86,000/-.

4. The Enquiry Officer on proper appreciation of the evidence has found that the charge of mis-conduct alleged against the DGO is fully established. Even on re-consideration of the entire evidence, I do not find there is no justifiable reasons to differ with the said findings.
5. The charge alleged against the DGO is one of demanding accepting the bribe amount to discharge official function which is a serious mis-conduct under the Karnataka Civil Service (Conduct) Rules, as such, there is also no reason to recommend lesser punishment against the DGO. However, since DGO is retiring on **30-09-2014**, I hereby recommend

that, for imposing the punishment of withholding 30% of the pensionary benefit permanently by not reducing the pension below the limits prescribed U/R 214 (1)(a) of K.C.S.R.

Action taken in the matter is to be intimated to this Authority.

Connected records are enclosed here with.

*S. Subh. 5/9/24*  
**(JUSTICE SUBHASH B ADI)**  
**UPALOKAYUKTA**  
**STATE OF KARNATAKA**