



KARNATAKA LOKAYUKTA

No.Lok/Inq/14A/355/2014/ARE-1

Multi-storeyed Building,
Dr.B.R. Ambedkar Veedhi,
Bengaluru, dt.30.03.2017.RECOMMENDATION

Sub: Departmental inquiry against Shriyuths:

- 1) Somashekhar, the then Secretary,
N.G. Halli Gram Panchayath, Holalkere
Taluk, Chitraruga District;
- 2)Natesh, the then Junior Engineer,
PRE Sub-division, Holalkere, Chitradurga District;
- 3) Anjankumar, the then Asst. Executive Engineer,
PRE Sub-division, Holalkere, Chitradurga District;
and
- 4) Ramesh, the then Executive Engineer, PRE
Division, Chitradurga District (retd.) - reg.

Ref: 1. Govt. Order No. RDPR 39 ENQ 2014
dated 05.06.2014.2. Nomination order No. Lok/Inq/14-A/
355/2014 dated 13.06.2014.

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Government, by its Order dated 05.06.2014, initiated the disciplinary proceedings against Shriyuths: (1) Somashekhar, the then Secretary, N.G. Halli Gram Panchayath, Holalkere Taluk,

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Chittraruga District; (2) Natesh, the then Junior Engineer, Panchayath Raj Engineering Sub-division, Holalkere, Chitradurga District; (3) Anjankumar, the then Asst. Executive Engineer, Panchayath Raj Engineering Sub-division, Holalkere, Chitradurga District; and (4) Ramesh, the then Executive Engineer, Panchayath Raj Engineering Division, Chitradurga District (retd.) [hereinafter referred to as the Delinquent Government Officials 1 to 4 respectively, for short 'DGOs 1 to 4'] and entrusted the departmental inquiry to this Institution. This Institution, by Nomination Order dated 13.06.2014, nominated the Additional Registrar of Enquiries-1, Karnataka Lokayukta, Bengaluru, to conduct the departmental inquiry against the DGOs for the alleged charge of misconduct alleged to have been committed by them.

2. The Inquiry Officer has submitted his report dated 27.03.2017 inter alia holding that, the Disciplinary Authority has 'proved' the charge of misconduct alleged against DGOs 1 to 4.

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3. The charges framed against DGOs 1 to 4 are that, while DGO1 was working as Secretary, N.G. Halli Gram Panchayath, Holalkere Taluk, Chitraruga District, released the fund for construction of houses in favour of beneficiaries without even confirming the stages of construction and without even obtaining photos of the various stages of the construction, released the amount in violation of the Government norms and circulars. Thereby, DGO1 has failed to maintain absolute integrity and devotion to duty and committed an act which is unbecoming of a Government servant.

Charge No.2 is framed against DGOs 2, 3 & 4 is in as much as DGO2 while working as Junior Engineer, Panchayath Raj Engineering Sub-division, Holalkere, Chitradurga District; DGO3 while working as Asst. Executive Engineer, Panchayath Raj Engineering Sub-division, Holalkere, Chitradurga District; and DGO4 while working as Executive Engineer, Panchayath Raj Engineering Division, Chitradurga District had

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misappropriated/misused Rs.33,454/-, Rs.33,454/- and Rs.22,304/- respectively in connection with executing the work of removing silt of Gowdihally tank at Gowdihally village, Holalkere Taluk. Thereby, DGOs 2 to 4 failed to maintain absolute integrity, devotion to duty and acted in the manner of unbecoming of Government servants under Rule 3(1)(i) to (iii) of KCS (Conduct) Rules, 1966.

4. In order to prove the charge of misconduct, Disciplinary Authority has examined two witnesses viz., complainant as PW1; and the Investigating Officer who investigated the case as PW2, and got marked 13 documents as Exs.P1 to P13 through them, whereas DGOs 2 & 3 got themselves examined as DWs 1 & 2 respectively, however, no documents were marked in their evidence.

5. The Inquiry Officer relying on the evidence of PW2, Investigating Officer and the Investigation Report, has found that the DGO1 failed to maintain absolute integrity in discharge of his

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official function by not examining the level of construction and collecting necessary documents before releasing the amount. DGOs 2, 3 & 4 are responsible for loss of amount to the tune of Rs.89,212/- to the State Exchequer. The Inquiry Officer has found that, the DGOs 2 & 4 have not followed the rate prescribed by the Minor Irrigation Department and selected the rates prescribed under the PWD Code. Thereby, they have caused loss to the Exchequer of the State.

6. Considering the findings of the Inquiry Officer and also, having to the nature and gravity of the misconduct, it is hereby recommended to the Government that, the DGOs 2 & 3 viz., *Shriyuths: (2)Natesh, the then Junior Engineer, Panchayath Raj Engineering Sub-division, Holalkere, Chitradurga District; and (3) Anjankumar, the then Asst. Executive Engineer, Panchayath Raj Engineering Sub-division, Holalkere, Chitradurga District, be punished with the penalty of "withholding of three annual increments for a period of three years with cumulative effect" in*

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exercise of powers under Rule 8(iii) of the Karnataka Civil Service (Classification, Control and Appeal) Rules, 1957. In respect of DGOs 1 & 4 viz., *Shri Somashekhar, the then Secretary, N.G. Halli Gram Panchayath, Holalkere Taluk, Chittraruga District; and Shri Ramesh, the then Executive Engineer, Panchayath Raj Engineering Division, Chitradurga District* respectively, who are stated to have retired from Government service, be punished with the penalty of "*denial of 05% pensionary benefit for a period of ten years*".

7. Further it is recommended to initiate the *recovery proceedings* for the respective loss they have caused to the State Exchequer.

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

Connected records are enclosed herewith.

*Sg M. 30/3/13.*  
(Justice Subhash B. Adi)  
Upalokayukta,  
State of Karnataka.