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KARNATAKA LOKAYUKTA

No.LOK/INQ/14-A/363/2013/ARE-7

Multi Storied Building,
Dr. B.R. Ambedkar Veedhi,
Bengaluru-560 001,
Dated 18.03.2019

RECOMMENDATION

Sub:- Departmental inquiry against Sriyuths:

- (1) K. Dorai, the then Commercial Tax Officer; and
- (2) N. Rajanna, the then Commercial Tax Inspector,
Commercial Tax Department, Chintamani Taluk,
Chikkaballapura District - reg.

Ref:- (1) Government Order No. ಆಇ 47 ವಾತೆತ 2008
dated 06.09.2013.

(2) Nomination order No. LOK/INQ/14-A/363/2013
dated 16.09.2013 of Upalokayukta, State of
Karnataka.

(3) Inquiry report dated 15.03.2019 of the Additional
Registrar of Enquiries-7, Karnataka Lokayukta,
Bengaluru.

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The Government by its order dated 06.09.2013 initiated the disciplinary proceedings against Sriyuths: (1) K. Dorai, the then Commercial Tax Officer; and (2) N. Rajanna, the then Commercial Tax Inspector, Commercial Tax Department, Chintamani Taluk, Chikkaballapura District [hereinafter referred to as Delinquent Government Officials, for short as 'DGOs 1 & 2' respectively] and entrusted the departmental inquiry to this Institution.

2. This Institution by Nomination Order No. LOK/INQ/14-A/363/2013 dated 16.09.2013, nominated Additional Registrar of Enquiries-3, Karnataka Lokayukta, Bengaluru, as the Inquiry Officer to frame charges and to conduct Departmental Inquiry against DGOs 1 & 2 for the alleged charge of misconduct, said to have been committed by them. Subsequently, by order dated 14.03.2014, the Additional Registrar of Enquiries-6, Karnataka Lokayukta, Bengaluru was re-nominated to continue the said departmental inquiry against DGOs 1 & 2. Again, by order No. UPLOK-2/DE/2016 dated 03.08.2016, the Additional Registrar of Enquiries-1, Karnataka Lokayukta, Bengaluru was re-nominated to continue the said departmental inquiry against DGOs 1 & 2. Finally, by order No. UPLOK-2/DE/2017 dated 04.07.2017, the Additional Registrar of Enquiries-7, Karnataka Lokayukta, Bengaluru was re-nominated to continue the said departmental inquiry against DGOs 1 & 2.

3. The DGO1 - Shri K. Dorai, the then Commercial Tax Officer; and DGO2 - Shri N. Rajanna, the then Commercial Tax Inspector, Commercial Tax Department, Chintamani Taluk, Chikkaballapura District were tried for the following charge:-

“That you DGO-1 Shri K. Dorai, Commercial Tax officer, Commercial Tax Department, Chintamani Taluk, Chikkaballapur District demanded and

5

accepted a bribe of Rs. 25000/- on 16.06.2008 at Commercial Tax office, Chintamani from complainant Shri S. Raghavendra s/o N. Subramanyam, Owner of the Indian Madras Motors Shop, Chelur Road, Chintamani Taluk, Chikkaballapur District for dropping the case against the complainant registered under the provisions of the Sales Tax Act, that is for doing an official act through DGO No.2 - Shri N. Rajanna, Commercial Tax Inspector, Commercial Tax Department Chintamani Taluk, Chikkaballapur District and that you DGO No.2 received the said bribe amount of Rs. 25000/- from the complainant on the instruction of the DGO No.1, and thereby you both have failed to maintain absolute integrity and devotion to duty and committed an act which is unbecoming of Government servants and thus, you both are guilty of misconduct under Rule 3(1)(i) to (iii) of KCS (Conduct) Rules, 1966."

4. The Inquiry Officer (Additional Registrar of Enquiries-7) on proper appreciation of oral and documentary evidence has held that, the Disciplinary Authority has 'proved' the above charge against DGO1 - Shri K. Dorai, the then Commercial Tax Officer; and DGO2 - Shri N. Rajanna, the then Commercial Tax Inspector, Commercial Tax Department, Chintamani Taluk, Chikkaballapura District.

5. On re-consideration of report of inquiry, 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 Inquiry Officer.

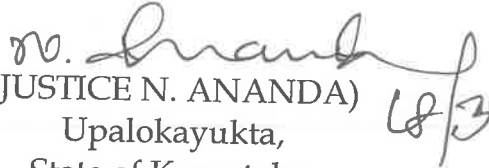
6. As per the First Oral Statement of DGOs 1 & 2 furnished by the Inquiry Officer, DGO1 - Shri K. Dorai is due for retirement on 28.02.2029 and DGO2 - Shri N. Rajanna is due for retirement on 31.07.2028.

7. Having regard to the nature of charge (demand and acceptance of bribe) 'proved' against DGO1 - Shri K. Dorai, the then Commercial Tax Officer; and DGO2 - Shri N. Rajanna, the then Commercial Tax Inspector, Commercial Tax Department, Chintamani Taluk, Chikkaballapura District,

- (i) it is hereby recommended to the Government to impose penalty of 'compulsory retirement from service on the DGO1 - Shri K. Dorai'; and
- (ii) it is hereby recommended to the Government to impose penalty of 'compulsory retirement from service on the DGO2 - Shri N. Rajanna'.

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

Connected records are enclosed herewith.

  
(JUSTICE N. ANANDA)  
Upalokayukta,  
State of Karnataka.