



**KARNATAKA LOKAYUKTA, BENGALURU**

No:LOK/INQ/

438/2012/ARE-4

M.S.Building,  
Dr.B.R.Ambedkar Veedhi,  
Bengaluru. Dated: 26/2/2018

**RECOMMENDATION**

Sub:Departmental Enquiry against Sri B.Basappa Reddy, Assistant Executive Engineer (E) MESCOM, Mudigere ( deceased) -reg.

Ref: 1) KPTCL Order No.KPTCL/B21/17318/2010-11 Bangalore dtd 25/9/2012 and its corrigendum dtd 17/10/2012

2) Nomination order by Hon'ble Upalokayukta dtd 31/10/2012

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KPTCL by order dtd 25/9/2012 and corrigendum dtd 17/10/2012 initiated the disciplinary proceedings against Sri B.Basappa Reddy, Assistant Executive Engineer (E) MESCOM, Mudigere ( deceased) (hereinafter referred to as the Delinquent Board Employee, for short 'DBE') and entrusted the disciplinary enquiry to this institution. This institution, by nomination order dtd 31/10/2012 nominated the Additional Registrar Enquiries-4 to conduct departmental enquiry against the DGO for the alleged charge of misconduct alleged to have been committed by him.

*SJAW*

The said enquiry officer has submitted his report dtd 19/2/2018, inter-alia, observing that the Delinquent Board official (DBO) died on 14/8/2017 i.e., during the pendency of the enquiry. Thereby, the disciplinary proceedings initiated against him stood abetted.

In view of the findings of the enquiry officer and the death of the DBO Sri B.Basappa Reddy, the then Assistant Executive Engineer (E) Mescom, Mudigere, on 14/8/2017, the disciplinary proceedings initiated against him stood abetted. Accordingly, it is hereby recommended to the Government that the disciplinary proceedings initiated against the deceased be dropped as abetted.

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

Connected records are enclosed herewith.

*Sgd. 26.2.18.*  
(Justice Subhas B Adi)  
Upalokayukta  
Karnataka State, Bengaluru

**KARNATAKA LOKAYUKTA**

No.LOK/ARE-4/ENQ/438/2012

M.S. Building  
Dr.B.R.Ambedkar Road  
Bangalore-560 001  
Date: 19/02/2018

**:: ENQUIRY REPORT ::**

**Sub:** Departmental Enquiry against,  
Sri B. Basappa Reddy  
Assistant Executive Engineer (E)  
MESCOM, Mudigere  
(now reported **dead**)

- Ref:**
- 1) Report u/s 12(3) of the K.L Act, 1984 in  
Compt/Uplok/MYS/1138/2012/DRE-1  
Dated: 03/08/2012
  - 2) Order. No. KPTCL/B21/17318/2010-11  
Bangalore, dated: 25/09/2012 and its  
Corrigendum dated: 17/10/2012
  - 3) Order No.LOK/INQ/14-A/438/2012  
Bangalore dated: 31/10/2012  
of the Hon'ble Upalokayukta

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This Departmental Enquiry is directed against Sri B. Basappa Reddy, Assistant Executive Engineer (E), MESCOM, Mudigere (presently working in 220 K.V. Station, KPTCL, Honnali), (now reported **dead**) (herein after referred to as the Delinquent Board Official in short "DBO").

2. After completion of the investigation a report u/sec. 12(3) of the Karnataka Lokayukta Act was sent to the Government as per Reference No.1.

3. In view of the Government Order cited above at reference-2, the Hon'ble Upalokayukta, vide order dated: 31/10/2012 cited above at reference-3, nominated Additional Registrar of Enquiries-4 of the office of the Karnataka Lokayukta as the Enquiry Officer to frame charges and to conduct Inquiry against the aforesaid DBO. Additional Registrar Enquires-4 prepared Articles of Charge, Statement of Imputations of mis-conduct, list of documents proposed to be relied and list of witnesses proposed to be examined in support of Article of Charges. Copies of same were issued to the DBO calling upon him to appear before this Authority and to submit written statement of his defence.

4. When the matter was pending for enquiry in recording the evidence of the witnesses of Disciplinary Authority, this matter was transferred to Addl. Registrar of Enquiries-8 vide O.M. NO.ಕಲೋ/ಸಿಬ್ಬಂದಿ-1/54/2013-14 ದಿನಾಂಕ: 01/03/2014 of the Hon'ble Registrar and Order No. LOK/INQ/14-A/2014, dated: 14/03/2014 of Hon'ble Upalokayukta-2. Addl. Registrar of Enquirie-8 proceeded with the enquiry in recording the evidence of PW1 and PW2. When the matter pending for recording of evidence of PW3, again transferred to this Addl. Registrar of Enquiries-4 vide O.M. No. Uplok-2/DE/2016 Bengaluru, dated: 03/08/2016 of the Hon'ble Registrar issued with the concurrence of the Hon'ble Upalokayukta. Hence, this enquiry case proceeded by this Addl. Registrar of Enquiries-4 in accordance with law.

5. The Article of Charges framed by ARE-4 against the DBO is as below;

***ANNEXURE NO.I***

**CHARGE**

*That, you Sri B. Basappa Reddy, the DBO, while working as Assistant Executive Engineer (E) MESCOM, Mudigere the complainant namely Sri C.L. Puttaswamygowda applied on 22/05/2010 requesting for electricity supply to his shopping complex at Mudigere town and then you asked for bribe of Rs.5000 and about 2 months earlier to 03/12/2010 received bribe of Rs.3000/- and subsequently demanded further bribe of Rs.3000 and on 03/12/2010 received further bribe of Rs.2000 from the complainant to show official favour failing to maintain absolute integrity and devotion to duty, the act of which was un-becoming of a Government Servant and thereby committed mis-conduct as enumerated U/R 3(1)(i) to (iii) of Karnataka Electricity Board Employees (Conduct) Rules.*

**ANNEXURE NO.II**

**STATEMENT OF IMPUTATIONS OF MISCONDUCT**

*The complainant namely C.L. Puttaswamygowda s/o late Lingegowda r/o Kannehalli in Mudigere taluk of Chikkamagalur district constructed a shopping complex in his property bearing assessment no.2675/1827 situated at K.M. Road in Mudigere town. On 22/05/2010 the*

*complainant applied in the office of the DBO requesting for supply of electricity to the above said shopping complex. Then the DBO asked for bribe of Rs.5000/-. About 3 months earlier to 03/12/2010 the DBO took bribe of Rs.3000/- but electricity was not supplied to his building . Subsequently the DBO asked for further bribe of Rs.2000/-. The complainant was not willing to pay further bribe demanded by the DBO. Therefore, the complainant lodged a complaint before the Lokayukta Police Inspector of Chikmagalur (Herein after referred to as the Investigating Officer, for short "the I.O.") The I.O. registered the complaint in Cr.No.9/2010 for the offences punishable U/S 7, 13(1)(d) R/W 13(2) of Prevention of Corruption Act 1988. The I.O. took up the investigation and on 03/12/2010, the DBO was trapped at his office chamber in Mudigere while receiving tainted amount of Rs.2000/- from the complainant. The I.O. seized the tainted amount from the DBO after following post-trap formalities. The DBO failed to give satisfactory or convincing reply about possession of the tainted amount. The I.O. recorded statement of the complainant and panch witnesses. The record of investigation and materials collected by the I.O. showed that the DBO has committed mis-conduct failing to maintain absolute integrity and devotion to duty and acted in a manner un-becoming of Government servant. As the materials on record showed, prima facie case about DBO receiving bribe for discharging his duty as Public Servant, a suo-moto*

*investigation was taken up U/S 7(2) of the Karnataka Lokayukta Act against the DBO. An Observation Note was sent to the DBO calling for his explanation. The reply given by the DBO was not convincing and not satisfactory to drop the proceedings. As there was a prima facie case showing that the DBO has committed mis-conduct as per Rules 3(1) of Karnataka Electricity Board Employees (CCA) Regulations. A report U/S 12(3) of the Karnataka Lokayukta Act was sent to the Competent Authority with recommendation to initiate the disciplinary proceedings against the DBO. Accordingly, the Competent Authority initiated Disciplinary Proceedings against the DBO and entrusted the enquiry to the Hon'ble Upulokayukta U/R 14-A of K.E.B(CCA) Regulations 1987. Hence, the Charge.*

6. DBO appeared before this Enquiry Authority on 29/01/2013 and on the same day the First Oral statement was recorded U/R 11(9) of KCS (CC & A) Rules 1957. The DBO pleaded not guilty and claims to hold an enquiry. Subsequently the DBO submitted his written statement of defence by denying the charge leveled against him. Accordingly prays to exonerate him in this case.

7. When the case was posted for cross-examination of PW4, the learned counsel for the DBO reported that, DBO died on 14/08/2017. Therefore, death report was called from Police Inspector, Karnataka Lokayukta, Davanagere district. In

turn the Police Inspector, Karnataka Lokayukta, Davanagere district by his letter dated; 05/02/2018 has reported that, Sri Basappa Reddy, A.E.E., MESCOM, Mudigere (DBO) died on 14/08/2017 and in that connection he has also submitted the certified copy of the death certificate of the DBO. Therefore this enquiry is **“abated”**. Hence, I proceed to pass the following:-

**// REPORT //**

The Enquiry against DBO- B. Basappa Reddy, Assistant Executive Engineer (E), MESCOM, Mudigere (now reported **dead**) is **“abated”** on account of death of DBO on 14/08/2017.

8. Hence this report is submitted to Hon'ble Upalokayukta-2 for kind perusal and for further action in the matter.

Dated this the 19<sup>th</sup> day of February, 2018

-Sd/-  
(SOMARAJU)  
Additional Registrar Enquiries-4,  
Karnataka Lokayukta,  
Bangalore.