

KARNATAKA LOKAYUKTA

NO:UPLOK-2/DE/46/2018/ARE-9

M.S.Building,
Dr. B.R. Ambedkar Veedhi,
Bengaluru - 560 001.
Date: 06-07-2019.

:: ENQUIRY REPORT ::**:: Present ::****(Lokappa N.R)**

**Additional Registrar of Enquiries-9
Karnataka Lokayukta,
Bengaluru**

Sub: Departmental Enquiry against Sri
Krishnamurthy, PDO, Kodihalli Gram
Panchayath, Kanakapura taluk, Ramanagar -
reg.

Ref: 1. G.O.No.ಗ್ರಾಅಪ/823/ಗ್ರಾಪಂಕಾ/2017 ಬೆಂಗಳೂರು, ದಿನಾಂಕ:
8/12/2017.

2. Nomination Order No: UPLOK-2/DE/46/2018
Dt: 31/1/2018 of Hon'ble Upalokayukta.

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This Departmental Enquiry is initiated against Sri
Krishnamurthy, PDO, Kodihalli Gram Panchayath,
Kanakapura taluk, Ramanagar (hereinafter referred to as the
Delinquent Government Official for short "**DGO**").

In view of the Government Order cited above at
reference No.1, Hon'ble Upalokayukta vide order dated
31/1/2018 cited above at reference No.2 has Nominated
Addl. Registrar of Enquiries-9 to frame the charges and to
conduct the enquiry against the aforesaid DGO. Additional
Registrar of Enquiries-9 has prepared Articles of charges,

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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 on in support of the charges. The copies of the same were issued to the DGO calling upon him to appear before the Enquiry Officer and to submit written statement of defence.

The Article of charges framed by the ARE-9 against the DGO is as under :

ANNEXURE-I
CHARGE

2. ಆಸನಾ ಆದ ನೀವು -

ಮೆಹಬೂಬ್ ಪಾಷಾ ರವರನ್ನು ಬಿಲ್ ಕಲೆಕ್ಟರ್ ಕೆಲಸಕ್ಕೆ ತೆಗೆದುಕೊಳ್ಳುವಾಗ ಮುಖ್ಯ ಕಾರ್ಯನಿರ್ವಾಹಕ ಅಧಿಕಾರಿಗಳ ಪೂರ್ವಾನುಮತಿ ಪಡೆದಿರುವುದಿಲ್ಲ. ದಿನಾಂಕ: 16-6-2015 ರಂದು ಶ್ರೀ ಹೆಚ್.ಪಿ. ರಾಜು ಇವರ ಖಾತೆ ಬದಲಾವಣೆ ಮಾಡಲು ರೂ.5,000/- ಗಳ ಲಂಚ ಪಡೆದಿರುವ ವಿಷಯದಲ್ಲಿ ಮೆಹಬೂಬ್ ಪಾಷಾ ರವರಿಂದ ಸಮಜಾಯಿಸಿಯನ್ನು ಕೇಳಲಾಗಿದೆ, ಆದರೆ ಸಮಜಾಯಿಸಿ ಕೊಡದೇ ಇದ್ದುದರಿಂದ, ಗ್ರಾಮ ಪಂಚಾಯತಿಯ ಸಾಮಾನ್ಯ ಸಭೆಯ ತೀರ್ಮಾನದಮೇರೆಗೆ ಮೆಹಬೂಬ್ ಪಾಷಾ ರವರನ್ನು ಅಮಾನತ್ತಿನಲ್ಲಿಟ್ಟು ಆ.ಸ.ನಾ -ಪಿ.ಡಿ.ಓ. ಆದ ನೀವು ಆದೇಶವನ್ನು ಹೊರಡಿಸಿದ್ದೀರಿ ಹಾಗೂ ಈ ಬಗ್ಗೆ ತಾಲ್ಲೂಕು ಪಂಚಾಯತ್ ಕನಕಪುರ ಇವರಿಗೂ ಸಹ ತಿಳಿಸಿದ್ದೀರಿ ಕಾರ್ಯನಿರ್ವಾಹಕ ಅಧಿಕಾರಿಗಳ ಗಮನಕ್ಕೆ ಈ ವಿಷಯ ಬಂದಿರುತ್ತದೆ. ದಿನಾಂಕ: 14-9-2015 ರಂದು ಶ್ರೀಮತಿ ಸರೋಜಮ್ಮ ಇವರ ಅಧ್ಯಕ್ಷತೆಯಲ್ಲಿ ಆ.ಸ.ನಾ ಆದ ನೀವು ಸಾಮಾನ್ಯ ಸಭೆ ನಡೆಸಿ ಮೆಹಬೂಬ್ ಪಾಷಾ, ಬಿಲ್ ಕಲೆಕ್ಟರ್ ಇವರನ್ನು ಪುನಃ ಕೆಲಸಕ್ಕೆ ತೆಗೆದುಕೊಂಡಿದ್ದೀರಿ. ಈ ರೀತಿ ಪುನಃ ಕೆಲಸಕ್ಕೆ ತೆಗೆದುಕೊಳ್ಳಲು ಮುಖ್ಯ ಕಾರ್ಯನಿರ್ವಾಹಕ ಅಧಿಕಾರಿಗಳಿಂದ

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ಪೂರ್ವಾನುಮತಿ ಪಡೆದಿರುವುದಿಲ್ಲ. ಆ.ಸ.ನೌ ಆದ ನೀವು ಸೂಕ್ತವಾದ ಕಾನೂನು ಕ್ರಮಗಳನ್ನು ತೆಗೆದುಕೊಳ್ಳದೇ ಕರ್ನಾಟಕ ಪಂಚಾಯತ್ ರಾಜ್ ಅಧಿನಿಯಮ ಕಲಂ 113 ಅನ್ನು ಉಲ್ಲಂಘಿಸಿರುವುದು ಸ್ಪಷ್ಟವಾಗಿ ಕಂಡುಬರುತ್ತದೆ.

ಆದ್ದರಿಂದ, ನೀವು ಕರ್ತವ್ಯಲೋಪವೆಸಗಿ ಸರ್ಕಾರಿ ನೌಕರರಿಗೆ ಉಚಿತವಲ್ಲದ ರೀತಿಯಲ್ಲಿ ನಡೆದುಕೊಂಡು ದುರ್ನಡತೆಯಿಂದ ವರ್ತಿಸಿ ಕರ್ನಾಟಕ ನಾಗರಿಕ ಸೇವಾ ನಿಯಮಗಳು (ನಡತೆ) 1966 ನಿಯಮ 3(1) (i) ರಿಂದ (iii) ರಡಿಯಲ್ಲಿ ದುರ್ನಡತೆಯನ್ನೆಸಗಿದ್ದೀರಿ.

ANNEXURE-II

STATEMENT OF IMPUTATION OF MISCONDUCT:

3. ಈ ದೂರನ್ನು ಶ್ರೀ ಎನ್. ದಯಾನಂದ, ವಾಸ: ಇಂದಿರಾನಗರ ಗ್ರಾಮ, ಕನಕಪುರ ತಾಲ್ಲೂಕು ಇವರು (ಇನ್ನು ಮುಂದೆ "ದೂರುದಾರರು" ಎಂದು ಕರೆಯಲ್ಪಡುತ್ತಾರೆ) ಇವರು ಶ್ರೀ ಮಹಬೂಬ್ ಪಾಷಾ, ಕರ ವಸೂಲಿಗಾರ, ಅರಕೆರೆ ಗ್ರಾಮ ಪಂಚಾಯತ್, ಕನಕಪುರ ತಾಲ್ಲೂಕು, ಅಧ್ಯಕ್ಷರು, ಅರಕೆರೆ ಗ್ರಾಮ ಪಂಚಾಯತ್, ಕನಕಪುರ ತಾಲ್ಲೂಕು, ರಾಮನಗರ ಜಿಲ್ಲೆ ಮತ್ತು ಶ್ರೀ ಕೃಷ್ಣಮೂರ್ತಿ, ಪಂಚಾಯತ್ ಅಭಿವೃದ್ಧಿ ಅಧಿಕಾರಿಗಳು, ಕೋಡಿಹಳ್ಳಿ ಗ್ರಾಮ ಪಂಚಾಯತ್, ಕನಕಪುರ ತಾಲ್ಲೂಕು, ರಾಮನಗರ ಜಿಲ್ಲೆ-(ಆ.ಸ.ನೌ) (ಇನ್ನು ಮುಂದೆ ಆ.ಸ.ನೌ ಎಂದು ಕರೆಯಲ್ಪಡುತ್ತಾರೆ) ಇವರ ವಿರುದ್ಧ ಸಲ್ಲಿಸಿದ್ದಾರೆ.

2. ದೂರಿನ ಸಂಕ್ಷಿಪ್ತ ವಿವರ:

ಶ್ರೀ ಮಹಬೂಬ್ ಪಾಷಾ, ಕರ ವಸೂಲಿಗಾರ ಇವರನ್ನು ಕೆಲಸದಿಂದ ಅಮಾನತ್ತುಗೊಳಿಸಲಾಗಿದೆ. ಶ್ರೀ. ಹೆಚ್.ಪಿ. ರಾಜು ಎನ್ನುವವರಿಂದ ರೂ.5,000/- ಗಳ ಲಂಚ ಪಡೆದು ಶ್ರೀ ಮಹಬೂಬ್ ಪಾಷಾ ಅಮಾನತ್ತುಗೊಂಡಿದ್ದರು, ಆದರೆ ತನ್ನ ತಂದೆ ಅನ್ವರ ಪಾಷಾ ರವರು ಅರಕೆರೆ ಗ್ರಾಮ ಪಂಚಾಯತಿಯ ಅಧ್ಯಕ್ಷರಾಗಿದ್ದ ವಿಷಯವನ್ನು ದುರುಪಯೋಗಪಡಿಸಿಕೊಂಡು ತನ್ನ ತಂದೆ ಹಾಲಿ ಸದಸ್ಯರಾಗಿರುವಾಗ ಬಿಲ್ ಕಲೆಕ್ಟರ್ ಆಗಿ ಮುಂದುವರೆಯುತ್ತಿದ್ದಾರೆ. ಶ್ರೀ ಮಹಬೂಬ್ ಪಾಷಾ ಗ್ರಾಮ ಪಂಚಾಯತಿಯ

ವ್ಯಾಪ್ತಿಯ ಎಲ್ಲಾ 15 ಗ್ರಾಮಗಳಿಂದ ಪಲಾನುಭವಿಗಳಿಂದ ಸಹಸ್ರಾರು ರೂಪಾಯಿಗಳನ್ನು ತಾವೇ ಹಿಡಿದುಕೊಂಡು ಉಳಿದ ಹಣ ಕೊಡುತ್ತಾರೆ. ಶೌಚಾಲಯ ನಿರ್ಮಾಣದಲ್ಲಿ ಗುತ್ತಿಗೆದಾರರಿಗೆ ಕೊಡುವ ಹಣದಲ್ಲಿ ಸಾಕಷ್ಟು ಹಣ ಮಾಡಿಕೊಂಡಿದ್ದು ಅಮಾನತ್ತುಗೊಂಡಿದ್ದರೂ ಸಹ ಪಂಚಾಯತಿಯಲ್ಲಿ ಬೆಳಿಗ್ಗೆ 9-00 ರಿಂದ ಬಂದು ಸೀಟಿನಲ್ಲಿ ಕುಳಿತು ಪಂಚಾಯತಿ ಕೆಲಸದಲ್ಲಿ ಹಸ್ತಕ್ಷೇಪ ಮಾಡುತ್ತಾರೆ. ಆದ್ದರಿಂದ, ಎದುರದಾರರ ವಿರುದ್ಧ ಕ್ರಮ ತೆಗೆದುಕೊಳ್ಳಬೇಕೆಂದು ಕೋರಿರುತ್ತಾರೆ.

3. ಶ್ರೀ ಮಹೇಬೂಬ್ ಪಾಷಾ, ಕರ ವಸೂಲಿಗಾರ ಹಂಗಾಮಿ ಬಿಲ್ ಕಲೆಕ್ಟರ್ ಆಗಿದ್ದರು. ಅವರಿಗೆ ಕೆ.ಸಿ.ಎಸ್.ಆರ್. ನಿಯಮಾವಳಿಗಳು ಅನ್ವಯಿಸುವುದಿಲ್ಲ ಅಂತ ಅಭಿಪ್ರಾಯಪಟ್ಟು, ಮೂಲತಃ ಸಿ.ಇ.ಓ., ಜಿಲ್ಲಾ ಪಂಚಾಯತ್ ರಾಮನಗರ ಇವರಿಗೆ ಗೌರವಾನ್ವಿತರ ಆದೇಶದಂತೆ ತನಿಖೆಗಾಗಿ ವಹಿಸಲಾಗಿದೆ.

4. ಸಿ.ಇ.ಓ., ಜಿಲ್ಲಾ ಪಂಚಾಯತ್ ರಾಮನಗರ ಇವರು ಕಾರ್ಯನಿರ್ವಾಹಕ ಅಧಿಕಾರಿಗಳು, ತಾಲ್ಲೂಕು ಪಂಚಾಯತ್ ಕನಕಪುರ ಇವರಿಗೆ ತನಿಖೆಗಾಗಿ ಪ್ರಕರಣವನ್ನು ವಹಿಸಿರುತ್ತಾರೆ. ಹಲವಾರು ಸಲ ತನಿಖಾ ವರದಿಯನ್ನು ಸಲ್ಲಿಸುವಂತೆ ತಿಳಿಸಿದರೂ ಸಹ ಕಾರ್ಯನಿರ್ವಾಹಕ ಅಧಿಕಾರಿಗಳು, ಯಾವುದೇ ವರದಿಯನ್ನು ಸಲ್ಲಿಸಲಿಲ್ಲ. ಕಾರ್ಯನಿರ್ವಾಹಕ ಅಧಿಕಾರಿಗಳು ಹಾಜರಾಗಿ, ಗ್ರಾಮ ಪಂಚಾಯತ್ ಪಿ.ಡಿ.ಓ. ರವರು ಶ್ರೀ ಮಹೇಬೂಬ್ ಪಾಷಾ, ಕರ ವಸೂಲಿಗಾರ ಇವರನ್ನು ಅಮಾನತ್ತುಗೊಳಿಸಿದ್ದರು, ಆದರೆ ಮುಂದಿನ ಸಾಮಾನ್ಯ ಸಭೆಯಲ್ಲಿ ತೀರ್ಮಾನಿಸಿ ಗ್ರಾಮ ಪಂಚಾಯತಿಯು ಶ್ರೀ ಮಹೇಬೂಬ್ ಪಾಷಾ, ಕರ ವಸೂಲಿಗಾರ ಇವರನ್ನು ಪುನಃ ಕೆಲಸಕ್ಕೆ ತೆಗೆದುಕೊಂಡಿದೆ ಅಂತ ವರದಿಯನ್ನು ಸಲ್ಲಿಸಿದ್ದಾರೆ. ಆದ್ದರಿಂದ, ಅಧ್ಯಕ್ಷರು, ಅರಕೆರೆ ಗ್ರಾಮ ಪಂಚಾಯತ್ ಮತ್ತು ಪಿ.ಡಿ.ಓ. ಕೋಡಿಹಳ್ಳಿ ರವರನ್ನು 2 ಮತ್ತು 3ನೇ ಎದುರುದಾರರನ್ನಾಗಿ ಸೇರ್ಪಡೆ ಮಾಡಿಕೊಳ್ಳಲಾಗಿದೆ.

5. ಅಧ್ಯಕ್ಷರು, ಅರಕೆರೆ ಗ್ರಾಮ ಪಂಚಾಯತ್, ಕನಕಪುರ ರವರಿಗೆ ಕಳುಹಿಸಿದ ನೋಟೀಸ್ ಅನ್ನು ಬಿಲ್ ಕಲೆಕ್ಟರ್‌ರವರೇ ತೆಗೆದುಕೊಂಡಿದ್ದಾರೆ, ಆದರೆ ಆಕ್ಷೇಪಣೆಗಳನ್ನು ಸಲ್ಲಿಸಿಲ್ಲ. ಆದ್ದರಿಂದ, ಪಿ.ಡಿ.ಓ. ಅರಕೆರೆ ಗ್ರಾಮ ಪಂಚಾಯತಿ, ಅಧ್ಯಕ್ಷರು, ಅರಕೆರೆ ಗ್ರಾಮ ಪಂಚಾಯತಿ ಇವರನ್ನು ಖುದ್ದು ಹಾಜರುಪಡಿಸಿಕೊಳ್ಳಲಾಗಿದೆ. ಆದರೆ ಪಿ.ಡಿ.ಓ. ಅಥವಾ

ಕಾರ್ಯನಿರ್ವಾಹಕ ಅಧಿಕಾರಿಗಳಿಗೆ ಬಿಲ್ ಕಲೆಕ್ಟರ್ ರವರ ನೇಮಕಾತಿ ಸಿ.ಇ.ಓ. ಜಿಲ್ಲಾ ಪಂಚಾಯತ್ ರವರ ಪೂರ್ವಾನುಮತಿಯನ್ನು ಪಡೆದುಕೊಂಡು ಮಾಡಲಾಗಿದೆಯೇ ಎನ್ನುವ ಬಗ್ಗೆ ಯಾವುದೇ ವರದಿಯನ್ನು/ಮಾಹಿತಿಯನ್ನು ಸಲ್ಲಿಸಿರುವುದಿಲ್ಲ.

6. ಈ ಪ್ರಕರಣದ ಸಂಪೂರ್ಣ ಕಡತವನ್ನು ಪರಿಶೀಲಿಸಿದ್ದೇನೆ. ಕರ್ನಾಟಕ ಪಂಚಾಯತ್ ರಾಜ್ ಅಧಿನಿಯಮ ಕಲಂ 113 ರಲ್ಲಿ ಗ್ರಾಮ ಪಂಚಾಯತಿಯು ಮುಖ್ಯ ಕಾರ್ಯನಿರ್ವಾಹಕ ಅಧಿಕಾರಿಗಳ ಪೂರ್ವಾನುಮತಿಯೊಂದಿಗೆ ಪಂಚಾಯತಿಯಲ್ಲಿ ಉಳಿದ ಸಿಬ್ಬಂದಿಗಳನ್ನು ನೇಮಿಸಿಕೊಳ್ಳಬಹುದು ಮತ್ತು ಅಂತಹ ಸಿಬ್ಬಂದಿಗಳ ಸಂಭವವನ್ನು ಗ್ರಾಮ ಪಂಚಾಯತಿಯ ಪಂಚದಿಂದ ಕೊಡಬಹುದು ಅಂತ ವಿಧಿಸಲಾಗಿದೆ. ಗ್ರಾಮ ಪಂಚಾಯತಿಯು ಅಂತಹ ಸಿಬ್ಬಂದಿಗಳ ರ್ಯಾಂಕ್ ಕಡಿಮೆ ಮಾಡಬಹುದು, ಕೆಲಸದಿಂದ ತೆಗೆಯಬಹುದು, ವಜಾ ಮಾಡಬಹುದು. ಈ ರೀತಿಯ ಆದೇಶಗಳಾದಾಗ ಕಾರ್ಯನಿರ್ವಾಹಕ ಅಧಿಕಾರಿಗಳ ಮುಂದೆ ಅಪೀಲ್ ಅನ್ನು ಸಲ್ಲಿಸಬಹುದು ಮತ್ತು ಸಿ.ಇ.ಓ. ರವರ ಮುಂದೆ ನೇಮಕಾತಿ ರದ್ದುಗೊಳಿಸಿದ ಅಥವಾ ಕೆಲಸದಿಂದ ತೆಗೆದು ಹಾಕಿದ ವಿಷಯದಲ್ಲಿ ಅಪೀಲು ಸಲ್ಲಿಸಬಹುದು ಅಂತ ವಿಧಿಸಲಾಗಿದೆ.

7. ಈ ಪ್ರಕರಣದಲ್ಲಿ ಮೆಹಬೂಬ್ ಪಾಷಾ ರವರನ್ನು ಕೆಲಸಕ್ಕೆ ತೆಗೆದುಕೊಳ್ಳುವಾಗ ಮುಖ್ಯ ಕಾರ್ಯನಿರ್ವಾಹಕ ಅಧಿಕಾರಿಗಳ ಪೂರ್ವಾನುಮತಿ ಪಡೆದಿರುವುದಿಲ್ಲ. ದಿನಾಂಕ: 16-6-2015 ರಂದು ಶ್ರೀ ಹೆಚ್.ಪಿ. ರಾಜು ಇವರ ಖಾತೆ ಬದಲಾವಣೆ ಮಾಡಲು ರೂ.5,000/- ಗಳ ಲಂಚ ಪಡೆದಿರುವ ವಿಷಯದಲ್ಲಿ ಮೆಹಬೂಬ್ ಪಾಷಾ ರವರಿಂದ ಸಮಜಾಯಿಸಿಯನ್ನು ಕೇಳಲಾಗಿದೆ. ಆದರೆ ಸಮಜಾಯಿಸಿ ಕೊಡದೇ ಇದ್ದುದರಿಂದ, ಗ್ರಾಮ ಪಂಚಾಯತಿಯ ಸಾಮಾನ್ಯ ಸಭೆಯ ತೀರ್ಮಾನದವರೆಗೆ ಮೆಹಬೂಬ್ ಪಾಷಾ ರವರನ್ನು ಅಮಾನತಿನಲ್ಲಿಟ್ಟು ಪಿ.ಡಿ.ಓ. ರವರು ಆದೇಶವನ್ನು ಹೊರಡಿಸಿದ್ದಾರೆ ಹಾಗೂ ಈ ಬಗ್ಗೆ ತಾಲ್ಲೂಕು ಪಂಚಾಯತ್ ಕನಕಪುರ ಇವರಿಗೂ ಸಹ ತಿಳಿಸಲಾಗಿದೆ. ಕಾರ್ಯನಿರ್ವಾಹಕ ಅಧಿಕಾರಿಗಳ ಗಮನಕ್ಕೆ ಈ ವಿಷಯ ಬಂದಿರುತ್ತದೆ. ದಿನಾಂಕ: 14-9-2015 ರಂದು ಶ್ರೀಮತಿ ಸರೋಜಮ್ಮ ಇವರ ಅಧ್ಯಕ್ಷತೆಯಲ್ಲಿ ಸಾಮಾನ್ಯ ಸಭೆ ನಡೆಸಿ ಮೆಹಬೂಬ್ ಪಾಷಾ ಬಿಲ್ ಕಲೆಕ್ಟರ್ ಇವರನ್ನು ಪುನಃ ಕೆಲಸಕ್ಕೆ

ತೆಗೆದುಕೊಳ್ಳಲಾಗಿದೆ. ಈ ರೀತಿ ಪುನಃ ಕೆಲಸಕ್ಕೆ ತೆಗೆದುಕೊಳ್ಳಲು ಸಹ ಮುಖ್ಯ ಕಾರ್ಯನಿರ್ವಾಹಕ ಅಧಿಕಾರಿಗಳಿಂದ ಪೂರ್ವಾನುಮತಿ ಪಡೆದಿರುವುದಿಲ್ಲ. ಅಧ್ಯಕ್ಷರು ಮತ್ತು ಆ.ಸ.ನೌ ರವರು ಸೂಕ್ತವಾದ ಕಾನೂನು ಕ್ರಮಗಳನ್ನು ತೆಗೆದುಕೊಳ್ಳದೇ ಕರ್ನಾಟಕ ಪಂಚಾಯತ್ ರಾಜ್ ಅಧಿನಿಯಮ ಕಲಂ 113 ಅನ್ನು ಉಲ್ಲಂಘಿಸಿರುವುದು ಸ್ಪಷ್ಟವಾಗಿ ಕಂಡುಬರುತ್ತದೆ.

8. ಮೆಹಬೂಬ್ ಪಾಷಾ ರವರು ಅರಕೆರೆ ಗ್ರಾಮ ಪಂಚಾಯತಿಯಲ್ಲಿ ಪ್ರಸ್ತುತ ಬಿಲ್ ಕಲೆಕ್ಟರ್ ಆಗಿ ಕರ್ತವ್ಯ ನಿರ್ವಹಿಸುತ್ತಿರುತ್ತಾರೆ. ಮೆಹಬೂಬ್ ಪಾಷಾ ರವರಿಗೆ ಕೆ.ಎಸ್.ಆರ್ (ಸಿ.ಸಿ.ಎ) ನಿಯಮಗಳು ಅನ್ವಯಿಸುವುದಿಲ್ಲ. ಅಧ್ಯಕ್ಷರು ಚುನಾಯಿತ ಪ್ರತಿನಿಧಿಯಾಗಿರುತ್ತಾರೆ. ಆದ್ದರಿಂದ, ಇವರ ವಿರುದ್ಧ ಪ್ರಕರಣವನ್ನು ಕೈಬಿಡಲಾಗಿದೆ.

9. ಆ.ಸ.ನೌ ಆದ ಶ್ರೀ ಕೃಷ್ಣಮೂರ್ತಿ, ಪಿಡಿಟ, ಕೋಡಿಹಳ್ಳಿ ಗ್ರಾಮ ಪಂಚಾಯತಿ, ಕನಕಪುರ ತಾಲೂಕು ರಾಮನಗರ ಜಿಲ್ಲೆ ರವರು, ಮೆಹಬೂಬ್ ಪಾಷಾ ರವರನ್ನು ಬಿಲ್ ಕಲೆಕ್ಟರ್ ಕೆಲಸಕ್ಕೆ ನೇಮಿಸಿಕೊಂಡು, ಹಂಗಾಮಿ ಅಮಾನತ್ತು ಮಾಡಿ ನಂತರ ಪುನಃ ಕೆಲಸಕ್ಕೆ ತೆಗೆದುಕೊಂಡು ಕರ್ನಾಟಕ ಪಂಚಾಯತ್ ರಾಜ್ ಅಧಿನಿಯಮ ಕಲಂ 113 ರಲ್ಲಿ ಗ್ರಾಮ ಪಂಚಾಯತಿಯು ಮುಖ್ಯ ಕಾರ್ಯನಿರ್ವಾಹಕ ಅಧಿಕಾರಿಗಳ ಪೂರ್ವಾನುಮತಿಯನ್ನು ಪಡೆಯದೇ ಕರ್ತವ್ಯಲೋಪ ಎಸಗಿರುತ್ತಾರೆ ಎನ್ನುವುದು ಕಂಡುಬರುತ್ತದೆ.

10. ಆಸನೌ ರವರು ಕರ್ತವ್ಯ ಪರಿಪಾಲನೆಯಲ್ಲಿ ನಿಷ್ಠೆಯನ್ನು ತೋರದೆ, ಕರ್ತವ್ಯಲೋಪವೆಸಗಿ, ದುರ್ವರ್ತನೆ ತೋರಿಸಿ, ಸಾರ್ವಜನಿಕ/ಸರ್ಕಾರಿ ನೌಕರರಿಗೆ ತರವಲ್ಲದ ರೀತಿಯಲ್ಲಿ ನಡೆದುಕೊಂಡಿರುವುದು ಮೇಲ್ನೋಟಕ್ಕೆ ಕಂಡುಬರುತ್ತಿರುವುದರಿಂದ, ಕರ್ನಾಟಕ ನಾಗರೀಕ ಸೇವೆ (ನಡತೆ) ನಿಯಮ 1966ರ ನಿಯಮ 3(i) ಮತ್ತು (iii) ರನ್ವಯ ಶಿಸ್ತು ಕ್ರಮಕ್ಕೆ ಬಾಧ್ಯರಾಗಿರುತ್ತಾರೆಂದು ಕಂಡುಬಂದಿದ್ದು, ಆಸನೌ ರವರ ವಿರುದ್ಧ ಶಿಸ್ತಿನ ಕ್ರಮ ಕೈಗೊಳ್ಳಲು ಹಾಗೂ ಕರ್ನಾಟಕ ನಾಗರೀಕ ಸೇವಾ (ವರ್ಗೀಕರಣ, ನಿರ್ಬಂಧ ಮತ್ತು ಮೇಲ್ಮನವಿ) ನಿಯಮಗಳು 1957ರ ನಿಯಮ 14-ಎ ರಡಿಯಲ್ಲಿ ಆಸನೌ ರವರ ವಿರುದ್ಧ ಇಲಾಖಾ ವಿಚಾರಣೆಯನ್ನು

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ನಡೆಸಲು ಗೌರವಾನ್ವಿತ ಉಪಲೋಕಾಯುಕ್ತರವರು ಸರ್ಕಾರಕ್ಕೆ ವರದಿಯನ್ನು ಸಲ್ಲಿಸಿದ ಮೇರೆಗೆ ಸರ್ಕಾರವು ಮೇಲೆ ಉಲ್ಲೇಖಿಸಿದ ಆದೇಶದಲ್ಲಿ ಇಲಾಖಾ ವಿಚಾರಣೆ ನಡೆಸಲು ಅನುಮತಿ ನೀಡಿರುತ್ತದೆ. ಅದರಂತೆ, ಗೌರವಾನ್ವಿತ ಉಪಲೋಕಾಯುಕ್ತರವರು, ಅಪರ ನಿಬಂಧಕರು, ವಿಚಾರಣೆಗಳು-9 ರವರಿಗೆ ವಿಚಾರಣೆ ನಡೆಸಿ ವರದಿಯನ್ನು ಸಲ್ಲಿಸಲು ಸೂಚಿಸಿರುತ್ತಾರೆ. ಆದ್ದರಿಂದ, ಈ ದೋಷಾರೋಪಣೆ.

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The DGO has appeared on 3/3/2018 before this enquiry authority in pursuance to the service of the Article of charges.

Plea of the DGO has been recorded and he has pleaded not guilty and claimed for holding enquiry.

The DGO has submitted written statement is that,

One Sri H.P. Raju, Halsur has submitted the complaint that Mehabub Pasha, bill collector has taken Rs.5000/- bribe for transfer of khata. On the basis of the complainant the then PDO Sri Kumar has called for explanation from the said bill collector. But, the bill collector failed to submit his explanation and finally the then PDO suspended the bill collector Mehabub Pasha on 16/6/2015 upto the next general body meeting and informed the EO, TP, the bill collector was continued in service after the general body meeting on 14/9/15 headed by Chairman Smt. Sarojamma.

The DGO was working as PDO of Kodihalli with effect from 20/12/13 and holding additional charge of PDO, Arakere gram panchayat from 18/8/15 to 7/12/16 the EO, Kanakapur has issued office memorandum dated 24/8/15 to take suitable action against the suspended bill collector and submit the report. The DGO has called the gram panchayat

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Me habub Pasha on 16/6/2015 meeting and informed the EO, TP, continued in service after the general body meeting on 14/9/15 headed by Chairman Smt. Sarojamma.

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general body meeting on 14/9/15 and discussed about the suspension order of Mehabub Pasha. The gram panchayat having the power to suspend temporary employees of gram panchayat u/s 113(3) of Karnataka Panchayat Raj Act. The then PDO Sri Kumar has not conducted general body meeting of gram panchayat and without informed to the President, Vice-President, Members, without serving the suspension order either in person or through register post he has kept suspension order of Bill Collector in the file. Further submitted that the Bill Collector was signed in the attendance register was not aware of the suspension. The concerned employee was attended the office daily he was working regularly. The salary was drawn during the alleged suspension period. General body of gram panchayat held on 14/9/15 to continue the service of bill collector. Further submitted that on 14/12/16 the then taluk panchayat, Executive Officer has visited the gram panchayat and enquired about bill collector the E.O has obtained the statement of the then President Smt. Puttamma in whose the bill collector was suspended. After obtaining the statement of the present President Smt. Sarojamma and the present PDO Sri Puttaramaiah the E.O has submitted the report to the Deputy Registrar of Enquiries-5 on 15/12/16 the complainant filed false complaint before the Lokayukta. He has not committed any dereliction of duty or misconduct during his period. Hence, prayed to drop the charge leveled against him.

The disciplinary authority has examined the complainant Sri Dayanand s/o Late Johnvesli, Retired Health Inspector,

Indiara nagar, Kodihalli post, Kanakapura taluk, Ramangar district as Pw.1, Srilakshmi T.K d/o Krishnamurthy C.H, Commissioner, Ramanagar Development Authority, Ramanagar and Ex.P1 to 8 are got marked. The DGO himself examined as Dw.1. Ex.D1 is got marked.

The DGO has submitted written brief. Heard the submissions of the disciplinary authority and DGO's side. I answer the above charge in **AFFIRMATIVE** for the following;

REASONS

- 3) It is the prime duty of the disciplinary authority to prove the charges that are leveled against the DGO.
- 4) The disciplinary authority has examined the complainant Sri Dayanand s/o Late Johnvesli, Retired Health Inspector, Indiara nagar, Kodihalli post, Kanakapura taluk, Ramangar district as Pw.1, Srilakshmi T.K d/o Krishnamurthy C.H, Commissioner, Ramanagar Development Authority, Ramangar and Ex.P1 to 8 are got marked. The DGO himself examined as Dw.1. Ex.D1 is got marked. The Pw.1 deposed in his chief examination is that the DGO was working as a PDO of Kodihalli gram panchayat, Kanakapura taluk and also he was working in charge PDO in Arakere gram panchayat. Further deposed that one Sri Mehabub Pasha was working as bill collector in Arakere gram panchayat. he was suspended from the service on the basis of allegation that he has received the illegal gratification of Rs.5000/- from H.G. Raju for change the khata of his newly purchased site. Further deposed that even

or
 The DGO himself examined as
 The Pw.1 deposed in his chief
 The DGO was working as a PDO of Kodihalli
 Kanakapura taluk and also he was working
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 illegal gratification of Rs.5000/- from H.G. Raju
 for change the khata of his newly purchased site.
 Further deposed that even

though the said bill collector suspended from service salary has been drawn and also the DGO has cancelled the suspension order and reappointed the said bill collector without obtaining the permission from the higher authority. For that he has filed the complaint before the Lokayukta office. Further Pw.1 admitted in his cross examination that the said bill collector was suspended from service on 15/6/15. At that time the DGO was not working as PDO of Arakere gram panchayat. The DGO assumed the charge of PDO of Arakere gram panchayat on 18/8/2015.

5) Pw.2 is the then E.O, TP, Kanakapura, she was working as E.O in the said office from January 2015 to March 2017. She deposed that she has directed to the PDO, Arakere gram panchayat who is none other than DGO on 20/10/16 to take proper action in accordance with rules and regulation in respect of the matter of suspension of bill collector Mehabub Pasha of the said gram panchayat and issue an endorsement to the complainant Pw.1. The DGO submitted his report on 21/10/16 to the taluk panchayat office as per Ex.P7. After that she has visited the said gram panchayat on 14/12/16 and inspected the records available in the said gram panchayat in respect of the bill collector Mehabub Pasha. Further she deposed that she has found that at the time of appointing the bill collector Mehabub pasha not obtaining the approval of CEO, ZP, Ramanagar. Further she has deposed that there is no material available in respect of appointment of said bill collector but, only documents available regarding the fact that suspension of bill collector

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Mehabub Pasha from the service and the proceedings of the gram panchayat regarding reappointed the said bill collector in the said gram Panchayat. Further she has deposed that at the time of cancelling the suspension order and reappointing the bill collector Mehabub Pasha DGO has not obtained the prior permission from the CEO, ZP, Ramanagar.

6) The DGO himself examined as Dw.1 and he has deposed that he was working as in charge PDO of Arakere gram panchayat, Kanakapura taluk from 18/8/15 to 19/11/16. Further deposed that Pw.2 has issued official memorandum dated 24/8/15 to submit the report in respect of suspension of bill collector Sri Mehabub Pasha. After receiving the said official memorandum called the general body meeting of the said gram panchayat on 14/9/15. In the said general body meeting he has placed the official memorandum issued by the E.O, TP, Kanakapur in presence of members and president of the gram panchayat. Further deposed that the order of the suspension of bill collector Sri Mehabub Pasha was not intimated to any member of the gram panchayat or president of the said gram panchayat. Further he has deposed that the then PDO of the said gram panchayat passed the suspension order of Sri Mehabub Pasha bill collector by violating section 62(d) of Karnataka Panchayat Raj Act. Further deposed in the said general body meeting. There is no material found to establish the fact that the said bill collector receiving the illegal gratification for changing the khata. For that general body decided to cancel the suspension order and reappointing the said Mehabub

2 Mehabub Pasha was not intimated to any member of the gram panchayat or president of the said gram panchayat. Further he has deposed that the then PDO of the said gram panchayat passed the suspension order of Sri Mehabub Pasha bill collector by violating section 62(d) of Karnataka Panchayat Raj Act. Further deposed in the said general body meeting. There is no material found to establish the fact that the said bill collector receiving the illegal gratification for changing the khata. For that general body decided to cancel the suspension order and reappointing the said Mehabub

Pasha as bill collector with warning to him. Further deposed that after passing the said resolution he has forwarded the same to taluk panchayat, Kanakapur. Further he has deposed that the President of the gram panchayat having power to suspend or dismiss any temporary gram panchayat employee as per section 113(3) of Karnataka Panchayat Raj Act, 1993. Further deposed that in the present case appointment and suspension of Mehabub Pasha from service before taking the charge as a PDO of Arakere gram panchayat. Further deposed that as per the resolution passed by the gram panchayat Arakere the suspension order revoked and said Mehabub Pasha reappointed as bill collector. The Dw.1 admitted in his cross examination that he has reappointed Sri Mehabub Pasha as bill collector after resolution passed on 14/9/15. Further admitted that at the time of reappointing the said Mehabub Pasha as bill collector he has not taken prior permission or approval from the CEO, ZP, Ramanagär.

7) Ex.P1 is the complaint dated 23/9/15. Ex.P2 and 3 are the complaint form No.I&II dated 23/9/15. Ex.P4 is the documents produced by the complainant (3 sheets). Ex.P5 is the report dated 22/10/16 of EO, TP, Kanakapur. Ex.P6 is the Official memorandum dated 20/10/16 issued by the EO, TP, Kanakapur. Ex.P7 is the report dated 21/10/16 submitted by the DGO to the EO, TP, Kanakapur along with documents (2 sheets), Ex.P8 is the report dated 15/12/16 of EO, TP, Kanakapur. Ex.D1 is the copy of the general body

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meeting proceedings dated 14/9/15 of Arakere gram panchayat, Kanakapur taluk.

8) Perused the evidence of Pw.1, 2 and Dw.1 along with document produced by the both side. As per the document the DGO was working as in charge PDO of Arakere gram panchayat from 18/8/15 to 19/11/16. Before the DGO assuming the charge of the in charge PDO of Arakere gram panchayat the bill collector Mehabub Pasha was suspended from service. It is clear that at the time of appointment of said bill collector the DGO was not working as PDO of said gram panchayat. Ex.P4 is the page-61 is the official memorandum dated 16/6/15 issued by the then PDO of Arakere gram panchayat regarding the suspension of bill collector Mehabub Pasha from service. As per the said document regarding the allegation of illegal gratification of Rs.5000/- received by H.P. Raju s/o Puttamadaiah for change the khata the notice issued by the PDO on 23/4/15, 29/4/15 and 11/5/15 for seeking explanation from the bill collector. But, the said bill collector not submitted his application before PDO. For that the said bill collector suspended from service till next general body meeting. On perusing the said document the official memorandum forwarded to the taluk panchayat office, Kanakapur and also sent to Mehabub Pasha but, the said Mehabub Pasha refused to receive the said order. In Ex.P5 the report dated 22/10/16 submitted by the Pw.2/the then EO, TP, Kanakapur also stated that the show cause notice issued by the then PDO on the above such dates. Even though that the

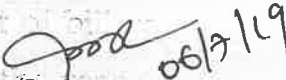
or
 collector. But, the said bill collector not
 explanation before PDO. For that
 suspended from service till next gen
 during the said document the
 forwarded to the taluk panchayat office
 of Mehabub Pasha but the
 refused to receive the said order.

DGO taken the contention that no such notice served to Mehabub Pasha. Ex.P7 the report submitted by the DGO on 21/10/16 before Pw.2 the then EO, TP, Kanakapur along with documents. In the said report (page-65) the DGO has not at all stated regarding the fact that the notice issued by the then PDO not served to the bill collector and also not at all stated that the suspension order of the bill collector not intimated him only stated in the said report that there is no evidence found to establish the bill collector received illegal gratification. But in the Ex.P7 page-66 the resolution dated 14/9/15 stated that the then PDO not at all intimated suspension order to the then President of the said gram panchayat. But, not mentioned in the said resolution the said suspension order not intimated to the bill collector Mehabub Pasha. In the said resolution taken decision that to cancel the suspension order of the bill collector and instructed to bill collector for reporting to his duty and further instructed to the PDO to warn the bill collector not to repeat such allegations and also obtained undertaken letter from the bill collector. Ex.P7 page 69-74 are the show cause notice issued by the then PDP to the said bill collector as per the said document the said bill collector refused to take said notice. Ex.P8 is the report submitted by the Pw.2 on 15/12/18. Considering the said report along with Pw.1 and 2 and other document the DGO at the time of reappointing the bill collector Mehabub Pasha not at all obtained prior permission from CEO, ZP, Ramanagar as per Karnataka Panchayat Raj Act 1993 Section 113 after passing the resolution dated 14/9/15 by the said gram panchayat the

in the bill collector Ex.P7 page 65
 e issued by the then PDP to the said
 a said fact that the said bill collector
 Ex.P8 is the report submitted
 15/12/18. Considering the said report
 and other document the DGO at the time

DGO himself admitted that he has not obtained prior permission regarding reappointment of bill collector from the CEO, ZP, Ramanagar after passing the resolution in the said gram panchayat. It is clearly reveals that the DGO has committed the dereliction of duty and misconduct, thereby the disciplinary authority succeeded to prove the charge leveled against the DGO.

9) In the above said facts and circumstances, charge leveled against the DGO is proved. Hence, report is submitted to Hon'ble Upalokayukta for further action.


(Lokappa N.R)

Additional Registrar Enquiries-9
Karnataka Lokayukta,
Bengaluru.

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

Pw.1	Sri Dayanand s/o Late Johnvesli, Retired Health Inspector, Indira Nagar, Kodihalli post, Kanakapura taluk, Ramangar district dated 25/6/2018 (Original)
Pw.2	Srilakshmi T.K d/o Krishnamurthy C.H, Commissioner, Ramanagar Development Authority, Ramanagar dated 17/7/18 (Original)

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

Ex.P1	Complaint dated 23/9/15
Ex.P1(a)	Signature



Ex.P2&3 Ex.P2(a)&3(a)	Complaint form No.I&II dated 23/9/15 Signatures
Ex.P4	Documents produced by the complainant (3 sheets).
Ex.P5 Ex.P5(a)	Report dated 22/10/16 of EO, TP, Kanakapur Signature
Ex.P6 Ex.P6(a)	Official memorandum dated 20/10/16 issued by the EO, TP, Kanakapur Signature
Ex.P7	Report dated 21/10/16 submitted by the DGO to the EO, TP, Kanakapur along with documents
Ex.P8 Ex.P:8(a)	Report dated 15/12/16 of EO, TP, Kanakapur Signature

iii) List of witnesses examined on behalf of DGO.

Dw.1	Sri Krishnamurthy, PDO, Kodihalli Gram Panchayath, Kanakapura taluk, Ramanagar dated 4/9/18 (Original)
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iv) List of documents marked on behalf of DGO

Ex.D1	Copy of the general body meeting proceedings dated 14/9/15 of Arakere gram panchayat, Kanakapur taluk
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Kanakapur
Signature

Jan 06/07/19

(Lokappa N.R)

Additional Registrar Enquiries-9

Karnataka Lokayukta,

Bengaluru.



KARNATAKA LOKAYUKTA

No.UPLOK-2/DE/46/2018/ARE-9

Multi Storied Building,
Dr. B.R. Ambedkar Veedhi,
Bengaluru-560 001.
Dated 09.07.2019.

RECOMMENDATION

Sub:- Departmental inquiry against Shri
Krishnamurthy, Panchayath Development
Officer, Kodihalli Gram Panchayath,
Kanakapura Taluk, Ramanagara - reg.

Ref:- 1) Government Order No. ಗ್ರಾಅಪ 823 ಗ್ರಾಪಂಕಾ 2017
dated 08.12.2017.

2) Nomination order No. UPLOK-2/DE/46/2018
dated 31.01.2018 of Upalokayukta, State of
Karnataka.

3) Inquiry report dated 06.07.2019 of Additional
Registrar of Enquiries-9, Karnataka Lokayukta,
Bengaluru.

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The Government by its order dated 08.12.2017 initiated  
the disciplinary proceedings against Shri Krishnamurthy,  
Panchayath Development Officer, Kodihalli Gram  
Panchayath, Kanakapura Taluk, Ramanagara District  
[hereinafter referred to as Delinquent Government Official,

for short as 'DGO'] and entrusted the departmental inquiry to this Institution.

2. This Institution by Nomination Order No. UPLOK-2/DE/46/2018 dated 31.01.2018 nominated Additional Registrar of Enquiries-9, Karnataka Lokayukta, Bengaluru, as the Inquiry Officer to frame charges and to conduct departmental inquiry against DGO for the alleged charge of misconduct, said to have been committed by him.

3. The DGO - Shri Krishnamurthy, Panchayath Development Officer, Kodihalli Gram Panchayath, Kanakapura Taluk, Ramanagara District, was tried for the following charges:-

“ಆಸನೌ ಆದ ನೀವು -

ಮೆಹಬೂಬ್ ಪಾಷಾ ರವರನ್ನು ಬಿಲ್ ಕಲೆಕ್ಟರ್ ಕೆಲಸಕ್ಕೆ ತೆಗೆದುಕೊಳ್ಳುವಾಗ ಮುಖ್ಯ ಕಾರ್ಯನಿರ್ವಾಹಕ ಅಧಿಕಾರಿಗಳ ಪೂರ್ವಾನುಮತಿ ಪಡೆದಿರುವುದಿಲ್ಲ. ದಿನಾಂಕ: 16-6-2015 ರಂದು ಶ್ರೀ ಹೆಚ್.ಪಿ. ರಾಜು ಇವರ ಖಾತೆ ಬದಲಾವಣೆ ಮಾಡಲು ರೂ.5,000/- ಗಳ ಲಂಚ ಪಡೆದಿರುವ ವಿಷಯದಲ್ಲಿ ಮೆಹಬೂಬ್

ಪಾಷಾ ರವರಿಂದ ಸಮಜಾಯಿಸಿಯನ್ನು ಕೇಳಲಾಗಿದೆ, ಆದರೆ ಸಮಜಾಯಿಸಿ ಕೊಡದೇ ಇದ್ದುದರಿಂದ, ಗ್ರಾಮ ಪಂಚಾಯತಿಯ ಸಾಮಾನ್ಯ ಸಭೆಯ ತೀರ್ಮಾನದಮೇರೆಗೆ ಮೆಹಬೂಬ್ ಪಾಷಾ ರವರನ್ನು ಅಮಾನತ್ತಿನಲ್ಲಿಟ್ಟು ಆ.ಸ.ನೌ -ಪಿ.ಡಿ.ಓ. ಆದ ನೀವು ಆದೇಶವನ್ನು ಹೊರಡಿಸಿದ್ದೀರಿ ಹಾಗೂ ಈ ಬಗ್ಗೆ ತಾಲ್ಲೂಕು ಪಂಚಾಯತ್ ಕನಕಪುರ ಇವರಿಗೂ ಸಹ ತಿಳಿಸಿದ್ದೀರಿ ಕಾರ್ಯನಿರ್ವಾಹಕ ಅಧಿಕಾರಿಗಳ ಗಮನಕ್ಕೆ ಈ ವಿಷಯ ಬಂದಿರುತ್ತದೆ. ದಿನಾಂಕ: 14-9-2015 ರಂದು ಶ್ರೀಮತಿ ಸರೋಜಮ್ಮ ಇವರ ಅಧ್ಯಕ್ಷತೆಯಲ್ಲಿ ಆ.ಸ.ನೌ ಆದ ನೀವು ಸಾಮಾನ್ಯ ಸಭೆ ನಡೆಸಿ ಮೆಹಬೂಬ್ ಪಾಷಾ, ಬಿಲ್ ಕಲೆಕ್ಟರ್ ಇವರನ್ನು ಪುನಃ ಕೆಲಸಕ್ಕೆ ತೆಗೆದುಕೊಂಡಿದ್ದೀರಿ. ಈ ರೀತಿ ಪುನಃ ಕೆಲಸಕ್ಕೆ ತೆಗೆದುಕೊಳ್ಳಲು ಮುಖ್ಯ ಕಾರ್ಯನಿರ್ವಾಹಕ ಅಧಿಕಾರಿಗಳಿಂದ ಪೂರ್ವಾನುಮತಿ ಪಡೆದಿರುವುದಿಲ್ಲ. ಆ.ಸ.ನೌ ಆದ ನೀವು ಸೂಕ್ತವಾದ ಕಾನೂನು ಕ್ರಮಗಳನ್ನು ತೆಗೆದುಕೊಳ್ಳದೇ ಕರ್ನಾಟಕ ಪಂಚಾಯತ್ ರಾಜ್ ಅಧಿನಿಯಮ ಕಲಂ 113 ಅನ್ನು ಉಲ್ಲಂಘಿಸಿರುವುದು ಸ್ಪಷ್ಟವಾಗಿ ಕಂಡುಬರುತ್ತದೆ.

ಆದ್ದರಿಂದ, ನೀವು ಕರ್ತವ್ಯಲೋಪವೆಸಗಿ ಸರ್ಕಾರಿ ನೌಕರರಿಗೆ ಉಚಿತವಲ್ಲದ ರೀತಿಯಲ್ಲಿ ನಡೆದುಕೊಂಡು ದುರ್ನಡತೆಯಿಂದ ವರ್ತಿಸಿ ಕರ್ನಾಟಕ ನಾಗರಿಕ ಸೇವಾ ನಿಯಮಗಳು (ನಡತೆ) 1966 ನಿಯಮ 3(1) (i) ರಿಂದ (iii) ರಡಿಯಲ್ಲಿ ದುರ್ನಡತೆಯನ್ನೆಸಗಿದ್ದೀರಿ..”

4. The Inquiry Officer (Additional Registrar of Enquiries-9) on proper appreciation of oral and documentary evidence has held that, ' the Disciplinary Authority has 'proved' the

charge against the DGO Shri Krishnamurthy, Panchayath Development Officer, Kodihalli Gram Panchayath, Kanakapura Taluk, Ramanagara 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 DGO furnished by the Inquiry Officer, DGO - Shri Krishnamurthy, is due for retirement on 30.11.2036.


7. Having regard to the nature of charge '*proved*' against DGO - Shri Krishnamurthy, Panchayath Development Officer, Kodihalli Gram Panchayath, Kanakapura Taluk, Ramanagara District,

- i) it is hereby recommended to the Government to impose penalty of 'withholding four annual increments payable to DGO - Shri Krishnamurthy

with cumulative effect and also to defer his promotion by four years whenever he becomes due for promotion.'

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

Connected records are enclosed herewith.

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