

**KARNATAKA LOKAYUKTA**

NO:UPLOK-2/DE/467/2016/ARE-9

M.S.Building,  
Dr. B.R. Ambedkar Veedhi,  
Bengaluru - 560 001.  
Date: 05-04-2019.

**:: ENQUIRY REPORT ::****:: Present ::****( Lokappa N.R )****Additional Registrar of Enquiries-9  
Karnataka Lokayukta,  
Bengaluru**

Sub: Departmental enquiry against 1) Sri M.Manjunath the then Secretary, Murugamalla Gram panchayath, Chinthamani taluk and 2) Sri B.Krishnappa, the then JE, PRE Sub-Division, Chintamani, Chikkaballapura district - reg.

Ref: 1) Government Order No RDP 98 ENQ 2016, dated 27/9/2016.

2) Nomination Order No: UPLOK-2/DE/467/2016 Dated: 14/10/2016 of Hon'ble Upalokayukta, Bengaluru.

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This Departmental Enquiry is initiated against 1) Sri M.Manjunath the then Secretary, Murugamalla Gram panchayath, Chinthamani taluk and 2) Sri B.Krishnappa, the then JE, PRE Sub- Division, Chintamani, Chikkaballapura district (hereinafter referred to as the Delinquent Government Officials for short "**DGO-1 and 2**").

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In view of the Government Order cited above at reference No.1, Hon'ble Upalokayukta vide order dated 14/10/2016 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, 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**

*That, you DGOs- (1) M. Manjunath while working as Secretary, Murugamalla Grama panchayath and (2) B. Krishnappa while working as the then JE, PRE Sub-Division, Chintamani, Chikkaballapura district hve committed the following irregularities during the year 2009-10 while carrying out the works pertaining to Murugamalla Gram Panchayat under MGNREGA Scheme:*

*(1) You DGO-1 M. Manjunath had not maintained the register of the works carried out during 2009-10 under MNREGA Scheme to verify the signatures by comparison between the signatures of Form 4 and Form 6.*

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(2) *Kriya Yojane for undertaking MNREGA during 2009-10 was not approved by Zilla Panchayath.*

(3) *You DGO-2 being the Junior Engineer has not taken photos regarding the work done under MGNREGA of 2009-10 by unskilled laboureres in the process of work and has shown Rs.1,819/- at pageNo.15 of M.B. Book No.3765 regarding expenditure towards payment for materials supply without obtaining the voucher from the supplier in the letter head containing tin number.*

*And thereby you DGOs failed to maintain absolute devotion to duty, the act of which was un-becoming of Government servant and thereby committed misconduct as enumerated U/S 3(1)(i) to (iii) of Karnataka Civil Service (conduct) rules, 1966.*

## **ANNEXURE-II**

### **STATEMENT OF IMPUTATION OF MISCONDUCT:**

*On the complaint filed by Sri B.V. Venkata Reddy s/o G. Bhathalahalli, Chintamani taluk, Chikkaballapura district alleging that the DGOs have not made payment of full wages to workers who worked under MGNREGA during the year 2009-10. On the basis of this complaint an investigation has been taken up u/s 9 of the Karnataka Lokayukta Act, 1984.*

2. *The DGOs have not offered comments in spite of granting opportunity.*

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3. During the course of investigation, CEO vide latter dated 14/10/2014 has forwarded the report of Executive Officer dated 18/08/2014 which was submitted to Ombudsman, Zilla Panchayath, Chikkaballapur. The said report and reports of PDO, Murugamalla Gram Panchayath and Assistant Director of Taluk Panchayath at Chintamani dated 22/7/2014 and 16/8/2014 show that :

- a. The wages paid to each labourer do no exceed Rs.100/-
  - b. PDO has attested and sent the Xerox copies of books of Gram Sabha Meeting Minutes and Gram Panchayath Samanya Sabha meeting minutes.
  - c. The Kriyayojane was not approved by Zilla Panchayath.
  - d. Registered was not maintained properly to enable comparison the signatures of Form 4 and Form 6.
  - e. Photos were not taken during the process of work.
  - f. An entry at page No.15 in M.B.No.3765 of expenditure of Rs.1,819/- is shown towards supply of material by the Junior Engineer, PRE Sub-Division, Chintamani without obtaining the voucher from the supplier in the letter head containing tin number.
5. After receipt of the report, DGOs were served with the notices to submit their comments/reply if any. But, they have not submitted their comments/reply.
6. **A. careful consideration of the material on records show that :-**

or

- (i) DGO-1 while working as Secretary of Murugamalla Gram panchayath during the year 2009-10 has not maintained the register of the works carried out during 2009-10 under MGNREGA Scheme to verify the signatures by comparison between the signatures of Form 4 & Form 6.
- (ii) Kriya Yojane for undertaking MGNREGA during 2009-10 was not approved by Zilla Panchayath.
- (ii) DGO-2 being the Junior Engineer has not taken photos regarding the work done under MGNREGA of 2009-10 by unskilled labourers in the process of work and has shown Rs.1,819/- at Page No.15 of M.B.Book No.3765 regarding expenditure towards payment for material supply without obtaining the voucher from the supplier in the letter head containing tin number.

7. Since said facts supported by the material on record prima facie show that the DGOs being Public/Government servants, have committed misconduct as per Rule 3(1), (ii) of KCS (Conduct) Rules 1966, now, acting under section 12(3) of the Karnataka Lokayukta Act, 1984, recommendation is made to the Competent Authority to initiate disciplinary proceedings against the DGOs and to entrust the inquiry to this authority under rule 14-A of Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957. Hence, the charge.

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The DGOs have appeared on 2/2/2017 before this enquiry authority in pursuance to the service of the Article of charges.

Plea of the DGOs have been recorded and they have pleaded not guilty and claimed for holding enquiry.

**The DGO-1 has submitted written statement is that,**

He was working as Secretary, Gram Panchayat, Maragamalla from 3/9/2009 to 17/6/2010. In the year 2009-10 MGNERGA scheme was in force and the then Secretary obtained approval for the action plan for the year 2009-10 in accordance with rules. Further submitted that he has submitted a letter to the Executive Officer, taluk Panchayat, Chintamani to release the grant in respect of the work done under the MGNREGA Scheme. During his period he has not received any application from any labour regarding non-payment of wages. Further submitted that the wages amount was released as per available grant amount. As per the direction in the MGNREGA Scheme and also direction of the higher authority he was completed the work. 3<sup>rd</sup> party also inspected the said work. Further submitted that due to non-availability of proper internet some delay was caused in computerizing the NMRs and other documents in respect of the work done under MGNREGA scheme. The E.O, Taluk Panchayat, Chintamani without properly scrutinize the document submitted the report to the ombudsman Zilla Panchayat, Chikkaballapura. Hence, he has prayed to drop the charge leveled against him.

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**The DGO-2 has submitted written statement is that,**

He was working as Junior Engineer, PRED Chintamani sub division from 1/4/2009 to 31/3/2010 during his period the MGNREGA Scheme was in force. Further submitted that gram Panchayat Secretary Maragamalla approved the action plan for the year 2009-10 regarding the work of MGNREG Scheme. Further he submitted that as per the rules he was prepared the estimate and submitted for further proceedings before the gram Panchayat President and Secretary. Further he submitted that he submitted the bill with requisition before the E.O, Chintamani in respect of MGNREGA scheme within the limits of Muragamalla gram Panchayat. Further he submitted that he has not taken any photographs of the works, that is the duty of the gram Panchayat, Secretary to taken the photographs of the alleged work. Further submitted that E.O, and Asst. Director submitted the report without given any notice to him. He has not committed any misconduct or irregularity during his tenure.

The charge-(i)&(ii) are framed against the DGO-1, Charge-(iii) framed against the DGO-2. The disciplinary authority has examined the complainant Sri Venkatareddy s/o Venkatappa, Agriculture and coolie, G. Battalahalli, Chintamani taluk, Chikkaballapura district as Pw.1, Sri Ganapati Sakare s/o Shivaram, AEE, Manvi, Raichur district as Pw.2, Sri Vasant Kumar B.C s/o Channappa @ Melappa, Sr. Lecturer, Bidar district as Pw.3 and Sri B.B. Kaveri, D.C., Chamarajangar district as Pw.4. and Ex.P1 to 7 are got



marked. The DGO-2 has examined as Dw.1 but, DGOs have not got marked any documents.

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

### REASONS

- 3) 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 Venkatarreddy s/o Venkareddy, Agriculture and coolie, G. Battalahalli, Chintamani taluk, Chikkaballapura district as Pw.1, Sri Ganapati s/o Shivaram, AEE, Manvi, Raichur district as Pw.2, Sri Vasantkumar B.C s/o Channappa @ Melappa, Sr. Lecturer, Bidar district as Pw.3 and Sri B.B. Kaveri, D.C., Chamarajangar district as Pw.4. and Ex.P1 to 7 are got marked. The DGO-2 has examined as Dw.1 but, DGOs have not got marked any documents. Pw.1 deposed in his chief examination that the DGO-1 was working as Secretary as Muragamalla gram Panchayat in year 2009-10 the DGO-2 was also working as J.E, ZP, PRE Sub Dvn., Chintamani. In the year 2009-10 under the MGNREG scheme in Battalahalli village Murugamalla gram Panchayat the following works done as per the estimate ie., 1) Box type drainage from Gundahalli Anjaneyaswamy temple to school, 2) box type drainage from G.Battalahalli Sappamma Devi temple to Aivarkunte tank, 3) box type drainage in Battalahalli village,

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4) construction of Aralikatte work in Battalahalli village but, the wage amount was not paid to the labours even though the work was completed. For that he has filed the complaint before ombudsman and E.O, TP, Chintamani but, they have not taken any action for that he filed present complaint before the Lokayukta Office. In his cross examination also he deposed that after transfer of the DGO-1, they have received the Rs.1 lakh in respect of the work done in Gundhalli Anjaneyaswamy temple road, from PDO Sri Shivanna and during the period of the DGO-1 they have not received the wage amount. Pw.2 is not deposed anything regarding the complaint and also in respect of the charge leveled against the DGOs.

5) Pw.3 is the E.O, TP, Chintamani he was working during 2013-14 he deposed in his evidence that he has received the letter from the Lokayukta office to submit the report in respect of the work done under MGNREG scheme during 2009-10 in Muragamalla gram Panchayat. At the same time an inquiry is pending before the ombudsman, ZP, Chikkaballapur. Further deposed that in Taluk Panchayat, Chintamani office the government appointed Asst. Director to look after the work done under the MGNREG Scheme within the said taluk. Further he deposed that district ombudsman issued direction to the taluk Panchayat, Chintamani to submit the report after spot inspection. On the basis of the said direction the Asst. Director, ZP, Chintamani by name Sri Nagamallesh has visited the Gram Panchayat, Murugamalla and inspected the documents concerned to the work done



under the MGNREG scheme and submitted his report. Further he deposed that in the said report the said Asst. Director, stated that the signature of the thumb impression of the labour in the register was not tallied and also in some documents and thumb impression of the labours are there. Further not obtained the approval for alleged work from the ZP and also there is no signature in some of NMR. Further there is no TIN number in the bill which are produced in respect of purchase of materials and further not obtained technical sanction from AEE but, obtained the technical sanction by the DGO-2 J.E. Further submitted the said report submitted by the Asst. Director Sri Nagamallesh to his office was forwarded to the District Ombudsman, ZP, Chikkaballapura. Further deposed that for the above said irregularities and lapses gram Panchayat Secretary and J.E., are held responsible. Pw.4 deposed that she has informed to the complaint section regarding the stage of the case which was pending before the ombudsman ZP, Chikkaballapura along with copy of the order of the ombudsman passed in the concerned case.

6) The DGO-1 has not examined as a witness but the DGO-2 himself examined as Dw.1. He deposed in his evidence that regarding the maintenance of register and obtained the technical approval is the duty of the concerned gram Panchayat Secretary/PDO and also he deposed that taken the photographs of each stage of the work is not his duty but, that is the duty of the Secretary of the gram Panchayat. He has only submitted the receipt in respect of

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the purchase of materials as per the work and also measurement books along with bills. Further he admitted in his cross examination that the above said all works executed during his period. Further deposed that he has not taken photographs of each stage of the work and also he has not obtained the voucher from supplier of the materials of the said work.

7) Ex.P1 &2 are the complaint forms I and II dated 29/8/2012. Ex.P3 is the written complaint filed by the complainant. Ex.P4 is the document submitted by the complainant (22 sheets) page 81-106. Ex.P5 is the letter dated 26/12/2013 of E.O., TP, Chintamani with 2 documents, page 107-109. Ex.P6 is the reports dated 18/8/2014 submitted by the Pw.3 to the ombudsman, ZP, Chikkaballapur. Ex.P7 is the letter dated 14/10/2014 of Pw.4 along with copy of the order dated 25/9/2014 of the district ombudsman ZP, Chikkaballapura.

8) Perused the evidence of Pw.1 to 4, Dw.1 along with above said document and written statement and written brief of the DGOs. The charge-(i)&(ii) leveled against the DGO-1 the then Secretary gram panchayat, Murugamalla who was working during the year 2009-10, charge-(iii) leveled against the DGO-2 who was working as JE, PRE Sub Dvn, Chintamani during the year 2009-10.

9) **Charge-(i)** is that the DGO-1 has not maintained the register of the work carried out during the year 2009-10 under MGREGA scheme to verify the signature by comparison

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between the signature of Form N.4 and 6. Pw.1 complainant not disputed the execution of the work and its quality but only disputed the fact that the DGOs have not paid the wage amount to the labours in time even though the work completed. The Pw.3 the then E.O, TP, Chintamani who has submitted the report before the district ombudsman, ZP, Chintamani also not stated anything against the DGO 1 or 2 regarding substandard work or mis-appropriation of funds in respect of the said work. He has only stated in his evidence as well as in his report ie., Ex.P6 regarding the fact the DGO-1 as a Secretary of Murugamalla Gram Panchayat not maintained concerned registers properly in respect of the work done under MGNREG scheme to verify the signatures in form No.4 and 6. The DGO-1 has not obtained the technical approval from AEE but obtained the approval from JE (DGO-2) and administrative approval from gram Panchayat. Further stated that the NMR register was not maintained which were contained the signatures of the labours in the file only copy of the MIS of NMR present. Further stated that the DGO-1 has not obtained the vouchers with TIN number in respect of the supplying materials from Ravi Hardware and Paint Chintamani and in the said voucher has not contained the date and signatures. Further stated in the said report that form No.4 is not registered by the DGO-1 in respect of the alleged work. Ex.P7 page 116-119 is the copy of the order of the ombudsman in the said order also the ombudsman observed above said facts which are written in the Ex.P6 submitted by the Pw.3. Also stated that in respect of the work, construction of box type drainage from Battalahalli

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Sappalamma temple to Aivarukunte out of estimated amount of Rs.4 lakh Rs.1, 67,700/- only paid to the labours as wage amount and purchase of materials bill Rs.1,58,729/- is not paid ie., in due. In respect of the work construction of box type drainage from Battalahalli village out of estimated amount of Rs.3 lakh Rs.89,580/- wage amount of labours and purchase of materials bill Rs.77,015/- is not paid ie., total Rs.1,66,595/- is in due. In respect of the work construction of Aralikatte in Battalahalli village out of estimated amount of Rs.1,50,000/-, Rs.36,400/- wage amount of labours and purchase of materials bill Rs.29644/- is not paid ie., total Rs.66,044 /- is in due. In respect of the work construction of box type drainage from Gundluhalli Anjaneya temple to school out of estimated amount of Rs.6 lakh, Rs.1,00,890/- only paid in respect of material purchase bill, wage amount of Rs.1,45,700/- and purchase of materials bill Rs.29,899/- is not paid total amount of Rs.1,75,599/- is in due. Further stated in the said order that in respect of the above said 4 works in the year 2009-10 only amount of Rs.2,68,519/- only paid by the DGO-1. Amount of Rs.5,66,967/- is in due. The DGO-1 has not produced any documents to show that he has properly maintained the records in respect of the alleged works done in the said gram Panchayat limits under MGNREGA scheme.

10) Considering the evidence of Pw.1 and 3 and Ex.P6 report submitted by the Pw.3 and order of the ombudsman Ex.P7 is page No.116-119 clearly reveals that the DGO as Secretary of the Murugamalla gram Panchayat has not

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maintained the register of the works carried out during 2009 2010 under MGNREGA scheme. Thereby the disciplinary authority succeeded to prove the charge-(i) leveled against the DGO-1. This charge leveled only against the DGO-1

11) **Charge-(ii)** is leveled against the DGO-1 only ie., Kriya Yojane for under taking MNREGA scheme during 2009-10 was not approved by ZP. The Pw.3 is the then E.O., Taluk panchayat, Chintamani submitted his report Ex.P6 before district ombudsman, ZP, Chikkaballapur. He deposed in his evidence as well as stated in his evidence that the DGO-1 not obtained the approval of ZP, Chikkaballapur and as well as concerned AEE, PRE Sub dvn., Chintamani for execution of the above said four works in the limits of Murugamalla gram Panchayat before execution of the said work. To disprove the said charge leveled against the DGO-1 and report submitted by the Pw.3 the DGO-1 or the DGO-2 have not produced any documents. The Ex.P4 page 81-106 are the documents related to the said work the said document also reveals that the DGO-1 has not obtained the technical approval from the AEE. Also not produced the document to show that he has obtained the administrative approval as well as technical approval in accordance with the rules and regulations under the MGNREG Scheme. The DGO-1 failed to disprove the charge-(ii) leveled against him. This charge leveled only against the DGO-1. Thereby the disciplinary authority is succeeded to prove the charge-(ii) leveled against the DGO-1.

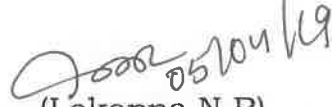


**12) Charge-(iii)** this charge leveled against the DGO-2 only ie., the DGO-2 being JE has not taken photographs regarding the work done under MGNREGA of 2009-10 by unskilled labours in the process of work and has shown Rs.1,00,819/- at page No.15 of MB book No.3765 regarding expenditure towards payment for material supply without obtaining the voucher from the supplier in the letter head containing TIN number (In AOC as well as section 12(3) Karnataka Lokayukta Act, 1984 report by mistakenly the above said amount mentioned in the charge-(iii) as 1819 instead of Rs.1,00,819/- it is necessary to read the said amount as Rs.1,00,819)

13) Pw.3 is the then E.O, TP, Chintamani he has clearly stated in his report Ex.P6 the DGO-2 submitted the bill with letter head regarding the purchase of the materials which are not contained TIN number. This fact not disputed by the DGO-2 in his written statement as well as written brief. He has only stated that, that is the responsibility of the gram Panchayat Secretary/PDO. This fact clearly reveals that the DGO-2 violated the rules. Further the DGO-2 in his written statement clearly admitted that he has not taken the photographs of the above said works stage by stage. This fact also reveals that he has failed to do his duty in accordance with rules and regulations. There is no materials by the side of the DGO-2 to disprove the said charge leveled against him thereby the disciplinary authority succeeded to prove the charge-(iii) leveled against the DGO-2. The charge-(iii) leveled against the DGO-2 only.

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14) In the above said facts and circumstances, charge-(i)&(ii) which are leveled against the DGO-1 are proved and charge-(iii) which is leveled against the DGO-2 is prove. Hence, this 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 Venkatareddy s/o Venkatappa, Agriculture and coolie, G. Battalahalli, Chintamani taluk, Chikkaballapura district dated 13/6/2017 (original)
Pw.2	Sri Ganapati Sakare s/o Shivaram, AEE, Manvi, Raichur district dated 8/11/2017 (Original)
Pw.3	Sri Vasant Kumar B.C s/o Channappa @ Melappa, Sr. Lecturer, Bidar district dated 18/12/2017 (Original)
Pw.4	Sri B.B. Kaveri, D.C., Chamarajangar district dated 26/3/2018 (original)

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

Ex.P1&2	Complaint form No.I&II dated 28/8/2012
Ex.P1(a)&2(a)	Signatures
Ex.P3	Written complaint filed by the complainant
Ex.P4	Document submitted by the complainant
Ex.P5	Letter dated 26/12/2013 of E.O., TP, Chintamani with 2 documents
Ex.P5(a)	Signature





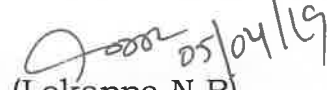
Ex.P6	Reports dated 18/8/2014 submitted by the Pw.3 to the ombudsman, ZP, Chikkaballapur
Ex.P6(a)	Signature
Ex.P7	letter dated 14/10/2014 of Pw.4 along with copy of the order dated 25/9/2014 of the district ombudsman ZP, Chikkaballapura
Ex.P7	Signature

**iii) List of witnesses examined on behalf of DGO.**

Dw.1	Sri B. Krishnappa s/o Konappa, JE, PRED Sub Dvn., Srinivaspura taluk, Kolar district dated 9/8/2016 (Original)
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**iv) List of documents marked on behalf of DGO**

Ex.D1	NIL
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(Lokappa N.R)

Additional Registrar Enquiries-9  
Karnataka Lokayukta,  
Bengaluru.



**GOVERNMENT OF KARNATAKA**



**KARNATAKA LOKAYUKTA**

No. UPLOK-2/DE/467/2016/ARE-9

Multi Storied Building,  
Dr. B.R. Ambedkar Veedhi,  
Bengaluru-560 001  
Date: 9/4/2019

**RECOMMENDATION**

Sub:- Departmental inquiry against;

- 1) Sri M. Manjunath, the then Secretary, Murugamalla Grama Panchayath, Chintamani Taluk, Chikkaballapura District;
- 2) Sri B. Krishnappa, the then Junior Engineer, Panchayath Raj Engineering Sub Division, Chintamani, Chikkaballapura District – Reg.

Ref:- 1) Government Order No.ಗ್ರಾಅಪ 98 ಇಎನ್‌ಕ್ಯೂ 16 Bengaluru dated 27/9/2016

- 2) Nomination order No.UPLOK-2/DE/467/2016, Bengaluru dated 14/10/2016 of Upalokayukta-2, State of Karnataka, Bengaluru
- 3) Inquiry Report dated 5/4/2019 of Additional Registrar of Enquiries-9, Karnataka Lokayukta, Bengaluru

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The Government by its Order dated 27/9/2016, initiated the disciplinary proceedings against (1) Sri M.Manjunath, the then Secretary, Murugamalla Grama Panchayath, Chintamani Taluk, Chikkaballapur District and (2) Sri B Krishnappa, the then Junior Engineer, Panchayath Raj Engineering Sub Division, Chitamani, Chikkaballapura District (hereinafter referred to as Delinquent Government Officials 1 & 2, for short as DGO-1 and DGO-2 respectively) and entrusted the Departmental Inquiry to this Institution.

2. This Institution by Nomination Order No.UPLOK-2/DE/467/2016, Bengaluru dated 14/10/2016 nominated Additional Registrar of Enquiries-9, 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.

3. The DGO-1 Sri M.Manjunath, the then Secretary, Murugamalla Grama Panchayath, Chintamani Taluk, Chikkaballapur District and DGO-2 Sri B Krishnappa, the then Junior Engineer, Panchayath Raj Engineering Sub Division, Chintamani, Chikkaballapura District were tried for the following charge:-

“That, you DGOs (1) M.Manjunath while working as Secretary, Murugamalla Grama Panchayath and (2) B Krishnappa, while working as the then JE, PRE Sub Division, Chintamani, Chikkaballapura District have committed the following irregularities during the year 2009-10 while carrying out the works pertaining to Murugamulla Grama Panchayath under MGNREGA scheme:

- (i) You DGO-1 M. Manjunath had not maintained the register of the works carried out during 2009-10 under MNREGA scheme to verify the signatures by comparison between the signatures of Form 4 and Form 6.
- (ii) Kriya Yojane for undertaking MNREGA during 2009-10 was not approved by Zilla Panchayath.

(iii) You DGO-2 being the Junior Engineer has not taken photos regarding the work done under MGNREGA of 2009-10 by unskilled labourers in the process of work and has shown ₹1,819/- at page No. 15 of M.B. Book No. 3765 regarding expenditure towards payment for materials supply without obtaining the voucher from the supplier in the letter head containing tin number.

Thereby, you DGOs failed to maintain absolute integrity and devotion to duty, the act of which was unbecoming of Government servant and thereby committed misconduct as enumerated U/s.3(1)(i) to (iii) of Karnataka Civil Services (Conduct) Rules, 1966.”

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 charges (i) and (ii) against DGO-1 Sri M.Manjunath, the then Secretary, Murugamalla Grama Panchayath, Chintamani Taluk, Chikkaballapur District and disciplinary authority has proved charge (iii) against DGO-2 Sri B Krishnappa, the then Junior Engineer, Panchayath Raj Engineering Sub Division, Chitamani, Chikkaballapura District.

5. On re-consideration of inquiry report, I do not find any reason to interfere with the findings recorded by the Inquiry Officer. It is hereby recommended to the Government to accept the report of Inquiry Officer.

6. As per the information furnished by Inquiry officer;

- (i) DGO-1 Sri M.Manjunath, is due to retire from service on 31/10/2048;
- (ii) DGO-2 Sri B Krishnappa, is due to retire from service on 31/10/2026


7. Having regard to the nature of charges proved against DGO-1 Sri M. Manjunath and DGO-2 Sri B. Krishnappa;

(i) it is hereby recommended to the Government for imposing penalty of withholding four annual increments payable to DGO-1 Sri M. Manjunath, the then Secretary, Murugamalla Grama Panchayath, Chintamani Taluk, Chikkaballapur District with cumulative effect and also for deferring the promotion of DGO-1 Sri M. Manjunath for a period of four years, whenever he becomes due for promotion;

(ii) it is hereby recommended to the Government for imposing penalty of withholding four annual increments payable to DGO-2 Sri B. Krishnappa, the then Junior Engineer, Panchayath Raj Engineering Sub Division, Chintamani, Chikkaballapura District, with cumulative effect and also for deferring the promotion of DGO-2 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-2,  
State of Karnataka,  
Bengaluru

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