



KARNATAKA LOKAYUKTA

No.LOK/INQ/14-A/496/2014/ARE-7

Multi Storied Building,
Dr. B.R. Ambedkar Veedhi,
Bengaluru-560 001.
Dated 05.08.2020.

RECOMMENDATION

Sub:- Departmental inquiry against Shri H.S.Srinivasa,
Village Accountant, Honnavalli Circle, Hassan
District - reg.

Ref:- 1) Government Order No.RD 70 BDP 2014 dated
02.08.2014.

2) Nomination order No. LOK/INQ/14-
A/496/2014 dated 16.09.2014 of
Upalokayukta, State of Karnataka.

3) Inquiry report dated 04.08.2020 of Additional
Registrar of Enquiries-7, Karnataka Lokayukta,
Bengaluru.

The Government by its order dated 02.08.2014 initiated the disciplinary proceedings against Shri H.S.Srinivasa, Village Accountant, Honnavalli Circle, Hassan 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. LOK/INQ/14-A/496/2014 dated 16.09.2014 nominated Additional Registrar of Enquiries-7, 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 H.S.Srinivasa, Village Accountant, Honnavalli Circle, Hassan District, was tried for the following charges :-

That you DGO - Sri.H.S.Srinivasa, Village Accountant, Honnavalli Circle and I/c of Ganjalagudu Circle, Kasaba Hobli, Arakalgudu Taluk, Hassan District while discharging your duties:

- (a) The grandfather of the complainant had owned lands at Ganjalagudu Village, Arakalgudu Taluk. The complainant submitted an application before Taluk Office, Arakalgudu to change the khata of aforesaid lands in the name of his father. The said application was with you-DGO. When the complainant approached you-DGO to enquire about his application, you-DGO demanded a bribe amount of Rs.20,000/- from the complainant to get the khata changed in the name of his father. As there was a delay in change of khata, the complainant paid Rs.15,000/- bribe at the first instance and Rs.3,000/- bribe at the second instance, you-DGO demanded balance bribe amount of Rs.2,000/- from the complainant.
- (b) Unwilling to pay the balance bribe amount of Rs.2,000/- the complainant has approached Lokayukta Police, Hassan on 04-06-2013 and informed to the Lokayukta Police Station, Hassan,

about the demand of balance bribe amount of Rs.2,000/- by you-DGO. Then, the Lokayukta Police, Hassan gave voice recorder to the complainant to record the demand of bribe amount by you-DGO. Later on, the complainant approached you-DGO on 06-06-2013 at the premises of Taluk Office, Arakalgudu and enquired you-DGO about his work. Then, you-DGO again demanded balance bribe amount of Rs.2,000/- from the complainant. The conversation between you-DGO and complainant was recorded in the said voice recorder. Afterwards, the complainant approached Lokayukta Police, Hassan along with balance bribe amount and lodged a complaint before Lokayukta Police, Hassan on 07-06-2013 at about 10.00 a.m. The Lokayukta Police have registered a case against you-DGO on the basis of complaint lodged by the complainant in their station Crime No.50/2013 for the offences punishable under Section 7, 13(1)(d) r/w 13(2) of Prevention of corruption Act, 1988.

- (c) Thereafter, on 07-06-2013 at about 1.55 pm you-DGO had received the balance tainted (bribe) amount of Rs.2,000/- from the complainant at Kamadhenu Hotel situated at Arakalagudu Town, during the trap time.
- (d) Then, you-DGO was caught hold when found in possession of the tainted (bribe) amount on the said date and place, and the same was seized under a mahazar by the said Investigating Officer in the presence of shadow witness.
- (e) Added to that, you-DGO had failed to give any satisfactory account or explanation or reply for the said tainted amount (found with you) then, when questioned by the said I.O.
- (f) Even there are statements of witnesses, including complainant, besides material and records filed by the said I.O., in connection with your said repeated misconduct.


and thereby you failed to maintain absolute integrity and devotion to duty and committed an act which is unbecoming of Government Servant and thus you 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 above charge against the DGO Shri H.S.Srinivasa, Village Accountant, Honnavalli Circle, Hassan District, is 'proved'.
5. On re-consideration of report of inquiry and all other materials on record, 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 Enquiry Officer, DGO Shri H.S.Srinivasa, Village Accountant, Honnavalli Circle, Hassan District, is due for retirement on 30-10-2043.
7. Having regard to the nature of charge (demand and acceptance of bribe) '*proved*' against the DGO - Shri H.S.Srinivasa, and considering the totality of circumstances, it is hereby recommended to the Government to impose penalty of 'compulsory retirement on DGO Shri H.S.Srinivasa.'

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

Connected records are enclosed herewith.

 15-8-20

(JUSTICE B.S.PATIL)
Upalokayukta,
State of Karnataka.

BS*

