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**KARNATAKA LOKAYUKTA**

No.LOK/INQ/14-A/50/2007/ARE-10

M.S. Building,  
Dr. B.R. Ambedkar Road  
Bangalore-560 001  
Date: 05/04/2018

**ENQUIRY REPORT**

Present : Sri. S. Gopalappa  
Additional Registrar of Enquiries-10  
Karnataka Lokayukta  
Bangalore

**Sub:** Departmental Enquiry against

Sri D. Venkateshappa,  
The then Block Education Officer,  
Chikkabalapura taluk,  
Kolar District  
Presently working as  
Senior Lecturer, DIET,  
Mandya-reg.

- Ref:** 1. Report u/s 12(3) of the K.L Act, 1984 in  
Compt/Uplok/BD/592/2004/ARLO-1  
dt. 09/03/2007  
2. Government Order No. ಇಡಿ 111 ಡಿಐಡಿ 2007  
Bangalore dt. 01/06/2007.  
3. Nomination Order by Hon'ble Upalokayukta  
dt. 06/07/2007 and modified order dt. 23/01/2018.

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1. On the basis of materials placed by ADGP, KLA, Bengaluru that DGO - Sri. D. Venkateshappa, the then Block Education Officer, Chikkaballapur Taluk, Kolar District Presently working as Senior Lecturer, DIET, Mandya District has committed misconduct as

Public Servant in the official work of the complainant, an investigation was taken up u/s 7(2) of K.L. Act 1984.

2. After completion of the investigation, a report u/s 12(3) of the K.L. Act, 1984 in No. Comp/Uplok/BD/592/2004/ARLO-1 dt. 09/03/2007 was sent to the Government as per reference no. 1. In pursuance of the report, the Government was pleased to issue order dt. 01/06/2007 authorizing Hon'ble Upalokayukta to hold enquiry as per reference no.2. Hence in pursuance of Government order nomination was issued by Hon'ble Upalokayukta on 06/07/2007 and modified order authorizing ARE-10 to hold enquiry and report as per reference no. 3.
3. On the basis of nomination articles of charge was prepared under Rule 11(3) of KCS (CCA) Rules 1957 and sent it to the DGO on 04/08/2007.

**ANNEXURE NO. I**  
**CHARGE**

ನೀವು ಡಿ. ವೆಂಕಟೇಶಪ್ಪ, ಹಿಂದಿನ ಕ್ಷೇತ್ರ ಶಿಕ್ಷಣಾಧಿಕಾರಿ, ಚಿಕ್ಕಬಳ್ಳಾಪುರ ತಾಲ್ಲೂಕು, ಕೋಲಾರ ಜಿಲ್ಲೆ ಇಲ್ಲಿ ಕರ್ತವ್ಯ ನಿರ್ವಹಿಸುತ್ತಿರುವಾಗ ಚಿಕ್ಕಬಳ್ಳಾಪುರ ತಾಲ್ಲೂಕು ಪೆರೇಸಂದ್ರದ ಲಾರ್ಡ್ಸ್ ಪ್ರಾಥಮಿಕ ಶಾಲೆಯ ಮುಖ್ಯೋಪಾಧ್ಯಾಯರಾದ ಶ್ರೀ ವೆಂಕಟೇಶ್ ರವರು ಈ ಶಾಲೆಯಲ್ಲಿ 3 ಮತ್ತು 4ನೇ ತರಗತಿಯನ್ನು ಪ್ರಾರಂಭಿಸಲು ಸಲ್ಲಿಸಿದ್ದ ಅರ್ಜಿಯ ಮೇಲೆ ನೀವು ದಿ: 16/07/2001 ರಂದು ಶಾಲೆಗೆ ಭೇಟಿ ಕೊಟ್ಟಿದ್ದು, ಮಂಜೂರಾತಿ ನೀಡಲು ರೂ. 6,000/- ಲಂಚ ಬೇಡಿ ರೂ. 5,000/- ಹಣವನ್ನು ಪಡೆದಿದ್ದು, ದಿ: 03/06/2002 ರಂದು ಫಿರ್ಯಾದಿಯಿಂದ ಅವರ ಶಾಲೆಯಲ್ಲಿ 3 ಮತ್ತು 4ನೇ ತರಗತಿಯನ್ನು ಪ್ರಾರಂಭಿಸಲು ಅನುಮತಿ ನೀಡಲು ಉಳಿದ ರೂ. 1,000/- ಹಣವನ್ನು ಆರೋಪಿತರ ವಾಸದ ಮನೆ ನಂ. 39/2 ವೆಂಕಟರಾವ್ ಕಂಪೌಂಡ್, ಗರ್ಲ್ಸ್ ಸ್ಕೂಲ್ ರಸ್ತೆ, ಚಿಕ್ಕಬಳ್ಳಾಪುರದಲ್ಲಿ ಕೇಳಿ ಪಡೆದಿದ್ದು, ತನ್ಮೂಲಕ ಸಾರ್ವಜನಿಕ ನೌಕರರಾಗಿ ನೀವು ಸಂಪೂರ್ಣ ಪ್ರಾಮಾಣಿಕತೆಯನ್ನು ಕಾಯ್ದುಕೊಳ್ಳುವಲ್ಲಿ ವಿಫಲರಾಗಿದ್ದು,

ಅಂತಹ ನೌಕರರಿಗೆ ಸಲ್ಲದ ಕೃತ್ಯವನ್ನು ಕರ್ನಾಟಕ ಸರ್ಕಾರಿ ಸೇವಾ (ಸದ್ವರ್ತನತೆ) ನಿಯಮಾವಳಿ 1966ತ (3) (i) ಮತ್ತು (iii)ನೇ ನಿಬಂಧನೆಯನ್ನು ಉಲ್ಲಂಘಿಸಿ ದುರ್ನಡತೆ ಎಸಗಿದ್ದೀರಿ. ಅದರಿಂದ ಈ ದೋಷಾರೋಪಣೆ.

## **ANNEXURE II** **STATEMENT OF IMPUTATIONS OF MISCONDUCT**

2001-02ನೇ ವರ್ಷದಲ್ಲಿ ತಪ್ಪಿತಸ್ಥ ಸರ್ಕಾರಿ ನೌಕರರು ಕೋಲಾರ ಜಿಲ್ಲೆಯ ಚಿಕ್ಕಬಳ್ಳಾಪುರದಲ್ಲಿ ಕ್ಷೇತ್ರ ಶಿಕ್ಷಣಾಧಿಕಾರಿಯಾಗಿ ಕೆಲಸ ನಿರ್ವಹಿಸುತ್ತಿದ್ದು, ಈ ಕಛೇರಿಯ ವ್ಯಾಪ್ತಿಗೆ ಬರುವ ಪೆರೇಸಂದ್ರದಲ್ಲಿ ಪಿ.ವಿ. ಗೋಪಾಲಕೃಷ್ಣ ಮೆಮೋರಿಯಲ್ ಎಜುಕೇಷನ್ ಟ್ರಸ್ಟ್ ವತಿಯಿಂದ ಲಾರ್ಡ್ಸ್ ಪ್ರಾಥಮಿಕ ಶಾಲೆಯನ್ನು ನಡೆಸುತ್ತಿದ್ದು, ಈ ಶಾಲೆಯ ಮುಖ್ಯೋಪಾಧ್ಯಾಯರಾಗಿ ವಿ. ವೆಂಕಟೇಶ್ ಎಂಬುವವರು ಕೆಲಸ ನಿರ್ವಹಿಸುತ್ತಿದ್ದು, ಈ ಶಾಲೆಯಲ್ಲಿ 1 ಮತ್ತು 2ನೇ ತರಗತಿಗಳನ್ನು 99-2000 ರಿಂದ ನಡೆಸುತ್ತಿದ್ದು, 3 ಮತ್ತು 4ನೇ ತರಗತಿಗಳನ್ನು ನಡೆಸಲು ಅನುಮತಿ ಕೋರಿ ಪ್ರಸ್ತಾವನೆಯನ್ನು ಚಿಕ್ಕಬಳ್ಳಾಪುರದ ಕ್ಷೇತ್ರ ಶಿಕ್ಷಣಾಧಿಕಾರಿಗಳ ಕಛೇರಿಗೆ ಸಲ್ಲಿಸಿದ್ದು, ಇದರ ವ್ಯವಹಾರಗಳನ್ನು ಮುಖ್ಯೋಪಾಧ್ಯಾಯರಾದ ವಿ. ವೆಂಕಟೇಶ್ ನೋಡಿಕೊಳ್ಳುತ್ತಿದ್ದು, ಅವರ ಅರ್ಜಿಯ ಬಗ್ಗೆ ಆಪಾದಿತ ನೌಕರರು ಕ್ಷೇತ್ರ ಶಿಕ್ಷಣಾಧಿಕಾರಿಯಾಗಿ ಈ ಶಾಲೆಗೆ ದಿ: 16/07/2001 ರಂದು ಭೇಟಿಕೊಟ್ಟು ಪರಿಶೀಲನೆ ಮಾಡಿಕೊಂಡು ಬಂದಿದ್ದು, ನಂತರ ಹಲವಾರು ಬಾರಿ ಫಿರಿಯಾದಿಯು ಆಪಾದಿತ ನೌಕರರನ್ನು ಭೇಟಿಯಾಗಿ ಅನುಮತಿ ಬಗ್ಗೆ ಕೇಳಿದಾಗ ರೂ. 6,000/- ಲಂಚ ಕೊಡಬೇಕೆಂದು ಆಪಾದಿತ ನೌಕರರು ಒತ್ತಾಯಮಾಡಿದ್ದು, ಇದರಲ್ಲಿ ರೂ. 5,000/- ಹಣವನ್ನು ಕೊಟ್ಟಿದ್ದಾಗ್ಯೂ ಅನುಮತಿ ಪತ್ರ ಕೊಟ್ಟಿರುವುದಿಲ್ಲವೆಂದು ನಂತರ ದಿ: 31/07/2001 ರಂದು ಒತ್ತಾಯ ಮಾಡಿ ಕೇಳಿದಾಗ ದಿ: 01/06/2002 ರಂದು ರೂ. 1,000/- ಹಣವನ್ನು ಕಛೇರಿಗೆ ತಂದುಕೊಟ್ಟು ದಾಖಲೆಗಳನ್ನು ತೆಗೆದುಕೊಂಡು ಹೋಗಲು ಆರೋಪಿತ ನೌಕರರು ತಿಳಿಸಿದ್ದು, ಈ ಲಂಚದ ಹಣವನ್ನು ಕೊಡಲು ಇಷ್ಟವಿಲ್ಲದೇ ಫಿರಿಯಾದಿಯು ತಮ್ಮ ಶಾಲೆಯ ಕಮಿಟಿಯ ಸದಸ್ಯರಿಗೆ ತಿಳಿಸಿ ನಂತರ ಲೋಕಾಯುಕ್ತ ಅಧಿಕಾರಿಗಳಿಗೆ ದಿ: 01/06/2002ರಂದು ದೂರನ್ನು ನೀಡಿರುತ್ತಾರೆ.

ಈ ದೂರಿನ ಮೇಲೆ ಲೋಕಾಯುಕ್ತ ಕಛೇರಿಯಲ್ಲಿ ಕೇಸನ್ನು ನೋಂದಾಯಿಸಿದ್ದು ಪಂಚರಾದ ರವಿಶಂಕರ್ ಮತ್ತು ಬಿ.ಎನ್. ರಾಜನ್ ಎಂಬುವವರನ್ನು ತನಿಖಾಧಿಕಾರಿಯು ಕರೆಸಿಕೊಂಡಿದ್ದು, ಅವರ ಸಮ್ಮುಖದಲ್ಲಿ ಫಿರಿಯಾದಿಯು ಲಂಚ ನೀಡುವ ಹಣವಾದ ರೂ. 1,000/-ಗಳನ್ನು ರೂ. 100/-ರ 10 ನೋಟುಗಳನ್ನು ಹಾಜರುಪಡಿಸಿದ್ದು, ಈ ನೋಟುಗಳಿಗೆ ಫಿನಾಪಲ್ಟಿನ್ ಪುಡಿಯನ್ನು ಸವರಿಸಿ

ರವಿಶಂಕರ್‌ರವರಿಂದ ಎಣಿಸಿ ನಂತರ ಹಣವನ್ನು ಬಿ.ಎನ್. ರಾಜನ್‌ರವರ ಕೈಯಿಂದ ಫಿರ್ಯಾದಿಯ ಜೇಬಿಗೆ ಇಡಿಸಿ ನಂತರ ಸೋಡಿಯಂ ಕಾರ್ಬೋನೇಟ್ ದ್ರಾವಣ ತಯಾರಿಸಿ ರಾಜನ್‌ರವರ ಕೈ ತೋಳಿಸಿದಾಗ ಅದು ಗುಲಾಬಿ ಬಣ್ಣಕ್ಕೆ ಬಂದಿದ್ದು, ಅದನ್ನು ಬಾಟಲಿಗೆ ಹಾಕಿ ಸೀಲು ಮಾಡಿದ್ದು, ನಂತರ ಫಿರ್ಯಾದಿ ಮತ್ತು ರವಿಶಂಕರ್‌ರವರಿಗೆ ನಿರ್ವಹಿಸಬೇಕಾದ ಕರ್ತವ್ಯಗಳ ಮಾಹಿತಿ ನೀಡಿ ಫಿರ್ಯಾದಿಯು ಆರೋಪಿತ ನೌಕರರ ಕಛೇರಿಗೆ ಹೋಗಿ ಅವರ ಕೆಲಸದ ಬಗ್ಗೆ ವಿಚಾರಿಸಿ ಆಪಾದಿತ ನೌಕರರು ಲಂಚದ ಹಣ ಬೇಡಿದರೆ ಮಾತ್ರ ಕೊಡಬೇಕೆಂದು ನಂತರ ಬಂದು ಸೂಚನೆ ಕೊಡಬೇಕೆಂದು ಹಾಗೂ ಸಾಕ್ಷಿ ರವಿಶಂಕರ್‌ರವರಿಗೆ ಫಿರ್ಯಾದಿಯ ಜೊತೆ ಹೋಗಿ ಆರೋಪಿತ ನೌಕರರು ಮತ್ತು ಫಿರ್ಯಾದಿ ನಡುವೆ ನಡೆಯುವ ಮಾತುಗಳನ್ನು ಕೇಳಿಸಿಕೊಂಡು ನಡೆಯುವ ಪ್ರಕ್ರಿಯೆಗಳನ್ನು ನೋಡಿ ತಿಳಿಸಬೇಕೆಂದು ಸೂಚನೆಗಳನ್ನು ನೀಡಿ ನಂತರ ಆರೋಪಿತ ನೌಕರರ ಕಛೇರಿ ಬಳಿ ಹೋಗಿ ನೋಡಿದಾಗ ಆರೋಪಿತ ನೌಕರರು ಕೋಲಾರಕ್ಕೆ ಹೋಗಿರುವುದಾಗಿ ತಿಳಿದುಬಂದಿದ್ದು, ನಂತರ ವಾಪಾಸು ಹಿಂದಿರುಗಿ 2ನೇ ತಾರೀಖು ಭಾನುವಾರವಾದ್ದರಿಂದ 3ನೇ ತಾರೀಖು ಬರಲು ಫಿರ್ಯಾದಿ ಮತ್ತು ಪಂಚರಿಗೆ ತಿಳಿಸಿದ್ದು, ಅದರಂತೆ 3ನೇ ತಾರೀಖು ಫಿರ್ಯಾದಿ ಮತ್ತು ಪಮಚರು ಲೋಕಾಯುಕ್ತ ಕಛೇರಿಗೆ ಬಂದಿದ್ದು, ಅಲ್ಲಿಂದ ಎಲ್ಲರೂ ಆರೋಪಿತ ನೌಕರರ ಕಛೇರಿ ಬಳಿ ಹೋಗಿ ಫಿರ್ಯಾದಿಗೆ ಆರೋಪಿತ ನೌಕರರ ಬಳಿ ಹೋಗಿ ತನ್ನ ಕೆಲಸ ಬಗ್ಗೆ ವಿಚಾರಿಸಿ ಅವರು ಕೇಳಿದರೆ ಮಾತ್ರ ಹಣ ಕೊಡಬೇಕೆಂದು ತಿಳಿಸಿ ಅವರ ಜೊತೆಯಲ್ಲಿ ಮತ್ತೊಬ್ಬ ಸಾಕ್ಷಿಯನ್ನು ಕಳುಹಿಸಿದ್ದು, ಆರೋಪಿತ ನೌಕರರು ಫಿರ್ಯಾದಿಗೆ ಅವರ ಮನೆಯ ಹತ್ತಿರ ಬರಲು ತಿಳಿಸಿದ್ದು, ಅದರಂತೆ ಫಿರ್ಯಾದಿ ಮತ್ತು ಸಾಕ್ಷಿ ಆರೋಪಿತ ಮನೆಗೆ ಹೋಗಿದ್ದು, ಸುಮಾರು 1.50 ಕ್ಕೆ ಆರೋಪಿತ ನೌಕರರು ಬಂದಿದ್ದು, ಅವರನ್ನು ಫಿರ್ಯಾದಿಯು ಅವರ ಕೆಲಸ ಬಗ್ಗೆ ವಿಚಾರಿಸಿದಾಗ ಆರೋಪಿತ ನೌಕರರು ಕೆಲಸ ಮಾಡಿಕೊಡುತ್ತೇವೆ ಹಣವನ್ನು ಕೊಡಿಯೆಂದು ಕೇಳಿದ್ದು, ಆಗ ಫಿರ್ಯಾದಿಯು ಹಣವನ್ನು ಆರೋಪಿತ ನೌಕರರಿಗೆ ಕೊಟ್ಟು ನಂತರ ಹೊರಗಡೆ ಬಂದು ಲೋಕಾಯುಕ್ತ ಪೊಲೀಸರಿಗೆ ಸೂಚನೆ ನೀಡಿದ್ದು, ಅದರಂತೆ ಲೋಕಾಯುಕ್ತ ಸಿಬ್ಬಂದಿ ಮತ್ತು ಪಂಚರು ಧಾಳಿ ಮಾಡಿರುತ್ತಾರೆ. ಅಲ್ಲಿ ಫಿರ್ಯಾದಿಯು ಆರೋಪಿತ ನೌಕರರನ್ನು ಗುರುತಿಸಿದ್ದು, ಅವರನ್ನು ತನಿಖಾಧಿಕಾರಿಗಳು ವಿಚಾರಣೆ ಮಾಡಿ ಅವರ ಎರಡೂ ಕೈಗಳನ್ನು ಪ್ರತ್ಯೇಕವಾಗಿ ಸೋಡಿಯಂ ದ್ರಾವಣದಲ್ಲಿ ಅದ್ದಿಸಿದಾಗ ಈ ದ್ರಾವಣಗಳು ತಿಳಿಗುಲಾಬಿ ಬಣ್ಣಕ್ಕೆ ಬಂದಿದ್ದು, ಪ್ರತ್ಯೇಕ ಬಾಟಲಿಗಳಲ್ಲಿ ಹಾಕಿ ಸೀಲು ಮಾಡಿರುತ್ತಾರೆ. ನಂತರ ಆರೋಪಿತ ನೌಕರರ ವಶದಿಂದ ಲಂಚದ ಹಣವನ್ನು ಪಡೆದು ಅದನ್ನು ಕವರಿಗೆ ಹಾಕಿ ಸೀಲು ಮಾಡಿ ಆರೋಪಿತ ನೌಕರರ ಪ್ಯಾಂಟನ್ನು ಬಿಚ್ಚಿಸಿಕೊಂಡು ಅದರ ಎಡಭಾಗದ ಜೇಬನ್ನು ಸೋಡಿಯಂ ದ್ರಾವಣದಲ್ಲಿ ಅದ್ದಿದಾಗ ಈ ದ್ರಾವಣವು ಸಹ ಗುಲಾಬಿ ಬಣ್ಣಕ್ಕೆ ಬಂದಿದ್ದು, ಇದನ್ನು ಸಹ ಒಂದು ಬಾಟಲಿನಲ್ಲಿ ಹಾಕಿ ಸೀಲು ಮಾಡಿದ್ದು, ನಂತರ ಆರೋಪಿತ ನೌಕರರನ್ನು ಈ ಬಗ್ಗೆ ಹೇಳಿಕೆ ಕೇಳಿದ್ದು, ಅವರು ತಮ್ಮ ಹೇಳಿಕೆಯನ್ನು ಬರೆದುಕೊಟ್ಟಿರುತ್ತಾರೆ. ನಂತರ ಅಲ್ಲಿ ಟ್ರಾವ್ ಪಂಚನಾಮೆಯನ್ನು ಬೆರಳಚ್ಚು ಮಾಡಿಸಿರುತ್ತಾರೆ. ಈ ಪಂಚನಾಮೆ ಆದ ನಂತರ ಆರೋಪಿತ ನೌಕರರನ್ನು ಕರೆದುಕೊಂಡು ಅವರ ಕಛೇರಿಗೆ ಹೋಗಿ ಅಲ್ಲಿ ಅವರ ಸಿಬ್ಬಂದಿಯಿಂದ

ಫಿರ್ಯಾದಿಯ ಶಾಲೆಗೆ ಸಂಬಂಧಪಟ್ಟ ದಾಖಲೆಗಳನ್ನು ಹಾಜರುಪಡಿಸಿಕೊಂಡು ಆ ದಾಖಲೆಗಳ ಪ್ರತಿಗಳನ್ನು ಪಡೆದು ಅವುಗಳ ಮೇಲೆ ಆರೋಪಿತರ ದೃಢೀಕರಣ ಪಡೆದುಕೊಂಡಿರುತ್ತಾರೆಂದು, ಅದ್ದರಿಂದ ಆರೋಪಿತ ನೌಕರರು ಫಿರ್ಯಾದಿಗೆ ಸಂಬಂಧಪಟ್ಟ ಕೆಲಸವನ್ನು ಮಾಡಿಕೊಡಲು ಲಂಚವನ್ನು ಕೇಳಿ ಪಡೆದುಕೊಂಡಿರುತ್ತಾರೆ.

ನಂತರ ಅಮಾನತ್ತು ಪಡಿಸಿದ್ದ ವಸ್ತುಗಳನ್ನು ವಿಧಿವಿಜ್ಞಾನ ಪ್ರಯೋಗಾಲಯಕ್ಕೆ ಕಳುಹಿಸಿ ಪರೀಕ್ಷೆ ಮಾಡಿಸಲಾಗಿರುತ್ತದೆ. ಹಾಗೂ ಸಾಕ್ಷಿಗಳ ಹೇಳಿಕೆಗಳನ್ನು ಮಾಡಿಕೊಂಡಿರುತ್ತದೆ. ಅದ್ದರಿಂದ ಆಪಾದಿತ ನೌಕರರು ಪರಸಂದ್ರದ ಲಾರ್ಡ್ಸ್ ಶಾಲೆಗೆ 3 ಮತ್ತು 4ನೇ ತರಗತಿಗಳನ್ನು ಪ್ರಾರಂಭಿಸಲು ಅನುಮತಿ ನೀಡಲು ಈ ಶಾಲೆಯ ಮುಖ್ಯೋಪಾಧ್ಯಾಯರಾದ ಶ್ರೀ ವೆಂಕಟೇಶ್ ರವರಿಂದ ಲಂಚವನ್ನು ಸ್ವೀಕರಿಸಿರುತ್ತಾರೆ. ಅದ್ದರಿಂದ ಅಕ್ರಮ ಸಂಭಾವನೆಯನ್ನು ಸ್ವೀಕರಿಸಿ ಘೋರ ದುರ್ನಡತನೆಯನ್ನು ಎಸಗಿದ್ದಾರೆ.

ಆರೋಪಿತ ನೌಕರರಿಗೆ ತಿಳುವಳಿಕೆ ಪತ್ರ ಕಳುಹಿಸಿ, ಅವರ ವಿರುದ್ಧ ಕ್ರಮ ಕೈಗೊಳ್ಳಲು ಸಕ್ಷಮ ಪ್ರಾಧಿಕಾರಕ್ಕೆ ಶಿಫಾರಸ್ಸು ಮಾಡಬಾರದೇಕೆಂದು ಕಾರಣ ಕೇಳಲಾಯಿತು. ತಮ್ಮ ವಿವರಣೆಯಲ್ಲಿ ಅವರ ವಿರುದ್ಧ ಮಾಡಿರುವ ಆಪಾದನೆಗಳು ಸುಳ್ಳೆಂದು ಶಾಲೆಯಲ್ಲಿ 3 ಮತ್ತು 4ನೇ ತರಗತಿಗಳನ್ನು ಪ್ರಾರಂಭಿಸಲು ಅರ್ಜಿ ಸಲ್ಲಿಸಿದ್ದು, ಅದರ ಮೇಲೆ ಕೂಡಲೇ ಕ್ರಮ ತೆಗೆದುಕೊಂಡು ಕೆಲವು ಆಕ್ಷೇಪಣೆಗಳು ಕಂಡು ಬಂದಿದ್ದು, ಈ ಬಗ್ಗೆ ಆದೇಶ ಮಾಡಿ ಇವರ ಅರ್ಜಿಯನ್ನು 2001ರಲ್ಲಿ ಎಜುಕೇಶನ್ ಟ್ರಸ್ಟ್‌ಗೆ ಮುಂದಿನ ಕ್ರಮಕ್ಕೆ ಕಳುಹಿಸಿರುವುದಾಗಿಯೂ ತಮಗೆ ತಿಳಿದಿರುವಂತೆ ವೆಂಕಟೇಶ್‌ರವರು ಈ ಶಾಲೆಯ ಮುಖ್ಯೋಪಾಧ್ಯಾಯರು ಅಲ್ಲವೆಂದು ಹಾಗೂ ಅವರು ಯಾವುದೇ ಅರ್ಜಿ ಸಲ್ಲಿಸಿರುವುದಿಲ್ಲವೆಂದು ತಾವು ಅವರನ್ನು ಯಾವುದೇ ಲಂಚ ಕೇಳಿರುವುದಿಲ್ಲವೆಂದು ಹಾಗೂ ಯಾವುದೇ ಲಂಚದ ಹಣವನ್ನು ಪಡೆದಿರುವುದಿಲ್ಲವೆಂದು ಹೇಳಿರುತ್ತಾರೆ. ದಿ: 03/06/2002 ರಂದು ಮಧ್ಯಾಹ್ನ 2.00 ಗಂಟೆಯಲ್ಲಿ ತನ್ನ ಮನೆಯಲ್ಲಿ ಊಟ ಮಾಡುತ್ತಿದ್ದಾಗ ಫಿರ್ಯಾದಿಯು ಬಲಪ್ರಯೋಗದಿಂದ ತನ್ನ ಪ್ಯಾಂಟಿನ ಜೇಬಿಗೆ ಹಣ ತುರುಕಿದ್ದಾಗ್ಯೂ ಏನಾಗುತ್ತದೆಂದು ನೋಡುವುದರೊಳಗೆ ಲೋಕಾಯುಕ್ತ ಪೊಲೀಸಿನವರು ಬಂದು ಹಣವನ್ನು ತೆಗೆದುಕೊಂಡಿರುತ್ತಾರೆಂದು ಟ್ರಾಪ್ ಮಹಜರಿನಲ್ಲಿ ಹೇಳಿರುವ ವಿಚಾರಗಳೆಲ್ಲಾ ಸುಳ್ಳೆಂದು ಹಾಗೂ ತಾನು ಯಾವುದೇ ಹೇಳಿಕೆ ನೀಡಿರುವುದಿಲ್ಲವೆಂದು ಹೇಳಿರುತ್ತಾರೆ. ತಾನು ಯಾವುದೇ ಲಂಚದ ಹಣವನ್ನು ಕೇಳಿರುವುದಿಲ್ಲವೆಂದು ಲೋಕಾಯುಕ್ತ ಪೊಲೀಸಿನವರು ನನ್ನಿಂದ ಒತ್ತಾಯಪೂರ್ವಕವಾಗಿ ಹೇಳಿಕೆ ಪಡೆದಿರುತ್ತಾರೆಂದು ಸಮಜಾಯಿಷಿ ಹೇಳಿರುತ್ತಾರೆ. ಈ ಸಮಜಾಯಿಷಿ ತೃಪ್ತಿಕರವಾಗಿಲ್ಲವೆಂದು ಕಂಡು ಬಂದ ಕಾರಣ ಅವರ ವಿರುದ್ಧ ಕ್ರಮ ತೆಗೆದುಕೊಳ್ಳಲು ಸರ್ಕಾರಕ್ಕೆ ವರದಿ ಕಳುಹಿಸಿದ್ದು, ಆ ವರದಿಯ ಆಧಾರದ ಮೇಲೆ ಆರೋಪಿತ ನೌಕರರ ವಿರುದ್ಧ ಈ ಇಲಾಖಾ ವಿಚಾರಣೆ ನಡೆಸಲು ಸರ್ಕಾರವು ಆದೇಶ ಮಾಡಿ,

ಲೋಕಾಯುಕ್ತ ಸಂಸ್ಥೆಗೆ ಇಲಾಖಾ ವಿಚಾರಣೆ ಮಾಡಿ ವರದಿ ಸಲ್ಲಿಸಲು ವಹಿಸಿರುತ್ತದೆ. ಅದರಂತೆ ಈ ವಿಚಾರಣೆ ಅದ್ದರಿಂದ ಈ ದೋಷಾರೋಪಣೆಯ ವಿವರ.

4. The said AOC was served to DGO. The DGO appeared before the Enquiry officer, and then his First oral statement under Rule 11(9) of KCS (CCA) Rules was recorded. DGO pleaded not guilty. DGO has filed the written statement denying all the allegations made against him.
5. In support of the disciplinary authority, PW 1 to 4 are examined. Ex. P.1 to 13 are marked. After the closure the evidence by the disciplinary authority, Second Oral Statement of DGO was recorded u/r 11(16) of KCS (CCA) Rules 1957. In support of DGO, he himself is examined as DW-1 and got marked Ex.D.1 to 4 (Ex.D.3 is in Ex.P11). Hence, recording his answers to questionnaires was dispensed with u/r 11(18) of KCS (CCA) Rules, 1957.
6. Then the Learned Presenting Officer and Learned Assistant for DGO filed their written brief and they were also heard orally.
7. Points for consideration
  - i. Whether the charge is proved by the Disciplinary Authority?
  - ii. What order ?
8. My answers to the above points are as follows;
  - i. In the affirmative.
  - ii. As per final order  
for the following.

**REASONS**

9. **Point no.1 :-** The complainant who is examined as PW-1 has deposed that during the year 2001-02 to start 3<sup>rd</sup> and 4<sup>th</sup> standards the Secretary of P.B. Gopalokrishna Memorial trust submitted an application to DGO as per Ex.P.1. He was attending the office of BEO to enquire about the application. During the year 2001-02 one Shivakumar was working as Education Inspector in the office of DGO, when he approached Shivakumar he was informing that the DGO is excepting the bribe. Through Shivakumar he met the DGO. DGO demanded bribe amount of Rs. 6,000/- he paid advance bribe amount of Rs. 5,000/- DGO informed that after giving the balance amount of Rs. 1,000/- he will give the permission to school.
10. Further PW-1 has deposed that not willing to pay the bribe amount he has lodged the complaint to lokayukta police station as per Ex.P.2. the IO secured the presence of panchas. He presented Rs. 1,000/- (100 X 10) police applied chemical powder to the notes and gave it to him. The IO gave instructions to himself and panchas and drawn pre-trap mahazar Ex.P.3. Then all of them went to Chikkabalapura near the office of DGO. Along with one pancha went to the office of DGO, but the DGO was not present in the office. The staff informed that the DGO has gone out to attend the meeting. He came back and informed the same to the police. The police have drawn the mahazar Ex.P.4. The I.O asked him to come on Monday. Again he went to Lokayukta police station on Monday. Police gave same currency notes to him at that time the panchas were present. Police took all of them near the office DGO.

11. Further PW-1 has deposed that himself and one pancha went inside the office of DGO. The DGO asked him to wait outside for some time. Therefore he came out. Then the DGO asked him to come near his office. He informed the same to the police then himself and witness went near the house of DGO. He enquired about his work. The DGO asked him to give the balance amount. He gave Rs. 1,000/- to DGO. DGO received the money and kept it into his pocket. He came out of the house and gave a signal to the IO. Police came near the house of DGO. IO enquired him, IO introduced himself to DGO asked the DGO to present the money. The DGO presented the money before Police. On verification it was tallied with the money to which chemical powder was applied. Police seized the currency notes. Police enquired the DGO and drawn the trap mahazar Ex.P.5. Further PW-1 has deposed that DGO has given his statement as per Ex.P.6. Police have seized the documents in the office of DGO.
12. In the cross examination PW-1 has deposed that he has not produced documents to show that he is working as Head Master in Keresandra Lords Primary School. He was working as Head Master in Keresandra Lords Primary School. He admits that application was submitted on 7/1/2007 along with prescribed forms. Again he says that he does not have information about the prescribed forms. He admits that Ex.P.1 was submitted in the year 2001-02. From the year 1998-2000 first and second standard classes were running in the school.
13. Further PW-1 admits that during 1998-99 first standard was commenced. And in the year 1999-2000 second standard was commenced during the year 2000-2001 application was submitted to start the third standard. He has not produced any documents to



show, but during the year 2000-2001 application was submitted to start the third standard. The third standard class was to be commenced in June 2000. He admits that permission was not taken from the office of DGO to run the third standard from the month of June 2000. He admits that during the year 2001-02 application along with prescribed form was submitted for permission to 3<sup>rd</sup> and 4<sup>th</sup> standard. He admits that to run 1<sup>st</sup> standard to 4<sup>th</sup> standard 4 TCH trainee teachers were required. He admits that application was submitted that there are 3 teachers and Secretaries. He admits that out of 3 teachers namely Vijaykumar, Ansuyamma and Sumangala. Vijayakumar alone has done the TCH. He admits that as per Ex.D.1 his name is not mentioned as Head Master. He admits that even in prescribed forms his name is not mentioned as Head Master.

14. Further PW-1 admits that on 16/7/2001 DGO visited a school for inspection. He does not know on what date he gave a sum of Rs. 5,000/- to DGO. After 16/7/2001 spot inspection, he gave a sum of Rs. 5,000/- to DGO. Permission was not taken to run the third standard class. He admits that the DGO has opined on 10/9/2001 that there is no information about the school building and trainee teachers. When the proposal was sent from the office of DGO. He was not working as a teacher. He has done PUC internship course. SSLC board will conduct the TCH examination and will issue the Marks card. He admits that his certificate shown to him is issued by the Director of Pre University Education in Karnataka as per Ex.D1. He admits that as per the copy of gazette notification Ex.D.2 PUC and TCH is required to become a Primary School Teacher.
15. Further PW-1 admits that Ex.D.1 is not the TCH certificate. He admits that he gave bribe amount of Rs. 5,000/- to one Shivakumar,

Inspector of Schools . At that time he has not lodged the complaint to Lokayukta he admits that giving bribe amount to said Shivakumar was wrong. He admits that Ex.D.3 is the letter dt. 7/7/2001 issued by DGO to the Secretary of his institution. Further he has deposed that he has furnished the information sought for by the DGO. He admits that he has not produced any endorsement to show that he has furnished the information sought for by the DGO. He has not given any complaints to higher authority of DGO or DDPI.

16. Further PW-1 has deposed that he has given the complaint to Lokayukta police on 1/6/2002. He admits that the IO had handed over a voice recorder to him. He denies that the conversation was not recorded in the voice recorder. He admits that he has not produced the transcript of the conversation. He admits that trap was not successful on 1/6/2002. After lodging the complainant himself, Lokayukta police and his staff had been to the office of DGO. He admits that if a person demands for money he will wait for the same. He admits that the IO seized the documents from B.D. Narayanswamy, FDA.
17. Further PW-1 admits that the documents pertaining to the school were seized from Smt. Sujathamma. He admits that the above documents were not seized in the chambers of DGO. He admits that unless the information furnished as per Ex.D.3 permission cannot be given. He admits that if this information was not furnished, file cannot be placed before DGO for his orders. He admits that until the complaint dt. 1/6/2002, information was not furnished. He admits that his appointment order is not produced before Lokayukta Police. He admits that he has not put the

signature to the application submitted for permission. He admits that the Secretary of the trust has signed all the applications. He admits that the complaint is not in his hand writing. He admits that it was published in newspapers that Lord School is unauthorized. He admits that the news publication is given by Education department. He admits that lokayukta police have taken his signatures on all the mahazars in lokayukta police station. He admits that the IO has given dictation to one Puttaraju for mahazar. Further PW-1 has denied the suggestions made by the Learned Assistant for DGO.

18. The Panchas who are examined PW-2 & PW-3 have deposed that on 1/6/2002 lokayukta police summoned them to Police station. At that time the complainant was present. Contents of compliant were explained to them. Complainant presented Rs. 1,000/- (100 X 10) Police applied phenolphthalein powder to the notes. PW-3 counted the money and gave it to the complainant. Hand wash of PW-3 was taken in solution and it turned into pink colour. At that time the IO has drawn the pre-trap mahazar Ex.P.3. Then all of them went near the office of DGO. PW-1 & 2 went to meet the DGO but DGO was not present in the office. Therefore Police have drawn the mahazar Ex.P.4. Again the IO summoned them to Lokayukta police station on 3/6/2002. All of them went near the office DGO, PW-1 & 2 went to meet the DGO the others were waiting outside. The complainant was asked to come near the house of DGO. Then PW-1 & 2 went near the house of the DGO.
19. Further PW-2 has deposed that the complainant gave Rs. 1,000/- to DGO. DGO after receiving the money asked them to come near the office. The complainant gave a signal to the IO. Further PW-2 & 3

have deposed that the police and his staff went near the house of DGO. The complainant narrated the incident. Hand wash of DGO was taken in some solution and it turned into pink colour. On enquiry the DGO presented the tainted amount before IO. On verification it was tallied with the money entrusted to the complainant. The DGO has given his statement before IO as per Ex.P.6. Then the IO has drawn the trap mahazar Ex.P.5. Further PW-3 has deposed that part of DGO was taken, pocket portion was dipped into sodium carbonate solution and it turned into pink colour. The IO has seized the documents.

20. In the cross PW-2 has deposed that the complainant presented the money in lokayukta police station. Further PW-2 has denied the suggestions made by the Assistant for DGO. Further except some suggestions and denials nothing much is elicited from the mouth of PW-2 to disbelieve his evidence.
21. In the cross examination PW-3 admits that in the requisition of IO, it is only requested to send on Official. He does not know that requisition was not given to send the officials on 3/6/2002. He admits that head office department has not endorsed on the requisition to go to the lokayukta police station. He admits that again the order of his higher authority is not obtained to go to lokayukta police station on 3/6/2002. He has voluntarily deposed that his higher authority directed him to be in the control of IO until the IO relieves them. He admits that his higher authority has not given written directions. He has not enquired the complainant about the genuineness of the complaint. Photos were not taken when he read the complaint.

22. Further PW-3 admits that he noted down the note numbers. He has not measure the quantity of the solution. On 1/6/2002 trap was not successful because the DGO was not present in the office. He admits that when the complainant went inside the house of DGO, he was standing outside near the compound. He admits that the house of DGO was situated in first floor. He admits that he has given his statement before IO that he was standing about 500ft away from the house of DGO. He admits that the transaction took place in the house of DGO was not visible and conversation was not audible to him. He admits that the documents were seized from Smt. Sujatamma, SDA. He does not know that all the documents were prepared in the same typewriter. He has not enquired whether the information sought in the Ex.D3 was furnished or not. He has not seen the transcript of the conversation. Further PW-3 has denied the suggestions made the learned Assistant for DGO.
23. The IO who is examined as PW-4 has deposed that on 1/6/2002 at 10.30am he received the complaint Ex.P.1. Registered cr.no. 03/2002 and forwarded the FIR to the court. He secured the presence of panchas namely PW-2 & 3. Complainant presented Rs. 1,000/- (100 X 10). Panchas noted down the numbers. Staff applied phenolphthalein powder to the notes. PW-3 kept the money into the pant pocket of the complainant. Hand wash of PW-3 was taken in sodium carbonate solution and it turned into pink colour. He gave the instructions to the complainant and panchas and drawn the pre-trap mahazar Ex.P.3.
24. Further PW-4 has deposed that all of them went near the office of DGO. PW-1 & 2 went to meet the DGO. PW-1 & 2 came back and informed that the DGO was not present in the office. Therefore they

came back to lokayukta police station drawn the mahazar Ex.P.4 and asked the complainant and panchas to come on next day. On the next day the complainant and panchas came there. The money was verified and PW-3 kept the money into the pant pocket of the complainant. Again he gave instructions to the complainant and panchas and went to Chikabalapura. PW-1 and 2 went to meet the DGO. The DGO was going to residence to have meals. PW-1 & 2 followed the DGO. At a little distance himself and his staff followed them. PW-1 & 2 went to the house of DGO, later complainant gave a signal.

25. Further PW-4 has deposed that himself and his staff and another pancha went near the house of DGO. The complainant narrated the incident. He introduced himself to the DGO and held the both hands. Both hands wash was taken in sodium carbonate solution. The right hand wash was not turned into any colour, but the left hand wash was turned into pink colour. On enquiry the DGO presented the tainted amount from pant left side pocket. On verification it was tallied with the money entrusted to the complainant. Pant of DGO was taken. Pocket portion was dipped into sodium carbonate solution and it turned into pink colour.
26. Further PW-4 has deposed that he seized the tainted amount pant and solution. DGO has given a statement as per Ex.P.6 which is false according to PW-1 & 2. Then all of them went to the office of DGO. DGO asked FDA Narayanswamy to produce the files pertaining to the School as per Ex.P.11. Smt. Sujatha also has produced one more file which is part of Ex.P.11. Then he has completed the trap mahazar Ex.P.11. He received the sketch

Ex.P.12 from PWD. His successor Ashwath Narayan received FSL report Ex.P.13 and submitted the charge sheet against DGO.

27. In the cross PW-4 has deposed that no special training is given in Lokayukta institution. He has not produced the case dairy of 1/6/2002 and 3/6/2002. There is no practice in writing the case dairy in the office of Dy.S.P. He admits that the spot is within the jurisdiction of Kolar Lokayukta police station. He admits that he has not forward the complaint to Lokayukta police station. Because the staff in Kolar Lokayukta police station are below the rank of inspectors. He admits that the higher authority has not mentioned the receipt time in the letter and has not mentioned from what date to what date the staff were deputed. He has not enquired about the qualification of the complainant. He does not know that the PUC and TCH is the qualification to become Head Master. He does know before the 2001 the Government has declared that the Lords primary school is unauthorized.
28. Further PW-4 admits that the Secretary of Gopalakrishna Memorial Education Trust has put the signature to Ex.P.1 and not the complainant. He admits that he has not produced any documents to show that the trustee has appointed him as Head Master. He admits that in the list of teachers of the school the name of Venkatesh is not mentioned. He admits that the documents were not seized from the possession of DGO. He admits that he has not taken the statement of elected member of Gopalakrishna Memorial Education Trust. He does not know that any Government Official when demands the bribe, he will wait for the same. He admits that on 1/6/2002 the trap was not successful. He does not know whether the school has complied the conditions or not.

29. Further PW-4 admits that on 3/6/2006 the DGO was sitting to have the meals in his house. He admits that the transaction took place in the house of DGO situated in first floor was not visible to the ground floor and conversation was not audible. He admits that he has not seen the report Ex.P.13 because it was received by his successor. He admits that the photos were not taken at the time of investigation. Further except some suggestions and denials nothing much is elicited from the mouth of PW-4 to disbelieve his evidence.
30. The DGO who is examined as DW-1 has deposed that from 01/07/2000 to 31/08/2002 he was working as BEO in Chikkabalapura. On 7/6/2001 Gopalakrishna Memorial Educational Trust has submitted an application for permission to start 3<sup>rd</sup> and 4<sup>th</sup> standards on 07/06/2001 when he visited the school he found that the qualified teachers were not appointed to run third and fourth standard by that time the third standard class was running unauthorisedly. The permission was sought from the year 1999-2000. Information was not furnished how many childrens were studying. Therefore the application was rejected and endorsement was given on 10/09/2001 as per Ex.D.3. Therefore after issuance of Ex.D.3 also no reply has been received from the Secretary.
31. Further DW-1 has deposed that the complainant has studied PUC and has not done the TCH. On 3/6/2002 afternoon he was on leave. He was getting to ready to go to KGID for loan and having meals. When the complainant came and enquired he informed that the application was given with an endorsement and after compliance further steps will be taken. In spite of his refusal the complainant thrust the tainted amount to his shirt pocket. When he pushed



his hand from his left hand, the complainant forcibly kept the money into the pant pocket. By that time the Lokayukta Police came inside his house and questioned him he asked what money and what is the matter. Lok police asked the complaint to remove the money. He removed the money from his left side pant pocket in his left hand. Then his hand wash was taken but it was not turned into any colour. After taking his hand wash Lokayukta police have put some powder therefore it has turned into some colour. The IO informed about the complaint and took his signature. On 03/06/2002 the work of complainant was not pending before him. Therefore demand and acceptance of bribe amount from the complainant does not arise at all.

32. In the cross emanation DW-1 has deposed that he has studied upto MA, BED. Ex.P.6 is statement is in his hand writing and it bears his signature, but the IO has taken it forcibly. There is no enmity between himself and complainant. He admits that the tainted amount was seized from his pant pocket, and his hand wash was turned into pink colour. Further DW-1 has deposed that since the complaint forcibly kept the money, he took out the money therefore it was turned into colour.
33. The DGO has taken the contention that the work of complainant was not pending before him because there was no occasion for him to demand and receive the bribe amount from the complainant. Further he has taken the contention that the complainant forcibly kept the money into his pant pocket. Admittedly the management of the school has submitted an application to run 3<sup>rd</sup> and 4<sup>th</sup> standard classes. The DGO visited the schools and raised objections. In this

respect when the complainant approached him, he demanded for bribe amount.

34. Not willing to pay the bribe amount, the complainant has lodged the complaint Ex.P.2. IO secured the presence of PW-2 & 3. Introduced the complaint and explained the contents of the complaint. The complainant presented Rs. 1,000/- (100 X 10). Panchas noted down the numbers. Police applied phenolphthalein powder to the notes. PW-3 kept the money into pant pocket of the complainant. Hand wash of PW-3 was taken in sodium carbonate solution and it turned into pink colour. Then IO gave the instructions to complainant and panchas and drawn the pre-trap mahazar.
35. The evidence on record show that on 1/6/2002 the DGO was not present in the office. Therefore the IO and his team came back. Again on 3/6/2005, all of them went near the office of DGO, DGO was coming back to his house. Therefore the complainant and shadow witness went to the house of DGO. The DGO demanded and received money from the complainant, kept the same into his pant pocket. After receiving the signal the IO and his staff came to the house of DGO. The complainant narrated the incident. Both hand wash of DGO was taken in sodium carbonate solution. The left hand wash of was turned into pink colour. Because he had received the money from his left hand. On verification the amount was tallied with the money entrusted to the complaint. The IO seized the bribe amount from the possession of DGO and drawn the trap mahazar. The DGO was having meals in a sitting position. Therefore one cannot forcibly keep the money into the pant pocket unless he manhandles him. There is no allegation about the complainant

manhandling the DGO. Therefore the contention of DGO cannot be accepted.

36. The oral and documentary evidence on records shows that when the DGO was working as BEO, an application was submitted for permission by the complainant school to run 3<sup>rd</sup> and 4<sup>th</sup> standard, when the complainant visited on 16/07/2001, the DGO demanded for bribe amount of Rs. 6,000/- and received advance amount of Rs. 5,000/- and then the DGO demanded and received balance bribe amount of Rs. 1000/- to issue the permission to run 3<sup>rd</sup> and 4<sup>th</sup> standard in his residence no. 39/2 Venkatarao Compound, Girls School road, Chikkaballapura.
37. Thereby DGO has failed to maintain absolute integrity and devotion to duty, acted in a manner of unbecoming of a Government Servant as enumerated U/R 3 (1)(i) to (iii) of Karnataka Civil Service (Conduct) Rules 1966. Hence, I proceed to answer this point in the affirmative.

**POINT No.2 :-** for the reasons discussed above I proceed to pass the following;

### **ORDER**

The disciplinary Authority has proved the charges as framed against the DGO Sri. Sri. D. Venkateshappa, the then Block Education Officer, Chikkaballapur Taluk, Kolar District Presently working as Senior Lecturer, DIET, Mandya District.

Hence, this report is submitted to Hon'ble Upalokayukta-II for kind consideration.

Dated this the 5<sup>th</sup> day of April of 2018

sd/-  
(S. Gopalappa)  
Additional Registrar Enquiries-10,  
Karnataka Lokayukta,  
Bangalore.

**ANNEXURES**

**LIST OF WITNESSES EXAMINED ON BEHALF OF DISCIPLINARY AUTHORITY:**

PW-1 :- Sri. V. Venkatesh  
PW-2 :- Sri. Ravishankar.K.C  
PW-3 :- Sri. V.N. Rajan  
PW-4:- Sri. Patraiah Swamy

**LIST OF WITNESSES EXAMINED ON BEHALF OF DEFENCE WITNESS:**

DW-1 :- Sri. D. Venkateshappa

**LIST OF EXHIBITS MARKED ON BEHALF OF DISCIPLINARY AUTHORITY**

Ex P-1 : Letter dt. 7/6/2001  
Ex P-2 : Letter dated 01-06-2002  
Ex P-3 : Entrustment Mahazar dated 01-06-2002  
Ex P-4 : Re-entrustment mahazar dated 01-06-2002  
Ex P-5 : Mahazar dated 03-06-2002  
Ex P-6 : Statement of DGO dated 03-06-2002  
Ex P-7 : Form No.IX dated 24<sup>th</sup> Sept. 1998  
Ex P-8 : Letter dt. 16/7/2011 containing the strength of students  
Ex P-9 : Letter dated 2-5-2002  
Ex P-10 : FIR dt. 01/06/2002  
Ex P-11 : Files pertaining to the school

[21]

Ex P-12 : Sketch  
Ex P-13 : FSL report dated 29-08-2002

**LIST OF EXHIBITS MARKED ON BEHALF OF DGO**

Ex D-1 : Certificate  
Ex D-2 : Gazette dated 9-08-2001  
Ex D-3 : Memo dt. 03/06/2002  
Ex D-4 : Letter dated 5-7-2002

Dated this the 5<sup>th</sup> day of April of 2018

*Sd/-*  
(S. Gopalappa)  
Additional Registrar Enquiries-10  
Karnataka Lokayukta,  
Bangalore.



**GOVERNMENT OF KARNATAKA**



**KARNATAKA LOKAYUKTA**

NO:LOK/INQ/14-A/50/2007/ ARE-10

Multi Storied Building,  
Dr. B.R. Ambedkar Veedhi,  
Bengaluru-560 001,  
Date: 07/04/2018

**RECOMMENDATION**

Sub:- Departmental inquiry against Sri D. Venkateshappa,  
the then Block Education Officer, Chikkaballapur  
Taluk, Kolar District – Reg.

Ref:- 1) Government Order No.ಇಡಿ 111 ಡಿಜಿಡಿ 2007, Bengaluru  
dated 1/6/2007

2) Nomination order No.LOK/INQ/14-A/14/2007-08,  
Bengaluru dated 6/7/2007 of Upalokayukta-1, State  
of Karnataka, Bengaluru

3) Inquiry Report dated 5/4/2018 of Additional  
Registrar of Enquiries-10, Karnataka Lokayukta,  
Bengaluru

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The Government by its Order dated 1/6/2007, initiated the disciplinary proceedings against Sri D.Venkateshappa, the then Block Education Officer, Chikkaballapura Taluk, Kolar 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/14/2007-2008, Bengaluru dated 6<sup>th</sup> July 2007, nominated Additional Registrar of Enquiries-4, 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. Subsequently, by order No.UPLOK-2/DE/2018 dated 23/1/2018, this inquiry was transferred to Additional Registrar of Enquiries-10, Karnataka Lokayukta, Bengaluru.

3. The DGO Sri D. Venkateshappa, Block Education Officer, Chikkaballapur Taluk, was tried for the following charge:-

“ನೀವು ಡಿ.ವೆಂಕಟೇಶಪ್ಪ, ಹಿಂದಿನ ಕ್ಷೇತ್ರ ಶಿಕ್ಷಣಾಧಿಕಾರಿ, ಚಿಕ್ಕಬಳ್ಳಾಪುರ ತಾಲ್ಲೂಕು, ಕೋಲಾರ ಜಿಲ್ಲೆ ಇಲ್ಲಿ ಕರ್ತವ್ಯ ನಿರ್ವಹಿಸುತ್ತಿರುವಾಗ ಚಿಕ್ಕಬಳ್ಳಾಪುರ ತಾಲ್ಲೂಕು ಪರೇಸಂದ್ರದ ಲಾರ್ಡ್ ಪ್ರಾಥಮಿಕ ಶಾಲೆಯ ಮುಖ್ಯೋಪಾಧ್ಯಾಯರಾದ ಶ್ರೀ ವೆಂಕಟೇಶ್ ರವರು ಈ ಶಾಲೆಯಲ್ಲಿ 3 ಮತ್ತು 4ನೇಯ ಇಯತ್ತೆಯನ್ನು ಪ್ರಾರಂಭಿಸಲು ಸಲ್ಲಿಸಿದ್ದ ಅರ್ಜಿಯ ಮೇಲೆ ನೀವು ದಿ:16-07-2001ರಂದು ಶಾಲೆಗೆ ಭೇಡಿ ಕೊಟ್ಟಿದ್ದು, ಮಂಜೂರಾತಿ ನೀಡಲು ರೂ.6,000/- ಲಂಚ ಬೇಡಿ ರೂ.5,000/- ಹಣವನ್ನು ಪಡೆದಿದ್ದು, ದಿ:03/06/2002ರಂದು ಫಿರಿಯಾದಿಂದ ಅವರ ಶಾಲೆಯಲ್ಲಿ 3 ಮತ್ತು 4ನೇ ತರಗತಿಯನ್ನು ಪ್ರಾರಂಭಿಸಲು ಅನುಮತಿ ನೀಡಲು ಉಳಿದ ರೂ.1,000/- ಹಣವನ್ನು ಆರೋಪಿತರ ವಾಸದ ಮನೆ ನಂ.39/2 ವೆಂಕಟರಾವ್ ಕಾಂಪೌಂಡ್, ಗರ್ಲ್ಸ್ ಸ್ಕೂಲ್ ರಸ್ತೆ, ಚಿಕ್ಕಬಳ್ಳಾಪುರದಲ್ಲಿ ಕೇಳಿ ಪಡೆದಿದ್ದು, ತನ್ಮೂಲಕ ಸಾರ್ವಜನಿಕ ನೌಕರರಾಗಿ ನೀವು ಸಂಪೂರ್ಣ ಪ್ರಾಮಾಣಿಕತೆಯನ್ನು ಕಾಯ್ದುಕೊಳ್ಳುವಲ್ಲಿ ವಿಫಲರಾಗಿದ್ದು, ಅಂತಹ ನೌಕರರಿಗೆ ಸಲ್ಲದ ಕೃತ್ಯವನ್ನು ಕರ್ನಾಟಕ ಸರ್ಕಾರಿ ಸೇವಾ (ಸದ್ವರ್ತನೆ) ನಿಯಮಾವಳಿ 1966ರ 3(i) ಮತ್ತು (iii) ನೇ ನಿಬಂಧನೆಯನ್ನು ಉಲ್ಲಂಘಿಸಿ ದುರ್ನಡತೆ ಎಸಗಿದ್ದೀರಿ. ಆದ್ದರಿಂದ ಈ ದೋಷಾರೋಪಣೆ.”

4. The Inquiry Officer (Additional Registrar of Enquiries-10) on proper appreciation of oral and documentary evidence has held that the Disciplinary Authority has proved the above charge against DGO Sri D. Venkateshappa, the then Block Education Officer, Chikkaballapur Taluk.

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.

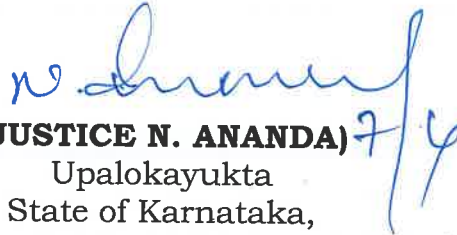
6. As per the information furnished by the Inquiry Officer, the DGO has retired from service on 31/5/2012.



7. Having regard to the nature of charge (demand and acceptance of bribe) proved against DGO Sri D.Venkateshappa, it is hereby recommended to the Government for imposing penalty of permanently withholding 50% of pension payable to DGO Sri D. Venkateshappa, the then Block Education Officer, Chikkaballapur Taluk.

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

Connected records are enclosed herewith.

  
**(JUSTICE N. ANANDA)** 7/4  
Upalokayukta  
State of Karnataka,  
Bengaluru

