

**GOVERNMENT OF KARNATAKA**



**KARNATAKA LOKAYUKTA**

No.LOK/INQ/14-A/57/2007-08  
No.LOK/ARE-4/ENQ-5/2008

Multi Storied Building,  
Dr. B.R. Ambedkar Veedhi,  
Bengaluru-560 001  
Date: **26/02/2021**

**RECOMMENDATION**

Sub:- Departmental inquiry against;

- 1) Dr. D. Chandrashekar, the then Medical Officer of Health, Bruhat Bengaluru Mahanagara Palike, Bharatinagar Range, Bengaluru
- 2) Sri Ramanathan, the then Junior Health Inspector, Bruhat Bengaluru Mahanagara Palike, Bharatinagar Range, Bengaluru – Reg.

Ref:- 1) Govt. Order No. ಆಕುಕ 67 ಎಂಎಸ್‌ಎ 2006 (ಭಾಗ) Bengaluru dated 21/1/2018.

2) Nomination order No.LOK/INQ/14-A/57/2007-08 , Bengaluru dated 15/2/2008 of Upalokayukta, State of Karnataka, Bengaluru

3) Report dated 10/2/2021 of Additional Registrar of Enquiries-4, Karnataka Lokayukta, Bengaluru

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The Government by its order dated 21/1/2018 initiated the disciplinary proceedings against (1) Dr. D. Chandrashekar, the then Medical Officer of Health, Bruhat Bengaluru Mahanagara Palike, Bharatinagar Range, Bengaluru and (2) Sri Ramanathan, the then Junior Health Inspector, Bruhat Bengaluru Mahanagara Palike, Bharatinagar Range, Bengaluru (hereinafter referred to as Delinquent Government Officials 1 & 2, for short as DGO-1 & DGO-2 respectively) and entrusted the Departmental Inquiry to this Institution.

2. This Institution by Nomination Order No.LOK/INQ/14-A/57/2007-08 Bengaluru dated 15/2/2008 nominated Additional

Registrar of Enquiries-4, 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 Dr. D. Chandrashekar, the then Medical Officer of Health, Bruhat Bengaluru Mahanagara Palike, Bharatinagar Range, Bengaluru and DGO-2 Sri Ramanathan, the then Junior Health Inspector, Bruhat Bengaluru Mahanagara Palike, Bharatinagar Range, Bengaluru were tried for the following charge:-

“ನೀವು 1) ಡಾ: ಡಿ. ಚಂದ್ರಶೇಖರ್, ಹಿಂದಿನ ವೈದ್ಯಾಧಿಕಾರಿ, ಹಾಗೂ 2) ಶ್ರೀ ರಾಮನಾಥ್, ಹಿಂದಿನ ಕಿರಿಯ ಆರೋಗ್ಯ ಪರಿವೀಕ್ಷಕ, ಭಾರತೀನಗರ ವಲಯ, ಬೆಂಗಳೂರು ಮಹಾನಗರ ಪಾಲಿಕೆ, ಬೆಂಗಳೂರು, ಇಲ್ಲಿ ಕರ್ತವ್ಯ ನಿರ್ವಹಿಸುತ್ತಿದ್ದಾಗ ಶ್ರೀ ಎಂ. ನಾಗರಾಜು, ಬಿನ್ ಎಂ. ಪಟ್ಟಾಭಿ, ನಂ. 364, 2ನೇ ಕ್ರಾಸ್, ಎಸ್.ಎಸ್.ಎ. ರಸ್ತೆ, ಹೆಬ್ಬಾಳ, ಬೆಂಗಳೂರು (ಇನ್ನು ಮುಂದೆ ಫಿಯಾದಿ ಎಂದು ಕರೆಯಲ್ಪಡುವ) ಎಂಬುವರು, ಬೆಂಗಳೂರು, ಮಹಾನಗರ ಪಾಲಿಕೆಯ ವಾರ್ಡ್ ನಂ. 80, 81 ಮತ್ತು 82 ರಿಂದ ಹೋಟೆಲ್ ಮತ್ತು ಇತರೆ ವಾಣಿಜ್ಯ ಸಂಕೀರ್ಣಗಳಿಂದ ಹಣವನ್ನು ಪಡೆದು ಲಾರಿಯಲ್ಲಿ ಕಸವನ್ನು ಸಾಗಣೆ ಮಾಡಲು ಬೆಂಗಳೂರು ಮಹಾನಗರಪಾಲಿಕೆಯವರಿಂದ ಪರವಾನಗಿಯನ್ನು ಪಡೆದಿದ್ದು, ನೀವುಗಳು, 1ನೇ ಆಪಾದಿತ ನೌಕರ ಡಾ: ಚಂದ್ರಶೇಖರ್, ಆರೋಗ್ಯಾಧಿಕಾರಿ, ಮತ್ತು 2ನೇ ಆಪಾದಿತ ನೌಕರ, ಶ್ರೀ ರಾಮನಾಥನ್, ಆರೋಗ್ಯ ಪರಿವೀಕ್ಷಕರುಗಳು, ಫಿಯಾದುದಾರರು ಕಸವನ್ನು ಸದರಿ ಸರಹದ್ದಿನಿಂದ ಸಾಗಣೆ ಮಾಡಬೇಕಾದರೆ 1ನೇ ಆಪಾದಿತ ನೌಕರರಿಗೆ ತಿಂಗಳಿಗೆ ರೂ. 8,000/- ಮತ್ತು 2ನೇ ಆಪಾದಿತ ನೌಕರರಿಗೆ ತಿಂಗಳಿಗೆ ರೂ. 2,000/- ಗಳ ಲಂಚದ ಹಣವನ್ನು ನೀಡಬೇಕೆಂದು ಫಿಯಾದುದಾರರನ್ನು ಒತ್ತಾಯ ಮಾಡಿ ದಿನಾಂಕ; 03/12/2005 ರಂದು ಫಿಯಾದಿಯಿಂದ ಕ್ರಮವಾಗಿ ತಲಾ ರೂ. 8,000/- ಹಾಗೂ ರೂ. 2,000/- ಲಂಚದ ಹಣವನ್ನು ಬೇಡಿ ಸ್ವೀಕರಿಸಿದ್ದು, ತನ್ಮೂಲಕ ಸಾರ್ವಜನಿಕ ನೌಕರರಾಗಿ ನೀವುಗಳು ಸಂಪೂರ್ಣ ಪ್ರಾಮಾಣಿಕತೆಯನ್ನು ಕಾಯ್ದುಕೊಳ್ಳುವಲ್ಲಿ ವಿಫಲರಾಗಿದ್ದು, ಅಂತಹ ನೌಕರರಿಗೆ ಸಲ್ಲದ ಕೃತ್ಯವನ್ನು ಕರ್ನಾಟಕ ಸರ್ಕಾರಿ ಸೇವಾ (ಸದ್ವರ್ತನೆ) ನಿಯಮಾವಳಿ 1966ರ (3)(i) ಮತ್ತು (iii)ನೇ ನಿಬಂಧನೆಯನ್ನು ಉಲ್ಲಂಘಿಸಿ ದುರ್ನಡತೆ ಎಸಗಿದ್ದೀರಿ.”

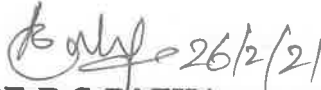
4. The Government by order No. ಅಕುಕ 67 ಎಂಎಸ್‌ಎ 2006, Bengaluru dated 30/1/2012 has withdrawn the earlier order dated 21/1/2008 entrusting departmental inquiry to this institution as against DGO-2 Sri K Ramanathan, the then Junior Health Inspector, Bharatinagar Range, Bruhat Bengaluru Mahanagara Palike, Bengaluru.

5. The Inquiry officer in his report dated 10/2/2021 stated that as regards DGO-1 Dr. D. Chandrashekar, the then Medical Officer of Health, Bruhat Bengaluru Mahanagara Palike, he was convicted in Special Case No. 172/2006 on the file of the Special Court at Bengaluru vide judgment dated 29/12/2012. In view of his conviction, the Government by Order No. ಅಕುಕ 67 ಎಂಎಸ್‌ಎ 2006, Bengaluru dated 20/7/2013 has dismissed DGO-1 from service. The DGO-1 has preferred Appeal before the Hon'ble High Court of Karnataka in Crl. Appeal No. 45/2013 challenging the order of his conviction in Special Case No. 172/2006 dated 29/12/2012 and the same is pending adjudication before the Hon'ble High Court of Karnataka.

6. The Inquiry officer, in view of conviction of DGO-1 in Special Case No.172/2006 and consequential dismissal from service by Government Order dated 20/7/2013 has held that the departmental inquiry against DGO-1 cannot be proceeded with. He has further found that in case, the Criminal Appeal No.45/2013 is allowed and the Conviction of DGO-1 Dr. D.Chandrashekar is set aside by the Hon'ble High Court of Karnataka, the departmental inquiry against him could be proceeded with from the stage it was stopped.

7. On re-consideration of inquiry report and taking note of the totality of the circumstances of the case, I do not find any reason to interfere with the findings recorded by the Inquiry Officer.
8. It is hereby recommended to the Government to accept the report of Inquiry Officer and to close the departmental inquiry as against DGO-1 Dr. D. Chandrashekar, the then Medical Officer of health, Bharatinagar Range, Bruhat Bengaluru Mahanagara Palike for the present. In case, the Criminal Appeal No.45/2013 filed by DGO-1 Dr. D. Chandrashekar before the Hon'ble High Court of Karnataka, challenging the order of his conviction in Special Case No.172/2006 dated 29/12/2012, is allowed and the conviction is set aside, the judgment in Criminal Appeal No.45/2013 shall be sent to this institution for continuation of departmental inquiry against Dr. D. Chandrashekar from the stage where it was stopped. Further, it is recommended to Government not to disburse the pensionary benefits and pension payable to DGO-1 Dr. D. Chandrashekar till the conclusion of departmental inquiry against him in case the conviction is set aside.
9. Action taken in the matter shall be intimated to this Authority.

Connected records are enclosed herewith.

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