

**KARNATAKA LOKAYUKTA**

NO:Uplok-2/DE/556/2017/ARE-15

M.S.Building,  
Dr. B.R. Ambedkar Veedhi,  
Bengaluru - 560 001.  
Date:10.06.2022

**:: ENQUIRY REPORT ::**

Sub: Departmental Enquiry against :

- 1) Sri.D.N.Harish, the then PDO, Thubinakere Gram Panchayath, Thubinakere, Pandavapura Taluk, Mandya District (Presently retired, Kadukothanahalli, Maddur Taluk, Mandya District),
- 2) Sri.Shivanna, the then Panchayath Development Officer, Thubinakere Gram Panchayath, Thubinakere, Pandavapura Taluk, Mandya District (Presently working as PDO, K.Shettahalli, Gram Panchayath, Srirangapatna Taluk, Mandya District),
- 3) Sri.Manjunath, the then Panchayath Development Officer, Thubinakere Gram Panchayath, Thubinakere, Pandavapura Taluk, Mandya District, (Presently working as PDO, Sathmiri Gram Panchayath, Mandya Taluk),
- 4) Sri.K.R.Chandra, the then Panchayath Development Officer, Thubinakere Gram Panchayath, Thubinakere, Pandavapura Taluk, Mandya District, (Presently working as PDO, Mandya Rural Gram Panchayath, Mandya Taluk),
- 5) Sri.B.V.Somu, the then Panchayath Development Officer, Thubinakere Gram Panchayath, Thubinakere, Pandavapura Taluk, Mandya District, (Presently working as PDO, Santhekasalgere Gram Panchayath, Mandya Taluk) and

6) Sri.C.R.Sandeep, the then Panchayath Development Officer, Thubinakere Gram Panchayath, Thubinakere, Pandavapura Taluk, Mandya District, (Presently working as PDO, Huthkere Gram Panchayath, Madduru Taluk, Mandya Taluk) – reg.

Ref: 1. Government Order No.ಗ್ರಾಅಪ/912/ಗ್ರಾಪಂಕಾ/2016/2016 ಬೆಂಗಳೂರು, ದಿ.28.02.2017.

2. Nomination Order No:Uplok-2/DE/556/2017/ARE-3, Bengaluru, dt:18.04.2017 of Hon'ble Uplokayukta-2.

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The Departmental Enquiry is initiated against Delinquent Government Officials 1) Sri.D.N.Harish, the then PDO, Thubinakere Gram Panchayath, Thubinakere, Pandavapura Taluk, Mandya District (Presently retired, Kadukothanahalli, Maddur Taluk, Mandya District), 2) Sri.Shivanna, the then Panchayath Development Officer, Thubinakere Gram Panchayath, Thubinakere, Pandavapura Taluk, Mandya District (Presently working as PDO, K.Shettahalli, Gram Panchayath, Srirangapatna Taluk, Mandya District), 3) Sri.Manjunath, the then Panchayath Development Officer, Thubinakere Gram Panchayath, Thubinakere, Pandavapura Taluk, Mandya District, (Presently working as PDO, Sathmiri Gram Panchayath, Mandya Taluk), 4) Sri.K.R.Chandra, the then Panchayath Development Officer, Thubinakere Gram

Panchayath, Thubinakere, Pandavapura Taluk, Mandya District, (Presently working as PDO, Mandya Rural Gram Panchayath, Mandya Taluk), 5) Sri.B.V.Somu, the then Panchayath Development Officer, Thubinakere Gram Panchayath, Thubinakere, Pandavapura Taluk, Mandya District, (Presently working as PDO, Santhekasalgere Gram Panchayath, Mandya Taluk) and 6) Sri.C.R.Sandeep, the then Panchayath Development Officer, Thubinakere Gram Panchayath, Thubinakere, Pandavapura Taluk, Mandya District, (Presently working as PDO, Huthkere Gram Panchayath, Madduru Taluk, Mandya Taluk) (*hereinafter referred as D.G.Os.1 to 6 in short*).

2. In view of Government Order cited at reference No.1, the Hon'ble Upalokayukta-2 vide Order cited at reference No.2, has nominated Additional Registrar of Enquiries-3 to frame Articles of Charge and to conduct enquiry against aforesaid D.G.Os.

**Facts in brief :**

3. Sri.V.Lokesh S/o Late Vebnkataramanaiah is the Complainant. His brother Smt.Jayamma is the absolute owner of property bearing K.No.284/259 measuring 15x30 ft., situated in Ragimuddenahalli village, Pandavapura Taluk within the limits of Tubinakere Gram

Panchayath. She had issued General Power of Attorney to her son/Complainant to manage the above property. In order to construct some shops in the above property, the Complainant had filed an Application on 6.4.2011 to the panchayath praying to issue license. In General Meeting dt:16.8.2011, the Gram Panchayath passed a resolution for taking proper steps to issue license in favour of the Complainant as sought by him. Further, on 28.4.2012 it is resolved by the Tubinakere Gram Panchayath to issue license as requested according to rules. The Complainant paid license fee of Rs.348/- on 12.2.2013 by sending Demand Draft in the name of Gram Panchayath but no action was taken. On 20.4.2015, the Complainant had received notice to pay a license fee of Rs.348/- again to the Gram Panchayath. By alleging that DGO-1 and the DGOs 2 to 6 who succeeded D.G.O. 1 had failed to issue license in his favour even though he had completed the formalities, the Complainant had filed complaint to this Institution on 11.7.2013.

4. Hon'ble Upalokayukta on perusal of prima facie material, submitted Report dt:03.12.2016 u/s. 12(3) of Karnataka Lokayukta Act, 1984, to initiate disciplinary proceedings against DGOs 1 to 6.

5. Notice of Articles of charge with Statement of Imputations of misconduct, list of documents and witnesses were served upon the DGOs 1 to 6. They have appeared before ARE-3 on 25.07.2018 and when their First Oral Statements were recorded, they had pleaded not guilty.

6. The D.G.O No.1 Sri.D.N.Harish had appeared before ARE-3 on the first date of hearing ie., on 25.7.2017. His First Oral Statement came to be recorded on the same day and the matter was adjourned with liberty to the DGOs 1 to 6 to engage Advocate and to file Written Statement. However, D.G.O. No.1 had failed to appear on the subsequent dates. He has not contested this enquiry proceeding by filing Written Statement.

7. DGOs 2 to 5 have not filed Written Statements even though they are represented by their Defence Assistant Sri.M.Mahadev.

8. D.G.O. No.6/Sri.C.R.Sandeep only has filed Written Statement stating that he reported for duty as Panchayath Development Officer in Tubinaakere village on 13.1.2015 and was on medical leave from 14.1.2015 till 19.2.2015. On 20.4.2015, he had issued a notice to the Complainant to pay license fee and after the same was complied, he had

issued license on 30.4.2015. Thereafter he got a deputation transfer to Koudle Gram Panchayath, Maddur Taluk. He has not committed any misconduct while discharging his Official duties and falsely implicated. Therefore, he prays to drop the proceedings and discharge him.

9. The Articles of Charge as framed by ARE-3 is as follows:

That you DGO's 1 to 6 named above, while working as Panchayath Development Officers at Tubinakere Grama Panchayath of Pandavapura Taluk, during the relevant period of your tenure of Panchayath Development Officer in the said Grama Panchayath, have failed to discharge your duties effectively and efficiently and failed to take action in issuing license in favour of the complainant V. Lokesh S/o late S. Venkataramanaiah of Chikkabyadarahally Village, enabling him to put up construction of a compound in Property no. 259 of Ragimuddenahally village, despite the Grama Panchayath passed a resolution in the meeting dated 28.4.2012. The complainant filed an application dated 6.4.2011 to Tubinakere Grama Panchayath requesting to grant license to put up

compound around the property bearing no. 259 measuring 15x32 feet and furnished sketch and plan on 20.5.2011. In the General Meeting dated 16.8.2011 the Grama Panchayath of Tubinakere passed a resolution directing for taking steps to issue license in favour of the complainant as sought for by him and in its meeting dated 28.4.2012 it was resolved by the Grama Panchayath to issue license as requested by him as per rules. He has also sent the license fee of Rs. 348/- on 12.2.2013 by sending DD in the name of Grama Panchayath but no action was taken for issue of license, but a notice dated 20.4.2015 was sent to the complainant asking him to remit the license fee of Rs.348/- again to the Grama Panchayath. You DGO-1 and also DGO-2 to 6 who succeeded DGO-1 and worked as Panchayath Development Officers of Tubinakere Grama Panchayath have failed to issue license in favour of the complainant, despite the complainant has fulfilled all the formalities and despite the Grama Panchayath passed a resolution recommending to issue license as sought for in favour of the complainant and thus deliberately omitted to take action in issuing license to the complainant, thereby committed an act of misconduct and

thereby you DGOs 1 to 6 have failed to maintain absolute integrity, and devotion to duty and committed an act which is unbecoming of a Government Servant and thus you are guilty of misconduct under Rule 3(1)(i) to (iii) of KCS (Conduct)Rules 1966.

10. The Statement of Imputations of Misconduct as framed by ARE-3 is as follows :

ಶ್ರೀ ವಿ.ಲೋಕೇಶ್ ಬಿನ್ ಲೇಟ್ ಎಸ್.ವೆಂಕಟರಮಣಯ್ಯ, ಮನೆ ನಂ. 101, ಚಿಕ್ಕಬ್ಯಾಡರಹಳ್ಳಿ ವೃತ್ತ, ಕನಕಮರಡಿ ಅಂಚೆ, ಪಾಂಡವಪುರ ತಾಲ್ಲೂಕು, ಮಂಡ್ಯ ಜಿಲ್ಲೆ (ಇನ್ನು ಮುಂದೆ 'ದೂರುದಾರರು' ಎಂದು ಕರೆಯಲ್ಪಡುತ್ತಾರೆ) ರವರು ಈ ದೂರನ್ನು, (1) ಹರೀಶ ಬಿ.ಎನ್., ಪಂಚಾಯತ್ ಅಭಿವೃದ್ಧಿ ಅಧಿಕಾರಿಗಳು, ತೂಬಿನಕೆರೆ ಗ್ರಾಮ ಪಂಚಾಯತ್, ಪಾಂಡವಪುರ ತಾಲ್ಲೂಕು, ಮಂಡ್ಯ ಜಿಲ್ಲೆ, (2) ಶ್ರೀ ಅಶೋಕಗೌಡ ಪಾಟೀಲ್, ಉಪಾಧ್ಯಕ್ಷರು, ತೂಬಿನಕೆರೆ ಗ್ರಾಮ ಪಂಚಾಯತ್, ಪಾಂಡವಪುರ ತಾಲ್ಲೂಕು, ಮಂಡ್ಯ ಜಿಲ್ಲೆ, (3) ಶ್ರೀ ಪುರುಷೋತ್ತಮ್, ಪಂಚಾಯತ್ ಸದಸ್ಯರು, ತೂಬಿನಕೆರೆ ಗ್ರಾಮ ಪಂಚಾಯತ್, ಪಾಂಡವಪುರ ತಾಲ್ಲೂಕು, ಮಂಡ್ಯ ಜಿಲ್ಲೆ ಮತ್ತು (4) ಶ್ರೀ ಆರ್.ಬಿ.ಶಿವಣ್ಣೇಗೌಡ, ಪಾಂಡವಪುರ ತಾಲ್ಲೂಕು, ಮಂಡ್ಯ ಜಿಲ್ಲೆ (ಇನ್ನು ಮುಂದೆ '1 ರಿಂದ 4ನೇ ಎದುರುದಾರರು' ಎಂದು ಕರೆಯಲ್ಪಡುತ್ತಾರೆ) ರವರುಗಳ ವಿರುದ್ಧ ದಾಖಲಿಸಿ, ಮಂಡ್ಯ ತಾಲ್ಲೂಕಿನ ಕೊತ್ತತ್ತಿ ಹೋಬಳಿಯ ರಾಗಿಮುದ್ದನಹಳ್ಳಿ ಗ್ರಾಮಕ್ಕೆ ಸೇರಿದ ನಿವೇಶನ ಸಂಖ್ಯೆ: 189/254ಯು ದೂರುದಾರರ ಪಿತ್ರಾರ್ಜಿತ ಆಸ್ತಿಯಾಗಿದ್ದು, ಸದರಿ ಆಸ್ತಿಯು ಪೌತಿ ಆದಾರದ ಮೇಲೆ ದೂರುದಾರರ ತಾಯಿ ಜಯಮ್ಮ ರವರ ಹೆಸರಿನಲ್ಲಿ ಖಾತೆಯಾಗಿರುತ್ತದೆ. ಸದರಿ ನಿವೇಶನಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ ವ್ಯವಹಾರ ಮಾಡಲು ದೂರುದಾರರಿಗೆ ಜಯಮ್ಮ ರವರು ಜಿ.ಪಿ.ಎ.,



ಪಡೆದುಕೊಂಡಿರುತ್ತಾರೆ. ಸದರಿ ನಿವೇಶನದಲ್ಲಿ ಅಂಗಡಿ ಮಳಿಗೆ ನಿರ್ಮಿಸಲು ಲೈಸೆನ್ಸ್ ನೀಡಲು ಸಂಬಂಧಪಟ್ಟ ತೂಬಿನಕೆರೆ ಗ್ರಾಮ ಪಂಚಾಯತಿ ಕಛೇರಿಗೆ ಅರ್ಜಿ ಸಲ್ಲಿಸಿದ್ದರೂ, ಪಂಚಾಯತ್ ಅಭಿವೃದ್ಧಿ ಅಧಿಕಾರಿಗಳು ಲೈಸೆನ್ಸ್ ನೀಡದೇ, ಲೈಸೆನ್ಸ್ ತಡೆ ಹಿಡಿಯಲು ಸಕಾರಣವನ್ನು ನೀಡದೇ ವಿಳಂಬ ಮಾಡುತ್ತಿರುವುದಾಗಿ ಹಾಗೂ ಸರ್ಕಾರದ ಯೋಜನೆಯಳಾದ ಸಕಾಲ, ಮಾಹಿತಿ ಹಕ್ಕು ಕಾಯ್ದೆ, ಮಹಾತ್ಮ ಗಾಂಧಿ ಗ್ರಾಮೀಣಾಭಿವೃದ್ಧಿ ಉದ್ಯೋಗ ಖಾತ್ರಿ ಯೋಜನೆಗಳಲ್ಲಿ ಭ್ರಷ್ಟಾಚಾರ ಮಾಡಲಾಗುತ್ತಿದೆ ಎಂದು ಆರೋಪಿಸಿದ್ದರಿಂದ, ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ ಕಾಯ್ದೆ 1984ರ ಕಲಂ 9 ರಡಿಯಲ್ಲಿ ಪ್ರದತ್ತವಿರುವ ಅಧಿಕಾರ ಚಲಾಯಿಸಿ, ವಿಚಾರಣೆಗೆ ತೆಗೆದುಕೊಂಡು ತನಿಖೆ ಮಾಡಿದೆ.

2. ಸದರಿ ದೂರನ್ನು ದಾಖಲು ಮಾಡಿಕೊಂಡು, ದೂರಿನಲ್ಲಿನ ಸತ್ಯಾಂಶ ಅರಿಯಲು, ದೂರಿನ ತನಿಖೆ ಕೈಗೊಳ್ಳಲು ಸದರಿ ಸಂಸ್ಥೆಯ ಪೊಲೀಸ್ ಉಪಾಧೀಕ್ಷಕರು, ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ, ಮಂಡ್ಯ ಇವರಿಗೆ ವಹಿಸಿದ್ದು ಸದರಿಯವರು ದೂರಿನ ತನಿಖೆ ಕೈಗೊಳ್ಳಲು ತನಿಖಾಧಿಕಾರಿಗಳಾದ ಶ್ರೀ ಬಿ.ಸಿ.ದಿನೇಶ್ ಕುಮಾರ್, ಪೊಲೀಸ್ ಇನ್ಸ್‌ಪೆಕ್ಟರ್, ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ, ಮಂಡ್ಯ (ಇನ್ನು ಮುಂದೆ ತನಿಖಾಧಿಕಾರಿ ಎಂದು ಸಂಬೋಧಿಸಲಾಗುವುದು) ಇವರಿಗೆ ವಹಿಸಿದ್ದು, ತನಿಖಾಧಿಕಾರಿಗಳು ಸದರಿ ದೂರನ್ನು ಕೂಲಂಕಷವಾಗಿ ತನಿಖೆ ನಡೆಸಿ ತಮ್ಮ ವಿವರವಾದ ತನಿಖಾ ವರದಿಯನ್ನು ದಿನಾಂಕ: 31/05/2016 ರಂದು ಸಲ್ಲಿಸಿರುತ್ತಾರೆ.

3. ತನಿಖಾಧಿಕಾರಿಗಳು ತಮ್ಮ ವರದಿಯಲ್ಲಿ:

(1) ದಿನಾಂಕ: 06/04/2011 ರಂದು ದೂರುದಾರರು ರಾಗಿಮುದ್ದನಹಳ್ಳಿ ಗ್ರಾಮದ ಆಸ್ತಿ ಸಂಖ್ಯೆ: 259ರಲ್ಲಿ 15\*32 ಅಳತೆಯ ನಿವೇಶನದಲ್ಲಿ ಕಾಂಪೌಂಡ್ ನಿರ್ಮಿಸಲು ತೂಬಿನಕೆರೆ ಗ್ರಾಮ ಪಂಚಾಯತಿಗೆ ಅರ್ಜಿ ಸಲ್ಲಿಸಿರುತ್ತಾರೆ.

- (2) ದೂರುದಾರರು ಅರ್ಜಿಯ ಜೊತೆ ಸ್ಕೆಚ್ ಮತ್ತು ಪ್ಲಾನ್ ಸಲ್ಲಿಸಿಲ್ಲದ ಕಾರಣ ಸದರಿ ದಾಖಲಾತಿಗಳನ್ನು ಸಲ್ಲಿಸುವಂತೆ ದಿನಾಂಕ: 17/05/2011 ರಂದು ದೂರುದಾರರಿಗೆ ನೋಟಿಸ್ ನೀಡಲಾಗಿರುತ್ತದೆ.
- (3) ದಿನಾಂಕ: 20/05/2011 ರಂದು ದೂರುದಾರರು ಸ್ಕೆಚ್ ಮತ್ತು ಪ್ಲಾನ್‌ನ್ನು 1ನೇ ಎದುರುದಾರರಿಗೆ ಸಲ್ಲಿಸಿರುತ್ತಾರೆ.
- (4) 1ನೇ ಎದುರುದಾರರು ಲೈಸೆನ್ಸ್ ನೀಡದ ಕಾರಣ, ಮತ್ತೆ ದೂರುದಾರರು ದಿನಾಂಕ: 28/07/2011 ರಂದು ಮತ್ತೊಂದು ಅರ್ಜಿಯನ್ನು 1ನೇ ಎದುರುದಾರರಿಗೆ ನೀಡಿರುತ್ತಾರೆ.
- (5) ದಿನಾಂಕ: 16/08/2011 ರಂದು ತೂಬಿನಕೆರೆ ಗ್ರಾಮ ಪಂಚಾಯತಿಯ ಸಾಮಾನ್ಯ ಸಭೆಯಲ್ಲಿ ದೂರುದಾರರಿಗೆ ಲೈಸೆನ್ಸ್ ನೀಡಲು ಕ್ರಮ ಕೈಗೊಳ್ಳಬಹುದೆಂದು ತೀರ್ಮಾನ ಕೈಗೊಳ್ಳಲಾಗಿರುತ್ತದೆ.
- (6) ದಿನಾಂಕ: 28/04/2012 ರಂದು ನಡೆದ ತೂಬಿನಕೆರೆ ಗ್ರಾಮ ಪಂಚಾಯತಿಯ ಸಾಮಾನ್ಯ ಸಭೆಯಲ್ಲಿ ದೂರುದಾರರಿಗೆ ನಿಯಮಾನುಸಾರ ಲೈಸೆನ್ಸ್ ನೀಡಬಹುದೆಂದು ತೀರ್ಮಾನ ಕೈಗೊಳ್ಳಲಾಗಿರುತ್ತದೆ.
- (7) ನಂತರ ದಿನಾಂಕ: 19/07/2012 ರಂದು ದೂರುದಾರರಿಗೆ ಲೈಸೆನ್ಸ್ ನೀಡಲು ಅದಕ್ಕೆ ತಗಲುವ ವೆಚ್ಚ ರೂ.348/- ಗಳನ್ನು ಪಾವತಿಸಲು ಪಂಚಾಯತಿ ವತಿಯಿಂದ ದೂರುದಾರರಿಗೆ ಪತ್ರ ಕಳುಹಿಸಲಾಗಿರುತ್ತದೆ.
- (8) ದೂರುದಾರರು ದಿನಾಂಕ: 12/02/2013 ರಂದು ರೂ.348/- ಗಳಿಗೆ ಡಿ.ಡಿ.ಯನ್ನು ಅಂಚೆ ಮೂಲಕ ಗ್ರಾಮ ಪಂಚಾಯತಿ ಕಛೇರಿಗೆ ಕಳುಹಿಸಿಕೊಟ್ಟಿರುತ್ತಾರೆ.
- (9) ನಂತರ 1ನೇ ಎದುರುದಾರರು ದಿನಾಂಕ: 20/04/2015 ರಂದು ದೂರುದಾರರಿಗೆ ಹಿಂಬರಹ ನೀಡಿ ಲೈಸೆನ್ಸ್ ಪೀಸ್ ಅನ್ನು ಪಾವತಿ ಮಾಡಿ ಲೈಸೆನ್ಸ್ ಪಡೆದುಕೊಳ್ಳಬಹುದೆಂದು ಮಾಹಿತಿ ನೀಡಿರುತ್ತಾರೆ.

- (10) ದಿನಾಂಕ: 30/04/2015 ರಂದು ದೂರುದಾರರು ಲೈಸೆನ್ಸ್ ಶುಲ್ಕ ರೂ.348/- ಗಳನ್ನು ಪಾವತಿ ಮಾಡಿ ಲೈಸೆನ್ಸ್ ಅನ್ನು ಪಡೆದುಕೊಂಡಿರುತ್ತಾರೆ.
- (11) ದಿನಾಂಕ: 28/04/2012 ರಂದೇ ತೂಬಿನಕರೆ ಗ್ರಾಮ ಪಂಚಾಯತಿಯ ಸಾಮಾನ್ಯ ಸಭೆಯಲ್ಲಿ ದೂರುದಾರರಿಗೆ ಲೈಸೆನ್ಸ್ ನೀಡಬಹುದೆಂದು ತೀರ್ಮಾನವಾಗಿದ್ದರೂ ಸಹಾ, ತೂಬಿನಕರೆ ಗ್ರಾಮ ಪಂಚಾಯತಿಯಲ್ಲಿ ದಿನಾಂಕ: 28/04/2012 ರಿಂದ ದಿನಾಂಕ: 30/04/2015 ರವರೆಗೆ ಪಂಚಾಯತ್ ಅಭಿವೃದ್ಧಿ ಅಧಿಕಾರಿಯಾಗಿ ಕರ್ತವ್ಯ ನಿರ್ವಹಿಸಿರುವವರು ದೂರುದಾರರಿಗೆ ಲೈಸೆನ್ಸ್ ನೀಡದೇ ಕರ್ತವ್ಯ ಲೋಪವೆಸಗಿರುತ್ತಾರೆಂದು ತಿಳಿಸಿರುತ್ತಾರೆ.
4. ನಂತರ ತನಿಖಾಧಿಕಾರಿಗಳ ವರದಿಯನ್ನಾಧರಿಸಿ ಕಂಡಿಕೆ 50ರಲ್ಲಿನ ಗೌರವಾನ್ವಿತ ಉಪಲೋಕಾಯುಕ್ತರ ಆದೇಶದ ಮೇರೆಗೆ, ಪೊಲೀಸ್ ನಿರೀಕ್ಷಕರು, ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ, ಮಂಡ್ಯ ರವರು ವರದಿಯಲ್ಲಿ ತಿಳಿಸಿರುವಂತೆ ದಿನಾಂಕ: 28/04/2012 ರಿಂದ 30/04/2015 ರವರೆಗೆ ತೂಬಿನಕರೆ ಗ್ರಾಮ ಪಂಚಾಯತಿಯಲ್ಲಿ ಪಂಚಾಯತಿ ಅಭಿವೃದ್ಧಿ ಅಧಿಕಾರಿಯಾಗಿ ಕರ್ತವ್ಯ ನಿರ್ವಹಿಸಿರುವವರ ವಿವರಗಳನ್ನು ಸಲ್ಲಿಸುವಂತೆ ಕಾರ್ಯನಿರ್ವಾಹಕ ಅಧಿಕಾರಿಗಳು, ತಾಲ್ಲೂಕು ಪಂಚಾಯತ್, ಪಾಂಡವಪುರ ರವರಿಗೆ ತಿಳಿಸಲಾಗಿ, ಸದರಿಯವರು ದಿನಾಂಕ: 28/04/2012 ರಿಂದ 30/04/2015 ರವರೆಗೆ ಪಿ.ಡಿ.ಓ., ಆಗಿ ಕರ್ತವ್ಯ ನಿರ್ವಹಿಸಿರುವವರ ಪಟ್ಟಿಯನ್ನು ಈ ಕೆಳಕಂಡಂತೆ ಸಲ್ಲಿಸಿರುತ್ತಾರೆ..
- (1) ಶ್ರೀ ಶಿವಣ್ಣ, ಹಿಂದಿನ ಪಂಚಾಯತ್ ಅಭಿವೃದ್ಧಿ ಅಧಿಕಾರಿ, ತೂಬಿನಕರೆ ಗ್ರಾಮ ಪಂಚಾಯತಿ, ಪಾಂಡವಪುರ ತಾಲ್ಲೂಕು, ಮಂಡ್ಯ ಜಿಲ್ಲೆ (ಹಾಲಿ ಪಂಚಾಯತ್ ಅಭಿವೃದ್ಧಿ ಅಧಿಕಾರಿ, ಕೆ.ಶೆಟ್ಟಹಳ್ಳಿ ಗ್ರಾಮ ಪಂಚಾಯತಿ, ಶ್ರೀರಂಗಪಟ್ಟಣ ತಾಲ್ಲೂಕು, ಮಂಡ್ಯ ಜಿಲ್ಲೆ).

- (2) ಶ್ರೀ ಡಿ.ಎನ್.ಹರೀಶ್, ಹಿಂದಿನ ಪಂಚಾಯತ್ ಅಭಿವೃದ್ಧಿ ಅಧಿಕಾರಿ, ತೂಬಿನಕೆರೆ ಗ್ರಾಮ ಪಂಚಾಯತಿ, ಪಾಂಡವಪುರ ತಾಲ್ಲೂಕು, ಮಂಡ್ಯ ಜಿಲ್ಲೆ (ಹಾಲಿ ನಿವೃತ್ತಿ: ಕಾಡುಕೊತ್ತನಹಳ್ಳಿ, ಮದ್ದೂರು ತಾಲ್ಲೂಕು, ಮಂಡ್ಯ ಜಿಲ್ಲೆ).
- (3) ಶ್ರೀ ಮಂಜುನಾಥ್, ಹಿಂದಿನ ಪಂಚಾಯತ್ ಅಭಿವೃದ್ಧಿ ಅಧಿಕಾರಿ, ತೂಬಿನಕೆರೆ ಗ್ರಾಮ ಪಂಚಾಯತಿ, ಪಾಂಡವಪುರ ತಾಲ್ಲೂಕು, ಮಂಡ್ಯ ಜಿಲ್ಲೆ (ಹಾಲಿ ಪಂಚಾಯತ್ ಅಭಿವೃದ್ಧಿ ಅಧಿಕಾರಿ, ಸಾತನೂರು ಗ್ರಾಮ ಪಂಚಾಯತಿ, ಮಂಡ್ಯ ತಾಲ್ಲೂಕು).
- (4) ಶ್ರೀ ಕೆ.ಆರ್.ಚಂದ್ರ, ಹಿಂದಿನ ಪಂಚಾಯತ್ ಅಭಿವೃದ್ಧಿ ಅಧಿಕಾರಿ, ತೂಬಿನಕೆರೆ ಗ್ರಾಮ ಪಂಚಾಯತಿ, ಪಾಂಡವಪುರ ತಾಲ್ಲೂಕು, ಮಂಡ್ಯ ಜಿಲ್ಲೆ (ಹಾಲಿ ಪಂಚಾಯತ್ ಅಭಿವೃದ್ಧಿ ಅಧಿಕಾರಿ, ಮಂಡ್ಯ ಗ್ರಾಮಾಂತರ ಗ್ರಾಮ ಪಂಚಾಯತಿ, ಮಂಡ್ಯ ತಾಲ್ಲೂಕು).
- (5) ಶ್ರೀ ಬಿ.ವಿ.ಸೋಮು, ಹಿಂದಿನ ಪಂಚಾಯತ್ ಅಭಿವೃದ್ಧಿ ಅಧಿಕಾರಿ, ತೂಬಿನಕೆರೆ ಗ್ರಾಮ ಪಂಚಾಯತಿ, ಪಾಂಡವಪುರ ತಾಲ್ಲೂಕು, ಮಂಡ್ಯ ಜಿಲ್ಲೆ (ಹಾಲಿ ಪಂಚಾಯತ್ ಅಭಿವೃದ್ಧಿ ಅಧಿಕಾರಿ, ಸಂತೆಕಸಲಗೆರೆ ಗ್ರಾಮ ಪಂಚಾಯತಿ, ಮಂಡ್ಯ ತಾಲ್ಲೂಕು).
- (6) ಶ್ರೀ ಸಂದೀಪ್ ಸಿ.ಆರ್, ಹಿಂದಿನ ಪಂಚಾಯತ್ ಅಭಿವೃದ್ಧಿ ಅಧಿಕಾರಿ, ತೂಬಿನಕೆರೆ ಗ್ರಾಮ ಪಂಚಾಯತಿ, ಪಾಂಡವಪುರ ತಾಲ್ಲೂಕು, ಮಂಡ್ಯ ಜಿಲ್ಲೆ (ಹಾಲಿ ಪಂಚಾಯತ್ ಅಭಿವೃದ್ಧಿ ಅಧಿಕಾರಿ, ಹೂತಗೆರೆ ಗ್ರಾಮ ಪಂಚಾಯತಿ, ಮದ್ದೂರು ತಾಲ್ಲೂಕು, ಮಂಡ್ಯ ಜಿಲ್ಲೆ).
5. ಮೇಲ್ಕಂಡವರಲ್ಲಿ ಶ್ರೀ ಡಿ.ಎಸ್.ಹರೀಶ್ ರವರನ್ನು ಹೊರತುಪಡಿಸಿ ಉಳಿದ 5 ಜನರು ದೂರಿನಲ್ಲಿ ಎದುರುದಾರರಾಗಿರುವುದಿಲ್ಲ. ಆದ್ದರಿಂದ, ಸದರಿ ಐದು ಜನರನ್ನು 5 ರಿಂದ 9ನೇ ಎದುರುದಾರರುಗಳನ್ನಾಗಿ ಕ್ರಮವಾಗಿ implead

ಮಾಡಿ ಸದರಿಯವರಿಂದ ಆಕ್ಷೇಪಣೆಗಳನ್ನು ತರಿಸುವಂತೆ ಗೌರವಾನ್ವಿತರು ಆದೇಶಿಸಿರುತ್ತಾರೆ.

6. ಈ ಸಂಬಂಧ, ಮೇಲ್ಕಂಡವರನ್ನು 5 ರಿಂದ 9ನೇ ಎದುರುದಾರರನ್ನಾಗಿ ಮುಖಪುಟದಲ್ಲಿ implead ಮಾಡಿ, 1, 5 ರಿಂದ 9ನೇ ಎದುರುದಾರರುಗಳಿಗೆ ಆಕ್ಷೇಪಣೆಯನ್ನು ಸಲ್ಲಿಸುವಂತೆ ತಿಳಿಸಲಾಗಿರುತ್ತದೆ. ಈ ಸಂಬಂಧ, 1, 5 ರಿಂದ 9ನೇ ಎದುರುದಾರರುಗಳು ತಮ್ಮ ಆಕ್ಷೇಪಣೆಗಳನ್ನು ಸಲ್ಲಿಸಿ, ತನಿಖಾ ವರದಿಯ ಆಪಾದನೆಗಳನ್ನು ನಿರಾಕರಿಸಿರುತ್ತಾರೆ. ಪ್ರಸ್ತುತ ಹಂತದಲ್ಲಿ ಸದರಿ ಎದುರುದಾರರ ಆಕ್ಷೇಪಣೆಗಳನ್ನು ಒಪ್ಪಲಾಗುವುದಿಲ್ಲ.
7. ಆದುದರಿಂದ, ಕಡತದಲ್ಲಿನ ಆಧಾರಗಳಿಂದ, 1, 5 ರಿಂದ 9ನೇ ಎದುರುದಾರರುಗಳು ಈ ಕೆಳಕಂಡಂತೆ ಕರ್ತವ್ಯ ಲೋಪ ಎಸಗಿರುವುದು ಮೇಲ್ನೋಟಕ್ಕೆ ಸ್ಪಷ್ಟವಾಗುತ್ತವೆ.
  - (1) ದಿನಾಂಕ: 06/04/2011 ರಂದು ದೂರುದಾರರು ರಾಗಿಮುದ್ದನಹಳ್ಳಿ ಗ್ರಾಮದ ಆಸ್ತಿ ಸಂಖ್ಯೆ: 259ರಲ್ಲಿ 15\*32 ಅಳತೆಯ ನಿವೇಶನದಲ್ಲಿ ಕಾಂಪೌಂಡ್ ನಿರ್ಮಿಸಲು ತುಂಬಿನಕೆರೆ ಗ್ರಾಮ ಪಂಚಾಯತಿಗೆ ಅರ್ಜಿ ಸಲ್ಲಿಸಿರುತ್ತಾರೆ.
  - (2) ದೂರುದಾರರು ಅರ್ಜಿಯ ಜೊತೆ ಸ್ಕೆಚ್ ಮತ್ತು ಪ್ಲಾನ್ ಸಲ್ಲಿಸಿಲ್ಲದ ಕಾರಣ ಸದರಿ ದಾಖಲಾತಿಗಳನ್ನು ಸಲ್ಲಿಸುವಂತೆ ದಿನಾಂಕ: 17/05/2011 ರಂದು ದೂರುದಾರರಿಗೆ ನೋಟಿಸ್ ನೀಡಲಾಗಿರುತ್ತದೆ.
  - (3) ದಿನಾಂಕ: 20/05/2011 ರಂದು ದೂರುದಾರರು ಸ್ಕೆಚ್ ಮತ್ತು ಪ್ಲಾನ್‌ನ್ನು 1ನೇ ಎದುರುದಾರರಿಗೆ ಸಲ್ಲಿಸಿರುತ್ತಾರೆ.
  - (4) 1ನೇ ಎದುರುದಾರರು ಲೈಸೆನ್ಸ್ ನೀಡದ ಕಾರಣ, ಮತ್ತೆ ದೂರುದಾರರು ದಿನಾಂಕ: 28/07/2011 ರಂದು ಮತ್ತೊಂದು ಅರ್ಜಿಯನ್ನು 1ನೇ ಎದುರುದಾರರಿಗೆ ನೀಡಿರುತ್ತಾರೆ.

- (5) ದಿನಾಂಕ: 16/08/2011 ರಂದು ತೂಬಿನಕೆರೆ ಗ್ರಾಮ ಪಂಚಾಯತಿಯ ಸಾಮಾನ್ಯ ಸಭೆಯಲ್ಲಿ ದೂರುದಾರರಿಗೆ ಲೈಸೆನ್ಸ್ ನೀಡಲು ಕ್ರಮ ಕೈಗೊಳ್ಳಬಹುದೆಂದು ತೀರ್ಮಾನ ಕೈಗೊಳ್ಳಲಾಗಿರುತ್ತದೆ.
- (6) ದಿನಾಂಕ: 28/04/2012 ರಂದು ನಡೆದ ತೂಬಿನಕೆರೆ ಗ್ರಾಮ ಪಂಚಾಯತಿಯ ಸಾಮಾನ್ಯ ಸಭೆಯಲ್ಲಿ ದೂರುದಾರರಿಗೆ ನಿಯಮಾನುಸಾರ ಲೈಸೆನ್ಸ್ ನೀಡಬಹುದೆಂದು ತೀರ್ಮಾನ ಕೈಗೊಳ್ಳಲಾಗಿರುತ್ತದೆ.
- (7) ನಂತರ ದಿನಾಂಕ: 19/07/2012 ರಂದು ದೂರುದಾರರಿಗೆ ಲೈಸೆನ್ಸ್ ನೀಡಲು ಅದಕ್ಕೆ ತಗಲುವ ವೆಚ್ಚ ರೂ.348/- ಗಳನ್ನು ಪಾವತಿಸಲು ಪಂಚಾಯತಿ ವತಿಯಿಂದ ದೂರುದಾರರಿಗೆ ಪತ್ರ ಕಳುಹಿಸಲಾಗಿರುತ್ತದೆ.
- (8) ದೂರುದಾರರು ದಿನಾಂಕ: 12/02/2013 ರಂದು ರೂ.348/- ಗಳಿಗೆ ಡಿ.ಡಿ.ಯನ್ನು ಅಂಚೆ ಮೂಲಕ ಗ್ರಾಮ ಪಂಚಾಯತಿ ಕಛೇರಿಗೆ ಕಳುಹಿಸಿಕೊಟ್ಟಿರುತ್ತಾರೆ.
- (9) ನಂತರ 1ನೇ ಎದುರುದಾರರು ದಿನಾಂಕ: 20/04/2015 ರಂದು ದೂರುದಾರರಿಗೆ ಹಿಂಬರಹ ನೀಡಿ ಲೈಸೆನ್ಸ್ ಪೀಜ್ ಅನ್ನು ಪಾವತಿ ಮಾಡಿ ಲೈಸೆನ್ಸ್ ಪಡೆದುಕೊಳ್ಳಬಹುದೆಂದು ಮಾಹಿತಿ ನೀಡಿರುತ್ತಾರೆ.
- (10) ದಿನಾಂಕ: 30/04/2015 ರಂದು ದೂರುದಾರರು ಲೈಸೆನ್ಸ್ ಶುಲ್ಕ ರೂ.348/- ಗಳನ್ನು ಪಾವತಿ ಮಾಡಿ ಲೈಸೆನ್ಸ್ ಅನ್ನು ಪಡೆದುಕೊಂಡಿರುತ್ತಾರೆ.
- (11) ದಿನಾಂಕ: 28/04/2012 ರಂದೇ ತೂಬಿನಕೆರೆ ಗ್ರಾಮ ಪಂಚಾಯತಿಯ ಸಾಮಾನ್ಯ ಸಭೆಯಲ್ಲಿ ದೂರುದಾರರಿಗೆ ಲೈಸೆನ್ಸ್ ನೀಡಬಹುದೆಂದು ತೀರ್ಮಾನವಾಗಿದ್ದರೂ ಸಹಾ, ತೂಬಿನಕೆರೆ ಗ್ರಾಮ ಪಂಚಾಯತಿಯಲ್ಲಿ ದಿನಾಂಕ: 28/04/2012 ರಿಂದ ದಿನಾಂಕ: 30/04/2015 ರವರೆಗೆ ಈ ಕೆಳಕಂಡವರು ಪಂಚಾಯತ್ ಅಭಿವೃದ್ಧಿ ಅಧಿಕಾರಿಯಾಗಿ ಕರ್ತವ್ಯ ನಿರ್ವಹಿಸಿರುವವರು ದೂರುದಾರರಿಗೆ ಲೈಸೆನ್ಸ್ ನೀಡದೇ ಕರ್ತವ್ಯ ಲೋಪವೆಸಗಿರುವುದು ಮೇಲ್ನೋಟಕ್ಕೆ ಕಂಡುಬಂದಿರುತ್ತದೆ.

- (1) ಶ್ರೀ ಶಿವಣ್ಣ, ಹಿಂದಿನ ಪಂಚಾಯತ್ ಅಭಿವೃದ್ಧಿ ಅಧಿಕಾರಿ, ತೂಬಿನಕೆರೆ ಗ್ರಾಮ ಪಂಚಾಯತಿ, ಪಾಂಡವಪುರ ತಾಲ್ಲೂಕು, ಮಂಡ್ಯ ಜಿಲ್ಲೆ (ಹಾಲಿ ಪಂಚಾಯತ್ ಅಭಿವೃದ್ಧಿ ಅಧಿಕಾರಿ, ಕೆ.ಶೆಟ್ಟಹಳ್ಳಿ ಗ್ರಾಮ ಪಂಚಾಯತಿ, ಶ್ರೀರಂಗಪಟ್ಟಣ ತಾಲ್ಲೂಕು, ಮಂಡ್ಯ ಜಿಲ್ಲೆ).
- (2) ಶ್ರೀ ಡಿ.ಎನ್.ಹರೀಶ್, ಹಿಂದಿನ ಪಂಚಾಯತ್ ಅಭಿವೃದ್ಧಿ ಅಧಿಕಾರಿ, ತೂಬಿನಕೆರೆ ಗ್ರಾಮ ಪಂಚಾಯತಿ, ಪಾಂಡವಪುರ ತಾಲ್ಲೂಕು, ಮಂಡ್ಯ ಜಿಲ್ಲೆ (ಹಾಲಿ ನಿವೃತ್ತಿ: ಕಾಡುಕೊತ್ತನಹಳ್ಳಿ, ಮದ್ದೂರು ತಾಲ್ಲೂಕು, ಮಂಡ್ಯ ಜಿಲ್ಲೆ).
- (3) ಶ್ರೀ ಮಂಜುನಾಥ್, ಹಿಂದಿನ ಪಂಚಾಯತ್ ಅಭಿವೃದ್ಧಿ ಅಧಿಕಾರಿ, ತೂಬಿನಕೆರೆ ಗ್ರಾಮ ಪಂಚಾಯತಿ, ಪಾಂಡವಪುರ ತಾಲ್ಲೂಕು, ಮಂಡ್ಯ ಜಿಲ್ಲೆ (ಹಾಲಿ ಪಂಚಾಯತ್ ಅಭಿವೃದ್ಧಿ ಅಧಿಕಾರಿ, ಸಾತನೂರು ಗ್ರಾಮ ಪಂಚಾಯತಿ, ಮಂಡ್ಯ ತಾಲ್ಲೂಕು).
- (4) ಶ್ರೀ ಕೆ.ಆರ್.ಚಂದ್ರ, ಹಿಂದಿನ ಪಂಚಾಯತ್ ಅಭಿವೃದ್ಧಿ ಅಧಿಕಾರಿ, ತೂಬಿನಕೆರೆ ಗ್ರಾಮ ಪಂಚಾಯತಿ, ಪಾಂಡವಪುರ ತಾಲ್ಲೂಕು, ಮಂಡ್ಯ ಜಿಲ್ಲೆ (ಹಾಲಿ ಪಂಚಾಯತ್ ಅಭಿವೃದ್ಧಿ ಅಧಿಕಾರಿ, ಮಂಡ್ಯ ಗ್ರಾಮಾಂತರ ಗ್ರಾಮ ಪಂಚಾಯತಿ, ಮಂಡ್ಯ ತಾಲ್ಲೂಕು).
- (5) ಶ್ರೀ ಬಿ.ವಿ.ಸೋಮು, ಹಿಂದಿನ ಪಂಚಾಯತ್ ಅಭಿವೃದ್ಧಿ ಅಧಿಕಾರಿ, ತೂಬಿನಕೆರೆ ಗ್ರಾಮ ಪಂಚಾಯತಿ, ಪಾಂಡವಪುರ ತಾಲ್ಲೂಕು, ಮಂಡ್ಯ ಜಿಲ್ಲೆ (ಹಾಲಿ ಪಂಚಾಯತ್ ಅಭಿವೃದ್ಧಿ ಅಧಿಕಾರಿ, ಸಂತೆಕಸಲಗೆರೆ ಗ್ರಾಮ ಪಂಚಾಯತಿ, ಮಂಡ್ಯ ತಾಲ್ಲೂಕು).
- (6) ಶ್ರೀ ಸಂದೀಪ್ ಸಿ.ಆರ್, ಹಿಂದಿನ ಪಂಚಾಯತ್ ಅಭಿವೃದ್ಧಿ ಅಧಿಕಾರಿ, ತೂಬಿನಕೆರೆ ಗ್ರಾಮ ಪಂಚಾಯತಿ, ಪಾಂಡವಪುರ ತಾಲ್ಲೂಕು, ಮಂಡ್ಯ

ಜಿಲ್ಲೆ (ಹಾಲಿ ಪಂಚಾಯತ್ ಅಭಿವೃದ್ಧಿ ಅಧಿಕಾರಿ, ಹೂತಗೆರೆ ಗ್ರಾಮ ಪಂಚಾಯತಿ, ಮದ್ದೂರು ತಾಲ್ಲೂಕು, ಮಂಡ್ಯ ಜಿಲ್ಲೆ).

8. ದೂರುದಾರರು ದೂರು ಹಾಗೂ ತನಿಖಾಧಿಕಾರಿಗಳ ವರದಿ ಹಾಗೂ ಕಡತದಲ್ಲಿರುವ ದಾಖಲೆಗಳನ್ನು ಪರಿಶೀಲಿಸಿದಾಗ, ಮೇಲ್ನೋಟಕ್ಕೆ '1, 5 ರಿಂದ 9ನೇ ಎದುರುದಾರರುಗಳ' ವಿರುದ್ಧ ಇಲಾಖಾ ವಿಚಾರಣೆ ನಡೆಸುವ ಸಂಬಂಧ ಮುಂದುವರಿಯುವುದು ಅಗತ್ಯ ಎಂದು ಕಂಡುಬಂದಿದ್ದು, '1, 5 ರಿಂದ 9ನೇ ಎದುರುದಾರರುಗಳು' ಸರ್ಕಾರಿ/ಸಾರ್ವಜನಿಕ ಸೇವಕರಾಗಿದ್ದು ತಮ್ಮ ಕರ್ತವ್ಯ ಪಾಲನೆಯಲ್ಲಿ ಪರಿಪೂರ್ಣ ಕರ್ತವ್ಯ ನಿಷ್ಠೆಯನ್ನು ತೋರಿಸದೆ ಮತ್ತು ಸಾರ್ವಜನಿಕ ಸೇವಕರಿಗೆ ತರವಲ್ಲದ ರೀತಿಯಲ್ಲಿ ನಡೆದುಕೊಂಡಿರುವುದು ವೇದ್ಯವಾಗುತ್ತದೆ.
9. 2 ರಿಂದ 4ನೇ ಎದುರುದಾರರ ವಿರುದ್ಧ ಯಾವುದೇ ಆರೋಪವು ತನಿಖಾಧಿಕಾರಿಗಳ ವರದಿಯಲ್ಲಿ ಸಾಬೀತಾಗಿರದೇ ಇರುವ ಕಾರಣ ಅವರ ವಿರುದ್ಧ ಪ್ರಕ್ರಿಯೆಯನ್ನು ಕೈಬಿಡಬಹುದಾಗಿದೆ.
10. ಸದರಿ 1ನೇ ಎದುರುದಾರರು ದಿನಾಂಕ: 29/05/2014 ರಲ್ಲಿ ನಿವೃತ್ತಿ ಹೊಂದಿದ್ದು, ಸದರಿ ಆರೋಪವು ದಿನಾಂಕ: 28/04/2012 ರಿಂದ 30/04/2015 ರವರೆಗೆ ಸಂಬಂಧಪಟ್ಟಿರುತ್ತದೆ ಆದ್ದರಿಂದ ಸದರಿ 1ನೇ ಎದುರುದಾರರ ವಿರುದ್ಧ ಕೆ.ಸಿ.ಎಸ್.ಆರ್., 214(2)(ಬಿ)(ii) ರಡಿ ತನಿಖೆ ಕೈಗೊಳ್ಳಬಹುದಾಗಿರುತ್ತದೆ.
11. ಆದುದರಿಂದ, ಮೇಲಿನ ಕಾರಣ ಹಾಗೂ ಕಡತದಲ್ಲಿನ ಆಧಾರಗಳಿಂದ, 1, 5 ರಿಂದ 9ನೇ ಎದುರುದಾರರುಗಳು ಅಂದರೆ ಆಸನೌ 1 ರಿಂದ 6 ರವರ ವಿರುದ್ಧ ಕರ್ನಾಟಕ ನಾಗರಿಕ ಸೇವಾ (ನಡತೆ) ನಿಯಮಗಳು, 1966ರ, ನಿಯಮ 3(1)(ii) ಮತ್ತು (iii) ರಲ್ಲಿ ಹೇಳಿದಂತೆ ದುರ್ನಡತೆ/ದುರ್ವರ್ತನೆಯಿಂದ ವರ್ತಿಸಿ ಶಿಸ್ತು ಕ್ರಮಕ್ಕೆ ಬಾಧ್ಯರಾಗಿದ್ದಾರೆಂದು ಕಂಡುಬಂದದ್ದರಿಂದ, ಕರ್ನಾಟಕ



ಲೋಕಾಯುಕ್ತ ಕಾಯ್ದೆಯ ಕಲಂ 12(3) ರಡಿಯಲ್ಲಿ ಪ್ರದತ್ತವಾದ ಅಧಿಕಾರದಡಿಯಲ್ಲಿ, ಈ ಮೂಲಕ '1, 5 ರಿಂದ 9ನೇ ಎದುರುದಾರರುಗಳ/ ಆಸನೌ 1 ರಿಂದ 6ರವರ ವಿರುದ್ಧ ಶಿಸ್ತು ನಡವಳಿಕೆ ಹೂಡಲು ಮತ್ತು ಹಾಗೆಯೇ ಕರ್ನಾಟಕ ನಾಗರೀಕ ಸೇವಾ (ವರ್ಗೀಕರಣ, ನಿರ್ಬಂಧ ಮತ್ತು ಮೇಲ್ಮನವಿ) ನಿಯಮಗಳು, 1957ರ ನಿಯಮ 14-ಎ ರ ಅಡಿಯಲ್ಲಿ ಹಾಗೂ ನಿವೃತ್ತ ನೌಕರರ ವಿರುದ್ಧ ಕೆ.ಸಿ.ಎಸ್.ಆರ್., 214(2)(ಬಿ)(ii) ರಡಿಯಲ್ಲಿ ಆಸನೌ 1 ರಿಂದ 6 ರವರ ವಿರುದ್ಧ ಇಲಾಖಾ ವಿಚಾರಣೆ ಮಾಡಲು ಈ ಪ್ರಾಧಿಕಾರಕ್ಕೆ ಒಪ್ಪಿಸುವಂತೆ, ಶಿಸ್ತು ಪ್ರಾಧಿಕಾರಕ್ಕೆ ಶಿಫಾರಸ್ಸು ಮಾಡಿದೆ. ಸದರಿ ಶಿಫಾರಸ್ಸಿನ ಮೇರೆಗೆ ಸರ್ಕಾರವು ಆ.ಸ.ನೌ 1 ರಿಂದ 6 ರವರ ವಿರುದ್ಧ ಇಲಾಖಾ ವಿಚಾರಣೆಯನ್ನು ಕೈಗೊಂಡು ವರದಿ ಸಲ್ಲಿಸಲು ಗೌರವಾನ್ವಿತ ಉಪಲೋಕಾಯುಕ್ತರಿಗೆ ವಹಿಸಿ, ಉಲ್ಲೇಖ (1) ರಂತೆ ಆದೇಶ ಮಾಡಿದೆ.

ಆದ್ದರಿಂದ ನಿಮ್ಮ ಮೇಲೆ ಈ ದೋಷಾರೋಪಣೆ.

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11. This case, which was on the file of ARE-3, came to be transferred to this ARE as per Order passed by Registrar, Karnataka Lokayukta vide Order No.Uplok-1 & 2/DE/Transfers/2018 dt:02.11.2018.

12. In order to prove the charge framed against D.G.Os 1 to 6., the Disciplinary Authority has examined Three witnesses as PWs.1 to 3. In all 14 documents came to be marked as Ex.P1 to P14.

13. After closing the evidence of Disciplinary Authority, Second Oral Statements of D.G.Os 2 to 6 came

to be recorded on 13.1.2020. They had expressed their intention to adduce defense evidence by examining them. D.G.O. No.6/Sri.Sandeep C.R., was examined as DW.1. DGOs 2 to 5 examined themselves as DWs.2 to 5 by filing their affidavits in lieu of their oral chief examination. In all Four documents came to be marked as Ex.D1 to D4. However, they were not tendered for cross-examination despite giving sufficient opportunity. As such by Order dt:24.11.2021, it was taken that DGOs 2 to 5 were not tendered for the cross-examination.

14. Heard both sides and perused the material on record.

15. The Points that arise for consideration are as follows :

- 1) Whether the Disciplinary Authority proves that the D.G.O1 to 6 while serving as Panchayath Development Officers, Tubinakere Gram Panchayath had intentionally delayed in considering the Application submitted by the Complainant seeking license though he had complied with all the formalities and have thereby committed misconduct, dereliction of duty, acted unbecoming of a Government Servants and not maintained absolute integrity thereby violating R.3(1)(i) to (iii) of K.C.S. (Conduct) Rules, 1966?
- 2) What Finding ?

16. My finding to the above points are :

- 1) Partly in the Affirmative
- 2) See Finding

**:: REASONS ::**

17. **Point No.1:** Allegations against D.G.Os 1 to 6 are that they had not issued license though there was a Panchayath Resolution dt: 28.4.2012 and Complainant had complied with all the requirements. The fact that Mother of the Complainant Smt.Jayamma is the owner of the property bearing K No.284/259 of Ragimuddanahalli village and that she had given GPA to her son to manage the property is not in dispute. Further, the facts that he had filed an Application on 6.4.2011 seeking license; that by virtue of General Meeting dt:28.4.2012 it was recommended to issue license as per rules and that he had sent a Demand Draft for Rs.348/- towards license fee on 12.2.2013 are also not in dispute. However, he did not get the license until 30.4.2015. In the interregnum, the complaint was filed on 11.7.2013.

18. The Complainant/Lokesh V was examined as PW.1. In his chief examination after narrating the above chain of events as alleged, that D.G.O. No.1 was the person responsible for the delay in getting the license and

in para 2, page 2 of his deposition, he has stated as follows ;

*“ . . . . As per the notice issued by the Gram Panchayath, I obtained the D.D from S.B.M. for Rs.348/- and remitted the same to the Gram Panchayath in the year 2013. In that connection, even I met D.G.O. 1 who was the then Panchayath Development Officer and requested him to issue me the license. But D.G.O. 1 told me that my application cannot be considered since the D.D was sent through post and no license can be granted on that basis and threw away my application. But I refused to take back that application and asked D.G.O. 1 to reject my application and send my rejected application to me through post.”*

19. During his cross-examination at para 7, PW.1 has made it clear that he has not made any allegations against DGOs 2 to 5 and while filing complaint the name of D.G.O. 1 only was mentioned. During his cross-examination by the Counsel for D.G.O. 6, PW.1 has stated that he had never approached D.G.O. 6 personally and never requested him for issue of license. He has further admitted that D.G.O. 6 has not committed any delay in issuing license.

20. PW.2 Sri.Dinesh Kumar B.S. is the Police Inspector who was working in Karnataka Lokayukta Police

Station, Mandya. He had undertaken investigation on the complaint made by PW.1 Lokesh. After verifying relevant documents obtained from Tubinakere Gram Panchayath he had submitted Ex.P13 Investigation Report on 31.5.2016 with the following observation;

“ಮೇಲ್ಕಂಡ ದಾಖಲಾತಿಗಳ ಪರಿಶೀಲನೆಯಿಂದ ತೂಜನಕೆರೆ ಗ್ರಾಮ ಪಂಚಾಯತಿ ಸಭೆಯ ನಡವಳಿ ಇದ್ದು ಸಹ ಅರ್ಜಿದಾರರಿಗೆ ಲೈಸೆನ್ಸ್ ನೀಡಬೇಕಾಗಿರುವುದು ಕ್ರಮ ಬದ್ಧವಾಗಿದ್ದರೂ ಸಹ ದಿ.28.04.2012 ರಿಂದ 30-04-2015ರವರೆಗೆ ತೂಜನಕೆರೆ ಗ್ರಾಮ ಪಂಚಾಯತಿಯಲ್ಲಿ ಅಧಿಕಾರಿಗಳಾಗಿ ಕರ್ತವ್ಯ ನಿರ್ವಹಿಸಿದ ಅಧಿಕಾರಿಗಳು ಸರ್ಕಾರಿ ಕೆಲಸವನ್ನು ಮಾಡಿಕೊಡಲು ಅನಗತ್ಯ ವಿಳಂಬ ಮಾಡಿರುವುದು ಕಂಡು ಬಂದಿರುತ್ತದೆ.”

21. As observed above the grievance of PW.1 is only against D.G.O. 1/Sri D.N.Harish but as per the Investigation Officer all the Panchayath Development Officers who served between **28.04.2012 to 30-04-2015 (date of Panchayath Resolution till the Complainant was given license)** are liable as they had caused unnecessary delay in issuing the license sought by the Complainant.

22. As per Ex.P12 list of Officers and the period during which they have discharged their duties as Panchayath Development Officers of Tubinakere Gram Panchayath is as follows:

ಕ್ರ.ಸಂ.	ಅಧಿಕಾರಿಗಳ ಹೆಸರು	ಕರ್ತವ್ಯ ನಿರ್ವಹಿಸಿದ ಅವಧಿ
1.	ಶಿವಣ್ಣ	3.1.2012 ರಿಂದ 18.11.2012
2.	ಹರೀಶ್ ಡಿ.ಎನ್.	19.11.2012 ರಿಂದ 19.10.2013
3.	ಶ್ರೀ ಮಂಜುನಾಥ್	21.10.2013 ರಿಂದ 8.12.2013
4.	ಕೆ.ಆರ್.ಚಂದ್ರ	9.12.2013 ರಿಂದ 9.7.2014
5.	ಬಿ.ವಿ.ಸೋಮು	10.7.2014 ರಿಂದ 10.11.2014
6.	ಸಂದೀಪ್ ಸಿ.ಆರ್.	13.11.2014 ರಿಂದ 18.1.2015
7.	ಬಿ.ವಿ.ಸೋಮು	19.1.2015 ರಿಂದ 25.10.2016

23. The above dates and particulars furnished by the Investigation Officer covers the tenure of all the 6 D.G.Os. The resolution was passed by the Panchayath on 28.4.2012 and as on that date D.G.O. 2/Shivanna was working as Panchayath Development Officer. He was succeeded by D.G.O. 1/ D.N.Harish and thereafter D.G.Os 3 to 6. D.G.O. 5/B.V.Somu had served during two terms and the Complainant was given license on 30.4.2015 during his tenure only after the direction given by the Zilla Panchayath.

24. Ex.D1 letter was issued on 19.7.2012 by D.G.O. 2 asking the Complainant to visit the Panchayath Office in person during working hours and deposit license fee of Rs.348/- and obtain the license. Admittedly, the Complainant had not approached the Panchayath Office in

person but according to his version he had sent Demand Draft for Rs.348/- towards license fee dt:12.12.2013 and sent the same through post. In these circumstances, it has to be gathered that though there was Panchayath Resolution on 28.4.2012 to issue license as prayed by the Complainant, he had paid the license fee only on 12.2.2013 and had sent the same by post. Therefore, it has to be reckoned that compliance was made by the Complainant *only on 12.2.2013* and without receiving the license fee, the Panchayath Development Officer/s were not obliged or bound to issue license on the basis of Panchayath Resolution only.

25. As per Ex.P12 list provided by the Investigation Office, as on 12.2.2013, D.G.O. 2/Shivanna was not serving as Panchayath Development Officer of Tubinakere Gram Panchayath and therefore fastening any liability against him does not arise. To that extent the evidence of PW.2/Dinesh Kumar has to be eschewed. As the Application of the Complainant to obtain license was kept pending, the material on record including evidence, shows that other DGOs ie., DGOs 1, 3 to 6 who served as Panchayath Development Officers of Tubinakere Gram Panchayath from 12.2.2013 till 30.4.2015, intentionally did not take any action on the said Application.

26. D.G.O. 6/C.R.Sandeep examined himself as DW.1 and has given evidence that he reported to duty on 10.11.2014 and was on medical leave from 14.1.2015 till 19.2.2015 since he met with an accident. He has not produced any documentary evidence regarding medical leave. As observed above D.G.O. 6 has served in Tubinakere Gram Panchayath between 13.11.2014 and 18.1.2015, in my opinion he too contributed for the delay in considering the Application submitted by the Complainant. In other words, liability has to be fixed on D.G.O. 6/DW.1 notwithstanding the fact that it is elicited through PW.1/Complainant that he had not committed any delay in issuing license.

27. D.G.O. 1 /D.N.Harish has not contested the enquiry proceeding by filing Written Statement. He did not participate in the proceedings and remained absent throughout except for putting first appearance and recording First Oral Statement

28. DGOs 2 to 5 examined themselves as DW.2 to 5. They have filed Affidavits in lieu of their oral chief examination. Few documents were also marked though D.G.O. 5/DW.5. However, they were not tendered for cross-examination in spite of giving sufficient opportunity. For the said reason, their Affidavits in the form of chief



examination cannot be looked into in appreciating the evidence on record.

29. Since the Disciplinary Authority has adduced cogent evidence, both oral and documentary, and has proved beyond probability that the D.G.Os 1, 3 to 6 had failed to act on the Application submitted by the Complainant to obtain license even though he had complied with the requirements and have committed dereliction of duty, I hold that the charge framed against the D.G.Os 1, 3 to 6 is proved. However, Disciplinary Authority has failed to prove the charge against the D.G.O. No.2/Shivanna as he was not serving as Panchayath Development Officer, Tubinakere Gram Panchayath when the Complainant had paid the license fee. Consequently, Point No.1 is answered ***Partly in the Affirmative.***

30. **Point No.2** : In view of the reasons assigned and finding given to Point No.1 the following is made:

**:: FINDING ::**

The Disciplinary Authority has proved the charge against the D.G.Os 1, 3 to 6.

The Disciplinary Authority has **not** proved the charge against the D.G.O. 2/Shivanna.

Submitted to Hon'ble Upalokayukta for kind approval and further action in the matter.

  
**(C.CHANDRA SEKHAR)**  
 Additional Registrar Enquiries-15,  
 Karnataka Lokayukta,  
 Bengaluru.

### ANNEXURES

#### **1. LIST OF WITNESSES EXAMINED ON BEHALF OF D.A:**

PW.1	Sri Lokesh dt:3.10.2018
PW.2	Sri Dinesh Kumar B.S., dt:17.10.2019
PW.3	Sri M.H.Shantha dt:4.11.2019

#### **2. LIST OF WITNESSES EXAMINED ON BEHALF OF DGO:**

DW.1	Sri Sandeep C.R dt:17.2.2020
DW.2	Sri Shivanna dt:24.2.2020
DW.3	Sri Manjunath dt:24.2.2020
DW.4	Sri K.R.Chandra dt:24.2.2020
DW.5	B.V.Somu dt:24.2.2020

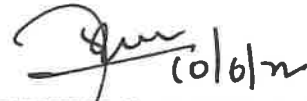
#### **3. LIST OF DOCUMENTS MARKED ON BEHALF OF D.A:**

Ex.P1&2 Ex.P1(a) & 2(a)	Complaint Form No.I & II Signatures of PW.1
Ex.P3 Ex.P3(a)	Copy of complaint Signature of PW.1
Ex.P4	Relevant Documents submitted along with complaint

Ex.P5 Ex.P5(a)	Rejoinder of the Complainant Signature of PW.1
Ex.P6	Relevant documents submitted along with rejoinder
Ex.P7	Application written by the Complainant to the PDO, Tubinakere
Ex.P8	Application written by the Complainant to the PDO, Tubinakere
Ex.P9	Proceedings issued by Tubinakere Gram Panchayath
Ex.P10	Copy of the endorsement issued by the PDO, Tubinakere Gram Panchayath
Ex.P11	Copy of License for construction
Ex.P12	Copy of list of Panchayath Development Officers worked from the period 28.04.2012 to 30.04.2015
Ex.P13	Report of Police Inspector, Karnataka Lokayukta, Mandya
Ex.P14	Copy of Gram Panchayath proceedings

**4. LIST OF DOCUMENTS MARKED ON BEHALF OF D.G.O:**

Ex.D1	Copy of letter written by the DGO-6 to the Complainant
Ex.D2	Copy of endorsement given by the PDO, Tubinakere
Ex.D3	Copy of receipt
Ex.D4	Copy of license



**(C.CHANDRA SEKHAR)**  
Additional Registrar Enquiries-15,  
Karnataka Lokayukta,  
Bengaluru.

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**GOVERNMENT OF KARNATAKA****KARNATAKA LOKAYUKTA**

No.UPLOK-2/DE/556/2017/ARE-15

Multi Storied Building,  
Dr. B.R. Ambedkar Veedhi,  
Bengaluru-560001  
Date: 28<sup>th</sup> June, 2022.

**RECOMMENDATION**

Sub: Departmental Inquiry against Sriyuths:

- (1) D.N.Harish, the then Panchayath Development Officer, Thubinakere Grama Panchayathi, Thubinakere, Pandavapura Taluk, Mandya District (presently retired, Kadukothanahalli, Maddur Taluk, Mandya District).
- (2) Shivanna, the then Panchayath Development Officer, Thubinakere Grama Panchayathi, Thubinakere, Pandavapura Taluk, Mandya District (presently working as Panchayath Development Officer, K.Shettahalli Grama Panchayath, Srirangapatna Taluk, Mandya District).
- (3) Manjunath, the then Panchayath Development Officer, Thubinakere Grama Panchayathi, Thubinakere, Pandavapura Taluk, Mandya District (presently working as Panchayath Development Officer, Sathmiri Grama Panchayath, Mandya Taluk).
- (4) K.R.Chandra, the then Panchayath Development Officer, Thubinakere Grama Panchayathi, Thubinakere, Pandavapura Taluk, Mandya District (presently working as Panchayath Development Officer, Mandya Rural Grama Panchayath, Mandya Taluk).
- (5) B.V.Somu, the then Panchayath Development Officer, Thubinakere Grama Panchayathi, Thubinakere, Pandavapura Taluk, Mandya District (presently working as Panchayath

Development Officer, Santhekasalgere Grama Panchayath, Mandya Taluk).

- (6) C.R.Sandeep, the then Panchayath Development Officer, Thubinakere Grama Panchayathi, Thubinakere, Pandavapura Taluk, Mandya District (presently working as Panchayath Development Officer, Huthkere Grama Panchayath, Maddur Taluk, Mandya District)-reg.,

Ref: 1) Government Order No.ಗ್ರಾಅಪ/912/ಗ್ರಾಪಂಚಾ/2016, Bengaluru, dated: 28/02/2017.

2) Nomination Order No.UPLOK-2/DE/556/2017, Bengaluru, dated: 18/04/2017 of Upalokayukta, State of Karnataka, Bengaluru.

3) Inquiry Report dated: 10/06/2022 of Additional Registrar of Enquiries-15, Karnataka Lokayukta, Bengaluru.

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The Government by its order dated: 28/02/2017 initiated the disciplinary proceedings against (1) Shri D.N.Harish, the then Panchayath Development Officer, Thubinakere Grama Panchayathi, Thubinakere, Pandavapura Taluk, Mandya District (presently retired, Kadukothanahalli, Maddur Taluk, Mandya District); (2) Shri Shivanna, the then Panchayath Development Officer, Thubinakere Grama Panchayathi, Thubinakere, Pandavapura Taluk, Mandya District (presently working as Panchayath Development Officer, K.Shettahalli Grama Panchayath, Srirangapatna Taluk, Mandya District); (3) Shri Manjunath, the then Panchayath Development Officer, Thubinakere Grama Panchayathi, Thubinakere, Pandavapura

Taluk, Mandya District (presently working as Panchayath Development Officer, Sathmiri Grama Panchayath, Mandya Taluk); (4) Shri K.R.Chandra, the then Panchayath Development Officer, Thubinakere Grama Panchayathi, Thubinakere, Pandavapura Taluk, Mandya District (presently working as Panchayath Development Officer, Mandya Rural Grama Panchayath, Mandya Taluk); (5) Shri B.V.Somu, the then Panchayath Development Officer, Thubinakere Grama Panchayathi, Thubinakere, Pandavapura Taluk, Mandya District (presently working as Panchayath Development Officer, Santhekasalgere Grama Panchayath, Mandya Taluk) and, (6) Shri C.R.Sandeep, the then Panchayath Development Officer, Thubinakere Grama Panchayathi, Thubinakere, Pandavapura Taluk, Mandya District (presently working as Panchayath Development Officer, Huthkere Grama Panchayath, Maddur Taluk, Mandya District) (hereinafter referred to as Delinquent Government Officials, for short as DGOs No.1 to 6) and entrusted the Departmental Inquiry to this Institution.

2. This Institution by Nomination Order No.UPLOK-2/DE/556/2017, Bengaluru, dated: 18/04/2017 nominated Additional Registrar of Enquiries-3, Karnataka Lokayukta, Bengaluru, as the Inquiry Officer to frame charges and to conduct Departmental Inquiry against DGOs No.1 to 6 for the alleged

charge of misconduct, said to have been committed by them. Subsequently, by Order No.UPLOK-1 & 2/DE/Transfers/2018, dated: 02/11/2018, the Additional Registrar of Enquiries-15, Karnataka Lokayukta, Bengaluru was re-nominated as Inquiry Officer to conduct Departmental Inquiry against DGOs No.1 to 6

3. The DGO No.1, Shri D.N.Harish, the then Panchayath Development Officer, Thubinakere Grama Panchayathi, Thubinakere, Pandavapura Taluk, Mandya District (presently retired, Kadukothanahalli, Maddur Taluk, Mandya District); DGO No.2, Shri Shivanna, the then Panchayath Development Officer, Thubinakere Grama Panchayathi, Thubinakere, Pandavapura Taluk, Mandya District (presently working as Panchayath Development Officer, K.Shettahalli Grama Panchayath, Srirangapatna Taluk, Mandya District); DGO No.3, Shri Manjunath, the then Panchayath Development Officer, Thubinakere Grama Panchayathi, Thubinakere, Pandavapura Taluk, Mandya District (presently working as Panchayath Development Officer, Sathmiri Grama Panchayath, Mandya Taluk); DGO No.4, Shri K.R.Chandra, the then Panchayath Development Officer, Thubinakere Grama Panchayathi, Thubinakere, Pandavapura Taluk, Mandya District (presently working as Panchayath Development Officer, Mandya Rural Grama Panchayath, Mandya Taluk); DGO No.5, Shri B.V.Somu,





the then Panchayath Development Officer, Thubinakere Grama Panchayathi, Thubinakere, Pandavapura Taluk, Mandya District (presently working as Panchayath Development Officer, Santhekasalgere Grama Panchayath, Mandya Taluk) and, DGO No.6, Shri C.R.Sandeep, the then Panchayath Development Officer, Thubinakere Grama Panchayathi, Thubinakere, Pandavapura Taluk, Mandya District (presently working as Panchayath Development Officer, Huthkere Grama Panchayath, Maddur Taluk, Mandya District) were tried for the following charges:


**ANNEXURE-I**

**CHARGE :**

That you DGOs No.1 to 6 named above, while working as Panchayath Development Officers at Tubinakere Grama Panchayath of Pandavapura Taluk, during the relevant period of your tenure of Panchayath Development Officer in the said Grama Panchayath, have failed to discharge your duties effectively and efficiently and failed to take action in issuing license in favour of the complainant V.Lokesh son of late S.Venkataramanaiah of Chikkabyadarahally Village, enabling him to put up construction of a compound in Property no. 259 of Ragimuddenahally village, despite the Grama Panchayath passed a resolution in the meeting dated 28/04/2012. The complainant filed an application dated 06/04/2011 to Tubinakere Grama Panchayath requesting to grant license to put up

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compound around the property bearing No.259 measuring 15x32 feet and furnished sketch and plan on 20.5.2011. In the General Meeting dated 16/08/2011 the Grama Panchayath of Tubinakere passed a resolution directing for taking steps to issue license in favour of the complainant as sought for by him and in its meeting dated 28/04/2012 it was resolved by the Grama Panchayath to issue license as requested by him as per rules. He has also sent the license fee of Rs.348/- on 12/02/2013 by sending DD in the name of Grama Panchayath but no action was taken for issue of license, but a notice dated 20/04/2015 was sent to the complainant asking him to remit the license fee of Rs.348/- again to the Grama Panchayath. You DGO No.1 and also DGOs No.2 to 6 who succeeded DGO No.1 and worked as Panchayath Development Officers of Tubinakere Grama Panchayath have failed to issue license in favour of the complainant, despite the complainant has fulfilled all the formalities and despite the Grama Panchayath passed a resolution recommending to issue license as sought for in favour of the complainant and thus deliberately omitted to take action in issuing license to the complainant, thereby committed an act of misconduct and thereby you DGOs No.1 to 6 have failed to maintain absolute integrity, negligence and devotion to duty and committed an act which is unbecoming of a 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-15) on proper appreciation of oral and documentary evidence has held that, the Disciplinary Authority has 'Proved' the charges leveled against **DGO No.1**, Shri D.N.Harish, the then Panchayath Development Officer, Thubinakere Grama Panchayathi, Thubinakere, Pandavapura Taluk, Mandya District (presently retired, Kadukothanahalli, Maddur Taluk, Mandya District); **DGO No.3**, Shri Manjunath, the then Panchayath Development Officer, Thubinakere Grama Panchayathi, Thubinakere, Pandavapura Taluk, Mandya District (presently working as Panchayath Development Officer, Sathmiri Grama Panchayath, Mandya Taluk); **DGO No.4**, Shri K.R.Chandra, the then Panchayath Development Officer, Thubinakere Grama Panchayathi, Thubinakere, Pandavapura Taluk, Mandya District (presently working as Panchayath Development Officer, Mandya Rural Grama Panchayath, Mandya Taluk); **DGO No.5**, Shri B.V.Somu, the then Panchayath Development Officer, Thubinakere Grama Panchayathi, Thubinakere, Pandavapura Taluk, Mandya District (presently working as Panchayath Development Officer, Santhekasalgere Grama Panchayath, Mandya Taluk) and, **DGO No.6**, Shri C.R.Sandeep, the then Panchayath Development Officer, Thubinakere Grama Panchayathi, Thubinakere, Pandavapura Taluk, Mandya District



(presently working as Panchayath Development Officer, Huthkere Grama Panchayath, Maddur Taluk, Mandya District).

The Disciplinary Authority has 'Not Proved' the charges leveled against **DGO No.2**, Shri Shivanna, the then Panchayath Development Officer, Thubinakere Grama Panchayathi, Thubinakere, Pandavapura Taluk, Mandya District (presently working as Panchayath Development Officer, K.Shettahalli Grama Panchayath, Srirangapatna Taluk, Mandya District)".

5. On perusal of the Inquiry Report, in order to prove the guilt of the DGOs No.1 to 6, the Disciplinary Authority has examined three witnesses i.e., PW-1 to PW-3 and Ex. P-1 to P-14 documents were marked. In fact, DGO Nos.2 to 6, were also examined as DW-2, DW-3, DW-4, DW-5 and DW-1 respectively and Ex. D-1 to Ex. D-4 documents were marked.
6. 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. Therefore, it is hereby recommended to the Government to accept the report of the Inquiry Officer.
7. As per the First Oral Statement of DGOs No.1 to 6 furnished by the Inquiry Officer, DGO No.1, Shri D.N.Harish, will retire from service on 31/05/2044; DGO No.2, Shri Shivanna, will retire



from service on 30/06/2022; DGO No.3, Shri Manjunath, will retire from service on 30/06/2040; DGO No.4, Shri K.R.Chandra, will retire from service on 28/02/2026; DGO No.5, Shri B.V.Somu, will retire from service on 31/05/2024 and DGO No.6, Shri C.R.Sandeep, will retire from service on 31/07/2043.

8. Having regard to the nature of charge 'Proved' against **DGO No.1**, Shri D.N.Harish, the then Panchayath Development Officer, Thubinakere Grama Panchayathi, Thubinakere, Pandavapura Taluk, Mandya District (presently retired, Kadukothanahalli, Maddur Taluk, Mandya District); **DGO No.3**, Shri Manjunath, the then Panchayath Development Officer, Thubinakere Grama Panchayathi, Thubinakere, Pandavapura Taluk, Mandya District (presently working as Panchayath Development Officer, Sathmiri Grama Panchayath, Mandya Taluk); **DGO No.4**, Shri K.R.Chandra, the then Panchayath Development Officer, Thubinakere Grama Panchayathi, Thubinakere, Pandavapura Taluk, Mandya District (presently working as Panchayath Development Officer, Mandya Rural Grama Panchayath, Mandya Taluk); **DGO No.5**, Shri B.V.Somu, the then Panchayath Development Officer, Thubinakere Grama Panchayathi, Thubinakere, Pandavapura Taluk, Mandya District (presently working as Panchayath Development Officer, Santhekasalgere Grama Panchayath, Mandya Taluk) and, **DGO**


**No.6**, Shri C.R.Sandeep, the then Panchayath Development Officer, Thubinakere Grama Panchayathi, Thubinakere, Pandavapura Taluk, Mandya District (presently working as Panchayath Development Officer, Huthkere Grama Panchayath, Maddur Taluk, Mandya District) and "Not Proved" against **DGO No.2**, Shri Shivanna, the then Panchayath Development Officer, Thubinakere Grama Panchayathi, Thubinakere, Pandavapura Taluk, Mandya District (presently working as Panchayath Development Officer, K.Shettahalli Grama Panchayath, Srirangapatna Taluk, Mandya District) and on consideration of the totality of circumstances:-

- i. "It is hereby recommended to the Government to accept the report of Inquiry Officer and to exonerate DGO No.2, Shri Shivanna, the then Panchayath Development Officer, Thubinakere Grama Panchayathi, Thubinakere, Pandavapura Taluk, Mandya District (presently working as Panchayath Development Officer, K.Shettahalli Grama Panchayath, Srirangapatna Taluk, Mandya District), of the charges leveled against him".
- ii. "It is hereby recommended to the Government to impose penalty of withholding two annual increments payable to DGO No.1, Shri D.N.Harish;

DGO No.3, Shri Manjunath; DGO No.4, Shri K.R.Chandra; DGO No.5, Shri B.V.Somu and DGO No.6, C.R.Sandeep with cumulative effect”.

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

Connected records are enclosed herewith.



**(JUSTICE K.N.PHANEENDRA)**  
UPALOKAYUKTA-2,  
STATE OF KARNATAKA.

