

KARNATAKA LOKAYUKTA

NO:UPLOK-2/DE/665/2016/ARE-9

M.S.Building,
Dr. B.R. Ambedkar Veedhi,
Bengaluru - 560 001.
Date: 16.10.2019.

:: ENQUIRY REPORT ::**:: Present ::****(Lokappa N.R)**

Additional Registrar of Enquiries-9
Karnataka Lokayukta,
Bengaluru

Sub: Departmental enquiry against Sriyuths:

- 1) Thimmachar, the then Secretary, Madapura grama panchayath (presently working as panchayat development officer, Taluk panchayath, Pandavapura);
 - 2) Bhagavan, the then Panchayath Development Officer, Madapura grama panchayath (presently working as First Division Assistant, Taluk Office, Srirangapatna);
 - 3) B.R.Venkatarangaiah, the then Secretary (presently working as Revenue Inspector, Nada Kacheri)
 - 4) Chandramouli the then Executive Officer, taluk Panchayath, K.R.Pete (presently working as Executive Officer, Pandavapura) and
 - 5) Ramesh Secretary, Madapura grama panchayath - reg. officer
- Ref: 1) Government Order No. 209 / 250 ಎಸ್‌ಜಿಡಿ 2017, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 01/09/2017.
- 2) Nomination Order No: UPLOK-1/DE/1010/2017 Dated: 13/09/2017 of Hon'ble Upalokayukta-1, Bengaluru.

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or

This Departmental Enquiry is initiated against Sriyuths: (1) Thimmachar, the then Secretary, Madapura grama panchayath (presently working as panchayat development officer, Taluk panchayath, Pandavapura); (2) Bhagavan, the then Panchayath Development Officer, Madapura grama panchayath (presently working as First Division Assistant, Taluk Office, Srirangapatna); (3) B.R.Venkatarangaiah, the then Secretary (presently working as Revenue Inspector, Nada Kacheri) (4) Chandramouli the then Executive Officer, taluk Panchayath, K.R.Pete (presently working as Executive Officer, Pandavapura) and Chandramouli the then Executive Officer, taluk Panchayath, K.R.Pete (presently working as Executive Officer, Pandavapura) and (5) Ramesh Secretary, Madapura grama panchayath (hereinafter referred to as the Delinquent Government Official for short "DGO No.1 to 5").

2. In view of the Government Order cited above; at reference No.1, Hon'ble Upalokayukta vide order dated 28.11.2016 cited above at reference No.2 has Nominated Additional Registrar of Enquiries-9 to frame the charges and to conduct the enquiry against the aforesaid DGO. Additional Registrar of Enquiries-9 has prepared Articles of charges, statement of imputations of misconduct, list of witnesses proposed to be examined in support of the charges and list of documents proposed to be relied on in support of the charges.

3. The copies of the same were issued to the DGO calling upon them to appear before the Enquiry Officer and to submit written statement of defence.

4. The Article of charges framed by the ARE-9 against the DGO is as under :

ANNEXURE-I

CHARGE

ನೀವು ಎಂದರೆ, ಅ.ಸ.ನೌ.ರರು 2009-10ನೇ ಸಾಲಿನಲ್ಲಿ ಫಲಾನುಭವಿಗಳನ್ನು ಆಯ್ಕೆ ಮಾಡುವ ಸಂದರ್ಭದಲ್ಲಿ ಶ್ರೀಮತಿ ರಂಗಮ್ಮ ಕೋಂ ಸೋಮಶೇಖರ್, ಮಾದಪುರ ಗ್ರಾಮ ಹಾಗೂ ಶ್ರೀಮತಿ ಸವಿತಾ ಕೋಂ ಗೋವಿಂದಯ್ಯ, ಮಾದಪುರ ಕೊಪ್ಪಲು ಗ್ರಾಮ ಇವರುಗಳಿಗೆ 2005-06ನೇ ಸಾಲಿನ ಗ್ರಾಮೀಣ ಆಶ್ರಯ ಯೋಜನೆಯಲ್ಲಿ ಆಯ್ಕೆಯಾಗಿ ಮನೆ ನಿರ್ಮಿಸಿಕೊಂಡಿದ್ದರೂ ಸಹ ಪುನಃ 2009-10ನೇ ಸಾಲಿನ ಇಂದಿರಾ ಆವಾಸ್ ಯೋಜನೆಯಡಿಯಲ್ಲಿ ಆಯ್ಕೆ ಮಾಡಿ ಹಣ ಪಾವತಿಸಲಾಗಿದೆ ಎಂಬ ಆರೋಪಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟಂತೆ, ನಿಯಮಬಾಹಿರವಾಗಿ ಅರ್ಹ ಫಲಾನುಭವಿಗಳೆಂದು ಆಯ್ಕೆಮಾಡಿ ವಸತಿ ನಿಗಮದ ಮಾರ್ಗಸೂಚಿಯನ್ನು ಉಲ್ಲಂಘಿಸಿರುತ್ತೀರಿ ಮತ್ತು ಹಿಂದಿನ ಯೋಜನೆಯಲ್ಲಿ ಪಡೆದ ಅನುದಾನದ ವಿವರಗಳನ್ನು ತಂತ್ರಾಂಶದಿಂದ ದಾಖಲು ಮಾಡದೆ ಒಂದೇ ಫಲಾನುಭವಿಯನ್ನು ಮತ್ತೊಂದು ಯೋಜನೆಗೆ ಆಯ್ಕೆ ಮಾಡಿ ಕರ್ತವ್ಯ ಲೋಪ ಮಾಡಿರುತ್ತೀರಿ ಮತ್ತು ಸರ್ಕಾರಕ್ಕೆ ಆರ್ಥಿಕ ನಷ್ಟ ಉಂಟು ಮಾಡಿರುತ್ತೀರಿ.

2010-11ನೇ ಸಾಲಿನ ಬಸವ ಇಂದಿರಾ ವಸತಿ ಯೋಜನೆಯಡಿಯಲ್ಲಿ ಮಾದಪುರ ಗ್ರಾಮ ಪಂಚಾಯತಿ ವ್ಯಾಪ್ತಿಗೆ ಒಳಪಡುವ ಗ್ರಾಮಗಳ ಅಂತಿಮವಾಗಿ ಆಯ್ಕೆ ಮಾಡಿದ ಅಂತಿಮ ಫಲಾನುಭವಿಗಳ ಪಟ್ಟಿಯಲ್ಲಿ ಶ್ರೀಮತಿ ಎಂ.ಎಂ. ರಾಧ ಕೋಂ ಶಂಕರಾಚಾರಿ ಇವರಿಗೆ 2009-10 ನೇ ಸಾಲಿನ ಇಂದಿರಾ ಆವಾಸ್ ಯೋಜನೆಯಡಿಯಲ್ಲಿ ಆಯ್ಕೆ ಮಾಡಿ ಮನೆ ನಿರ್ಮಿಸಿಕೊಂಡಿದ್ದರೂ ಸಹ ಪುನಃ ಆಯ್ಕೆ ಮಾಡಿ ಹಣ ಪಾವತಿಸಲಾಗಿದೆ, ಶ್ರೀಮತಿ ಲಕ್ಷ್ಮಮ್ಮ ಕೋಂ ವೈಕುಂಟಯ್ಯ, ಶ್ರೀಮತಿ ಜಯಮ್ಮ ಕೋಂ ಚಲುವರಾಜು ಹಾಗೂ ಕುಮಾರಿ ಕೋಂ ಚಿಲುವರಾಯ ಶೆಟ್ಟಿ ಅಲಿಯಾಸ್ ಜವರಶೆಟ್ಟಿ ಮಾದಪುರ ಗ್ರಾಮ ಇವರಿಗೆ 2005-06ನೇ ಸಾಲಿನ ಗ್ರಾಮೀಣ ಆಶ್ರಯ ಯೋಜನೆಯಲ್ಲಿ ಆಯ್ಕೆಯಾಗಿ ಮನೆ ನಿರ್ಮಿಸಿದ್ದರೂ ಸಹ ಪುನಃ 2010-11ನೇ ಸಾಲಿನ ಬಸವ ಇಂದಿರಾ ವಸತಿ ಯೋಜನೆಯಡಿಯಲ್ಲಿ ಆಯ್ಕೆ ಮಾಡಲಾಗಿದೆ ಶ್ರೀಮತಿ ಪ್ರೇಮ ಕೋಂ

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ನಂಜುಂಡೇಗೌಡ ಮಾದಪುರ ಗ್ರಾಮ ಇವರಿಗೆ 2006-07ನೇ ಸಾಲಿನ ಗ್ರಾಮೀಣ ಆಶ್ರಯ ಯೋಜನೆಯಲ್ಲಿ ಆಯ್ಕೆಯಾಗಿ ಮನೆ ನಿರ್ಮಿಸಿಕೊಂಡಿದ್ದರೂ ಸಹ ಪುನಃ 2010-11ನೇ ಸಾಲಿನ ಬಸವ ಇಂದಿರಾ ವಸತಿ ಯೋಜನೆಯಡಿಯಲ್ಲಿ ಆಯ್ಕೆ ಮಾಡಲಾಗಿದೆ ಮತ್ತು ಶ್ರೀಮತಿ ತಾಯಮ್ಮ ಕೋಂ ಅಪ್ಪಾಜಪ್ಪ, ಮಾದಪುರ ಕೊಪ್ಪಲು ಗ್ರಾಮ ಹಾಗೂ ಶ್ರೀಮತಿ ನಾಗಮ್ಮ ಕೋಂ ಚಿಕ್ಕೇಗೌಡ ಅಲಿಯಾಸ ಚಿಕ್ಕಯ್ಯ ಮಾದಪುರ ಗ್ರಾಮದ ಫಲಾನುಭವಿಗಳು 2010-11ನೇ ಸಾಲಿನ ಬಸವ ಇಂದಿರಾ ವಸತಿ ಯೋಜನೆಯಡಿಯಲ್ಲಿ ಅಂತಿಮ ಫಲಾನುಭವಿಗಳ ಪಟ್ಟಿಯಲ್ಲಿ ಆಯ್ಕೆ ಮಾಡಲಾಗಿದ್ದು, ಸದರಿ ಫಲಾನುಭವಿಗಳು ಮನೆ ಅಡಮಾನ ಪತ್ರವನ್ನು ಅಡಮಾನ ಮಾಡದೇ ಇದ್ದರೂ ಸಹ ಇವರುಗಳಿಗೆ ಹಣ ಪಾವತಿಸಲಾಗಿದೆ. ಇದರಿಂದ ಅರ್ಹತೆ ಹೊಂದಿದವರಿಗೆ ಅನ್ಯಾಯವಾಗಿದೆ ಹಾಗೂ ಸರ್ಕಾರಕ್ಕೆ ನಷ್ಟ ಉಂಟಾಗಿದೆ ವಿವಿಧ ಯೋಜನೆಗಳಲ್ಲಿ ಫಲಾನುಭವಿಗಳು ಆಯ್ಕೆಯಾಗಿ ಮನೆ ನಿರ್ಮಿಸಿಕೊಂಡು ಅನುದಾನ ಪಡೆದಿದ್ದರೂ ಸಹ 2010-11ನೇ ಸಾಲಿನ ಯೋಜನೆಯಡಿಯಲ್ಲಿ ಆಸ್ತಿಯನ್ನು ಪಂಚಾಯಿತಿಗೆ ಅಡಮಾನ ಮಾಡದೇ ಅನುದಾನ ಪಡೆದಿರುವುದು ಕಂಡುಬರುತ್ತದೆ ಮತ್ತು 2010-11ನೇ ಸಾಲಿನ ಬಸವ ಇಂದಿರಾ ವಸತಿ ಯೋಜನೆಗೆ ಅರ್ಹ ಫಲಾನುಭವಿಗಳೆಂದು ನಿಯಮಬಾಹಿರವಾಗಿ ವಸತಿ ಯೋಜನೆಯ ಮಾರ್ಗಸೂಚಿಗಳನ್ನು ಉಲ್ಲಂಘಿಸಿ ನಿಗಮಕ್ಕೆ ಸುಳ್ಳು ಮಾಹಿತಿಗಳನ್ನು ನೀಡಿ ಅನುದಾನ ಬಿಡುಗಡೆ ಮಾಡಿರುತ್ತೀರಿ.

ಆದುದರಿಂದ, ಅ.ಸ.ನೌ.ರರಾದ ನೀವು ಅವ್ಯವಹಾರದ ದುರ್ನಡತೆಯ ಅವಧಿಯಲ್ಲಿ ಸರ್ಕಾರಿ ನೌಕರರಾಗಿದ್ದ ಕಾರಣ, ತಮ್ಮ ಕರ್ತವ್ಯ ನಿರ್ವಹಿಸುವಲ್ಲಿ ಪರಿಪೂರ್ಣ ಪ್ರಾಮಾಣಿಕತೆ, ಪರಿಪೂರ್ಣ ಕರ್ತವ್ಯ ನಿಷ್ಠೆ ತೋರಿಸದೆ ಹಾಗೂ ಸಾರ್ವಜನಿಕ ಸೇವಕರಿಗೆ ತರವಲ್ಲದ ರೀತಿಯಲ್ಲಿ ನಡೆದುಕೊಂಡಿರುವುದು ವೇದ್ಯವಾಗುತ್ತದೆ. ಹೀಗಾಗಿ, ನೀವು ಕರ್ನಾಟಕ ನಾಗರಿಕ ಸೇವಾ (ನಡತೆ) ನಿಯಮಗಳು, 1966ರ, ನಿಯಮ 3(1)(i), (ii) ಮತ್ತು (iii) ರಡಿಯಲ್ಲಿ ದುರ್ನಡತೆಯನ್ನೆಸಗಿದ್ದೀರಿ.

ANNEXURE-II

5. STATEMENT OF IMPUTATION OF MISCONDUCT:

ಶ್ರೀ. ಎಂ.ಸಿ. ಸೋಮಶೇಖರಗೌಡ - ತಂದೆ ಚಿಕ್ಕೇಗೌಡ, ಮಾದಪುರ ಗ್ರಾಮ ಪಂಚಾಯಿತಿ, ಕಿಕ್ಕೇರಿ ಹೋಬಳಿ, ಕೆ.ಆರ್.ಪೇಟೆ ತಾಲ್ಲೂಕು ಮಂಡ್ಯ ಜಿಲ್ಲೆ (ಇನ್ನು ಮುಂದು ದೂರುದಾರರು ಎಂದು

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ಕರೆಯಲ್ಪಡುವ) ರವರು ಶ್ರೀ. ದಿಲೀಪ್ ಕುಮಾರ್- ತಾಲ್ಲೂಕು ನೋಡಲ್ ಅಧಿಕಾರಿ, ಕೆ.ಆರ್.ಪೇಟೆ ತಾಲ್ಲೂಕು ಕಛೇರಿ, ಕೆ.ಆರ್.ಪೇಟೆ ತಾಲ್ಲೂಕು, ಮಂಡ್ಯ ಜಿಲ್ಲೆ, 2) ಶ್ರೀ. ಭಗವಾನ್- ಪಂಚಾಯಿತಿ ಅಭಿವೃದ್ಧಿ ಅಧಿಕಾರಿ, ಮಾದಪುರ ಗ್ರಾಮ ಪಂಚಾಯಿತಿ, ಮಾದಪುರ, ಕಿಕ್ಕೇರಿ ಹೋಬಳಿ, ಕೆ.ಆರ್.ಪೇಟೆ ತಾಲ್ಲೂಕು, ಮಂಡ್ಯ ಜಿಲ್ಲೆ, 3) ಶ್ರೀ. ರಮೇಶ್- ಕಾರ್ಯದರ್ಶಿ, ಮಾದಪುರ ಗ್ರಾಮ ಪಂಚಾಯಿತಿ, ಕಿಕ್ಕೇರಿ ಹೋಬಳಿ, ಕೆ.ಆರ್.ಪೇಟೆ ತಾಲ್ಲೂಕು, ಮಂಡ್ಯ ಜಿಲ್ಲೆ, 4) ಶ್ರೀ. ಮಹೇಶ್ - ಅಧ್ಯಕ್ಷರು- ಮಾದಪುರ ಗ್ರಾಮ ಪಂಚಾಯಿತಿ, ಕಿಕ್ಕೇರಿ ಹೋಬಳಿ, ಕೆ.ಆರ್.ಪೇಟೆ ತಾಲ್ಲೂಕು, ಮಂಡ್ಯ ಜಿಲ್ಲೆ, 5) ಶ್ರೀ. ರಘು.ಎಂ.ಕೆ. - ಸದಸ್ಯರು, ಮಾದಪುರ ಗ್ರಾಮ ಪಂಚಾಯಿತಿ, ಮಾದಪುರ, ಕಿಕ್ಕೇರಿ ಹೋಬಳಿ, ಕೆ.ಆರ್.ಪೇಟೆ ತಾಲ್ಲೂಕು, ಮಂಡ್ಯ ಜಿಲ್ಲೆ (ಇನ್ನು ಮುಂದೆ ಕ್ರಮವಾಗಿ ಎದುರುದಾರ 1 ರಿಂದ 5 ಎಂದು ಕರೆಯಲ್ಪಡುವ) ರವರುಗಳ ಕೆಳಕಂಡ ಆಪಾದನೆಗಳನ್ನು ಮಾಡಿರುತ್ತಾರೆ.

- (i) 2010-11ನೇ ಸಾಲಿನ ಬಸವ ಇಂದಿರಾ ವಸತಿ ಯೋಜನೆಯಡಿಯಲ್ಲಿ ಮಾದಪುರ ಗ್ರಾಮ ಪಂಚಾಯಿತಿ ವ್ಯಾಪ್ತಿಗೆ ಒಳಪಡುವ ಶ್ರೀಮತಿ ಇಂದ್ರಮ್ಮ ಕೋಂ.ಜಿ.ಆರ್.ರಮೇಶ್ ಹಾಗೂ ಶ್ರೀಮತಿ. ಯಶೋಧಮ್ಮ ಕೋಂ ರಾಮೇಗೌಡ ಗುಡೇಹೊಸಹಳ್ಳಿ ಗ್ರಾಮ ಇವರುಗಳಿಗೆ ವಾಸಕ್ಕೆ ಯೋಗ್ಯ ಮನೆಗಳಿದ್ದು, ಪ್ರಥಮ ಹಂತದ 175 ಫಲಾನುಭವಿಗಳ ಆಯ್ಕೆ ಪಟ್ಟಿಯಲ್ಲಿ ಕೈಬಿಟ್ಟಿದ್ದರೂ ಸಹ ಹಾಗೂ ಇವರನ್ನು ಅಂತಿಮವಾಗಿ ಫಲಾನುಭವಿಗಳ ಪಟ್ಟಿಯಲ್ಲಿ ಆಯ್ಕೆ ಮಾಡಿ ಹಣ ಪಾವತಿಸಲಾಗಿದೆ.
- (ii) 2010-11ನೇ ಸಾಲಿನ ಬಸವ ಇಂದಿರಾ ವಸತಿ ಯೋಜನೆಯಡಿಯಲ್ಲಿ ಮಾದಪುರ ಗ್ರಾಮ ಪಂಚಾಯಿತಿ ವ್ಯಾಪ್ತಿಗೆ ಒಳಪಡುವ ಗ್ರಾಮಗಳ ಅಂತಿಮವಾಗಿ ಆಯ್ಕೆ ಮಾಡಿದ ಅಂತಿಮ ಫಲಾನುಭವಿಗಳ ಪಟ್ಟಿಯಲ್ಲಿ ಶ್ರೀಮತಿ ಎಂ.ಎಂ. ರಾಧಾ ಕೋಂ ಶಂಕರಾಚಾರಿ ಇವರಿಗೆ 2009-10 ನೇ ಸಾಲಿನ ಇಂದಿರಾ ಆವಾಸ್ ಯೋಜನೆಯಡಿಯಲ್ಲಿ ಆಯ್ಕೆ ಮಾಡಿ ಮನೆ ನಿರ್ಮಿಸಿಕೊಂಡಿದ್ದರೂ ಸಹ ಪುನಃ ಆಯ್ಕೆ ಮಾಡಿ ಹಣ ಪಾವತಿಸಲಾಗಿದೆ.
- (iii) ಶ್ರೀಮತಿ ಲಕ್ಷ್ಮಮ್ಮ ಕೋಂ ವೈಕುಂಟಯ್ಯ, ಶ್ರೀಮತಿ. ಜಯಮ್ಮ ಕೋಂ ಚಲುವರಾಜು ಹಾಗೂ ಕುಮಾರಿ ಕೋಂ ಚಲುವರಾಯ ಶೆಟ್ಟಿ ಅಲಿಯಾಸ್ ಜವರಶೆಟ್ಟಿ ಮಾದಪುರ ಗ್ರಾಮ ಇವರಿಗೆ 2005-06ನೇ ಸಾಲಿನ ಗ್ರಾಮೀಣ ಆಶ್ರಯ ಯೋಜನೆಯಲ್ಲಿ ಆಯ್ಕೆಯಾಗಿ ಮನೆ ನಿರ್ಮಿಸಿದ್ದರೂ ಸಹ ಪುನಃ 2010-11ನೇ ಸಾಲಿನ ಬಸವ ಇಂದಿರಾ ವಸತಿ ಯೋಜನೆಯಡಿಯಲ್ಲಿ ಆಯ್ಕೆ ಮಾಡಲಾಗಿದೆ.
- (iv) ಶ್ರೀಮತಿ ರಂಗಮ್ಮ ಕೋಂ ಸೋಮಶೇಖರ್, ಮಾದಪುರ ಗ್ರಾಮ ಹಾಗೂ ಶ್ರೀಮತಿ ಸವಿತಾ ಕೋಂ ಗೋವಿಂದಯ್ಯ, ಮಾದಪುರ ಕೊಪ್ಪಲು ಗ್ರಾಮ ಇವರುಗಳಿಗೆ 2005-06ನೇ ಸಾಲಿನ ಗ್ರಾಮೀಣ ಆಶ್ರಯ ಯೋಜನೆಯಲ್ಲಿ ಆಯ್ಕೆಯಾಗಿ ಮನೆ ನಿರ್ಮಿಸಿಕೊಂಡಿದ್ದರೂ ಸಹ ಪುನಃ 2009-10ನೇ ಸಾಲಿನ ಇಂದಿರಾ ಆವಾಸ್ ಯೋಜನೆಯಡಿಯಲ್ಲಿ ಆಯ್ಕೆ ಮಾಡಿ ಹಣ ಪಾವತಿಸಲಾಗಿದೆ.

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- (v) ಶ್ರೀಮತಿ. ಪ್ರೇಮ ಕೋಂ ನಂಜುಂಡೇಗೌಡ ಮಾದಪುರ ಗ್ರಾಮ ಇವರಿಗೆ 2006-07ನೇ ಸಾಲಿನ ಗ್ರಾಮೀಣ ಆಶ್ರಯ ಯೋಜನೆಯಲ್ಲಿ ಆಯ್ಕೆಯಾಗಿ ಮನೆ ನಿರ್ಮಿಸಿಕೊಂಡಿದ್ದರೂ ಸಹ ಪುನ: 2010-11ನೇ ಸಾಲಿನ ಬಸವ ಇಂದಿರಾ ವಸತಿ ಯೋಜನೆಯಡಿಯಲ್ಲಿ ಆಯ್ಕೆ ಮಾಡಲಾಗಿದೆ.
- (vi) ಶ್ರೀಮತಿ ರತ್ನಮ್ಮ ಕೋಂ ಗಂಗಾಧರಗೌಡ, ಶ್ರೀಮತಿ ಯಶೋಧ ಕೋಂ ಯೋಗೇಶ್, ಶ್ರೀಮತಿ ಶಾಂತಮ್ಮ ಕೋಂ ಯತಿರಾಜ್, ಮಾದಪುರ ಕೊಪ್ಪಲು ಗ್ರಾಮ ಹಾಗೂ ಶ್ರೀಮತಿ ಹೇಮಾವತಿ ಕೋಂ ಚಂದ್ರಬಸಪ್ಪ ಮಾದಪುರ ಗ್ರಾಮದ ಫಲಾನುಭವಿಗಳನ್ನು 2010-11ನೇ ಸಾಲಿನ ಬಸವ ಇಂದಿರಾ ವಸತಿ ಯೋಜನೆಯಡಿಯಲ್ಲಿ ಅಂತಿಮ ಫಲಾನುಭವಿಗಳ ಪಟ್ಟಿಯಲ್ಲಿ ಆಯ್ಕೆ ಮಾಡಲಾಗಿದ್ದು, ಸದರಿ ಫಲಾನುಭವಿಗಳು ಮನೆಯನ್ನು ಕಟ್ಟದೆ ಹಳೆ ಮನೆಯನ್ನು ಹೊಸ ಮನೆಯೆಂದು ತೋರಿಸಿ ಹಣ ಪಡೆದಿರುತ್ತಾರೆ.
- (vii) ಶ್ರೀಮತಿ ತಾಯಮ್ಮ ಕೋಂ ಅಪ್ಪಾಜಪ್ಪ, ಮಾದಪುರ ಕೊಪ್ಪಲು ಗ್ರಾಮ ಹಾಗೂ ಶ್ರೀಮತಿ ನಾಗಮ್ಮ ಕೋಂ ಚಿಕ್ಕೇಗೌಡ ಅಲಿಯಾಸ್ ಚಿಕ್ಕಯ್ಯ ಮಾದಪುರ ಗ್ರಾಮದ ಫಲಾನುಭವಿಗಳು 2010-11ನೇ ಸಾಲಿನ ಬಸವ ಇಂದಿರಾ ವಸತಿ ಯೋಜನೆಯಡಿಯಲ್ಲಿ ಅಂತಿಮ ಫಲಾನುಭವಿಗಳ ಪಟ್ಟಿಯಲ್ಲಿ ಆಯ್ಕೆ ಮಾಡಲಾಗಿದ್ದು, ಸದರಿ ಫಲಾನುಭವಿಗಳು ಮನೆ ಅಡಮಾನ ಪತ್ರವನ್ನು ಅಡಮಾನ ಮಾಡದೇ ಇದ್ದರೂ ಸಹ ಇವರುಗಳಿಗೆ ಹಣ ಪಾವತಿಸಲಾಗಿದೆ ಎಂದು ಇದರಿಂದ ಅರ್ಹತೆ ಹೊಂದಿದವರಿಗೆ ಅನ್ಯಾಯವಾಗಿದೆ ಹಾಗೂ ಸರ್ಕಾರಕ್ಕೆ ನಷ್ಟ ಉಂಟಾಗಿದೆ ಎಂದು ಆರೋಪ ಮಾಡಿರುತ್ತಾರೆ.

ದೂರನ್ನು ದಾಖಲಿಸಿ ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ ಕಾಯ್ದೆ ಕಲಂ 9ರಡಿಯಲ್ಲಿ ತನಿಖೆ ಕೈಗೊಂಡು ಎದುರುದಾರ 1 ರಿಂದ 5ರವರುಗಳಿಂದ ಆಕ್ಷೇಪಣೆ ಕೇಳಲಾಗಿ, ಅಪರಾಧ ಅಪಾದನೆಯನ್ನು ಅಲ್ಲಗಳೆದಿದ್ದಾರೆ.

ಆದ್ದರಿಂದ, ಆಪಾದನೆಯ ಬಗ್ಗೆ ತನಿಖೆ ನಡೆಸಿ ಫರದಿ ಸಲ್ಲಿಸಲು ಮುಖ್ಯ ಅಭಿಯಂತರರು, ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ, ಬೆಂಗಳೂರು ರವರಿಗೆ ಕಳುಹಿಸಲಾಯಿತು. ಮುಖ್ಯ ಅಭಿಯಂತರರು ತಮ್ಮ ಅಧೀನ ಅಧಿಕಾರಿಯಾದ ಶ್ರೀ.ಎಂ.ಸಿ.ಪ್ರಶಾಂತ್- ಲೆಕ್ಕಾಧೀಕ್ಷಕರು-4, ತಾಂತ್ರಿಕ ವಿಭಾಗ, ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ, ಬೆಂಗಳೂರು (ಇನ್ನು ಮುಂದೆ ತನಿಖಾಧಿಕಾರಿಗಳು ಎಂದು ಸಂಭೋದಿಸಲ್ಪಡುವ) ಇವರ ಮುಖಾಂತರ ತನಿಖೆ ನಡೆಸಿ ವರದಿಯನ್ನು ಸಲ್ಲಿಸಿದ್ದಾರೆ. ತನಿಖಾಧಿಕಾರಿಗಳು ತಮ್ಮ ವರದಿಯನ್ನು ಈ ಕೆಳಕಂಡಂತೆ ಸಲ್ಲಿಸಿರುತ್ತಾರೆ.

- (i) ಆರೋಪ 1 ಮತ್ತು 6 ಸಂಬಂಧಿಸಿದಂತೆ ದೂರುದಾರರು ತ.ಸ.ನೌ.ರರ ವಿರುದ್ಧ ಮಾಡಿರುವ ಆಪಾದನೆಗಳು ಸಾಬೀತಾಗಿರುವುದಿಲ್ಲ.



- (ii) ಆರೋಪ 4ಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ, ಫಲಾನುಭವಿಗಳನ್ನು ನಿಯಮಬಾಹಿರವಾಗಿ ಅರ್ಹ ಫಲಾನುಭವಿಗಳೆಂದು ಆಯ್ಕೆ ಮಾಡಿ ವಸತಿ ನಿಗಮದ ಮಾರ್ಗಸೂಚಿಯನ್ನು ಉಲ್ಲಂಘಿಸಿರುತ್ತಾರೆ ಹಾಗೂ ಒಂದು ಯೋಜನೆಯಲ್ಲಿ ಪಡೆದ ಅನುದಾನದ ವಿವರಗಳನ್ನು ತಂತ್ರಾಂಶದಿಂದ ದಾಖಲಿಸದೇ ಇದ್ದು, ಒಂದೇ ಫಲಾನುಭವಿಯನ್ನು ಮತ್ತೊಂದು ಯೋಜನೆಗೆ ಆಯ್ಕೆ ಮಾಡಿ ಕರ್ತವ್ಯ ಲೋಪ ಎಸಗಿರುತ್ತಾರೆ ಮತ್ತು 2009-10ನೇ ಸಾಲಿನಲ್ಲಿ ಸದರಿ ಫಲಾನುಭವಿಗಳನ್ನು ಆಯ್ಕೆ ಮಾಡಿ ಸರ್ಕಾರಕ್ಕೆ ಆರ್ಥಿಕ ನಷ್ಟ ಉಂಟು ಮಾಡಿರುವುದು ಮೇಲ್ನೋಟಕ್ಕೆ ಕಂಡುಬರುತ್ತದೆ.
- (iii) ಆರೋಪ 2,3,5 ಮತ್ತು 7ಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ, ಫಲಾನುಭವಿಗಳು ಈಗಾಗಲೇ ಈ ಹಿಂದಿನ ವಿವಿಧ ಯೋಜನೆಗಳಲ್ಲಿ ಆಯ್ಕೆಯಾಗಿ ಮನೆ ನಿರ್ಮಿಸಿಕೊಂಡು ಅನುದಾನ ಪಡೆದಿದ್ದಾರೆ ಹಾಗೂ ಕೆಲವು ಫಲಾನುಭವಿಗಳು 2010-11ನೇ ಸಾಲಿನ ಯೋಜನೆಯಡಿಯಲ್ಲಿ ಆಸ್ತಿಯನ್ನು ಪಂಚಾಯಿತಿಗೆ ಅಡಮಾನ ಮಾಡದೇ ಅನುದಾನ ಪಡೆದಿರುವುದು ಕಂಡುಬರುತ್ತದೆ. 2010-11ನೇ ಸಾಲಿನ ಬಸವ ಇಂದಿರಾ ವಸತಿ ಯೋಜನೆಗೆ ಸದರಿ ಫಲಾನುಭವಿಗಳನ್ನು ಅರ್ಹ ಫಲಾನುಭವಿಗಳೆಂದು ನಿಯಮಬಾಹಿರವಾಗಿ ವಸತಿ ಯೋಜನೆಯ ಮಾರ್ಗಸೂಚಿಗಳನ್ನು ಉಲ್ಲಂಘಿಸಿ ನಿಗಮಕ್ಕೆ ಸುಳ್ಳು ಮಾಹಿತಿಗಳನ್ನು ನೀಡಿ ಅನುದಾನ ಬಿಡುಗಡೆ ಮಾಡಿದ್ದಾರೆ. ಈ ರೀತಿ ಅರ್ಹರಲ್ಲದ ಫಲಾನುಭವಿಗಳನ್ನು ಆಯ್ಕೆ ಮಾಡಿ ಸರ್ಕಾರಕ್ಕೆ ಆರ್ಥಿಕ ನಷ್ಟ ಉಂಟು ಮಾಡಲಾಗಿದೆ.

ತನಿಖಾವರದಿಯಲ್ಲಿ ಈ ಮೇಲೆ ಹೇಳಿದ ಆಪಾದನೆಗಳಿಗೆ ಜವಾಬ್ದಾರೆನ್ನಲಾದರವರನ್ನು ಈ ಕೆಳಗೆ ವಿವರಿಸಿದಂತೆ ಎದುರುದಾರರನ್ನಾಗಿ ಸೇರ್ಪಡೆ ಮಾಡಲಾಯಿತು.

ಕ್ರ.ಸಂ.	ಹೆಸರು ಹುದ್ದೆ	ಎದುರುದಾರರ ಸಂಖ್ಯೆ	ಕಮಾದಾನ ಎದುರುದಾರರ ಕ್ರಮಸಂಖ್ಯೆ
1	ಶ್ರೀ.ಕೆ.ಎನ್.ದೇವರಾಜು - ಅಧ್ಯಕ್ಷರು (ಪ್ರಸ್ತುತ ಅಧ್ಯಕ್ಷರಾಗಿರುವುದಿಲ್ಲ)	6	
2	ಶ್ರೀ. ಹೆಚ್.ಆರ್. ನಾಗೇಗೌಡ - ಕಾರ್ಯನಿರ್ವಾಹಕ ಅಧಿಕಾರಿಗಳು (ನಿವೃತ್ತ 06/2011)	7	
3	ಶ್ರೀ. ತಿಮ್ಮಚಾರ್ - ಕಾರ್ಯದರ್ಶಿಗಳು (ನಿವೃತ್ತ)	8	
4	ಶ್ರೀ.ಬಸವರಾಜು- ಅಧ್ಯಕ್ಷರು (ಮಾಜಿ ಅಧ್ಯಕ್ಷರು, ಹಾಲಿ ಸದಸ್ಯರು ಪ್ರಾಥಮಿಕ ಕೃಷಿ ಪತ್ತಿನ ಸಹಕಾರ ಸಂಘ, ಮಾದಪುರ ಗ್ರಾಮ,	9	

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5	ಶ್ರೀ. ಜಿ.ಪಿ.ಮಹೇಶ್ - ಅಧ್ಯಕ್ಷರು (ಮಾಜಿ ಅಧ್ಯಕ್ಷರು, ಹಾಲಿ ಯಾವುದೇ ಹುದ್ದೆಯಲ್ಲಿರುವುದಿಲ್ಲ)	10	ಈಗಾಗಲೇ 4ನೇ ಎದುರುದಾರರಾಗಿರುತ್ತಾರೆ.
6	ಶ್ರೀ.ಬಿ.ಎಸ್.ಭಗವಾನ್ - ಪಂಚಾಯಿತಿ ಅಭಿವೃದ್ಧಿ ಅಧಿಕಾರಿ (ಹಾಲಿ ಪ್ರ.ದ.ಸ. ಶ್ರೀರಂಗಪಟ್ಟಣ ತಾಲ್ಲೂಕು ಕಛೇರಿ)	11	ಈಗಾಗಲೇ 2ನೇ ಎದುರುದಾರರಾಗಿರುತ್ತಾರೆ
7	ಶ್ರೀ.ಬಿ.ಆರ್.ವೆಂಕಟರಂಗಯ್ಯ - ಕಾರ್ಯದರ್ಶಿ (ಹಾಲಿ ಆರ್.ಐ, ನಾಡ ಕಛೇರಿ.)	12	
8	ಶ್ರೀ. ಚಂದ್ರಮೌಳಿ - ಕಾರ್ಯನಿರ್ವಾಹಕ ಅಧಿಕಾರಿ (ಹಾಲಿ ಇ.ಓ. ಪಾಂಡವಪುರ)	13	
9	ಶ್ರೀ.ಟಿ.ರಮೇಶ್ - ಕಾರ್ಯದರ್ಶಿ (ಹಾಲಿ ಮಾದಪುರ ಗ್ರಾಮ ಪಂಚಾಯಿತಿ)	14	ಈಗಾಗಲೇ 3ನೇ ಎದುರುದಾರರಾಗಿರುತ್ತಾರೆ
10	ಶ್ರೀ. ದಿಲೀಪ್ ಕುಮಾರ್ - ನೋಡಲ್ (ನೋಡಲ್ ಆಫೀಸರ್ ಕಾಂಟ್ರಾಕ್ಟ್ ಬೇಸಿಸ್)	15	ಈಗಾಗಲೇ 1ನೇ ಎದುರುದಾರರಾಗಿರುತ್ತಾರೆ

ವರದಿಯನ್ನು ಸ್ವೀಕರಿಸಿದ ನಂತರ ಎದುರುದಾರರು 6 ರಿಂದ 15 ರವರುಗಳಿಗೆ ವರದಿಯ ಪ್ರತಿಯನ್ನು ಕಳುಹಿಸಿ ಆಕ್ಷೇಪಣೆಯನ್ನು ಕೇಳಿಲಾಯಿತು, ಎದುರುದಾರ 6,8,9,10,11,12 & 13 ರವರುಗಳು ತಮ್ಮ ಆಕ್ಷೇಪಣೆಯನ್ನು ಸಲ್ಲಿಸಿ, ಆಪಾದನೆಗಳನ್ನು ಅಲ್ಲಗಳೆದಿದ್ದಾರೆ.

ಕಡತವನ್ನು ಕೂಲಂಕುಷವಾಗಿ ಪರಿಶೀಲಿಸಿದಾಗ ಕಂಡುಬರುವ ಅಂಶಗಳೆಂದರೆ:-

- 1) ಅ.ಸ.ನೌ.ರರು 2009-10ನೇ ಸಾಲಿನಲ್ಲಿ ಫಲಾನುಭವಿಗಳನ್ನು ಆಯ್ಕೆ ಮಾಡುವ ಸಂದರ್ಭದಲ್ಲಿ ಶ್ರೀಮತಿ ರಂಗಮ್ಮ ಕೋಂ ಸೋಮಶೇಖರ್, ಮಾದಪುರ ಗ್ರಾಮ ಹಾಗೂ ಶ್ರೀಮತಿ ಸವಿತಾ ಕೋಂ ಗೋವಿಂದಯ್ಯ, ಮಾದಪುರ ಕೊಪ್ಪಲು ಗ್ರಾಮ ಇವರುಗಳಿಗೆ 2005-06ನೇ ಸಾಲಿನ ಗ್ರಾಮೀಣ ಆಶ್ರಯ ಯೋಜನೆಯಲ್ಲಿ ಆಯ್ಕೆಯಾಗಿ ಮನೆ ನಿರ್ಮಿಸಿಕೊಂಡಿದ್ದರೂ ಸಹ ಪುನಃ 2009-10ನೇ ಸಾಲಿನ ಇಂದಿರಾ ಆವಾಸ್ ಯೋಜನೆಯಡಿಯಲ್ಲಿ ಆಯ್ಕೆ ಮಾಡಿ ಹಣ ಪಾವತಿಸಲಾಗಿದೆ ಎಂಬ ಆರೋಪಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟಂತೆ, ನಿಯಮಬಾಹಿರವಾಗಿ ಅರ್ಹ ಫಲಾನುಭವಿಗಳೆಂದು ಆಯ್ಕೆಮಾಡಿ ವಸತಿ ನಿಗಮದ ಮಾರ್ಗಸೂಚಿಯನ್ನು ಉಲ್ಲಂಘಿಸಿರುತ್ತಾರೆ ಮತ್ತು ಹಿಂದಿನ ಯೋಜನೆಯಲ್ಲಿ ಪಡೆದ ಅನುದಾನದ ವಿವರಗಳನ್ನು ತಂತ್ರಾಂಶದಿಂದ ದಾಖಲು ಮಾಡದೆ ಬಂದೇ ಫಲಾನುಭವಿಯನ್ನು ಮತ್ತೊಂದು ಯೋಜನೆಗೆ ಆಯ್ಕೆ ಮಾಡಿ ಕರ್ತವ್ಯ ಲೋಪ ಮಾಡಿರುತ್ತಾರೆ. ಮತ್ತು ಸರ್ಕಾರಕ್ಕೆ ಆರ್ಥಿಕ ನಷ್ಟ ಉಂಟು ಮಾಡಿರುತ್ತಾರೆ.

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- 2) 2010-11ನೇ ಸಾಲಿನ ಬಸವ ಇಂದಿರಾ ವಸತಿ ಯೋಜನೆಯಡಿಯಲ್ಲಿ ಮಾದಪುರ ಗ್ರಾಮ ಪಂಚಾಯಿತಿ ವ್ಯಾಪ್ತಿಗೆ ಒಳಪಡುವ ಗ್ರಾಮಗಳ ಅಂತಿಮವಾಗಿ ಆಯ್ಕೆ ಮಾಡಿದ ಅಂತಿಮ ಫಲಾನುಭವಿಗಳ ಪಟ್ಟಿಯಲ್ಲಿ ಶ್ರೀಮತಿ ಎಂ.ಎಂ. ರಾಧ ಕೋಂ ಶಂಕರಾಚಾರಿ ಇವರಿಗೆ 2009-10 ನೇ ಸಾಲಿನ ಇಂದಿರಾ ಆವಾಸ್ ಯೋಜನೆಯಡಿಯಲ್ಲಿ ಆಯ್ಕೆ ಮಾಡಿ ಮನೆ ನಿರ್ಮಿಸಿಕೊಂಡಿದ್ದರೂ ಸಹ ಪುನಃ ಆಯ್ಕೆ ಮಾಡಿ ಹಣ ಪಾವತಿಸಲಾಗಿದೆ, ಶ್ರೀಮತಿ ಲಕ್ಷ್ಮಮ್ಮ ಕೋಂ ವೈಕುಂಟಯ್ಯ, ಶ್ರೀಮತಿ. ಜಯಮ್ಮ ಕೋಂ ಚಲುವರಾಜು ಹಾಗೂ ಕುಮಾರಿ ಕೋಂ ಚೆಲುವರಾಯ ಶೆಟ್ಟಿ ಅಲಿಯಾಸ್ ಜವರಶೆಟ್ಟಿ ಮಾದಪುರ ಗ್ರಾಮ ಇವರಿಗೆ 2005-06ನೇ ಸಾಲಿನ ಗ್ರಾಮೀಣ ಆಶ್ರಯ ಯೋಜನೆಯಲ್ಲಿ ಆಯ್ಕೆಯಾಗಿ ಮನೆ ನಿರ್ಮಿಸಿದ್ದರೂ ಸಹ ಪುನಃ 2010-11ನೇ ಸಾಲಿನ ಬಸವ ಇಂದಿರಾ ವಸತಿ ಯೋಜನೆಯಡಿಯಲ್ಲಿ ಆಯ್ಕೆ ಮಾಡಲಾಗಿದೆ ಶ್ರೀಮತಿ. ಪ್ರೇಮ ಕೋಂ ನಂಜುಂಡೇಗೌಡ ಮಾದಪುರ ಗ್ರಾಮ ಇವರಿಗೆ 2006-07ನೇ ಸಾಲಿನ ಗ್ರಾಮೀಣ ಆಶ್ರಯ ಯೋಜನೆಯಲ್ಲಿ ಆಯ್ಕೆಯಾಗಿ ಮನೆ ನಿರ್ಮಿಸಿಕೊಂಡಿದ್ದರೂ ಸಹ ಪುನಃ 2010-11ನೇ ಸಾಲಿನ ಬಸವ ಇಂದಿರಾ ವಸತಿ ಯೋಜನೆಯಡಿಯಲ್ಲಿ ಆಯ್ಕೆ ಮಾಡಲಾಗಿದೆ ಮತ್ತು ಶ್ರೀಮತಿ ತಾಯಮ್ಮ ಕೋಂ ಅಪ್ಪಾಜಪ್ಪ, ಮಾದಪುರ ಕೊಪ್ಪಲು ಗ್ರಾಮ ಹಾಗೂ ಶ್ರೀಮತಿ ನಾಗಮ್ಮ ಕೋಂ ಚಿಕ್ಕೇಗೌಡ ಅಲಿಯಾಸ್ ಚಿಕ್ಕಯ್ಯ ಮಾದಪುರ ಗ್ರಾಮದ ಫಲಾನುಭವಿಗಳು 2010-11ನೇ ಸಾಲಿನ ಬಸವ ಇಂದಿರಾ ವಸತಿ ಯೋಜನೆಯಡಿಯಲ್ಲಿ ಅಂತಿಮ ಫಲಾನುಭವಿಗಳ ಪಟ್ಟಿಯಲ್ಲಿ ಆಯ್ಕೆ ಮಾಡಲಾಗಿದ್ದು, ಸದರಿ ಫಲಾನುಭವಿಗಳು ಮನೆ ಅಡಮಾನ ಪತ್ರವನ್ನು ಅಡಮಾನ ಮಾಡದೇ ಇದ್ದರೂ ಸಹ ಇವರುಗಳಿಗೆ ಹಣ ಪಾವತಿಸಲಾಗಿದೆ. ಇದರಿಂದ ಅರ್ಹತೆ ಹೊಂದಿದವರಿಗೆ ಅನ್ಯಾಯವಾಗಿದೆ ಹಾಗೂ ಸರ್ಕಾರಕ್ಕೆ ನಷ್ಟ ಉಂಟಾಗಿದೆ ವಿವಿಧ ಯೋಜನೆಗಳಲ್ಲಿ ಫಲಾನುಭವಿಗಳು ಆಯ್ಕೆಯಾಗಿ ಮನೆ ನಿರ್ಮಿಸಿಕೊಂಡು ಅನುದಾನ ಪಡೆದಿದ್ದರೂ ಸಹ 2010-11ನೇ ಸಾಲಿನ ಯೋಜನೆಯಡಿಯಲ್ಲಿ ಆಸ್ತಿಯನ್ನು ಪಂಚಾಯಿತಿಗೆ ಅಡಮಾನ ಮಾಡದೇ ಅನುದಾನ ಪಡೆದಿರುವುದು ಕಂಡುಬರುತ್ತದೆ ಮತ್ತು 2010-11ನೇ ಸಾಲಿನ ಬಸವ ಇಂದಿರಾ ವಸತಿ ಯೋಜನೆಗೆ ಅರ್ಹ ಫಲಾನುಭವಿಗಳೆಂದು ನಿಯಮಬಾಹಿರವಾಗಿ ವಸತಿ ಯೋಜನೆಯ ಮಾರ್ಗಸೂಚಿಗಳನ್ನು ಉಲ್ಲಂಘಿಸಿ ನಿಗಮಕ್ಕೆ ಸುಳ್ಳು ಮಾಹಿತಿಗಳನ್ನು ನೀಡಿ ಅನುದಾನ ಬಿಡುಗಡೆ ಮಾಡಿರುತ್ತಾರೆ.

ಈ ಮೇಲ್ಕಂಡ ಎಲ್ಲಾ ಅಂಶಗಳನ್ನು ಗಣನೆಗೆ ತೆಗೆದುಕೊಂಡಾಗ, ನೀವು ಸಾರ್ವಜನಿಕ/ಸರ್ಕಾರಿ ನೌಕರರಾಗಿ ಕರ್ತವ್ಯ ನಿರ್ವಹಣೆಯಲ್ಲಿ ನಿಷ್ಠೆ ಇಲ್ಲದೆ, ಕರ್ತವ್ಯಲೋಪ ಎಸಗಿ ಸರ್ಕಾರಿ ನೌಕರರಿಗೆ ತರವಲ್ಲದ ರೀತಿಯಲ್ಲಿ ನಡೆದುಕೊಂಡಿರುತ್ತೀರೆಂದು ಮೇಲ್ನೋಟಕ್ಕೆ ಕಂಡುಬರುತ್ತದೆ.

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ನಿಮ್ಮ ಕರ್ತವ್ಯ ಪರಿಪಾಲನೆಯಲ್ಲಿ ನಿಷ್ಠೆಯನ್ನು ತೋರದೆ, ಕರ್ತವ್ಯಲೋಪವೆಸಗಿ, ದುರ್ವರ್ತನೆ ತೋರಿಸಿ, ಸಾರ್ವಜನಿಕ/ಸರ್ಕಾರ ನೌಕರರಿಗೆ ತರವಲ್ಲದ ರೀತಿಯಲ್ಲಿ ನಡೆದುಕೊಂಡಿರುವುದು ಮೇಲ್ನೋಟಕ್ಕೆ ಕಂಡುಬರುತ್ತಿರುವುದರಿಂದ, ಕರ್ನಾಟಕ ನಾಗರೀಕ ಸೇವೆ (ನಡತೆ) ನಿಯಮ 1966 ರ ನಿಯಮ 3(1)(ಉ) ಮತ್ತು (ಊ) ರನ್ವಯ ಶಿಸ್ತು ಕ್ರಮಕ್ಕೆ ಬಾಧ್ಯರಾಗಿರುತ್ತಾರೆಂದು ಕಂಡುಬಂದಿದ್ದರಿಂದ, ನಿಮ್ಮ ವಿರುದ್ಧ ಶಿಸ್ತಿನ ಕ್ರಮ ಕೈಗೊಳ್ಳಬೇಕೆಂದು ಗೌರವಾನ್ವಿತ ಉಪಲೋಕಾಯುಕ್ತರವರು ಸರ್ಕಾರಕ್ಕೆ ವರದಿಯನ್ನು ಸಲ್ಲಿಸಿದ ಮೇರೆಗೆ ಸರ್ಕಾರವು ಮೇಲೆ ಉಲ್ಲೇಖಿಸಿದ ಆದೇಶದಲ್ಲಿ ಇಲಾಖಾ ವಿಚಾರಣೆ ನಡೆಸಲು ಅನುಮತಿ ನೀಡಿರುತ್ತದೆ. ಅದರಂತೆ, ಗೌರವಾನ್ವಿತ ಉಪಲೋಕಾಯುಕ್ತರವರು, ಅಪರ ನಿಬಂಧಕರು, ವಿಚಾರಣೆಗಳು-09 ರವರಿಗೆ ವಿಚಾರಣೆ ನಡೆಸಿ ವರದಿಯನ್ನು ಸಲ್ಲಿಸಲು ಸೂಚಿಸಿರುತ್ತಾರೆ. ಆದ್ದರಿಂದ, ನಿಮ್ಮ ಮೇಲೆ ಈ ದೋಷಾರೋಪಣೆ

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6. The DGO No. 2 to 5 have appeared on 13.4.2017 before this enquiry authority in pursuance to the service of the Article of charges. DGO no.1 has not appeared and DGO no.1 has placed exparte.

7. Plea of the DGOs No.2 to 5 have been recorded and they had pleaded not guilty and claimed for holding enquiry.

8. The DGOs No. 2 and 3 have submitted written statement, DGO No. 5 has adopted the written statement of the DGO no. 2. DGO no. 4 has not filed any written statement and then he is placed exparte. DGO no. 2 has stated in his written statement that he was working as a PDO of Madhapura grama panchayath K.R.Pete taluk Mandya District from 20.12.2011 to 22.6.2014. The complaint

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pertains to Indira awas yojane for a period 2009-2010 therefore he was not working as a PDO or any under capacity during the year 2009-10 or prior to that in Madhapura grama panchayath. Further submitted that he has not played any role in payment of any funds to beneficiaries. Hence he is not responsible for any financial loss to the government. Further submitted that the Madhapura grama panchayath did not have the computer or laptop along with soft ware in the year 2005-06 or during the year 2009-10 therefore making entries of the name and particulars of the beneficiaries in the computer via software does not arise at all. Further submitted that he has not committed any lapse in discharging his duties. Further submitted that he has not shown any favour to Smt.Thayamma W/o Appajappa, Nagamma W/o Chikkegowda @ chikkaiah as alleged in the articles of charge. Further submitted that Smt. Rathanamma and Smt.Yeshodha, Smt.Shanthamma, Smt.Hemavathi have constructed the house as per the norms for that he has made payment to them as per guidelines. He has not committed any irregularities in the selection of beneficiaries and payment of funds granted to them. Further he has submitted that he has taken all measures that were necessary in payment of funds under housing scheme. Hence pray to drop the charged framed against him. DGO no. 5 adopt the written statement of the DGO no. 2

9. DGO no. 3 has stated in his written statement that he was not working as a PDO or secretary of Madhapura grama panchayath in the year 2009-2010. Further submitted that

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in the year 2010-11 the beneficiaries list prepared under the basava, indira awas housing scheme and finally the said list sent to the Taluk vigilance committee for verifying the list of beneficiaries. Further submitted that after the general body meeting of grama panchayath approval the said beneficiaries list sent to the executive officer taluk panchayath K.R.pet. After that he has transferred to his parent department. Further submitted that he has not made any payment to the beneficiaries during his period. Further submitted that during his period prepared the list of 175 beneficiaries and sent the same to the taluk vigilance committed and executive officer taluk panchyath K.R.Pete for re-examining the beneficiaries list and further submitted that he has not committed any dereliction of duty or misconduct during his period. Hence pray to drop the charges leveled against him. Second oral statement of DGO no. 2, 3 and 5 have been recorded.

10. The disciplinary authority has examined the complainant Sri.Someshakargowda.M.C., S/o Chikkégowda R/o Madhapura village, K.R.Pet Taluk, Mandya District as Pw.1, and Sri. Prashanth.M.C., S/o Chikkanaiyah, Accounts Superintendent-4, Karnataka Lokayukta, Bangalore is the investigation officer in the case has examined as PW-2 and Ex.P1 to ExP.21 are got marked. DGO No.2 Sri.Bhagavan, S/o B.Subbaraya FDA, Office of the Deputy commissioner, Mandya, has examined himself as DW-1, DGO No.3 Sri.B.R.Venkataraingiah, S/o. G.K.Revanna, Revenue Inspector, Mandya, has examined himself as DW-2, DGO no.

5 Sri.Ramesh, S/o S.Thimmegowda, Secretary Madapura grama panchayath has examined himself as DW-3 and no document has been marked on behalf of the DGOs.

11. The DGO no.1 and 4 placed exparte. DGOs no. 2, 3, and 5 have submitted the written brief. Heard the submissions of the disciplinary authority and DGO's side. I answer the above charge No.1 in **AFFIRMATIVE** against **DGO no.1** and **NEGATIVE** against **DGO no. 2 to 5**. Further I answer the above charge No.2 in **AFFIRMATIVE** against **DGO no. 2, 3 and 4** and **NEGATIVE** against **DGO no.1 and 5** for the following;

REASONS

12. It is the prime duty of the disciplinary authority to prove the charges that are leveled against the DGOs No.1 to 5.

13. The disciplinary authority has examined the complainant Sri.Someshakargowda.M.C., S/o Chikkegowda R/o Madhapura village, K.R.Pet Taluk, Mandya District as Pw.1. PW-1 has deposed in his evidence that the DGO no.2 working as a PDO of Madapura grama panchayath and the DGO no. 5 Ramesh was working as a secretary and one Dilip kumar was working as a nodal officer and Sri.Mahesh was working as a president of the said grama panchayath. Further deposed that the DGOs at the time of preparing the list of beneficiaries under the Basava housing scheme during the year 2010-11 select the beneficiaries who are already selected as a beneficiaries in the earlier housing scheme. Further DGOs without obtaining the proper documents from

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the beneficiaries they have released the amount by violating the guidelines of the said housing scheme for that he has filed the complainant before the Karnataka Lokayukta

14. Pw.2 Sri. Prashanth.M.C., S/o Chikkanaiah, Accounts Superintendent-4, Karnataka Lokayukta, Bangalore is the investigating officer in this case has examined as PW-2. PW-2 has deposed in his evidence that he has received the file in respect of the complaint UPLOK/MYS-2102/2012/ARE-11 and LOK/INV(T) /LA/293/2013 AS-4, and verified the documents in the said file.

Further deposed that, complaint allegation is that during the year 2010-11 the 175 beneficiaries list prepared in the Madapura grama panchayath under the basava / indira awas housing scheme including Smt. Indiramma W/o G.R.Ramesh and Smt. Yeshodamma Godebasahalli, even though having permanent residential house and their name was left out in the said list in first instance, they were included in the final list and payment made to them. But after verifying the documents the said allegation is not proved.

Further deposed that, Even though Smt. M.M.Radha W/o Shankarachari selected as a beneficiaries in the year 2009-2010 under the indira awas housing scheme madhapura grama panchayath selected her as a beneficiaries during the year 2010-11 and released the benefits under the basava indira housing scheme.

Further deposed that, Smt.Lakshmi W/o Vaikuntiah S/o Jayamma W/o Chaturvaraju : Kumari W/o

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Chaluvarayashetty @ Javarashetty selected as a beneficiary under the rural ashraya housing scheme during the year 2005-06 and they have taken the benefits, even though that during the year 2010-11 the said persons were selected as a beneficiaries once again and also payment made to the Smt.Kumari W/o chaluvarayashetty.

Further deposed that, during the year 2005-06 Smnt. Rangamma W/o Someshekar Madhapura village Smt. Savitha S/o Govidaiah Madhapura Koppalu village selected as a beneficiary under the rural ashraya housing scheme and already constructed the house, even though that they were selected as a beneficiary in the year 2009-10 and obtained the benefits under the indira awas housing scheme.

Further deposed that, during the year 2006-07 Smt. Prema w/o Nanjundegowda madhapura grama panchayath selected as a beneficiary under the rural ashraya housing scheme and already constructed the house, even though that she was selected as a beneficiary in the year 2010-11 and obtained the benefits under the basava indira housing scheme.

Further deposed that, complaint allegations is that during the year 2010-11 Smt. Rathanamma W/o Gangadharagowda, Smt. Yeshodha W/o yogesh S/o Shanthamma S/o Yathiraj madhapura Koppalu village Smt. Hemavathi S/o Chandrabasppa Madhapura village was selected as a beneficiary under the basava/ indira housing scheme even though, they have not constructed the house as per the guidelines of the said scheme the grama panchayath

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released the amount to them. But after verifying that the said allegation is not proved.

Further deposed that, during the year 2010-11 Smt. Thayamma W/o Apajappa Madhapura village Smt. Nagamma S/o Chikkegowda @ Chikkaiah Madhapura village selected as a beneficiary under the basava indira housing scheme even though the said beneficiaries are not mortgaging their property as per the guidelines the grama panchayath take steps to released the amount to them.

15. Further deposed that after verifying the documents he has submitted the report along with the documents. Further he has deposed that as per his reports regarding the above said irregularities and misconduct the president of the said grama panchayath and executive officers taluk panchayath and DGO no. 1 to 5 are responsible.

16. The DGO No.2 Sri.Bhagavan, S/o B.Subbaraya FDA, Office of the Deputy commissioner, Mandya, has examined himself as DW-1. DW-1 has deposed in his evidence that he was working as PDO of the grama panchayath from 25.12.2011 to 21.12.2014. He further deposed that during the time of selection of beneficiaries under the housing scheme during the year 2009-10 and 2010-11 he was not working in the said grama panchayath and he has not committed any misconduct or misappropriation of any amount.

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17. The DGO No.3 Sri.B.R.Venkatarangiah, S/o. G.K.Revanna, Revenue Inspector, Mandya, has examined himself as DW-2. DW-2 has deposed in his evidence that he was working as a PDO of the said grama panchayath during the year 16.6.2010 to 12.5.2011. Further deposed that during his period 175 beneficiaries selected in the grama sabha under the housing scheme and same was placed before general body of the grama panchayath and then the said beneficiaries list sent to the taluk vigilance / committee through the executive officer taluk panchayath K.R.Pete for verification. After that he has transferred from the said grama panchayath on 12.5.2011 to his parental department.

18. The DGO no. 5 Sri.Ramesh, S/o S.Thimmegowda, Secretary Madapura grama panchayath has examined himself as DW-3. DW-3 has deposed in his evidence that he has deposed that he is working as a secretary of the Madhapura grama panchayath from 11.5.2011 to till today. Further he has deposed that he was not working as a secretary of the grama panchayath during the time of selecting the beneficiaries and preparing the list of beneficiaries during the year 2009-10 and 2010-11. He has not committed any dereliction of duty, misconduct or misappropriation.

19. Ex.P-1 and 2 are the complaint filed in Karnataka Lokayukta in form no. 1 and 2 dtd: 30.7.2012 (original). Ex.P-3 is the documents submitted by the complainant (PW-1) along with the complaint. (Xerox). Ex.P-4 is the investigation report submitted by the PW-2 dtd: 1.4.2014

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(original). Ex.P-5 is the Marghasuchi of Rajeev Gandhi vasathi Nigama Annexure no.1. Ex.P-6 Annexure – No. 2 selection list of beneficiaries under Basava Indira Vasathi Yojane grama panchayath proceedings for the year 2010-11 Ex.P-7 annexure no. 3 selection GPS list of beneficiaries under Basava Indira Vasathi Yojane for the year 2010-11 Ex.p-8 annexure No.4 documents regarding the payment made by beneficiaries under Basava Indira Vasathi yojane for the year 2010-11. Ex.P-9 is the annexure No. 5 are the letters regarding the release of amount to beneficiaries under Basava Indira Vasathi yojane for the year 2010-11. Ex.P-10 is the annexure No. 6 is the document regarding the transfer of sanctioned amount of beneficiaries to the bank under Basava Indira Vasathi yojane for the year 2010-11. Ex.P-11 is the annexure No. 7 selection list of the beneficiaries under the Ashraya yojane for the year 2005-06. Ex.P-12 is the annexure No. 8 containing notification of Basava Indira Vasathi yojane for the year 2010-11. Ex.P-13 is the annexure No. 9 are the documents pertaining to receiving the amount under Rajeev Gandhi Vasathi Yojane. Ex.P-14 is the annexure No. 10 are the documents pertaining to receiving the amount under Rajeev Gandhi Vasathi Yojane. Ex.P-15 is the annexure No. 11 are the documents pertaining to receiving the amount under Rajeev Gandhi Vasathi Yojane. Ex.P-16 is the annexure No. 12 is the proforma of mortgage deed. Ex.P-17 is the annexure No. 13 is the letter written by grama panchayath to the manager of state bank of mysore. Ex.p-18 is the annexure No. 14 is the copy of the notice given to Smt.Nagamma from Grama

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Ex.P-19 is the annexure No. 15 are the documents pertaining to receiving the amount under Rajeev Gandhi Vasathi Yojane. Ex.P-20 is the annexure No. 16 are the documents pertaining to receiving the amount under Rajeev Gandhi Vasathi Yojane. Ex.P-21 is the annexure No. 17 are the documents pertaining to receiving the amount under Rajeev Gandhi Vasathi Yojane. Ex.P-22 is the annexure No. 18 are the documents pertaining to receiving the amount under Rajeev Gandhi Vasathi Yojane.

panchayath. Ex.P-19 is the letter dtd: 27.5.2014 from PDO, Madapura grama panchayath K.R.Pet to ARE-11 Karnataka Lokayukta. Ex.P-20 is the letter dtd: 26.5.2014 submitted by DGO no. 3 to ARE-11. Ex.P-21 is the letter dtd: 27.5.2014 from Secretary Madhapura grama panchayath K.R.Pet taluk to ARE-11 Karnataka Lokayukta Bangalore

20. Charge No.1 Perused the evidence of PW-1, PW-2 and DW-1 to 3 along with document produced by the disciplinary authority. As per the documents DGO no. 1 Thimmachar working as a secretary of Madhapura grama panchayath K.R.Pet taluk mandya district from 2.2.2005 to 6.3.2010. The DGO no. 2 B.S.Bhagavan, working as a PDO of the Madapura grama panchayath from 2.12.2011 to 21.12.2014 DGO no. 3 B.R.Venkatarangaiah working as a secretary / PDO of the said grama panchayath from 16.6.2010 to 12.5.2011. The DGO no. 4 Chandramouli was working as executive officer taluk panchayath K.R.Pete from 25.9.2011 to 28.10.2013. DGO no. 5 Ramesh is working as a secretary of the said grama panchayath from 5.11.2011 to till today.

21. As per the charge Smt.Rangamma W/o Shomashekar Madapura village and Smt. Savitha W/o Govindaiah Madapura koppalu was selected as a beneficiaries during the year 2005-06 under the gramena ashraya housing scheme and has already constructed the house and taken the benefit. Even though that they were selected as a beneficiaries during the year 2009-10 under the indira awas



housing scheme and paid the amount by violating the norms of the housing scheme and not maintained the records of the beneficiaries of the earlier housing scheme.

22. PW-2 the Investigating officer in his report Ex.P-4 para no. 2.02 and 02.03 stated the said facts and also he has deposed in his evidence that the said Rangamma W/o Shomashekar and Smt. Savitha W/o Govindaiah selected as a beneficiary in the year 2005-06 and constructed the house. Ex.P-13 page no. 224 is regarding the payment of the amount pertaining to the Rangamma W/o Shomashekar under the housing scheme for the year 2005-06. As per the said document the amount of Rs. 5000+5000+5000+5000 total 20,000/- paid to the said Rangamma on 6.10.2006, 10.4.2007, 18.4.2007, 29.11.2007 during the period of DGO no.1. Ex.P-13 page no. 225 is regarding the payment of the amount pertaining to Smt. Savitha W/o govindaiah under the housing scheme for the year 2005-06. As per the said document the amount of Rs. 5000+5000+5000+5000 total 20,000/- paid to the said Savitha on 6.10.2006, 27.10.2006 5.2.2007, 7.5.2007, during the period of DGO no.1. Further the Ex.P-14 page no. 226, is regarding the payment of the amount pertaining to Smt. Rangamma W/o somashekar under the housing scheme for the year 2009-10. As per the said document the amount of Rs. 10,000+15,000+15,000 total 40,000/- paid to the said Rangamma on 10.11.2009, 12.12.2009, 26.2.2010, during the period of DGO no.1. Further the Ex.P-14 page no. 227, is regarding the payment of the amount pertaining to Smt. Savitha W/o Govindaiah

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under the housing scheme for the year 2009-10. As per the said document the amount of Rs. 10,000+15,000 +15,000 total 40,000/- paid to the said Savitha on 10.11.2009, 26.2.2010, during the period of DGO no.1. The above said documents clearly disclose that even though the said Smt.Rangamma and Savitha were selected as a beneficiaries in the year 2005-06 under the housing scheme and already constructed the house during the period of DGO no.1 Thimmachar and he himself has made the payment to the above said two beneficiaries through the cheque, he has once again selected the above said two persons during the year 2009-10 under the indira awas housing scheme and he has made the above said payments to them through the cheque. Further there is no material evidence from the said of the DGO no.1 to disprove the charge leveled against him. It clearly reveals that the DGO no.1 committed the misconduct and dereliction of duty and caused loss to the amount of Rs. 80,000/- to the state Exchequer. For that the DGO no.1 is only responsible for the said amount. Considering the working period of the DGO no. 2 to 5 as a PDO / secretary for the said grama panchayath and Executive officer of the taluk panchayath K.R.Pet accordingly they have not responsible for the said irregularities and defects. Thereby the disciplinary authority succeeded to prove the charge no. 1 against the DGO no. 1 and failed to prove the charge no. 1 against the DGO no. 2 to 5.

23. Charge no. 2; perused the evidence of PW-1, PW-2 and DW-1 to 3 along with document produced by the

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disciplinary authority. As per the documents DGO no. 1 Thimmachar working as a secretary of Madhapura grama panchayath K.R.Pet taluk mandya district from 2.2.2005 to 6.3.2010. The DGO no. 2 B.S.Bhagavan, working as a PDO of the Madapura grama panchayath from 2.12.2011 to 21.12.2014 DGO no. 3 B.R.Venkatarangaiah working as a secretary / PDO of the said grama panchayath from 16.6.2010 to 12.5.2011. The DGO no. 4 Chandramouli was working as executive officer taluk panchayath K.R.Pete from 25.9.2011 to 28.10.2013. DGO no. 5 Ramesh is working as a secretary of the said grama panchayath from 5.11.2011 to till today.

24. As per the documents PW-2 Investigating officer deposed in his evidence that, Smt. M.M.Radha W/o Shankarachari selected as a beneficiaries in the year 2009-2010 under the indira awas housing scheme madhapura grama panchayath, has already constructed the house and get the benefits. Even though that she was once against selected as a beneficiary under the Indira awas scheme and concerned officer of the said grama panchayath has made payment regarding the same. Ex.P-6 page no. 149 to 155 is the list of beneficiaries selected under the basava indira awas housing scheme during the year 2010-11. The said list prepared as per the resolution dtd: 14.10.2010 i.e., during the period of DGO no. 3 Sri.Venkatarangaiah. As per the said list Sl no. 8 is the Smt. M.M.Radha W/o Shankarachari Madhapura is one of the beneficiaries. Ex.P-8 page no. 193-195 is the list of beneficiaries for the

year 2009-10 under the Indira awas housing scheme. As per the said list also the above said M.M.Radha W/o Shankarachari selected as a beneficiary. As per Ex.P-8 page no. 190 she had received amount regarding the same i.e., Rs. 40000/- during the period of DGO no. 1 Thimmachar. Even though the said Smt. M.M.Radha selected as a beneficiaries in the year 2009-10 obtained the benefits under the said housing scheme, the DGO no.3 selected Smt. M.M.Radha as a beneficiary under the basava indira awas housing scheme for the year 2010-11. Ex.P-10 page no. 205 to 211 is the list of beneficiaries under basava housing scheme for the year 2010-11 and payment of the amount to the respective beneficiaries. As per the said document in the year 2010-11 the said M.M.Radha also selected as a beneficiaries under the said housing scheme and received the grant amount of Rs. 37,000/- on 16.11.2012 and 12,500/- on 16.4.2012. The total amount of Rs.49500/- received by the said MM Radha w/o Shankarachari, her beneficiaries code no. 57734. The said payment made during the period of DGO no. 2 Bhagavan. This fact clearly reveals that the DGO no. 2 without verifying the documents regarding the said Smt.M.M.Radha who was already received the benefit under the housing scheme in the year 2009-10, he has made recommendation to pay the amount to the said beneficiaries, by sent the GPS records to Rajeev Gandhi rural housing Ltd.;

25. As per the Ex.P-6, 176 beneficiaries were selected as a beneficiaries under the Basava Indira awas housing scheme during the period of DGO no. 3 Sri.B.R.Venkatarangaiah. In

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reveals that the DGO no. 3
 was made regarding the said
 who had already received benefit under
 year 2009-10. He has made
 call to the said beneficiaries,
 Rajeev Gandhi rural housing Ltd.;

the said beneficiaries list Radha W/o Shankarachari Prema W/o Nanjundegowda Lakshamma W/o Vaikuntaiah Ningamma W/o Chikkaiah Thayamma W/o Appajappa Kumari W/o Javarasheety were selected as a beneficiaries even though they were already selected in the previous year under the housing scheme. Ex.P-6 page no. 162 to 171 is the list of beneficiaries for the year 2010-11 under the basava housing scheme of grama panchayath Madhapura. This list disclose that after inspection made by the Rajeev Gandhi Rural housing limited officials, it founds that the sl.no. 3, Rukminamma W/o Sathyanarayana Sl. No. 73 Prema w/o thirumalegowda Sl. No. 90 Jayalakshamma W/o Ramegowda Sl. No. 94 Nayana W/o Somashékara Sl. No. 96 jyothi W/o channegowda Sl. No. 136 Kamakshi W/o Srinivasa sl. No. 146 Kamala W/o Kemparaju Sl; no. 148 Manjegowda S/o Late Nanjegowda sl. No. 149 Rukamma W/o Lakshmaiah sl. No.160 Kavitha W/o Krishnegowda sl.No 172 Parvathama W/o Bairegowda are all not eligible for selected as beneficiaries under the said scheme, out of 175 members only 164 members declared as beneficiaries. Ex.P-7 is the letter dtd: 30.2.2012 of managing director Rajeev Gandhi rural housing Ltd., Bengaluru to the CEO, zilla panchayath Mandya along with physical inspection report dtd: 7.3.2012 in respect of house constructed under the basava housing scheme for the year 2010-11 in Madapura grama panchayath. As per the said report inspecting team inspected the identified 48 beneficiaries house and submit their report. In the said report sl no. 6 Smt.Pramila W/o Rangaswamy sl no. 8 Smt.Kavitha W/o Chamarajegowda



Sl. No. 10 Yeshodha W/o Kumara sl.no. 11 smt. Padmamma w/o Thamannegowda Sl. No. 13 Sundramma W/o Chanegowda Sl no. 16 smt. Saraswathi W/o G.N.Lokesh sl.no. 24 Susheela w/o Ravi Sl. No. 27 Sakamma W/o Shivaramegowda Sl.no. 31 Lakshmi W/o Lavesh sl. No. 33 Lalitha W/o Sampath sl. No. 34 Jayamma W/o Ramegowda Sl. No. 42 Jyothi W/o Ramachandra are declared as not eligible for getting the benefits under the said scheme. This facts clearly reveals that even though the said persons are not eligible for getting the benefits under the said scheme. The DGO no.3 has selected them as the beneficiaries during his period and sent the said list to the DGO no. 4 executive officer taluk panchayath K.R.Pete then he has forward the same to the Rajeev Gandhi rural housing scheme ltd, without verifying the list of beneficiaries and documents. Further he has not taken any proper action against the concerned PDO regarding the double payment made by them to the concerned beneficiaries.

26. PW-2 Investigating officer deposed that Smt. Lakshmma w/o Vaikuntaiah Smt. Jayamma W/o Chaluvvaraju Kumari W/o Chaluvvaraja shetty @ Javarashetty madapura village selected as a beneficiaries under the housing scheme for the year 200506 and constructed the house. Even though that they were selected as a beneficiaries under the Basava indira housing scheme for the year 2010-11 and also they have taken the benefit under the said scheme. Ex.P-11 page no. 212 to 216 is the list of beneficiaries under the gramena ashraya housing scheme for

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the year 2005-06. As per the said document Lakshamma W/o Vaikuntaiah Smt.Jayamma W/o Chaluvvaraju, Kumari W/o Chaluvvaraja shetty @ Javarasnetty were the beneficiaries. As per Ex.P-11 page no. 218 to 221 the said Jayamma and Kumari received the grant amount. PW-2 also deposed that the above said three persons were received the amount during that period. As per the Ex.P-10 the payment list in respect of the beneficiaries for the year 2010-11. Smt.Kumari W/o Javarashetty received the amount of Rs. 12500/- on 16.4.2012 and 25000/- on 17.9.2012 under the said scheme, her beneficiaries code is 58178. The said payment made during the period of DGO no.2. There is no document regarding the payment of the amount in respect of the Lakshamma and Jayamma as a beneficiaries under the basava indira awas scheme for the year 2010-11. But as per the beneficiaries list of the said year they were selected as a beneficiaries.

27. PW-2 further deposed that Smta. Prema W/o Nanjundegowda Madapura village were selected as beneficiaries under the gramena ashraya housing scheme for the year 2006-07 and already constructed the house even though that she was once again selected as a beneficiaries under the basava indira awas housing scheme for the year 2010-11 and received the grant amount. Ex.P-15 page no. 234, 235 is the list of beneficiaries under the gramena ashraya housing scheme for the year 2006-07. As per the said documents the said prema W/o nanjundegowda is one of the beneficiaries at sl no. 11. As per Ex.P-15 page no. 233

she has received the amount of Rs. 40000/- during the period of DGO no.1 for the construction of the house. Even though that she was selected as a beneficiaries for the year 2010-11 under the Basava indira awas scheme as per Ex.P6. Further as per Ex.P-10 she has received the amount of Rs. 25000/- on 16.4.2012 under the basava housing scheme for the year 2010-11 during the period of DGO no. 2, her beneficiaries code no. 50625. The above said fact clearly reveals that the DGO no. 2 without verifying the documents she has recommended to pay the amount to the said Prema W/o Nanjundegowda to the said Rajeev Gandhi gramena vasathi nigama along with nodal officer who was working on contract basis, by sent the GPS records to Rajeev Gandhi rural housing Ltd.

28. PW-2 Investigating officer deposed in his evidence that Smt.Thayamma W/o Apajappa Madapura Koppalu village and Smt. Nagamma w/o chikkegowda @ chikkaiah were selected as a beneficiaries for the year 2010-11 under the basava indira housing scheme. Even though they have not execute the mortgage deed as per the guidelines of the said housing scheme, DGO no. 2 has taken steps to made payment to them by violating the said guidelines. Further he has deposed that the concerned official of the said grama panchayath wrote a letter to the Rajeev Gandhi Rural housing scheme to spot the payment. Ex.P-17 letter dtd 20.6.2013 written by the DGO no. 2 to the manager state bank of Mysore K.R.pet to stop the payment of Rs. 12500/- made to Smt. Thayamma W/o Apajappa which was deposited by the

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Rajeev Gandhi Rural housing ltd., Ex.P-17 page no. 253 is the letter dtd: 20.6.2013 of DGO no. 2 to the executive officer Taluk panchayath K.R.Pete regarding stop the payment. But the DGO no. 2 not produced any document to show that the said amount not received by the said Thayamma W/o Apajappa.

29. Ex.p-18 letter dtd: 16.11.2012 of DGO no. 2 to the Nagamma W/o chikkegowda @ chikkaiah. As per the said document the said Nagamma W/o chikkegowda @ chikkaiah received the amount of Rs. 25000/- without executing the mortgage deed and submit the proper document. This fact reveals that the DGO no. 2 the PDO of the said grama panchayath without verifying the documents recommended to the Rajeev Gandhi Rural housing ltd., regarding payment to the said beneficiaries.

30. Considering the above said evidence of the PW-1 and 2 and DW1 to 3 along with documents with above said reason it clear that the DGO no. 3 without verifying the earlier documents in the said grama panchayath regarding the selection of the beneficiaries under the different housing scheme selected the persons who are not eligible and also who are already getting the benefits under the said different housing scheme. Further DGO no. 3 has forwarded the said list to the higher authority for approval. Thereby he has committed the misconduct and dereliction of duty. Further the DGO no. 2 without verifying the documents regarding the beneficiaries who were selected during the period of DGO no.

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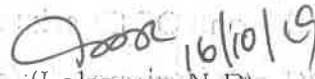
3 he has recommended for payment of the grant amount by sending the GPS record along with the nodal officer who was working on contract basis and caused for the above said beneficiaries receiving the grant amount under the housing scheme of 2010-11 even though they were already received the amount under the different housing scheme in the earlier year. Further DGO no. 2 without verifying the document in respect of Smt. Thayamma and Nagamma even though they were not executed the mortgage deed as per the guild lines of housing scheme he has recommended for payment of the amount under the said scheme to them. **Hence he has responsible for the said act and due to the said act of the DGO no.2 Rs. 1,49,500/- is caused loss to the state exchequer.** Further the DGO no. 4 as a executive officer Taluk panchayath K.R. Pete without verifying the beneficiaries list which was submitted by the DGO no. 3 he was forwarded the same for approval. Also he has not taken any steps against the concerned officer of the grama panchayath regarding the above said irregularities as a superior officer, the said act of the DGO no. 4 itself comes under the misconduct and dereliction of duty. Hence the loss

31. Considering the evidence of the disciplinary authority and DGOs with document there is no material evidence against the DGO no. 5 to commit the misconduct or dereliction of duty during his period as a secretary of the Madapura grama panchayath. During his period the DGO no. 2 and 3 were working as a PDOs of the said grama panchayath. The allegation made in the charge are not

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comes in the preview of duty of DGO no. 5. The allegation made in the charge no. 2 are not comes under the period of DGO no. 1 Hence he has not responsible for the above said irregularities. Thereby the disciplinary authority succeeded to prove the charge no. 2 against the DGO no. 2, 3 and 4. But fail to prove charge against DGO no.1 and 5. Further DGO no. 2 held responsible for amount of Rs. 1,49,500/- which amount is caused loss to the state exchequer during his period.

32. In the above said facts and circumstances, charge no. 1 is proved leveled against the DGO no.1 and the charge No. 1 not proved leveled against the DGO no. 2 to 5. Further charge no. 2 is proved leveled against the DGO no. 2, 3 and 4 and charge No.2 not proved leveled against DGO no.1 and 5. Further the DGO no.1 held responsible for the amount of **Rs. 80,000/-** which amount is caused loss to the state exchequer during his period and DGO no. 2 held responsible for amount of **Rs. 1,49,500/-** which amount is caused loss to the state exchequer during his period. Hence, report is submitted to Hon'ble Upalokayukta for further action.


16/10/19

(Lokappa N.R)

Additional Registrar Enquiries-9
Karnataka Lokayukta,
Bengaluru.

i) List of witnesses examined on behalf of Disciplinary Authority.

Pw.1	The complainant Sri,Someshakargowda.M.C., S/o Chikkegowda R/o Madhapura village, K.R.Pet Taluk, Mandya District (original) dtd: 28.9.2017
Pw.2	Sri. Prashanth.M.C., S/o Chikkanaiah, Accounts Superintendent-4, Karnataka Lokayukta, Bangalore is the investigation officer in the case (original) dtd: 10.1.2018

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

Ex.P1 and 2	Ex.P-1 and 2 are the complaint filed in Karnataka Lokayukta in form no. 1 and 2 dtd: 30.7.2012 (original)
Ex.P3	Ex.P-3 is the documents submitted by the complainant (PW-1) along with the complaint. (Xerox)
Ex.P4	Ex.P-4 is the investigation report submitted by the PW-2 dtd: 1.4.2014 (original)
Ex.P5	Ex.P-5 is the Marghasuchi of Rajeev Gandhi vasathi Nigama Annexure no.1
Ex.P6	Ex.P-6 Annexure - No. 2 selection list of beneficiaries under Basava Indira Vasathi Yojane grama panchayath proceedings for the year 2010-11
Ex.P7	Ex.P-7 annexure no. 3 selection GPS list of beneficiaries under Basava Indira Vasathi Yojane for the year 2010-11
Ex.P8	Ex.p-8 annexure No.4 documents regarding the payment made by beneficiaries under Basava Indira Vasathi yojane for the year 2010-11
Ex.P9	Ex.P-9 is the annexure No. 5 are the letters regarding the release of amount to beneficiaries under Basava Indira Vasathi yojane for the year 2010-11
Ex.P10	Ex.P-10 is the annexure No. 6 is the document regarding the transfer of sanctioned amount of beneficiaries to the

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	bank under Basava Indira Vasathi yojane for the year 2010-11
Ex.P-11	Ex.P-11 is the annexure No. 7 selection list of the beneficiaries under the Ashraya yojane for the year 2005-06
Ex.P-12	Ex.P-12 is the annexure No. 8 containing notification of Basava Indira Vasathi yojane for the year 2010-11
Ex.P-13	Ex.P-13 is the annexure No. 9 are the documents pertaining to receiving the amount under Rajeev Gandhi Vasathi Yojane
Ex.p-14	Ex.P-14 is the annexure No. 10 are the documents pertaining to receiving the amount under Rajeev Gandhi Vasathi Yojane
Ex.p-15	Ex.P-15 is the annexure No. 11 are the documents pertaining to receiving the amount under Rajeev Gandhi Vasathi Yojane
Ex.p-16	Ex.P-16 is the annexure No. 12 is the proforma of mortgage deed
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Ex.p-18	Ex.p-18 is the annexure No. 14 is the copy of the notice given to Smt.Nagamma from Grama panchayath.
Ex.P-19	Ex.P-19 is the letter dtd: 27.5.2014 from PDO, Madapura grama panchayath K.R.Pet to ARE-11 Karnataka Lokayukta
Ex.P-20	Ex.P-20 is the letter dtd: 26.5.2014 submitted by DGO no. 3 to ARE-11
Ex.P-21	Ex.P-21 is the letter dtd: 27.5.2014 from Secretary Madhapura grama panchayath K.R.Pet taluk to ARE-11 Karnataka Lokayukta Bangalore

iii) List of witnesses examined on behalf of DGO.

Dw.1	DGO No.2 Sri.Bhagavan; S/o B.Subbaraya FDA, Office of the Deputy commissioner, Mandya, has examined himself as DW-1, (original) dtd: 20.8.2018
DW-2	DGO No.3 Sri.B.R.Venkataramanjiah, S/o. G.K.Revanna, Revenue Inspector, Mandya,

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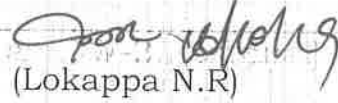
ARE-11 Karnataka Lokayukta
Bangalore
27.5.2014
Secretary
Madhapura grama panchayath
K.R.Pet taluk

	has examined himself as DW-2, (original) dtd: 20.8.2018
DW-3	DGO no. 5 Sri.Ramesh, S/o S.Thimmegowda, Secretary Madapura grama panchayath has examined himself as DW-3 (original) dtd: 20.8.2018

iv) **List of documents marked on behalf of DGO**

Ex.D1	NIL
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NO:UPLOK-2/DE/665/2016/ARE-9


(Lokappa N.R)

Additional Registrar Enquiries-9
Karnataka Lokayukta,
Bengaluru

20.08.2018

on behalf of DGO

NIL

(Lokappa N.R)

Additional Registrar Enquiries-9
Karnataka Lokayukta,
Bengaluru



KARNATAKA LOKAYUKTA

No.UPLOK-2/DE/665/2016/ARE-9

Multi Storied Building,
Dr. B.R. Ambedkar Veedhi,
Bengaluru-560 001.
Dated 18.10.2019

RECOMMENDATION

Sub:- Departmental inquiry against (1) Shri Thimmachar, the then Secretary, Madapura Gram Panchayath, (2) Sri Bhagawan, the then Panchayath Development Officer, Madapura Gram Panchayath, (3) Sri B.R.Venkatarangaiah, the then Secretary, (4) Sri Chandramouli, the then Executive Officer, Taluk Panchayath, K.R.Pete, and (5) Shri Ramesh, Secretary, Madapura Grama Panchayath, K.R.Pete Taluk, Mandya District - reg.

Ref:- 1) Government Order No.RDP 209 VSB 2016 dated 21.11.2016.

2) Nomination order No. UPLOK-2/DE/665/2016 dated 28.11.2016 of Upalokayukta, State of Karnataka.

3) Inquiry report dated 16.10.2019 of Additional Registrar of Enquiries-9, Karnataka Lokayukta, Bengaluru.

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The Government by its order dated 21.11.2016 initiated the disciplinary proceedings against (1) Shri Thimmachar, the then Secretary, Madapura Gram Panchayath, (2) Sri Bhagawan, the then Panchayath Development Officer,

Madapura Gram Panchayath, (3) Sri B.R.Venkatarangaiah, the then Secretary, (4) Sri Chandramouli, the then Executive Officer, Taluk Panchayath, K.R.Pete, and (5) Shri Ramesh, Secretary, Madapura Grama Panchayath, K.R.Pete Taluk, Mandya District [hereinafter referred to as Delinquent Government Officials, for short as ' DGOs 1 to 5 ' respectively] and entrusted the departmental inquiry to this Institution.

2. This Institution by Nomination Order No. UPLOK-2/DE/665/2016 dated 28.11.2016 nominated Additional Registrar of Enquiries-9, Karnataka Lokayukta, Bengaluru, as the Inquiry Officer to frame charges and to conduct departmental inquiry against DGOs 1 to 5 for the alleged charge of misconduct, said to have been committed by them.

3. The DGO - 1 Shri Thimmachar, the then Secretary, Madapura Gram Panchayath, DGO - 2 Sri Bhagawan, the then Panchayath Development Officer, Madapura Gram Panchayath, DGO - 3 Sri B.R.Venkatarangaiah, the then Secretary, DGO - 4 Sri Chandramouli, the then Executive Officer, Taluk Panchayath, K.R.Pete, and DGO - 5 Shri Ramesh, Secretary,

Madapura Grama Panchayath, K.R.Pete Taluk, Mandya

District, were tried for the following charges :-

“ನೀವು ಎಂದರೆ, ಅ.ಸ.ನೌ.ರರು 2009-10ನೇ ಸಾಲಿನಲ್ಲಿ ಫಲಾನುಭವಿಗಳನ್ನು ಆಯ್ಕೆ ಮಾಡುವ ಸಂದರ್ಭದಲ್ಲಿ ಶ್ರೀಮತಿ ರಂಗಮ್ಮ ಕೋಂ ಸೋಮಶೇಖರ್, ಮಾದಪುರ ಗ್ರಾಮ ಹಾಗೂ ಶ್ರೀಮತಿ ಸವಿತಾ ಕೋಂ ಗೋವಿಂದಯ್ಯ, ಮಾದಪುರ ಕೊಪ್ಪಲು ಗ್ರಾಮ ಇವರುಗಳಿಗೆ 2005-06ನೇ ಸಾಲಿನ ಗ್ರಾಮೀಣ ಆಶ್ರಯ ಯೋಜನೆಯಲ್ಲಿ ಆಯ್ಕೆಯಾಗಿ ಮನೆ ನಿರ್ಮಿಸಿಕೊಂಡಿದ್ದರೂ ಸಹ ಪುನಃ 2009-10ನೇ ಸಾಲಿನ ಇಂದಿರಾ ಆವಾಸ್ ಯೋಜನೆಯಡಿಯಲ್ಲಿ ಆಯ್ಕೆ ಮಾಡಿ ಹಣ ಪಾವತಿಸಲಾಗಿದೆ ಎಂಬ ಆರೋಪಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟಂತೆ, ನಿಯಮಬಾಹಿರವಾಗಿ ಅರ್ಹ ಫಲಾನುಭವಿಗಳೆಂದು ಆಯ್ಕೆಮಾಡಿ ವಸತಿ ನಿಗಮದ ಮಾರ್ಗಸೂಚಿಯನ್ನು ಉಲ್ಲಂಘಿಸಿರುತ್ತೀರಿ ಮತ್ತು ಹಿಂದಿನ ಯೋಜನೆಯಲ್ಲಿ ಪಡೆದ ಅನುದಾನದ ವಿವರಗಳನ್ನು ತಂತ್ರಾಂಶದಿಂದ ದಾಖಲು ಮಾಡದೆ ಒಂದೇ ಫಲಾನುಭವಿಯನ್ನು ಮತ್ತೊಂದು ಯೋಜನೆಗೆ ಆಯ್ಕೆ ಮಾಡಿ ಕರ್ತವ್ಯ ಲೋಪ ಮಾಡಿರುತ್ತೀರಿ ಮತ್ತು ಸರ್ಕಾರಕ್ಕೆ ಆರ್ಥಿಕ ನಷ್ಟ ಉಂಟು ಮಾಡಿರುತ್ತೀರಿ.

2010-11ನೇ ಸಾಲಿನ ಬಸವ ಇಂದಿರಾ ವಸತಿ ಯೋಜನೆಯಡಿಯಲ್ಲಿ ಮಾದಪುರ ಗ್ರಾಮ ಪಂಚಾಯಿತಿ ವ್ಯಾಪ್ತಿಗೆ ಒಳಪಡುವ ಗ್ರಾಮಗಳ ಅಂತಿಮವಾಗಿ ಆಯ್ಕೆ ಮಾಡಿದ ಅಂತಿಮ ಫಲಾನುಭವಿಗಳ ಪಟ್ಟಿಯಲ್ಲಿ ಶ್ರೀಮತಿ ಎಂ.ಎಂ. ರಾಧ ಕೋಂ ಶಂಕರಾಚಾರಿ ಇವರಿಗೆ 2009-10 ನೇ ಸಾಲಿನ ಇಂದಿರಾ ಆವಾಸ್ ಯೋಜನೆಯಡಿಯಲ್ಲಿ ಆಯ್ಕೆ ಮಾಡಿ ಮನೆ ನಿರ್ಮಿಸಿಕೊಂಡಿದ್ದರೂ ಸಹ ಪುನಃ ಆಯ್ಕೆ ಮಾಡಿ ಹಣ ಪಾವತಿಸಲಾಗಿದೆ, ಶ್ರೀಮತಿ ಲಕ್ಷ್ಮಮ್ಮ ಕೋಂ ವೈಕುಂಟಯ್ಯ, ಶ್ರೀಮತಿ. ಜಯಮ್ಮ ಕೋಂ ಚಲುವರಾಜು ಹಾಗೂ ಕುಮಾರಿ ಕೋಂ ಚಲುವರಾಯ ಶೆಟ್ಟಿ ಅಲಿಯಾಸ್ ಜವರಶೆಟ್ಟಿ ಮಾದಪುರ ಗ್ರಾಮ ಇವರಿಗೆ 2005-06ನೇ ಸಾಲಿನ ಗ್ರಾಮೀಣ ಆಶ್ರಯ ಯೋಜನೆಯಲ್ಲಿ ಆಯ್ಕೆಯಾಗಿ ಮನೆ ನಿರ್ಮಿಸಿದ್ದರೂ ಸಹ ಪುನಃ 2010-11ನೇ ಸಾಲಿನ ಬಸವ ಇಂದಿರಾ ವಸತಿ ಯೋಜನೆಯಡಿಯಲ್ಲಿ ಆಯ್ಕೆ ಮಾಡಲಾಗಿದೆ ಶ್ರೀಮತಿ. ಪ್ರೇಮ ಕೋಂ ನಂಜುಂಡೇಗೌಡ ಮಾದಪುರ ಗ್ರಾಮ ಇವರಿಗೆ 2006-07ನೇ ಸಾಲಿನ ಗ್ರಾಮೀಣ ಆಶ್ರಯ ಯೋಜನೆಯಲ್ಲಿ ಆಯ್ಕೆಯಾಗಿ ಮನೆ ನಿರ್ಮಿಸಿಕೊಂಡಿದ್ದರೂ ಸಹ ಪುನಃ 2010-11ನೇ ಸಾಲಿನ ಬಸವ ಇಂದಿರಾ ವಸತಿ ಯೋಜನೆಯಡಿಯಲ್ಲಿ ಆಯ್ಕೆ ಮಾಡಲಾಗಿದೆ ಮತ್ತು ಶ್ರೀಮತಿ ತಾಯಮ್ಮ ಕೋಂ ಅಪ್ಪಾಜಪ್ಪ, ಮಾದಪುರ ಕೊಪ್ಪಲು ಗ್ರಾಮ ಹಾಗೂ ಶ್ರೀಮತಿ ನಾಗಮ್ಮ ಕೋಂ ಚಿಕ್ಕೇಗೌಡ ಅಲಿಯಾಸ್ ಚಿಕ್ಕಯ್ಯ ಮಾದಪುರ ಗ್ರಾಮದ ಫಲಾನುಭವಿಗಳು 2010-11ನೇ ಸಾಲಿನ ಬಸವ ಇಂದಿರಾ ವಸತಿ ಯೋಜನೆಯಡಿಯಲ್ಲಿ ಅಂತಿಮ ಫಲಾನುಭವಿಗಳ ಪಟ್ಟಿಯಲ್ಲಿ ಆಯ್ಕೆ ಮಾಡಲಾಗಿದ್ದು, ಸದರಿ ಫಲಾನುಭವಿಗಳು ಮನೆ ಅಡಮಾನ ಪತ್ರವನ್ನು ಅಡಮಾನ ಮಾಡದೇ ಇದ್ದರೂ ಸಹ ಇವರುಗಳಿಗೆ ಹಣ ಪಾವತಿಸಲಾಗಿದೆ. ಇದರಿಂದ ಅರ್ಹತೆ ಹೊಂದಿದವರಿಗೆ ಅನ್ಯಾಯವಾಗಿದೆ ಹಾಗೂ ಸರ್ಕಾರಕ್ಕೆ ನಷ್ಟ ಉಂಟಾಗಿದೆ ವಿವಿಧ ಯೋಜನೆಗಳಲ್ಲಿ ಫಲಾನುಭವಿಗಳು ಆಯ್ಕೆಯಾಗಿ ಮನೆ ನಿರ್ಮಿಸಿಕೊಂಡು ಅನುದಾನ ಪಡೆದಿದ್ದರೂ ಸಹ 2010-11ನೇ ಸಾಲಿನ ಯೋಜನೆಯಡಿಯಲ್ಲಿ ಆಸ್ತಿಯನ್ನು ಪಂಚಾಯಿತಿಗೆ ಅಡಮಾನ ಮಾಡದೇ ಅನುದಾನ ಪಡೆದಿರುವುದು ಕಂಡುಬರುತ್ತದೆ ಮತ್ತು 2010-11ನೇ ಸಾಲಿನ ಬಸವ ಇಂದಿರಾ ವಸತಿ ಯೋಜನೆಗೆ ಅರ್ಹ ಫಲಾನುಭವಿಗಳೆಂದು

ನಿಯಮಬಾಹಿರವಾಗಿ ವಸತಿ ಯೋಜನೆಯ ಮಾರ್ಗಸೂಚಿಗಳನ್ನು ಉಲ್ಲಂಘಿಸಿ ನಿಗಮಕ್ಕೆ ಸುಳ್ಳು ಮಾಹಿತಿಗಳನ್ನು ನೀಡಿ ಅನುದಾನ ಬಿಡುಗಡೆ ಮಾಡಿರುತ್ತೀರಿ.

ಆದುದರಿಂದ, ಅ.ಸ.ನೌ.ರರಾದ ನೀವು ಅವ್ಯವಹಾರದ ದುರ್ನಡತೆಯ ಅವಧಿಯಲ್ಲಿ ಸರ್ಕಾರಿ ನೌಕರರಾಗಿದ್ದ ಕಾರಣ, ತಮ್ಮ ಕರ್ತವ್ಯ ನಿರ್ವಹಿಸುವಲ್ಲಿ ಪರಿಪೂರ್ಣ ಪ್ರಾಮಾಣಿಕತೆ, ಪರಿಪೂರ್ಣ ಕರ್ತವ್ಯ ನಿಷ್ಠೆ ತೋರಿಸದೆ ಹಾಗೂ ಸಾರ್ವಜನಿಕ ಸೇವಕರಿಗೆ ತರವಲ್ಲದ ರೀತಿಯಲ್ಲಿ ನಡೆದುಕೊಂಡಿರುವುದು ವೇದ್ಯವಾಗುತ್ತದೆ. ಹೀಗಾಗಿ, ನೀವು ಕರ್ನಾಟಕ ನಾಗರಿಕ ಸೇವಾ (ನಡತೆ) ನಿಯಮಗಳು, 1966ರ, ನಿಯಮ 3(1)(i), (ii) ಮತ್ತು (iii) ರಡಿಯಲ್ಲಿ ದುರ್ನಡತೆಯನ್ನೆಸಗಿದ್ದೀರಿ. ”

4. The Inquiry Officer (Additional Registrar of Enquiries- 9) on proper appreciation of oral and documentary evidence has held that, the Disciplinary Authority has 'proved' the charge No.1 against DGO - 1 Shri Thimmachar, and charge No.2 against DGO-2 Sri Bhagawan, DGO- 3 Sri B.R.Venkataangaiah, and DGO-4 Sri Chandramouli. Further, it is held by the Enquiry Officer that the DGO.1 is responsible for Rs.80,000/- and DGO.2 is responsible for Rs.1,49,500/- towards the loss caused by them to the State Exchequer.

5. Further, the Enquiry officer has also held that the charge No.1 is not proved against DGOs 2 to 5 and the charge No.2 is not proved against DGOs 1 and 5.

6. On re-consideration of report of inquiry, 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 and exonerate DGO-5 Shri Ramesh, Secretary, Madapura Grama Panchayath, K.R.Pete Taluk, Mandya District of the charges levelled against him.

7. As per the First Oral Statements and the information furnished by the Inquiry Officer,

- i) DGO - 1 Shri Thimmachar, is due to retire from service on 31.07.2022.
- ii) DGO - 2 Sri Bhagawan, is due to retire from service on 30.09.2020.
- iii) DGO - 3 Sri B.R.Venkatarangaiah, is due to retire from service on 28.02.2021.
- iv) DGO - 4 Sri Chandramouli, is due to retire from service on 30.06.2026.

8. Having regard to the nature of charge 'proved' against DGO - 1 Shri Thimmachar, the then Secretary, DGO - 2 Sri Bhagawan, the then Panchayath Development Officer, DGO - 3 Sri B.R.Venkatarangaiah, the then Secretary, and DGO - 4 Sri Chandramouli, the then Executive Officer, Taluk Panchayath, K.R.Pete,


- i) it is hereby recommended to the Government to impose penalty of 'withholding 2 Annual increments payable to DGO.1 Shri Thimmachar, with cumulative effect and also to recover a sum of Rs.80,000/- from the

salary and allowances payable to DGO 1 Sri Thimmachar;

- ii) it is hereby recommended to the Government to impose penalty of recovering a sum of Rs.1,49,500/- from the salary and allowances payable to DGO - 2 Sri Bhagawan. If the amount is not sufficient, to recover the remaining amount from the pension and pensionary benefits payable to DGO 2 Sri Bhagawan.
- iii) it is hereby recommended to the Government to impose penalty of 'reducing the pay in the time scale of pay by two lower stages with cumulative effect on the DGO - 3 Sri B.R.Venkatarangaiah;
- iv) it is hereby recommended to the Government to impose penalty of 'reducing the pay in the time scale of pay by two lower stages with cumulative effect on the DGO - 4 Sri Chandramouli.

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

Connected records are enclosed herewith.

  
(JUSTICE N. ANANDA)  
Upalokayukta,  
State of Karnataka. 18/10