



KARNATAKA LOKAYUKTA

No.UPLOK-2/DE/722/2016/ARE-10

Multi Storied Building,
Dr. B.R. Ambedkar Veedhi,
Bengaluru-560 001.
Dated 28.02.2019

RECOMMENDATION

Sub:- Departmental inquiry against (1) Shri Shankarappa, the then Panchayath Development Officer and Secretary; and (2) Shri Mahesh, Panchayath Development Officer, Jajooru Gram Panchayath, Jajooru village, Arasikere Taluk, Hassan District - reg.

- Ref:- 1) Government Order No. ಗ್ರಾಅಪ/718/ಗ್ರಾಪಂಕಾ/2016 dated 22.11.2016.
2) Nomination order No. UPLOK-2/DE/722/2016 dated 17.12.2016 of Upalokayukta-2, State of Karnataka.
3) Inquiry report dated 26.02.2019 of Additional Registrar of Enquiries-10, Karnataka Lokayukta, Bengaluru.

The Government by its order dated 22.11.2016 initiated the disciplinary proceedings against (1) Shri Shankarappa, the then Panchayath Development Officer and Secretary; and (2) Shri Mahesh, Panchayath Development Officer, Jajooru Gram Panchayath, Jajooru village, Arasikere Taluk, Hassan District [hereinafter referred to as Delinquent Government Officials 1 & 2, for short as 'DGOs 1 & 2'] and entrusted the departmental inquiry to this Institution.

2. This Institution by Nomination Order No. UPLOK-2/DE/722/2016 dated 17.12.2016 nominated Additional Registrar of Enquiries-10, Karnataka Lokayukta, Bengaluru, as the Inquiry Officer to frame charges and to conduct departmental inquiry against DGOs 1 & 2 for the alleged charge of misconduct, said to have been committed by them.

3. The DGO1 - Shri Shankarappa, the then Panchayath Development Officer and Secretary; and DGO2 - Shri Mahesh, Panchayath Development Officer, Jajooru Gram Panchayath, Jajooru village, Arasikere Taluk, Hassan District were tried for the following charge:-

“1ನೇ ಆಪಾದಿತ ನೌಕರರಾದ ಶ್ರೀ ಶಂಕರಪ್ಪ, ಹಿಂದಿನ ಪಿಡಿಓ ಮತ್ತು ಕಾರ್ಯದರ್ಶಿ ಮತ್ತು 2ನೇ ಆಪಾದಿತ ನೌಕರನಾದ ಶ್ರೀ ಮಹೇಶ್, ಪಿಡಿಓ, ಜಾಜೂರು ಗ್ರಾಮ ಪಂಚಾಯತ್, ಜಾಜೂರು ಗ್ರಾಮ, ಅರಸೀಕೆರೆ ತಾಲ್ಲೂಕು, ಹಾಸನ ಜಿಲ್ಲೆ ಆದ ನೀವುಗಳು ಈ ಕೆಳಕಂಡ ಕರ್ತವ್ಯಲೋಪ/ದುರ್ನಡತೆ ಎಸಗಿರುತ್ತೀರಿ:-

1 ಮತ್ತು 2 ಆಪಾದಿತ ಸರ್ಕಾರಿ ನೌಕರರುಗಳಾದ ನೀವುಗಳು, ದೂರುದಾರರ ಅಸಲು ದಾವೆ ಸಂಖ್ಯೆ-490/2013 ರಲ್ಲಿ ಜಂಜರು ನಂ.49, ಆಸ್ತಿ ನಂ.65 ರಲ್ಲಿ 30)(20 ಅಡಿ ವಿಸ್ತೀರ್ಣದ ಬಗ್ಗೆ ಮಾಲೀಕತ್ವದ ಹಕ್ಕು ಘೋಷಣೆ ಡಿಕ್ರಿ ದಿ:21.6.2014 ರಂದು ಪಡೆದಿದ್ದರೂ ಸಹ ಹಾಗೂ ಮಾರ್ಚ್ 2015 ರಲ್ಲಿ ದೂರುದಾರರು ಅರ್ಜಿಯನ್ನು ಸಲ್ಲಿಸಿದ್ದರೂ ಸಹ ದೂರುದಾರರಿಗೆ ಮನೆ ಕಟ್ಟಿಕೊಳ್ಳಲು ಇದುವರೆಗೂ ಪರವಾನಗಿಯನ್ನು ನೀಡಿರುವುದಿಲ್ಲ.

ಆದಕಾರಣ, ಆಪಾದಿತ ಸರ್ಕಾರಿ ನೌಕರರಾದ ನೀವು ಸರ್ಕಾರಿ ಸೇವಕರಾಗಿದ್ದು, ನಿಮ್ಮ ಕರ್ತವ್ಯಪಾಲನೆಯಲ್ಲಿ ಪರಿಪೂರ್ಣ ಪ್ರಾಮಾಣಿಕತೆ, ಸಂಪೂರ್ಣ ಕರ್ತವ್ಯ ನಿಷ್ಠೆಯನ್ನು ತೋರಿಸದೆ ಸ್ವಂತ ಲಾಭಕ್ಕಾಗಿ ಸಾರ್ವಜನಿಕ ಸೇವಕರಿಗೆ ತರವಲ್ಲದ ರೀತಿಯಲ್ಲಿ ನಡೆದುಕೊಂಡಿದ್ದು, ಆಪಾದಿತ ಸರ್ಕಾರಿ ನೌಕರರಾದ ನೀವು ಕರ್ನಾಟಕ ಸರ್ಕಾರಿ ಸೇವಾ (ನಡತೆ) ನಿಯಮಾವಳಿ 1966ರ ನಿಯಮ (3)(1) (i) ರಿಂದ (iii)ನೇ ನಿಬಂಧನೆಯನ್ನು ಉಲ್ಲಂಘಿಸಿ ದುರ್ನಡತೆ ಎಸಗಿದ್ದೀರಿ.”

4. The Inquiry Officer (Additional Registrar of Enquiries- 10) on proper appreciation of oral and documentary evidence has held that, the Disciplinary Authority has 'proved' the above charge against DGO1 - Shri Shankarappa, the then Panchayath Development Officer and Secretary; and DGO2 - Shri Mahesh, Panchayath Development Officer, Jajooru Gram Panchayath, Jajooru village, Arasikere Taluk, Hassan District.
5. 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.
6. As per the information furnished by the Inquiry Officer, DGO1 - Shri Shankarappa is due for retirement on 30.06.2021; and DGO2 - Shri Mahesh is due for retirement on 28.02.2041.

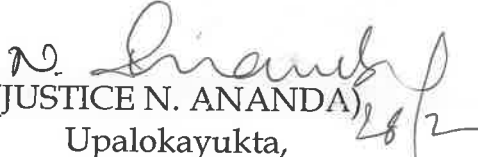
7. Having regard to the nature of charge 'proved' against DGO1 - Shri Shankarappa, the then Panchayath Development Officer and Secretary; and DGO2 - Shri Mahesh, Panchayath Development Officer, Jajooru Gram Panchayath, Jajooru village, Arasikere Taluk, Hassan District,

(i) it is hereby recommended to the Government to impose penalty of "reducing the pay in the time scale of pay by four lower stages with cumulative effect on the DGO1 - Shri Shankarappa;" and

(ii) it is hereby recommended to the Government to impose penalty of "withholding four annual increments payable to DGO2 - Shri Mahesh for a period of ten years".

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

Connected records are enclosed herewith.


(JUSTICE N. ANANDA)
Upalokayukta,
State of Karnataka.