

GOVERNMENT OF KARNATAKA



KARNATAKA LOKAYUKTA

No.UPLOK-2/DE/202/2016/ARE-11

Multi Storied Building,
Dr. B.R. Ambedkar Veedhi,
Bengaluru-560 001
Date: **14/12/2021**

RECOMMENDATION

Sub:- Departmental inquiry against;

- 1) Smt. N.R. Yashoda, Second Division Assistant, Karnataka Housing Board, Davanagere;
- 2) Sri H.J. Basavaraju, Second Division Assistant, Karnataka Housing Board, Davanagere – Reg.

Ref:- 1) Order No.ಕಗ್ಯಮಂ/ಆಡಳಿತ/ಸಿ.ಶಾ-1/ಬಿಆರ್/77/2013-14, dated 13/6/2016 of the Housing Commissioner, Karnataka Housing Board, Bengaluru

2) Nomination order No.UPLOK-2/DE/202/2016, Bengaluru dated 29/6/2016 of Upalokayukta, State of Karnataka, Bengaluru

3) Inquiry Report dated 1/12/2021 of Additional Registrar of Enquiries-11, Karnataka Lokayukta, Bengaluru

The Housing Commissioner by order dated 13/6/2016 initiated the disciplinary proceedings against Smt. N.R. Yashoda, Second Division Assistant and Sri H.J. Basavaraju, Second Division Assistant – both of Karnataka Housing Board, Davanagere (hereinafter referred to as Delinquent Government Officials 1 & 2, for short as DGO-1 & DGO-2 respectively) and entrusted the Departmental Inquiry to this Institution.

2. This Institution by Nomination Order No.UPLOK-2/DE/202/2016 Bengaluru dated 29/6/2016 nominated the Additional Registrar of Enquiries-11, Karnataka Lokayukta, Bengaluru, as the Inquiry Officer to frame charges and to conduct Departmental

Inquiry against DGOs 1 & 2 for the alleged charge of misconduct, said to have been committed by them.

3. The DGO-1 Smt. N.R. Yashoda, Second Division Assistant and DGO-2 Sri H.J. Basavaraju, Second Division Assistant – both of Karnataka Housing Board, Davanagere were tried for the following charge:-

“ಶ್ರೀಮತಿ ಎನ್.ಆರ್.ಯಶೋಧ, ದ್ವಿತೀಯ ದರ್ಜೆ ಸಹಾಯಕರು ಮತ್ತು ಶ್ರೀ ಹೆಚ್.ಜಿ.ಬಸವರಾಜು, ದ್ವಿತೀಯ ದರ್ಜೆ ಸಹಾಯಕರು, ಕರ್ನಾಟಕ ಗೃಹ ಮಂಡಳಿ, ದಾವಣಗೆರೆ ನೀವುಗಳು 2013ರಲ್ಲಿ ಕರ್ತವ್ಯ ನಿರ್ವಹಿಸುತ್ತಿದ್ದಾಗ, ಕರ್ನಾಟಕ ಗೃಹ ಮಂಡಳಿ, ಬೆಂಗಳೂರು ಇವರಿಂದ ಮಂಜೂರಾದ ನಿವೇಶನವನ್ನು ದೂರುದಾರರ ಹೆಸರಿಗೆ ನೊಂದಣಿ ಮಾಡಿಕೊಳ್ಳುವ ಸಲುವಾಗಿ ಆಧಾರಿಟಿ ಪತ್ರವನ್ನು ಕೊಡುವ ಸಲುವಾಗಿ ರೂ.1,800/- ಲಂಚದ ಹಣವನ್ನು ನೀಡಲು ಒತ್ತಾಯಿಸಿ, ಕರ್ತವ್ಯಲೋಪ ಎಸಗಿ ಸರ್ಕಾರಿ ನೌಕರನಿಗೆ ತಕ್ಕುದಲ್ಲದ ರೀತಿಯಲ್ಲಿ ನಡೆದುಕೊಂಡು ದುರ್ನಡತೆಯಿಂದ ವರ್ತಿಸಿ ಕರ್ನಾಟಕ ನಾಗರೀಕ ಸೇವಾ ನಿಯಮಗಳು (ನಡತೆ) 1966ರ ನಿಯಮ 3(1)ರಡಿಯಲ್ಲಿ ದುರ್ನಡತೆ ಎಸಗಿದ್ದೀರಿ.”

4. The DGO-1 Smt. N.R.Yashoda died on 12/5/2019 during the pendency of inquiry. Therefore, the inquiry officer has recorded the abatement of disciplinary proceedings against DGO-1 Smt. N.R. Yashoda, the then Second Division Assistant Karnataka Housing Board, Davanagere.


5. The Inquiry Officer (Additional Registrar of Enquiries-11) on proper appreciation of oral and documentary evidence has held that the Disciplinary Authority has proved the above charge against DGO-2 Sri H.J. Basavaraju, Second Division Assistant Karnataka Housing Board, Davanagere.

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. It is hereby recommended to the Government to accept the report of Inquiry Officer.

7. It is hereby recommended to the Government for recording abatement of disciplinary proceedings against DGO-1 Smt. N.R. Yashoda, the then Second Division Assistant, Karnataka Housing Board, Davanagere.
8. As per the First Oral Statement submitted by DGO-2, he has retired from service on 31/5/2017.
9. As per the Service particulars furnished, the DGO-2 Sri Basavaraju has retired from service on 31/5/2017. As such, the DGO is now aged about 65 years. Considering his age and number of years of service put in by the DGO, a lenient view is taken for recommending penalty to be imposed on the DGO. Accordingly, having regard to the nature of charge proved against the DGO Sri H.J. Basavaraju, Second Division Assistant, Karnataka Housing Board, Davanagere, it is recommended to the Government for imposing penalty of permanently withholding 15% of pension payable to DGO Sri H.J. Basavaraju.
10. Action taken in the matter shall be intimated to this Authority.

Connected records are enclosed herewith.


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

