



GOVERNMENT OF KARNATAKA
KARNATAKA LOKAYUKTA

THIRTY FIRST CONSOLIDATED ANNUAL REPORT OF THE
KARNATAKA LOKAYUKTA
FOR THE YEAR 2016-17

PART-I

(FOR THE PERIOD FROM 1/4/2016 TO 31/3/2017)

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KARNATAKA LOKAYUKTA FOR THE YEAR 2016-17
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Chapter-1

INTRODUCTION

1) PROVISION OF LAW UNDER WHICH THIS REPORT IS MADE

Section 12(6) of the Karnataka Lokayukta Act, 1984 (hereinafter referred to as 'the Lokayukta Act') mandates that the Lokayukta shall present annually a Consolidated report on the performance of his functions and that of the Upalokayukta under the Lokayukta Act to the Governor. Accordingly, this report is presented for the 31ST Year of the establishment of the Karnataka Lokayukta.

2) PERIOD OF THE REPORT

This report pertains to the functions of Karnataka Lokayukta for the financial year 2016-17, i.e. for the period from 1st April 2016 to 31st March 2017

3) NAMES OF HON'BLE LOKAYUKTA AND UPALOKAYUKTA, WHO FUNCTIONED DURING THE YEAR

The present report refers to the functions performed by;

- (1) Hon'ble Justice P.Vishwanatha Shetty, Lokayukta
- (2) Hon'ble Justice Sri N. Ananda, Upalokayukta; and
- (3) Hon'ble Justice Sri Subhash B. Adi, Upalokayukta.

4) OBJECTIVES OF THE KARNATAKA LOKAYUKTA ACT

(1) The Lokayukta Act is enacted under Karnataka Act No. 4 of 1985 by the Karnataka State Legislature on the recommendations of the Administrative Reforms Commission for setting up the institution of Lokayukta for the purpose of improving the standards of public administration, by looking into the complaints against administrative actions, including the cases of corruption, favouritism and official indiscipline in the administrative machinery. The Act was first published in the Karnataka Gazette, Extraordinary on the Twenty-eighth day of January, 1985 and which has received the assent of the President on the Sixteenth day of January, 1985.

(2) The Lokayukta Act makes provision for the appointment and functions of Lokayukta and Upalokayuktas for making enquiries into administrative action relatable to matters specified in List II or List III of the Seventh Schedule to the Constitution taken by or on behalf of the Government of Karnataka or certain public authorities in the State of Karnataka, including any omission or commission in connection with or arising out of such action, in certain cases and matters connected therewith or ancillary thereto.

5) FUNCTIONS OF LOKAYUKTA & UPALOKAYUKTAS

(1) The general thinking of the people is that Lokayukta is created for combatting corruption, by catching hold of the persons who are demanding bribe or catching hold of the persons who are in possession of assets disproportionate to their known sources of income. But, the functions are not limited to that extent only. The role of Lokayukta is not only confined to corruption, but it extends to redressal of grievances of citizens and also to make investigation into allegations against public servants and recommending disciplinary action against them. Thus, the Lokayukta oversees the Good Governance of the State. Providing efficient and corruption free administration and thereby ensuring good governance is the paramount responsibility of every democratic Government. It is said that Corruption is the friend of the rich and the enemy of the poor. Besides causing irreparable damage to the trust and public confidence in systems which affect people's daily lives, corruption threatens security of the Country, Corruption undermines political, social and economic stability and leads to maladministration. There cannot be any dispute that the Karnataka Lokayukta has acquired nationwide image and prestige as a premier institution fighting corruption and monitoring good governance.

(2) The Institution of Lokayukta, therefore, has proved to be an effective watch dog against injustice being caused to the citizens, and also last ray of hope available to the public to ventilate their grievances against corruption, maladministration and administrative lapses in the State Machinery. In certain suitable cases, this institution has also by way of recommendation to Government suggest remedial actions to establish good governance.

6) JURISDICTION OF LOKAYUKTA AND UPALOKAYUKTAS

(1) According to Section 7 (1) of the Lokayukta Act, the Lokayukta has jurisdiction over any action taken by or with the approval of the Chief Minister, any other Minister or Secretary or a Member of the State Legislature or any other public servant notified by the State Government. Further, the State Legislature has amended the Lokayukta Act by Act No.25 of 2010 and according to which, the Chairman, the Vice-Chairman (by whatever name called) or a member of an Authority, Board or Committee, a Statutory or Non-statutory Body or a Corporation, established by or under any Law of the State Legislature including a Society, Cooperative Society or a Government company within the meaning of Section 617 of the Companies Act, 1956, nominated by the State Government, comes within the jurisdiction of Lokayukta. Further, all public servants holding a post of pay carrying either a fixed pay, salary or remuneration of more than Rs.20,000/- per month or a pay scale, the minimum of which is more than Rs.20,000/- (as on 23.7.2010) as revised from time to time, come within the jurisdiction of Lokayukta.

(2) According to Section 7(2) of the Lokayukta Act, an Upalokayukta may investigate any action which is taken by or with the general or specific approval of any public servant, not being the Chief

Minister, Minister, Member of the State Legislature, Secretary or other public servant referred to sub-section (1) of Section 7, in any case where a complaint involving a grievance or an allegation is made in respect of such action or such action can be or could have been, in the opinion of the Upalokayukta recorded in writing, the subject matter of a grievance or an allegation.

(3) Further, according to Section 7(2A) of the Lokayukta Act, the State Government may refer matters to the Lokayukta or an Upalokayukta for conducting investigation.

7) BRANCHES/WINGS IN KARNATAKA LOKAYUKTA INSTITUTION

(1) The following Branches/Wings exists at present to assist the Lokayukta/Upalokayukta in their functioning under the Karnataka Lokayukta Act.

- 1) Administration Wing.
- 2) Inquiry Wing
- 3) Police Wing
- 4) Technical Audit Cell.

(2) Registrar is declared as Head of the Department under Schedule (1) to the Karnataka Civil Service Rules. Further the Registrar heads the Administration and Inquiry Wing in the Karnataka Lokayukta, while Police wing is headed by Addl. Director General of Police and the Technical Audit Cell is headed by Chief Engineer.

(3) To assist the Lokayukta/Upalokayuktas in their functioning, officers from judiciary, Departments of Police, Prosecution, Public Works, Statistics and State Accounts work on deputation in the Lokayukta organization. Further ministerial staffs are also recruited directly for the Karnataka Lokayukta Institution. In addition, the Lokayukta or Upalokayukta can utilize the services of any officer of the State and Central Government and any other agency for conducting investigation under the provisions of Lokayukta Act.

8) FUNCTIONS OF EACH BRANCH/WING OF THE KARNATAKA LOKAYUKTA

(1) Administration Wing.

In the Administration wing, apart from the administration of the Lokayukta institution in respect of officers/staff, expenditure, accounts, stores, etc., receiving of complaints from the general public and processing the same in accordance with the Karnataka Lokayukta Act are dealt with. Further, the officers/officials are also assisting the Lokayukta/Upalokayukta in the investigation of the complaints.

(2) Inquiry Wing.

The officers of the Inquiry Wing are conducting Departmental inquiries against the public servants which are initiated by the Government under Rule 14A of the Karnataka Lokayukta Act.

(3) Police Wing

The Police Wing deals with cases registered under the Prevention of Corruption Act, besides it also assists the Lokayukta/Upalokayukta in conducting investigation into the complaints received under the provisions of the Karnataka Lokayukta Act as referred to it by the Lokayukta/Upalokayukta

(4) Technical Audit Cell.

The Technical Audit Cell mainly conducts investigations referred to them by the Lokayukta/Upalokayukta in the matters such as allegations of execution of sub-standard works by the public servants, misappropriation of money, loss caused to the Government due to negligence on the part of public servants. The Technical Wing also assists the Police Wing in evaluating the cost of construction of buildings by the public servants, against whom the cases of possession of disproportionate assets has been registered.

9) GENERAL

(1) During the current financial year, the Superintendents of Police and other officers of the police wing of the Karnataka Lokayukta, posted in district Head Quarters are also instructed to visit every taluk coming under their jurisdiction after giving wide publicity and afford

an opportunity to the aggrieved citizens to make their complaints and if possible to redress their grievances with the assistance of the concerned officers of the Government. In such cases where grievances could not be redressed at the spot, the complaints are sent to the head office at Bengaluru and the matter will be investigated into by the Lokayukta or Upalokayukta as the case may be.

(2) 24x7 HELPLINE functioning in Karnataka Lokayukta to take care of cases of emergency is functioning round the clock and in many cases, the same has proved to be very helpful to the aggrieved citizens in getting immediate and timely relief in Government offices particularly in hospitals and police stations throughout the State in emergency situations. The said facility can be availed by dialing 155320 and 18004255320 which are toll free numbers. 24 x 7 HELPLINE can also be availed by dialing 22375014.

(3) The Lokayukta and Upalokayuktas have also taken Suo Moto notice of the incidents, which in their opinion is the subject of grievance or an allegation.

10) STATISTICS / DETAILS OF THE FUNCTIONING DURING THE CURRENT FINANCIAL YEAR (2016-17)

The details of the complaints investigated into under the Lokayukta Act, Inquiries conducted under Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957, cases investigated by the Lokayukta Police for the offences under the Prevention of Corruption Act and investigations handled by the Technical Wing of the institution are indicated in detail in different chapters annexed to this Report.

BENGALURU

DATE:

(JUSTICE P.VISHWANATHA SHETTY)
LOKAYUKTA

Chapter-2

INVESTIGATION OF COMPLAINTS UNDER THE KARNATAKA LOKAYUKTA ACT, 1984

I) Petitions without Form No.I & II:

Every complaint under the provisions of the Lokayukta Act should be made in the form of a Statement (Form No.I) supported by an Affidavit (Form No.II), as provided under Section 9(2) of the Karnataka Lokayukta Act. Apart from the complaints in the prescribed form, there are number of petitions, including anonymous, pseudonymous and others received in the Karnataka Lokayukta office. Those petitions are also examined and wherever the address of the complainant is available and where such allegations/grievances made in the complaint could be investigated under the provisions of Karnataka Lokayukta Act, Form No.I and Form No. II would be sent to them for compliance. The complaints which contain allegations relating to contravention of Prevention of Corruption Act, 1988 will be referred to the Police Wing, if the same could form a basis as source information for their action under the provisions of the said Act. Anonymous or pseudonymous complaints will also be considered for taking suo-moto investigation in appropriate cases. During the period from 01/04/2016 to 31/03/2017 totally 3040 miscellaneous petitions have been received and dealt with accordingly.

II) Complaints in Form No.I with Affidavit in Form No.II

The complaints which are filed in accordance with the provisions of Lokayukta Act and Rules have been registered such complaints are initially scrutinized by the Scrutiny officers. After making such preliminary scrutiny, if the Lokayukta/Upalokayuktas proposes to proceed to conduct any investigation under the Lokayukta Act, the copy of the complaint will be sent to the public servant concerned and the competent authority and such public

servant will be given an opportunity to offer his comments on such complaint. If the complaint is frivolous or vexatious or is not made in good faith or there are no sufficient grounds for investigating or, for continuing the investigation; or other appropriate remedies are available to the complainant, the Lokayukta/Upalokayukta may refuse to investigate or cease to investigate such complaint after recording reasons and communicates the same to the complainant and the public servant concerned.

In conducting the investigations into the complaints as per the provisions of the Karnataka Lokayukta Act, the Lokayukta/ Upalokayuktas will be assisted by the Additional Registrars/ Deputy Registrars/ Asst. Registrar (Legal Opinion)/ Public Prosecutor. The Lokayukta/Upalokayukta will also get the complaints investigated through the Technical Wing or the Police Wing of the Lokayukta organization. Further, the Hon'ble Lokayukta/ Upalokayukta may also utilize the services of officers of the State Government or officers of the Central Government with the concurrence of that Government or the services of any other person or agency for investigation of the complaints, U/Sec. 15(3) of the Lokayukta Act.

Further, as per Section 8, the Lokayukta/Upalokayukta shall not conduct any investigation under the Act in case of complaints involving grievance in respect of any action specified in Schedule -II, namely,

- a) Action taken for the purpose of investigating crimes relating to the security of the State.
- b) Action taken in the exercise of powers in relation to determining whether a matter shall go to a court or not,
- c) Action taken in matters which arise out of the terms of a contract governing purely commercial relations of the administration with customers or suppliers except where the complainant alleges harassment or gross delay in meeting contractual obligations.

- d) Action taken in respect of appointments, removals, pay, discipline, superannuation or other matters relating to conditions of service of public servants but not including action relating to claims for pension, gratuity, provident fund or to any claims which arise on retirement, removal or termination of service.
- e) Grant of honours and awards.

Further, the Lokayukta/Upalokayukta cannot investigate any complaint involving grievance if the complainant has or had, any remedy by way of appeal, revision, review or other proceedings before any Tribunal, Court, or other authority and has not availed of the same.

3) The Lokayukta/Upalokayukta for the purpose of any investigation (including preliminary enquiry before such investigation) under the Lokayukta Act, is empowered to summon relevant documents and witnesses and record evidence.

4) If the Lokayukta/Upalokayukta is satisfied that the action of the public servant has resulted in unjust or undue hardship to the complainant or to any other person, a report will be sent to the Competent Authority under Section 12(1) of the Lokayukta Act, recommending that such injustice or hardship shall be remedied or redressed in such a manner and within such time, as may be specified in the report and the Competent Authority shall within one month of the expiry of the period specified in the report, intimate the Lokayukta or the Upalokayukta the action taken on the report under Section 12(2) of the Lokayukta Act.

5) If the Lokayukta/Upalokayukta is satisfied that an allegation is substantiated either wholly or partly, a report will be sent to the Competent Authority under Section 12(3) of the Lokayukta Act, recommending suitable action and such Competent Authority shall within three months of the date of receipt of the report, intimate the Lokayukta/Upalokayukta the action taken

or proposed to be taken on the basis of the report under Section 12(4) of the Lokayukta Act.

6) If the Lokayukta/Upalokayukta is satisfied with the action taken or proposed to be taken on the recommendation or findings under section 12(1) or 12(3) of the Act, the case will be closed under Section 12(5) of the Act, under intimation to the complainant, the public servant and the competent authority concerned; but where he is not so satisfied and if he considers that the case so deserves, he may make a special report to His Excellency the Governor of Karnataka under Section 12(5) of the Lokayukta Act and also inform the Competent Authority concerned and the Complainant.

7) The statements and details regarding the complaints received, disposed off and pending for the year 2016-17 are furnished herein below.

STATEMENT SHOWING COMPLAINTS (WITH AFFIDAVIT) PENDING AT THE BEGINNING, RECEIVED AND DISPOSED OFF DURING THE YEAR AND PENDING AT THE END OF THE YEAR

Jurisdiction	Pending as on 31/03/2016	Received From 01/04/2016 to 31/03/2017	Total	No. of cases disposed of from 01/04/2016 to 31/03/2017	Total No. of cases pending as on 31/03/2017
Hon'ble Lokayukta	1738	875	2613	159	2454
Hon'ble Upalokayukta-1	3107	1038	4145	2992	1153
Hon'ble Upalokayukta-2	5075	1275	6350	3319	3031
Total	9920	3188	13108	6470	6638

MANNER OF DISPOSAL OF COMPLAINTS

Jurisdiction	No. of cases disposed off by way 12(3) Report sent	No. of cases disposed off by way of 12(1) Report sent	No. of cases disposed of by way of reports both u/s. 12(1) & 12(3) sent	No. of cases disposed off as the grievance of the complainants redressed	No. of cases disposed off as the allegations/grievance of the complainants not entertainable u/s.8	No. of cases disposed off as the allegations/ grievance of the complainants not established u/s.9	No. of cases in which the complainants have withdrawn their complaints	No. of cases in which directions are issued to the Respondents.
Hon'ble Lokayukta	3	2	-	6	124	12	-	12
Hon'ble Upalokayukta-1	1034	95	36	188	1083	554	2	
Hon'ble Upalokayukta-2	609	77	133	461	1070	953	16	
Total	1646	174	169	655	2277	1519	18	12

III) Government Referred Cases

Apart from the complaints filed under Sec.7 (1) or 7(2) of the Lokayukta Act, the Government may also refer the complaints to the Lokayukta/ Upalokayukta under Sec.7 (2-A) of the Lokayukta Act. These cases are also dealt with, as in the case of complaint cases. The same will be allotted to scrutiny officers and after investigation of the same; a report will be sent to the Government. The details of such Government referred cases during the year are as under:-

GOVERNMENT REFERRED CASES

Jurisdiction	Pending as on 31/03/2016	Received From 01/04/2016 to 31/03/2017	Total	No. of references disposed of AS CLOSED	No. of cases in which action was recommended	No. of cases in which action was recommended under Sec. 12(1) of KLA Act	Total No. of cases pending as on 31/03/2017
Hon'ble Lokayukta	12	0	12	-	-	-	12
Hon'ble Upalokayukta-1	9	1	10	1	8	-	1
Hon'ble Upalokayukta-2	7	1	8	2	1	-	5
Total	28	2	30	3	9		18

STATEMENT SHOWING THE REPORTS UNDER SEC. 12(1), 12(3) AND 12(5)
OF THE LOKAYUKTA ACT SENT DURING THE YEAR

Sl. No.	Particulars	Hon'ble Lokayukta Jurisdiction	Hon'ble Upalokayukta-1 Jurisdiction	Hon'ble Upalokayukta-2 Jurisdiction	Total
1	Number of reports under Section 12(1) of the Lokayukta Act.	2	131	210	343
2	Number of reports under Section 12(3) of the Lokayukta Act.	3	1070	742	1815
3	Number of Reports under Section 12(5) of the Lokayukta Act.	0	21	2	23

The list showing the details of Reports under Sec 12(1) of the Karnataka Lokayukta Act is appended to this Report at Annexure-A.

The List showing the details of Reports under Section 12(3) of the Karnataka Lokayukta Act is appended to this Report at Annexure-B

The List showing the details of Reports under Section 12(5) of the Karnataka Lokayukta Act is appended to this Report at Annexure-C

**STATEMENT SHOWING THE NUMBER OF REPORTS SENT U/S.12(1) TO THE
COMPETENT AUTHORITY & ACTION TAKEN BY C.A. ON IT DURING THE
YEAR AND PENDING AT THE END OF 31/3/2017**

Jurisdiction	Report U/s. 12(1) pending with Competent Authority as on 31/03/2016	Report U/s. 12(1) sent to the Competent Authority from 1/4/2016 to 31/3/2017	Total	Compliance received on Section 12(1) Report U/s. 12(2) from 1/4/2016 to 31/3/2017	Reports U/s. 12(1) pending with the Competent Authority as on 31/3/2017
Hon'ble Lokayukta	18	2	20	-	20
Hon'ble Upa-Lokayukta-1	8	131	139	57	82
Hon'ble Upa-Lokayukta-2	3	210	213	146	67
Total	29	343	372	203	169

**STATEMENT SHOWING THE NUMBER OF REPORTS U/S.12(3) SENT TO THE
COMPETENT AUTHORITY, ACTION TAKEN BY THE C.A. ON IT AND PENDING
AT THE END OF 31/03/2017**

Jurisdiction	Report U/s. 12(3) pending with Competent Authority as on 31/03/2016	Report U/s. 12(3) sent to the Competent Authority from 1/4/2016 to 31/03/2017	Total	Compliance received on Section 12(3) Report U/s. 12(4) from 1/4/2016 to 31/03/2017	Reports U/s. 12(3) pending with the Competent Authority as on 31/03/2017
Hon'ble Lokayukta	45	3	48	5	43
Hon'ble Upa-Lokayukta-1	155	1070	1225	835	390
Hon'ble Upa-Lokayukta-2	85	742	827	420	407
Total	285	1815	2100	1260	840

STATEMENT SHOWING THE NUMBER OF REPORTS UNDER SECTION 12(5)
SENT TO HIS EXCELLENCY THE GOVERNOR OF KARNATAKA, ACTION
TAKEN ON IT AND PENDING WITH COMPETENT AUTHORITY AT THE END
OF 31/03/2017

Jurisdiction	Report U/s. 12(5) pending with Competent Authority as on 31/03/2014	Report U/s. 12(5) sent to the Competent Authority from 1/4/2016 to 31/03/2017	Total	Action taken on 12(5) report during the period from 1/4/2016 to 31/03/2017	Reports U/s. 12(5) pending with the Competent Authority as on 31/03/2017
Hon'ble Lokayukta	24	-	24	2	22
Hon'ble Upa-Lokayukta-1	4	19	23	14	9
Hon'ble Upa-Lokayukta-2	1	4	5	-	5
Total	29	23	52	16	36

Chapter-3

DEPARTMENTAL INQUIRIES

The Government on taking action on the recommendations made in the Reports sent by the Hon'ble Lokayukta or Hon'ble Upalokayukta under Sec. 12(3) of the Lokayukta Act, will entrust Inquiries against the Respondents to the Hon'ble Lokayukta or the Hon'ble Upalokayukta, under Rule 14-A of the Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957. In pursuance to the said entrustment of Inquiry by the Government, Hon'ble Lokayukta/ Upalokayukta will nominate the Inquiry Officer to frame charges, conduct Inquiry and submit the report. In respect of the Inquiries entrusted to the Hon'ble Lokayukta/ Upalokayukta by the Government under Rule 14A of the said CCA Rules, after conducting the Inquiry, the Inquiry Officers will submit their reports to the Lokayukta/ Upalokayukta, as the case may be, recording their findings on the charges along with supporting evidence and connected records. In turn, these Reports will be sent to the concerned Disciplinary Authority by the Hon'ble Lokayukta/ Upalokayukta, along with their recommendations. On receipt of the same, the Disciplinary Authority will take action in accordance with Rule 11-A of the Karnataka Civil Services (C C & A) Rules, 1957.

STATEMENT SHOWING THE DEPARTMETAL INQUIRIES PENDING
AT THE BEGINNING OF THE YEAR, RECEIVED, DISPOSED OFF DURING
THE YEAR AND PENDING AT THE END OF THE YEAR

Sl. No.		Under Rule 14-A	Under Rule 11(2)	Other Acts	Total
1	Cases pending as on 31.03.2016	2326	5	0	2331
2	Cases received from 01.04.2016 to 31.03.2017	1196	-	-	1196
	Total	3522	5	-	3527
3	Cases Disposed from 01.04.2016 to 31.03.2017	484	2	-	486
4	Cases pending as on 31.03.2017	3038	3	-	3041

MANNER OF DISPOSAL OF INQUIRY CASES

Type of cases	No. of cases in which charges held proved and penalty recommended to Government	No. of cases in which charges held not proved	Other modes	Total
Under Rule 14-A	409	57	18	484
Under Rule 11(2)	0	2	0	2
Other Acts	0	0	0	0
Total	409	59	18	486

The statement showing details of Inquiries in which the reports have been sent to the Disciplinary Authority during the year under Report is appended to this Report at Annexure-D.

The statement showing the details of Inquiry reports on which the Disciplinary Authority has taken action during the year under Report is appended to this Report at Annexure-E.

Chapter-4

CASES REGISTERED UNDER THE PROVISIONS OF PREVENTION OF CORRUPTION ACT, 1988

Apart from investigation under the Lokayukta Act, the Police officers deputed to the Karnataka Lokayukta institution were vested with powers to register and investigate the cases under the provisions of the Prevention of Corruption Act, 1988, prior to establishment of Anti Corruption Bureau by the State of Karnataka. The Government by Order No. DPAR 14 SLU 2016 dated 14/3/2016 established a separate body known as "Anti Corruption Bureau" for registration of offences and conducting investigation under the Prevention of Corruption Act, 1988.

Further, the Government by Notification No. HD 71 Po.Si.Pa(i) 2016 dated 19/3/2016, has supersede the earlier Notification No. HD 286 PEG 90 dated 6/2/1991, wherein the Government of Karnataka had authorized all the Police Inspectors of Karnataka Lokayukta for the purpose of first proviso to Section 17 of the Prevention of Corruption Act, 1988

By another Notification No.HD 71 Po.Si.Pa (ii) 2016 dated 19.3.2016, the Government has superseded the Notifications No. HD 292 PEG 2000 dated 8/5/2002 and HD 334 PEG 2002 dated 15/12/2002.

On 7/4/2016, the Hon'ble High Court of Karnataka, in Writ Petition No. 19386/2016 has passed an interim order directing that during the pendency of writ petition, the cases under investigation and pending sanction at the Police Wing of the Karnataka Lokayukta, shall not be transferred to the newly formed Anti Corruption Bureau. Any other action shall, however, abide by the result of the writ petition.

Further, on 26/4/2017, the Hon'ble High Court of Karnataka has passed the following order:

“.....The interim order, already, granted on April 7, 2016, that the cases under investigation and pending sanction at the Police Wing of the Karnataka Lokayukta should not be transferred to the newly formed Anti Corruption Bureau shall continue. However, this will not prevent the police officers attached to the Karnataka Lokayukta to continue with the investigation in those cases.....”

Again on 20/6/2016, the Hon'ble High Court of Karnataka passed the following order in the above Writ Petition.

“Mr.Dhyan Chinnappa, learned senior advocate, appears and submits that pursuant to our order dated April 26, 2016, the police officers attached to the Karnataka Lokayukta continued with the investigations, but, they are not filing their charge sheet under some apprehension. When we had permitted them to investigate, it contemplates their right to file charge sheet / report, if necessary. The learned Advocate General appears in this matter for the State and, also, accepts the position that when investigation has been authorized, the investigating agencies are, also, entitled to file charge sheet / report and do further investigation if it is needed.”

In view of the above Orders of the Hon'ble High Court of Karnataka, the investigation of pending cases with the Lokayukta Police are continued and charge sheets are filed.

The statistics showing the number of cases investigated, its disposal and pending trial etc are shown in the following tables.

STATEMENT SHOWING THE CASES UNDER THE PREVENTION OF
CORRUPTION ACT PENDING AT THE BEGINNING OF THE YEAR, CASES
REGISTERED DURING THE YEAR AND THE CASES DISPOSED OFF,
DURING THE YEAR AND PENDING AT THE END OF THE YEAR.

Nature of case	Cases pending as on 31/3/2016	Cases received from 1/4/2016 to 31/03/2017	Total	Cases disposed from 1/4/2016 to 31/03/2017	No. of cases pending as on 31/03/2017
Raid	293	0	293	147	146
Trap	88	0	88	33	55
Other	377	0	377	89	288
<u>Total</u>	758	0	758	269	489

MANNER OF DISPOSAL OF THE CASES REGISTERED UNDER THE
PREVENTION OF CORRUPTION ACT 1988

Nature of case	No. of cases recommended for both D.E. & Prosecution	No. of cases in which DE recommended, but no prosecution	No. of cases in which prosecution launched	'B' reported/ closed cases/ abated	Total No. of cases disposed off by the Police Wing
Raid	-	-	138	9	147
Trap	-	-	28	5	33
Other	-	-	67	22	89
Total	-	-	233	36	269

STATEMENT SHOWING THE PROSECUTION SANCTION ORDERS
SOUGHT, RECEIVED AND PENDING WITH THE COMPETENT
AUTHORITY DURING THE YEAR 2016-17

Number of cases pending for prosecution sanction as on 31/3/2016	Number of cases in which sanction for prosecution sought during the period from 1/4/2016 to 31/03/2017	Total	Number of cases in which sanction order for prosecution issued during the period from 1/4/2016 to 31/03/2017	Number of cases in which sanction Order for prosecution pending with the Competent Authorities.
107	186	293	198	95

STATEMENT SHOWING THE DETAILS OF TRIAL CASES PENDING AT
THE BEGINNING OF THE YEAR, CASES FILED DURING THE YEAR AND
DISPOSED OFF DURING THE YEAR

Nature of cases	No. of trial cases pending at the beginning of 31/3/2016	Prosecution launched from 1/4/2016 to 31/03/2017	Total	Cases disposed off by the Trial Courts from 1/4/2016 to 31/03/2017	Cases Pending at the end of 31/03/2017
Raid	269	138	407	36	371
Trap	1307	28	1335	219	1116
Other	149	67	216	40	176
Total	1725	233	1958	295	1663

MANNER OF DISPOSAL OF COURT CASES

Nature of cases	No. of cases acquitted	No. of cases convicted	No. of cases discharged/ Abated, etc	Total
Raid	14	10	12	36
Trap	143	56	20	219
Others	35	1	4	40
TOTAL	192	67	36	295

The list details of cases convicted by the Special Judge Courts (Trial Courts) which were launched by the Police Wing of the Karnataka Lokayukta, during the year 2016-17 is appended to this Report at Annexure-F.

Chapter-5

CASES REFERRED TO THE TECHNICAL WING

The following are the details of cases referred to Technical Wing of the Karnataka Lokayukta for the period from 1/4/2016 to 31/03/2017.

Wing	Cases pending as on 31/3/2016	Cases referred from 1/4/2016 to 31/03/2017	Total	Cases disposed of from 1/4/2016 to 31/03/2017	Cases pending as on 31/03/2017
Technical Section	322	131	453	175	278
Accounts Section	168	24	192	23	169
TOTAL	490	155	645	198	447
Valuation cases	119	18	137	5	132

Chapter-6

ADMINISTRATIVE SECTION

The following is the Statement showing the Budget Grant and Expenditure incurred for the year 2016-17 under the Head of Account 2070-00-104-0-02 Karnataka Lokayukta, Bengaluru.

Sl No	Item under Head of Account 2070-00-104-0-02	Total Grant Allotted ₹	Addl. Grant ₹	Reappro- priation ₹	Grand Total ₹	Expenditure ₹
1	2	3	4	5	6	7
1	Salaries - Officers 002	2,14,19,208			2,14,19,208	2,14,19,208
2	Salaries - Staff 003	2,88,90,976			2,88,90,976	2,88,90,976
3	Interim Relief	2,47,90,954			2,47,90,954	2,47,90,954
4	Dearness Allowance 011	1,67,53,461			1,67,53,461	1,67,53,461
5	Other Allowances 014	1,67,497			1,67,497	1,67,497
6	Medical Allowance 020					
7	Medical Reimbursement	13,13,534			13,13,534	13,13,534
TOTAL SALARY (A)		9,33,34,630			9,33,34,630	9,33,34,630
7	Subsidiary Expenses-015	75,00,000	-	-	75,00,000	34,76,777
8	Travel Expenses - 041	12,00,000	-	-	12,00,000	4,93,537
9	General Expenses - 051	35,00,000	-	+10,00,000	45,00,000	43,99,931
10	Building Expenses - 071	14,00,000	-	-	14,00,000	4,02,687
11	Other Expenses - 059	1,01,00,000	-	-	1,01,00,000	84,32,719
12	Machinery & Equipments-180	5,00,000	-	-	5,00,000	3,779
13	Transport Expenses-195	35,00,000	-	-	35,00,000	33,80,129
	TOTAL (B)	2,77,00,000	-	+10,00,000	2,87,00,000	2,05,89,559
Amount Surrendered						81,10,441
Grand Total						2,87,00,000

The following is the Statement showing the Budget Grant and Expenditure incurred for the year 2016-17 under the Head of Account 2070-OAS-104-0-03 Vigilance 03-Director General, Bureau of Investigation, Karnataka Lokayukta, Bengaluru.

Sl No	Item under Head of Account 2070-00-104-0-02	Total Grant Allotted	Addl. Grant	Re- appropriation	Grand Total	Expen- diture
1	2	3	4	5	6	7
1	Salaries – Officers 002	3,60,30,523			3,60,30,523	3,60,30,523
2	Salaries – Staff 003	16,34,68,926			16,34,68,926	16,34,68,926
3	Interim Relief	-	-	-	-	-
4	Dearness Allowance 011	7,81,30,498			7,81,30,498	7,81,30,498
5	Other Allowances 014	5,08,83,101			5,08,83,101	5,08,83,101
6	Medical Allowance 020	9,43,126			9,43,126	9,43,126
7	Medical Reimbursement	47,11,453			47,11,453	47,11,453
TOTAL (a)		33,41,67,627			33,41,67,627	33,41,67,627
8	Subsidiary Expenses-015	84,00,000	-	(+)35,00,000	1,19,00,000	80,71,997
9	Travel Expenses – 041	1,02,00,000		-	1,02,00,000	65,73,262
10	General Expenses – 051	1,17,00,000		-	1,17,00,000	95,03,593
11	Building Expenses – 071	54,00,000		-	54,00,000	27,33,184
12	Refund of Trap Amount & Investigation Expenses – 059	1,04,00,000		(-)35,00,000	69,00,000	37,80,457
13	Scholarship & Incentives-117	47,00,000			47,00,000	34,80,000
14	Machinery & Equipment -180	28,00,000		(-)10,00,000	18,00,000	2,55,048
15	Transport Expenses-195	2,03,00,000			2,03,00,000	1,48,33,046
	TOTAL (B)	7,39,00,000		(-) 10,00,000	7,29,00,000	4,92,30,587
Amount Surrendered						2,36,69,413
Grand Total						7,29,00,000

The following is the Statement showing the Revenue received during the year 2016-17.

Sl. No.	Particulars	Amount received
1)	Deposition Copy fees, Direct Recruitment fees and others	₹ 13,51,962
2)	Sale of Old Tyres, tubes and spare parts of vehicles	-
3)	Sale of Old Newspapers & disposed cut papers	-
3)	Information fee under the Right to Information Act	₹ 81,610
	Total	₹14,33,572

CLASSIFICATION OF EMPLOYEES AS ON 31-03-2017

Sl.No.	Occupation	Number of Employees				Vacancies to be filled up during the next calendar year	Vacancies	Remarks
		Sanctioned Strength	Men	Women	Total			
1	2	3	4	5	6	7	8	9
CLASS I (GROUP 'A') OFFICERS								
1	Hon'ble Lokayukta	1	1	-	1	-	-	-
2	Hon'ble Upalokayukta	2	2	-	2	-	-	-
3	Registrar	1	1	-	1	-	-	-
4	Chief Engineer	1	0	0	0	1	1	-
5	Addl. Registrar (Enquiries)	11	8	2	10	1	1	-
6	Deputy Registrar (Enquiries)	5	3	1	4	1	1	-
7	Secretary to Lokayukta	1	-	-	-	1	1	-
8	Deputy Registrar (Admn-1)	1	1	-	1	-	-	-
9	Deputy Registrar (Admn-2)	1	-	-	-	1	1	-
10	Superintending Engineer	1	1	-	1	-	-	-
11	Executive Engineer	3	2	-	2	1	1	-
12	Deputy Controller of Accounts	1	1	-	1	-	-	-
13	Private Secy. to Hon'ble Lokayukta	1	-	-	-	1	1	-
14	Private Secy to Hon'ble ULA	2	-	-	-	2	2	-
15	Public Prosecutor	1	1	-	1	-	-	-
16	Senior Asst. Public Prosecutor	11	7	2	9	2	2	-
17	Asst. Registrar (Legal Opinion)	5	2	-	2	3	3	-
18	Asst. Executive Engineer	5	3	-	3	2	2	-
19	Assistant Registrar (Admn.)	3	1	1	2	1	1	-
20	Asst. Controller of Accounts	2	0	0	-	2	2	-
21	Addl. Director General of Police/IGP	1	1	-	1	-	-	-
22	Dy. Inspector General of Police	1	-	-	-	1	1	-
23	Superintendent of Police	23	7	4	11	12	12	-
24	Joint Commissioner (P.R)	1	0	-	-	1	1	-
25	Dy. Superintendent of Police	43	36	-	36	7	7	-
26	Gazetted Assistants	5	-	5	5	-	-	-
27	Deputy Director of Statistics	1	1	-	1	-	-	-
	Total	134	79	15	94	40	40	-

CLASS II (GROUP 'B') OFFICERS								
1	Assistant Engineer	8	6	1	7	1	1	-
2	Senior Judgment Writer	9	2	7	9	-	-	-
3	Translator	1	-	1	1	-	-	-
4	Legal Assistant (Court Officer)	1	-	1	1	-	-	-
5	Audit Officer	2	-	-	-	2	2	-
6	Accounts Superintendent	5	1	-	1	4	4	-
7	Manager	4	2	2	4	-	-	-
8	Police Inspector	90	69	9	78	12	12	-
	Total	120	80	21	101	19	19	-
CLASS III (GROUP 'C') OFFICIALS								
1	Office Supdt. (Audit Supdt)	30	21	7	28	2	2	-
2	Judgment Writer	20	8	12	20	-	-	-
3	Asst. Statistical Officer	2	0	1	1	1	1	-
4	Assistant Librarian	1	1	-	1	-	-	-
5	First Division Assistant	65	21	14	35	30	30	-
6	Second Division Assistant	58	17	07	24	34	34	-
7	Stenographer	41	6	11	17	24	24	-
8	Senior Typist	3	-	2	2	1	1	-
9	Typist	16	1	5	6	10	10	-
10	Clerk-cum-Typist	117	13	60	73	44	44	-
11	Senior Driver / Driver	26	18	1	19	7	7	-
12	Police Sub-Inspector	13	1	-	1	12	12	-
13	Asst. Police Sub-Inspector	4	3	-	3	1	1	-
14	Head Constable / H.C.Driver	145	111	6	117	28	28	-
15	H.C. Driver	15	-	-	-	15	15	-
16	Police Constables	264	165	47	212	52	52	-
17	Armed Police Constable Driver	148	95	0	95	53	53	-
	Total	968	481	173	654	314	314	-
CLASS IV (GROUP 'D') OFFICIALS								
1	Jamedars / Attenders	14	6	3	9	5	5	-
2	Cycle Orderlies / Home Orderlies/Dalayaths/Dalayaths-cum-Sweepers/Sweepers	139	39	25	64	75	75	-
3	Motor Cycle Orderlies	5	3	0	3	2	2	-
	Total	158	48	28	76	82	82	-

A B S T R A C T

	Sanctioned Strength	No. of Employees		Total	Vacancies to be filled up during the next calendar Year	Vacancies	Remarks
		Men	Women				
Group 'A'	134	79	15	94	40	40	-
Group 'B'	120	80	21	101	19	19	-
Group 'C'	968	481	173	654	314	314	-
Group 'D'	158	48	28	76	82	82	-
Total	1380	688	237	925	455	455	-

Vide Govt. Order No. DPAR 156 SLU 2016 dated 28/1/2017 Government granted permission for creation of 2 Senior Assistant Public Prosecutors posts temporarily for a period of two years (till 31/3/2019).

Registrar,
Karnataka Lokayukta,
BENGALURU

Chapter-7

PARTICULARS OF THE TENURE OF THE OFFICE HELD BY THE HON'BLE LOKAYUKTAS

<u>Name</u>	<u>From</u>	<u>To</u>
1) Hon'ble Mr. Justice A.D.Koshal 2)	15/1/1986	14/1/1991
3) Hon'ble Mr. Justice Rabindranath Pyne	25/1/1991	24/1/1996
4) Hon'ble Mr. Justice S.A. Hakeem	2/6/1996	1/6/2001
5) Hon'ble Mr. Justice N.Venkatachala	3/7/2001	2/7/2006
6) Hon'ble Mr. Justice N.Santosh Hegde	3/8/2006	2/8/2011
7) Hon'ble Mr. Justice Shivaraj V. Patil	3/8/2011	20/9/2011 (Tendered resignation)
8) Hon'ble Justice Dr. Y. Bhaskar Rao	14/2/2013	7/12/2015 (Tendered Resignation)
9) Hon'ble Justice Sri P. Vishwanatha Shetty	28/1/2017	Till the end of current financial year and continued

PARTICULARS OF THE TENURE OF THE OFFICE HELD BY THE
HON'BLE UPALOKAYUKTAS

<u>Name</u>	<u>From</u>	<u>To</u>
1) Hon'ble Mr. Justice S.C.Mittal,	22/01/1986	21/01/1991
2) Hon'ble Mr. Justice Kamaleshwar Nath,	13/02/1992	12/02/1997
3) Hon'ble Mr. Justice G.P. Shivaprakash	02/04/1997	01/04/2002
4) Hon'ble Mr. Justice G.Patri Basavana Goud	29/12/2004	28/12/2009
5) Hon'ble Mr. Justice S.B. Majage	19/07/2010	17/07/2015
6) Hon'ble Mr. Justice R. Gururajan	3/8/2011	20/10/2011
7) Hon'ble Mr. Justice Chandrashekaraiiah	22/1/2012	3/4/2012
8) Hon'ble Mr. Justice Subash B. Adi	2/3/2013	Till the end of the current financial year and continued.
9) Hon'ble Mr. Justice N. Ananda	17/12/2015	Till the end of current financial year and continued.

INCUMBENCY OF REGISTRARS IN THE KARNATAKA LOKAYUKTA
INSTITUTION

Sl. No.	Name of the officer	From	To
1	Sri M.S. Nataraja Murthy,	15/01/1986	31/12/1987
2	Sri Adhip Choudhary,	01/02/1988	27/09/1988
3	Sri V Govindaraj	28/09/1988	11/10/1988
4	Sri J.N. Srinivasa Murthy	12/10/1988	24/01/1997
5	Sri M.J. Indrakumar	24/01/1997	31/05/1999
6	Sri R.H. Raddi	01/06/1999	02/06/2000
7	Sri B.A. Muchandi,	03/06/2000	18/05/2002
8	Sri D. Krishnappa	27/05/2002	13/09/2004
9	Sri B.S. Reddy	13/09/2004	18/11/2004
10	Sri D. Krishnappa	18/11/2004	26/05/2005
11	Sri Sudhakar A Pandit	26/05/2005	29/05/2006
12	Sri L. Subramanya	29/05/2006	16/02/2009
13	Sri A.C.Vidhyadhara (incharge)	16/02/2009	30/03/2009
14	Sri Moosa Kunhi Nayar Moole	30/03/2009	03/10/2011
15	Sri. B. Yoginath (incharge)	4/10/2011	26/5/2013
16	Sri H.R. Deshpande	27/5/2013	17/7/2015
17	Sri M.S. Balakrishna (incharge)	17/7/2015	29/12/2015
18	Sri R.S. Patil, (Incharge)	29/12/2015	30/5/2016
19	Sri H.M. Nanjundaswamy	30/5/2016	Till the end of financial year and continued.

INCUMBENCY OF ADGPs/IGPs IN THE KARNATAKA LOKAYUKTA
INSTITUTION

Sl. No.	Name and Designation of the officer	From	To
1.	Sri A.R. Sridharan, IPS, Inspector General of Police	15/01/1986	02/06/1986
2.	Sri S.N.S. Murthy, IPS Inspector General of Police	02/06/1986	01/12/1988
3.	Sri A.J. Anandan, IPS Inspector General of Police	15/12/1988	11/02/1991
4.	Sri S.C. Burman, IPS Inspector General of Police	11/02/1991	13/04/1992
5.	Sri Jai Parkash. IPS Inspector General of Police	13/04/1992	11/12/1995
6.	Sri R. Jagannathan, IPS Director General of Police	23/12/1992	26/04/1995
7.	Sri S.N. Borker, IPS Inspector General of Police	17/09/1992	12/12/1995
8.	Dr. S. Krishnamurthy, IPS Inspector General of Police	11/12/1995	15/03/1996
9.	Sri K.U. Shetty, IPS Director General of Police	14/12/1995	31/10/1997
10.	Sri. M.D. Singh, IPS Inspector General of Police	29/03/1996	23/05/1997
11.	Sri B.N.P Albuquerque, IPS Inspector General of Police	07/06/1997	08/07/1999
12	Sri B.N.P Albuquerque, IPS Addl. Director General of Police	09/07/1999	13/07/2004
13	Sri B.N.P Albuquerque, IPS Director General of Police	14/07/2004	30/11/2004

14	Sri Lal Rokhuma Pachuau, IPS Addl. Director General of Police	22/06/2005	03/10/2007
15	Sri Rupak Kumar Dutta, IPS Addl. Director General of Police	03/10/2007	04/05/2011
16	Sri Pranob Mohanty, IPS Dy. Inspector General of Police, (incharge ADGP)	05/05/2011	09/08/2011
16	Sri G.V. Gaonkar, Addl. Director General of Police,	10/08/2011	11/11/2011
17	Sri S.N. Sathyanarayana Rao IPS Addl. Director General of Police.	11/11/2011	24/11/2014
18	Sri Prem Shankar Meena, IPS Addl. Director General of Police	24/11/2014	01/01/2016
19	Dr. S. Parashivamurthy, IPS Additional Director General of Police	02/01/2016	Till the end of financial year and continued