

# Chapter-1

## INTRODUCTION

### 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 Upalokayuktas under the Lokayukta Act to the Governor. Accordingly, this report is presented for the 33<sup>rd</sup> Year of the establishment of the Karnataka Lokayukta.

#### **1) PERIOD OF THE REPORT:**

This report pertains to the functions of Karnataka Lokayukta for the financial year 2018-19, i.e., for the period from 1<sup>st</sup> April 2018 to 31<sup>st</sup> March 2019.

#### **2) NAMES OF HON'BLE LOKAYUKTA AND UPALOKAYUKTAS, WHO FUNCTIONED DURING THE YEAR:**

The present report refers to the functions performed by;

- (1) Hon'ble Justice Sri. P. Vishwanatha Shetty, Lokayukta,
- (2) Hon'ble Justice Sri N. Ananda, Upalokayukta.

**3. 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 related 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.

**4. FUNCTIONS OF LOKAYUKTA & UPALOKAYUKTAS:**

(1) The general thinking of the people is that Lokayukta is created for combating 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/public and also to make investigation into allegations made 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, mal-administration and administrative lapses in the State Machinery. In certain suitable cases, this institution has also by way of recommendation to Government may suggest remedial actions to establish good governance.

**5. JURISDICTION OF LOKAYUKTA AND UPA-LOKAYUKTAS:**

(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, Co-operative 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.74,400/-** per month or a pay scale, the minimum of which is more than

**Rs.74,400/-** 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.

**6. BRANCHES/WINGS IN THE KARNATAKA LOKAYUKTA INSTITUTION:**

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

- 1) Administration Wing
- 2) Inquiry Wing
- 3) Police Wing
- 4) Technical Wing (TAC)

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

(3) To assist the Lokayukta/Upalokayuktas in their functioning, officers from Judiciary and 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 Upalokayuktas can take the assistance of any officer of the State and Central Government and any other agency, for conducting investigation.

## **7. 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 (Judicial Officers) of the Enquiry Wing are conducting Departmental Inquiries against the public servants which are initiated by the Government under Rule 14-A of the Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957. Besides this, the Officers are assisting the Lokayukta/Upalokayuktas in scrutiny of the



complaints, preparation of reports under Section 12(3) 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/Upalokayuktas in conducting investigation into the complaints received under the provisions of the Karnataka Lokayukta Act as referred to it by the Lokayukta/Upalokayuktas.

**(4) Technical Wing (Technical Audit Cell):-**

The Technical Audit Cell mainly conducts investigations referred to them by the Lokayukta/Upalokayuktas 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.

**8. GENERAL:**

(1) During the current financial year, the Lokayukta and Upalokayuktas, apart from receipt and disposal of

complaints, have also visited many District places and received the complaints from the public and heard them in public before the concerned public officers. Many of such grievances have been redressed at the spot itself. 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 Upalokayuktas, 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-Motu notice of the incidents, which in their opinion is the subject of grievance or an allegation.

**9. STATISTICS / DETAILS OF THE FUNCTIONING DURING THE CURRENT FINANCIAL YEAR (2018-19):**

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,  
Karnataka State.

## **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 where-ever 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-motu investigation in appropriate cases.

**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 propose to proceed to conduct any investigation under the Karnataka Lokayukta Act, the copy of the complaint will be sent to the public servant/s concerned and the competent authority and such public servant/s will be given an opportunity to offer his/their comments on such complaint/s. 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/ Upalokayuktas may refuse to investigate or cease to

investigate such complaint after recording reasons and communicates the same to the complainant/s.

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/Assistant Registrars (Legal Opinion)/ Public Prosecutor. The Lokayukta/Upalokayuktas will also get the complaints investigated through the Technical Wing or the Police Wing of the Lokayukta organization. Further, the Hon'ble Lokayukta/ Upalokayuktas 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, under Section 15(3) of the Karnataka Lokayukta Act.

Further, as per Section 8 of the Lokayukta Act, the Lokayukta/Upalokayuktas 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/Upalokayuktas 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/Upalokayuktas for the purpose of any investigation (including preliminary enquiry before such investigation) under the Karnataka Lokayukta Act, is

empowered to summon relevant documents/witnesses and record evidence.

4) If the Lokayukta/Upalokayuktas is/are 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 Upalokayuktas the action taken on the report under Section 12(2) of the Lokayukta Act.

5) If the Lokayukta/Upalokayuktas is/are 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 Karnataka Lokayukta Act, recommending suitable action and such Competent Authority shall within three months of the date of receipt of



the report, intimate the Lokayukta/Upalokayuktas 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/Upalokayuktas is/are 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 intimation to the complainant, the public servant and the competent authority concerned; but where Lokayukta/Upalokayuktas is/are 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 2018-19 are furnished as follows:

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

<b>Jurisdiction</b>	<b>Pending as on 31/03/2018</b>	<b>Received From 01/04/2018 to 31/03/2019</b>	<b>Total</b>	<b>No. of cases disposed of from 01/04/2018 to 31/03/2019</b>	<b>Total No. of cases pending as on 31/03/2019</b>
Hon'ble Lokayukta	2457	1617	4074	1086	2988
Hon'ble Upalokayukta-1	1097	1119	2216	944	1272
Hon'ble Upalokayukta-2	2621	1457	4078	1791	2287
<b>Total</b>	<b>6175</b>	<b>4193</b>	<b>10368</b>	<b>3821</b>	<b>6547</b>

**MANNER OF DISPOSAL OF COMPLAINTS**

<b>Jurisdiction</b>	<b>No. of cases disposed off by way 12(3) Report sent</b>	<b>No. of cases disposed off by way of 12(1) Report sent</b>	<b>No. of cases disposed off as the grievance of the complainants redressed</b>	<b>No. of cases disposed off as the allegations/ grievance of the complainants not maintainable u/Sec.8</b>	<b>No. of cases disposed off as the allegations/ grievance of the complainants not established u/Sec.9</b>	<b>No. of cases in which the complainants have withdrawn their complaints</b>	<b>Others</b>	<b>Total</b>
Hon'ble Lokayukta	15	00	120	352	269	15	315	<b>1086</b>
Hon'ble Upalokayukta-1	187	15	65	454	214	00	09	<b>944</b>
Hon'ble Upalokayukta-2	232	30	184	943	346	25	31	<b>1791</b>
<b>Total</b>	<b>434</b>	<b>45</b>	<b>369</b>	<b>1749</b>	<b>829</b>	<b>40</b>	<b>355</b>	<b>3821</b>

### **Government Referred Cases**

Apart from the complaints filed under Sec.7(1) or 7(2), the Government may also refer the complaints to the Lokayukta/Upalokayuktas under Sec.7(2-A) of the Karnataka 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:-

Jurisdiction	Pending as on 31/03/2018	Received from 01/04/2018 to 31/03/2019	Total	No. of references disposed off as Closed	No. of cases in which action was recommended u/Sec.12(3) of Lokayukta Act	Total No. of cases pending as on 31/03/2019
Hon'ble Lokayukta	16	5	21	2	0	19
Hon'ble Upalokayukta-1	0	2	2	1	0	1
Hon'ble Upalokayukta-2	8	0	8	0	0	8
<b>Total</b>	<b>24</b>	<b>7</b>	<b>31</b>	<b>3</b>	<b>0</b>	<b>28</b>

**STATEMENT SHOWING THE REPORTS UNDER SEC. 12(1), 12(3)  
AND 12(5) OF THE KARNATAKA 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 sent under Section 12(1) of the Karnataka Lokayukta Act.	0	15	30	<b>45</b>
2	Number of reports sent under Section 12(3) of the Karnataka Lokayukta Act.	15	187	232	<b>434</b>
3	Number of Reports sent under Section 12(5) of the Karnataka Lokayukta Act.	0	0	2	<b>2</b>
	Total	15	202	264	<b>481</b>

The list showing the details of Reports sent under Section 12(1) of the Karnataka Lokayukta Act, 1984, is appended to this Report at Annexure-‘A’.

The List showing the details of Reports sent under Section 12(3) of the Karnataka Lokayukta Act, 1984, is appended to this Report at Annexure-‘B’.

The List showing the details of Reports sent under Section 12(5) of the Karnataka Lokayukta Act, 1984, is appended to this Report at Annexure-‘C’.

**STATEMENT SHOWING THE NUMBER OF REPORTS SENT UNDER SECTION 12(1) OF THE KARNATAKA LOKAYUKTA ACT TO THE COMPETENT AUTHORITY & ACTION TAKEN BY COMPETENT AUTHORITY ON IT DURING THE YEAR AND PENDING AT THE END OF 31/03/2019**

<b>Jurisdiction</b>	<b>Report u/Sec. 12(1) pending with Competent Authority as on 31/03/2018</b>	<b>Report u/Sec.12(1) sent to the Competent Authority from 01/04/2018 To 31/03/2019</b>	<b>Total</b>	<b>Compliance received on Section 12(1) Report u/Sec. 12(2) from 01/04/2018 to 31/03/2019</b>	<b>Reports u/Sec. 12(1) pending with the Competent Authority as on 31/3/2019</b>
Hon'ble Lokayukta	18	0	18	2	16
Hon'ble Upa-Lokayukta-1	43	15	58	11	47
Hon'ble Upa-Lokayukta-2	100	30	130	40	90
<b>Total</b>	<b>161</b>	<b>45</b>	<b>206</b>	<b>53</b>	<b>153</b>

**STATEMENT SHOWING THE NUMBER OF REPORTS UNDER SECTION 12(3) SENT TO THE COMPETENT AUTHORITY, ACTION TAKEN BY THE COMPETENT AUTHORITY ON IT AND PENDING AT THE END OF 31/03/2019**

<b>Jurisdiction</b>	<b>Report u/Sec. 12(3) pending with Competent Authority as on 31/03/2018</b>	<b>Report u/Sec. 12(3) sent to the Competent Authority from 01/04/2018 to 31/03/2019</b>	<b>Total</b>	<b>Compliance received on Section 12(3) Report u/Sec.12(4) from 01/04/2018 to 31/03/2019</b>	<b>Reports u/Sec. 12(3) pending with the Competent Authority as on 31/03/2019</b>
Hon'ble Lokayukta	42	15	57	15	42
Hon'ble Upa-Lokayukta-1	188	187	375	145	230
Hon'ble Upa-Lokayukta-2	294	232	526	207	319
<b>Total</b>	<b>524</b>	<b>434</b>	<b>958</b>	<b>367</b>	<b>591</b>

**STATEMENT SHOWING THE NUMBER OF REPORTS UNDER SECTION 12(5) SENT TO HIS EXCELLENCY THE GOVERNOR OF KARNATAKA, ACTION TAKEN ON IT AND PENDING AT THE END OF 31/03/2019**

<b>Jurisdiction</b>	<b>Report u/Sec.12(5) pending with Competent Authority as on 31/03/2018</b>	<b>Report u/Sec. 12(5) sent to the Competent Authority from 1/4/2018 to 31/3/2019</b>	<b>Total</b>	<b>Action taken on 12(5) report during the period from 1/4/2018 to 31/3/2019</b>	<b>Reports u/Sec. 12(5) pending with the Competent Authority as on 31/3/2019</b>
Hon'ble Lokayukta	18	00	18	04	14
Hon'ble Upa-Lokayukta-1	38	00	38	25	13
Hon'ble Upa-Lokayukta-2	05	02	07	01	06
<b>Total</b>	<b>61</b>	<b>2</b>	<b>63</b>	<b>30</b>	<b>33</b>

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## **Chapter-3**

### **DEPARTMENTAL INQUIRIES**

The Government on taking action on the recommendations made in the Reports sent by the Hon'ble Lokayukta or the Hon'ble Upalokayuktas under Sec. 12(3) of the Karnataka Lokayukta Act, will entrust enquiries against the Respondents to the Hon'ble Lokayukta or the Hon'ble Upalokayuktas, 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/Upalokayuktas will nominate the Inquiry Officer to frame charges, conduct Inquiry and submit the report. During the year 2018-19, nominations in 536 cases have been done. In respect of the enquiries entrusted to the Hon'ble Lokayukta/Upalokayuktas by the Government under Rule 14-A of the said KCS (CCA) Rules, after conducting the enquiry, the Enquiry Officers will submit their reports to the Lokayukta/Upalokayuktas, 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/Upalokayuktas, 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 DEPARTMENTAL ENQUIRIES  
PENDING AT THE BEGINNING OF THE YEAR, RECEIVED,  
DISPOSED OFF DURING THE YEAR AND  
PENDING AT THE END OF THE YEAR**

<b>Sl. No.</b>	<b>Particulars</b>	<b>Under Rule 14-A</b>	<b>Under Rule 11(2)</b>	<b>Other Acts</b>	<b>Total</b>
1	Cases pending as on 31/03/2018	<b>3287</b>	<b>2</b>	00	<b>3289</b>
2	Cases received from 01/04/2018 to 31/03/2019	536	4	0	540
3	<b>Total</b>	<b>3823</b>	<b>6</b>	<b>0</b>	<b>3829</b>
4	Cases disposed off from 01/04/2018 to 31/03/2019	742	3	0	745
5	Cases pending as on 31/03/2019	<b>3081</b>	<b>3</b>	<b>0</b>	<b>3084</b>

**MANNER OF DISPOSAL OF ENQUIRY CASES**

<b>Type of Cases</b>	<b>No. of cases in which charges held proved and penalty recommended to Government</b>	<b>No. of cases in which charges held not proved</b>	<b>Other Modes</b>	<b>Total</b>
Under Rule 14-A	605	110	27	742
Under Rule 11(2)	2	1	0	3
Other Acts	0	0	0	0
<b>Total</b>	<b>607</b>	<b>111</b>	<b>27</b>	<b>745</b>

The statement showing details of inquiries in which the Inquiry Reports along with the Recommendations of Hon'ble Lokayukta and Hon'ble Upalokayukas have been sent to the Competent Authority during the year is appended to this Report at Annexure- 'D'.

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

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## **Chapter-4**

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

Apart from investigation under the Lokayukta Act, the Police Officers deputed to the Karnataka Lokayukta institution are vested with powers to register and investigate the cases under the provisions of the Prevention of Corruption Act, 1988, prior to the establishment of Anti Corruption Bureau by the Karnataka State. The Government by its Order No. DPAR 14 SLU 2016 dated 14-03-2016 established a separate body known as “Anti Corruption Bureau” for registration of offences and conducting investigation under the Prevention of Corruption Act, 1988.

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.....”

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

Statement showing the under investigation 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 31/3/2019

<b>Nature of cases</b>	<b>Cases pending as on 31-03-2018</b>	<b>Cases registered from 01-04-2018 to 31-03-2019</b>	<b>Total</b>	<b>Cases disposed from 01-04-2018 to 31-03-2019</b>	<b>No. of cases pending as on 31-03-2019</b>
Raid Cases	83	0	83	38	45
Trap Cases	27	0	27	8	19
Other Cases	205	0	205	88	117
<b>Total</b>	<b>315</b>	<b>0</b>	<b>315</b>	<b>134</b>	<b>181</b>

**Manner of disposal of the cases registered under the  
Prevention of Corruption Act, 1988**

<b>Nature of cases</b>	<b>No.of cases recommended for both D.E and Prosecution</b>	<b>No.of cases in which DE recommended but no Prosecution</b>	<b>No.of cases in which Prosecution launched</b>	<b>No.of cases in which 'B' report submitted/ closed cases/abated</b>	<b>Total No. of cases disposed off by the police wing</b>
Raid cases	Nil	Nil	30	08	38
Trap cases	Nil	Nil	07	01	08
Other cases	Nil	Nil	56	32	88
<b>Total</b>	<b>Nil</b>	<b>Nil</b>	<b>93</b>	<b>41</b>	<b>134</b>

**Statement showing the Prosecution Sanction Orders sought, received and pending with the Competent Authority, during the year 2018-19**

<b>No.of cases pending for prosecution sanction as on 31/03/2018</b>	<b>No.of cases in which sanction for prosecution sought during the period from 01-04-2018 to 31-03-2019</b>	<b>Total</b>	<b>No.of cases in which sanction for prosecution issued / rejected by the CAs during the period from 01-04-2018 to 31-03-2019</b>	<b>No.of cases in which sanction for prosecution pending with the Competent Authorities</b>
30	18	48	32	16

**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 2018-19**

<b>Nature of cases</b>	<b>No. of trial cases pending as on 31/03/2018</b>	<b>Prosecution launched from 01-04-2018 to 31-03-2019</b>	<b>Total</b>	<b>cases disposed off by the Trial Courts from 01-04-2018 to 31-03-2019</b>	<b>cases pending as on 31/03/2019</b>
Raid cases	396	30	426	24	402
Trap cases	894	7	901	192	709
Other cases	220	56	276	13	263
<b>Total</b>	<b>1510</b>	<b>93</b>	<b>1603</b>	<b>229</b>	<b>1374</b>

**Manner of Disposal of Court Cases**

<b>Sl.No.</b>	<b>Nature of cases</b>	<b>No. of cases acquitted</b>	<b>No. of cases convicted</b>	<b>No. of cases discharged abated, etc.</b>	<b>Total</b>
1	Raid	07	9	8	24
2	Trap	144	39	9	192
3	Others	01	2	10	13
	<b>Total</b>	<b>152</b>	<b>50</b>	<b>27</b>	<b>229</b>

**Details of the Raid Cases registered during the period from 01/04/2018 to 31/03/2019**

Sl.No.	Crime No. Name of the PS Date of Registration	Name and address of the complainant	Name and address of the AGO	Group	Brief facts of the case.
Nil					

**Details of the Trap Cases registered during the period from 01/04/2018 to 31/03/2019**

Sl.No.	Crime No. Name of the PS Date of Registration	Name and address of the complainant	Name and address of the AGO	Group	Brief facts of the case.
Nil					

**Details of the Other Cases registered during the period from 01/04/2018 to 31/03/2019**

Sl.No.	Crime No. Name of the PS Date of Registration	Name and address of the complainant	Name and address of the AGO	Group	Brief facts of the case.
Nil					

The list showing the details of cases in which the Special Courts have ordered for Conviction of the Accused Government Officers/Officials, during the year 2018-19 is appended to this Report at **Annexure-‘F’**.

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## Chapter-5

### CASES REFERRED TO THE TECHNICAL WING

The following statement shows the complaints/cases referred to Technical Wing of the Karnataka Lokayukta for the period from 01/04/2018 to 31/03/2019.

Wing/ Sections	Cases pending as on 31-03-2018	Cases received from 01-04-2018 to 31-03-2019	Total	Cases disposed off from 01-04-2018 to 31-03-2019	Cases pending as on 31-03- 2019
Technical Section	49	63	112	81	31
Accounts Section	105	09	114	12	102
Valuation Cases	01	00	01	00	01
<b>Total</b>	<b>155</b>	<b>72</b>	<b>227</b>	<b>93</b>	<b>134</b>

Note: The cases pending as on 31-03-2018 was erroneously shown as totally 192 instead of 155. The same is corrected in this statement.

## Chapter-6

### **ADMINISTRATION SECTION**

The following is the Statement showing the Budget Grant and Expenditure incurred for the year 2018-19 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 ₹	Reappropriation ₹	Grand Total ₹	Expenditure ₹
1	2	3	4	5	6	7
1	Salaries – Officers 002	2,41,00,000	-	-	2,41,00,000	3,47,37,740
2	Salaries – Staff 003	2,95,00,000	-	-	2,95,00,000	6,23,21,850
3	Dearness Allowance 011	3,84,00,000	-	-	3,84,00,000	2,28,93,391
4	Other Allowances 014	1,65,00,000	-	-	1,65,00,000	2,36,53,065
5	Medical Allowance 020	4,00,000	-	-	4,00,000	1,99,938
<b>TOTAL SALARY (A)</b>		<b>10,89,00,000</b>			<b>10,89,00,000</b>	<b>14,38,05,984</b>
<b>Sub-Heads</b>						
6	Subsidiary Expenses-015	73,00,000	-	-	73,00,000	32,05,059
7	Medical Reimbursement 021	15,00,000	-	-	15,00,000	13,89,871
8	Outsource/ Contract – 034	96,00,000	-	-	96,00,000	89,46,516
9	Travel Expenses – 041	14,00,000	-	-	14,00,000	5,47,685
10	General Expenses – 051	39,00,000	-	-	39,00,000	38,94,140
11	Other Expenses – 059	6,00,000	-	-	6,00,000	-
12	Building Expenses – 071	23,00,000	-	-	23,00,000	11,99,311
13	Machinery & Equipments-180	6,00,000	-	-	6,00,000	1,83,136
14	Transport Expenses-195	39,00,000	-	-	39,00,000	36,07,087
<b>TOTAL (B)</b>		<b>3,11,00,000</b>	-	-	<b>3,11,00,000</b>	<b>2,29,72,805</b>
<b>TOTAL SALARY (A)</b>		<b>10,89,00,000</b>	-	-	<b>10,89,00,000</b>	<b>14,38,05,984</b>
<b>Grand Total</b>		<b>14,00,00,000</b>	-	-	<b>14,00,00,000</b>	<b>16,67,78,789</b>
<b>Amount Surrendered</b>		-	-	-	-	<b>81,27,195</b>

**The following is the Statement showing the Budget Grant and Expenditure incurred for the year 2018-19 under the Head of Account 2070-00-104-0-03 Vigilance 03-Director General, Bureau of Investigation, Karnataka Lokayukta, Bengaluru.**

Sl. No.	Item under Head of Account 2070-00-104-0-03	Total Grant Allotted	Addl. Grant	Reappropriation	Grand Total	Expenditure
1	2	3	4	5	6	7
1	Salaries – Officers 002	5,16,00,000	-		5,16,00,000	5,59,73,472
2	Salaries – Staff 003	12,87,00,000	-		12,87,00,000	23,91,74,177
3	Dearness Allowance 011	9,94,00,000	-		9,94,00,000	3,10,91,847
4	Other Allowances 014	5,83,00,000	-		5,83,00,000	6,56,17,107
5	Medical Allowance 020	8,00,000	-		8,00,000	9,05,589
<b>TOTAL SALARY (A)</b>		<b>33,88,00,000</b>			<b>33,88,00,000</b>	<b>39,27,62,192</b>
<b>Sub-Heads</b>						
6	Subsidiary Expenses-015	82,00,000	-	(+)5,00,000	87,00,000	68,82,818
7	Medical Reimbursement-021	53,00,000	-	-	53,00,000	22,37,978
8	Outsource/ Contract – 034	89,00,000	-	(-)5,00,000	84,00,000	53,13,600
9	Travel Expenses – 041	1,12,00,000	-	-	1,12,00,000	46,37,794
10	General Expenses – 051	1,27,00,000	-	-	1,27,00,000	84,07,675
11	Refund of Trap Amount & Investigation Expenses – 059	8,00,000	-	-	8,00,000	1,67,699
12	Building Expenses – 071	59,00,000	-	-	59,00,000	40,20,677
13	Scholarship & Incentives-117	51,00,000	-		51,00,000	49,33,927
14	Machinery & Equipment -180	30,00,000	-	-	30,00,000	3,88,205
15	Transport Expenses-195	2,21,00,000	-	-	2,21,00,000	1,57,53,557
<b>TOTAL (B)</b>		<b>8,32,00,000</b>	-	-	<b>8,32,00,000</b>	<b>5,27,43,930</b>
<b>TOTAL SALARY (A)</b>		<b>33,88,00,000</b>	-	-	<b>33,88,00,000</b>	<b>39,27,62,192</b>
<b>Grand Total</b>		<b>42,20,00,000</b>	-	-	<b>42,20,00,000</b>	<b>44,55,06,122</b>
<b>Amount Surrendered</b>		-	-	-	-	<b>3,04,56,070</b>



The Statement showing the Revenue received  
during the year 2018-19

<b>Sl. No.</b>	<b>Particulars</b>	<b>Amount received</b>
1	Deposition Copy fees and others	12,63,177=00
2	Information fee under the Right to Information Act	99,107=00
3	Sale of old goods	41,070=00
	<b>Total</b>	<b>14,03,354=00</b>

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## Classification of Employees as on 31-03-2019

Sl. No.	Designation	Sanctioned Posts	No. of Employees		Working	Vacancies	Remarks
			Men	women			
1	2	3	4	5	6	7	8
<b>CLASS I (GROUP 'A') OFFICERS</b>							
1	Hon'ble Lokayukta	1	1	0	1	0	-
2	Hon'ble Upalokayukta	2	1	0	1	1	-
3	Registrar	1	1	0	1	0	-
4	Chief Engineer	1	0	0	0	1	-
5	Addl. Registrar Enquiries*	16	13	3	16	0	-
6	Deputy Registrar Enquiries	5	4	0	4	1	-
7	Secretary to Lokayukta	1	0	0	0	1	-
8	Deputy Registrar (Admn.-1)	1	1	0	1	0	-
9	Deputy Registrar (Admn.-2)	1	0	0	0	1	-
10	Superintending Engineer	1	0	0	0	1	-
11	Executive Engineer	3	1	0	1	2	-
12	Deputy Controller of Accounts	1	0	0	0	1	-
13	Private Secy. to Hon'ble Lokayukta	1	0	0	0	1	-
14	Private Secretary to Hon'ble ULA	2	0	0	0	2	-
15	Public Prosecutor	1	0	1	1	0	-
16	Senior Asst. Public Prosecutor**	11	4	1	5	6	-
17	Asst. Registrar (Legal Opinion)	5	2	0	2	3	-
18	Asst. Executive Engineer	5	3	0	3	2	-
19	Assistant Registrar (Admn.)	3	2	0	2	1	-
20	Assistant	2	1	0	1	1	-

	Controller of Accounts						
21	Addl. Director General of Police	1	1	0	1	0	-
22	IGP/DIGP	1	1	0	1	0	-
23	Superintendent of Police	23	6	1	7	16	-
24	Joint Commissioner (PRO)	1	0	0	0	1	-
25	Deputy Superintendent of Police	43	15	0	15	28	-
26	Gazetted Assistants	5	0	5	5	0	-
27	Deputy Director of Statistics	1	1	0	1	0	-
		<b>139</b>	<b>58</b>	<b>11</b>	<b>69</b>	<b>70</b>	-
<b>CLASS II (GROUP 'B') OFFICERS</b>							
1	Assistant Engineer	8	4	0	4	4	-
2	Senior Judgement Writer	9	1	5	6	3	-
3	Translator	1	0	1	1	0	-
4	Legal Assistant (Court Officer)	1	0	1	1	0	-
5	Audit Officer	2	0	0	0	2	-
6	Accounts Superintendent	5	2	0	2	3	-
7	Manager	4	1	1	2	2	-
8	Police Inspector	90	52	12	64	26	-
	<b>TOTAL</b>	<b>120</b>	<b>60</b>	<b>20</b>	<b>80</b>	<b>40</b>	-
<b>CLASS III (GROUP 'C') OFFICIALS</b>							
1	Office Supdt. / Audit Superintendent	30	17	7	24	6	-
2	Judgement Writer*	25	9	13	22	3	-
3	Assistant Statistical Officer	2	1	1	2	0	-
4	Assistant Librarian	1	0	0	0	1	-
5	First Division Assistant*	70	24	18	42	28	-
6	Second Division Assistant	58	19	14	33	25	-
7	Stenographers	41	6	10	16	25	-
8	Senior Typist	3	0	2	2	1	-
9	Typist	16	1	2	3	13	-
10	Clerk-cum-Typist	117	13	57	70	47	-

11	Senior Driver	5	5	0	5	0	-
12	Driver	21	13	1	14	7	-
13	Police Sub-Inspector	13	2	0	2	11	-
14	Assistant Sub-Inspector	4	3	0	3	1	-
15	Head Constable	145	115	11	126	19	-
16	H.C.Driver	15	14	0	14	1	-
17	Civil Police Constables	234	111	25	136	98	-
18	APC Orderly	30	9	0	9	21	-
19	A.P.C.Drivers	148	59	0	59	89	-
		<b>978</b>	<b>421</b>	<b>161</b>	<b>582</b>	<b>396</b>	-

**CLASS IV (GROUP 'D') OFFICIALS**

1	Jamedars / Attenders	14	2	2	4	10	-
2	Cycle Orderlies / Home* Orderlies/Dalayaths/Dalayaths-cum-Sweepers/Sweepers/nightwatchman	144	37	26	63	81	-
3	Motor Cycle Orderly	5	3	0	3	2	-
		<b>163</b>	<b>42</b>	<b>28</b>	<b>70</b>	<b>93</b>	-

**A B S T R A C T**

	Group	Sanctioned Strength	No. of Employees		Working	Vacancies	Remarks
			Men	women			
1	Group 'A'	<b>139</b>	<b>58</b>	<b>11</b>	<b>69</b>	<b>70</b>	-
2	Group 'B'	<b>120</b>	<b>60</b>	<b>20</b>	<b>80</b>	<b>40</b>	-
3	Group 'C'	<b>978</b>	<b>421</b>	<b>161</b>	<b>582</b>	<b>396</b>	-
4	Group 'D'	<b>163</b>	<b>42</b>	<b>28</b>	<b>70</b>	<b>93</b>	-
	<b>Total</b>	<b>1400</b>	<b>581</b>	<b>220</b>	<b>801</b>	<b>599</b>	-

**\*\*Vide Govt Order No:DPAR 156 SLU 2016, Dated:28/01/2017, Govt granted permission for creation of 02 Senior Assistant Public Prosecutors posts temporarily for a period of two years (till 31/03/2019)**

**\*ARE-5, JW-5, FDA-5, DALAYAT-5 POSTS TEMPORARILY CREATED TILL 31/03/2019 VIDE G.O.DPAR 72 ಸೇವಾಸೂಚಿ 2017, BANGALORE, DATED:26/12/2017**

## Chapter – 7

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

<b>Name</b>	<b>From</b>	<b>To</b>
1) Hon'ble Mr. Justice A.D.Koshal	15/01/1986	14/01/1991
2) Hon'ble Mr. Justice Rabindranath Pyne	25/01/1991	24/01/1996
3) Hon'ble Mr. Justice S.A. Hakeem	02/06/1996	01/06/2001
4) Hon'ble Mr. Justice N.Venkatachala	03/07/2001	02/07/2006
5) Hon'ble Mr. Justice N.Santosh Hegde	03/08/2006	02/08/2011
6) Hon'ble Mr. Justice Shivaraj V. Patil	03/08/2011	20/09/2011
7) Hon'ble Justice Dr.Y.Bhaskar Rao	14/02/2013	07/12/2015(Resigned)
8) Hon'ble Mr. Justice P. Vishwanatha Shetty	28/01/2017	Till the end of the Financial Year and Continued

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

<b>Name</b>	<b>From</b>	<b>To</b>
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	03/08/2011	20/10/2011
7) Hon'ble Mr. Justice Chandrashekaraiah	22/01/2012	03/04/2012
8) Hon'ble Mr. Justice Subash B. Adi	02/03/2013	02/03/2018
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**

<b>Sl. No.</b>	<b>Name of the officer</b>	<b>From</b>	<b>To</b>
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)	04/10/2011	26/05/2013
16	Sri. H.R. Deshpande	27/6/2013	17/07/2015
17	Sri. M.S. Balakrishna (incharge)	17/07/2015	29/12/2015
18	Sri R.S. Patil, (Incharge)	29/12/2015	30/05/2016
19	Sri H.M. Nanjundaswamy	30/05/2016	Till the end of financial year and continued.

**INCUMBENCY OF ADGPs/IGPs IN THE  
KARNATAKA LOKAYUKTA INSTITUTION**

<b>Sl. No.</b>	<b>Name and Designation of the Officer</b>	<b>From</b>	<b>To</b>
1.	Sri. A.R. Sridharan, I.P.S., 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, I.P.S., 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. I.P.S., Inspector General of Police	13/04/1992	11/12/1995
6.	Sri. R. Jagannathan, I.P.S., Director General of Police	23/12/1992	26/04/1995
7.	Sri. S.N. Borker, I.P.S., Inspector General of Police	17/09/1992	12/12/1995
8.	Dr. S. Krishnamurthy, I.P.S., Inspector General of Police	11/12/1995	15/03/1996
9.	Sri. K.U. Shetty, I.P.S., Director General of Police	14/12/1995	31/10/1997
10.	Sri. M.D. Singh, I.P.S., Inspector General of Police	29/03/1996	23/05/1997
11.	Sri. B.N.P Albuquerque, I.P.S., Inspector General of Police	07/06/1997	08/07/1999
12.	Sri. B.N.P Albuquerque, I.P.S., Addl. Director General of Police	09/07/1999	13/07/2004
13.	Sri. B.N.P. Albuquerque, I.P.S., Director General of Police.	14/07/2004	30/11/2004

<b>Sl. No.</b>	<b>Name and Designation of the Officer</b>	<b>From</b>	<b>To</b>
14.	Sri. Lal Rokhuma Pachuau, I.P.S., Addl. Director General of Police	22/06/2005	03/10/2007
15.	Sri. Rupak Kumar Dutta, I.P.S., Addl. Director General of Police	03/10/2007	04/05/2011
16.	Sri. Pranob Mohanty, I.P.S., Dy. Inspector General of Police (in-charge ADGP)	05/05/2011	09/08/2011
17.	Sri .G.V. Gaonkar, I.P.S., Addl. Director General of Police.	10/08/2011	11/11/2011
18.	Sri. H.N.Sathyannarayana Rao, I.P.S., Addl. Director General of Police.	11/11/2011	24/11/2014
19.	Sri. Prem Shankar Meena, I.P.S., Addl. Director General of Police.	24/11/2014	01/01/2016
20.	Dr. S. Parashiva Murthy, I.P.S., Addl. Director General of Police.	02/01/2016	02/11/2017
21	Sri. Sanjay Sahay, I.P.S., Addl. Director General of Police.	02/11/2017	19/09/2018
22	Dr. A.S.N.Murthy, I.P.S., Addl. Director General of Police.	19/09/2018	Till the end of financial year and continued

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## **Chapter-8**

**DETAILS OF PRO-ACTIVE MEASURES TAKEN BY THE HON'BLE  
LOKAYUKTA DURING THE YEAR 2018-19  
(01.04.2018 to 31.3.2019)**

**Visits -**

I. (a) The Hon'ble Lokayukta visited Madikeri from 27.08.2018 to 30.08.2018 and inspected the flood relief centers and flood affected areas at Madikeri and nearby villages. His Lordship held meeting with the Deputy Commissioner and other District level Officers and Police Officers of Kodagu District and instructed them to provide necessary facilities to the flood affected victims etc.

(b) On 19.11.2018 the Hon'ble Lokayukta along with Registrar, Additional Registrar of Enquiries-1 and Secretary to Hon'ble Lokayukta, had inspected Kannamangala, Karehalli, Devanahalli and Muttur lakes and instructed the concerned officials to take remedial steps for rejuvenation of lakes and also directed the concerned officers/officials to submit the status report on the action taken by them from time to time.

(c) On 2.1.2019 Hon'ble Lokayukta along with Registrar, Additional Registrar of Enquiries-1 and Secretary to Hon'ble Lokayukta visited the Central Relief Committee (Beggars Rehabilitation Centre), Magadi Road, Bengaluru. His Lordship had enquired with the inmates about the facilities that are being provided to them and discrepancies, if any. His Lordship gave necessary instructions to Sri Chandra Naik, Secretary of Central Relief Committee, Bengaluru and directed him to submit the Status/Action Taken Report etc.

(d) The Hon'ble Lokayukta visited Mysuru District on **08.01.2019** and held meeting with the Deputy Commissioner, Chief Executive Officer, Superintendent of Police and Officers of other departments of Mysuru District. In the said meeting, Hon'ble Lokayukta had discussions with the concerned officers regarding implementation of various schemes of the government and issued instructions for effective implementation of those schemes. His Lordship also visited/inspected various schools/hostels of Mysuru district and instructed the concerned officers/officials to take effective measures in

respect of hygienic preparation of food, maintenance of hostel buildings etc.

Further, Hon'ble Lokayukta visited the BCM Hostels, Social Welfare Department Hostels, Morarji Desai Hostels & Anganawadi Schools at Mysuru on 08.01.2019 and also visited K.R.Hospital, Mysuru and "Nirashrithara Parihara Kendra" at Jyothinagara, Mysuru on 9.1.2019 and instructed the concerned officers to maintain hygiene in preparation of food for inmates, maintenance of hostel and school buildings etc.,

**II.** The Hon'ble Lokayukta had visited the following educational institutions during the period 2018-19:

<b>Sl.No.</b>	<b>Date</b>	<b>Name of the educational institutions</b>
1	27-07-2018 & 30-10-2018	St.Francis Xavier Girls' High School, Fraser Town, Bengaluru.
2	03-11-2018	Inaugural Ceremony of "23 <sup>rd</sup> Annual Conference of Karnataka Urology Association - KUACON-2018" at A.J.Institute of Medical Sciences, Kuntikana, Mangaluru.
3	04-12-2018	Teachers Conference KGF 2018-19 organized by KGF Private Schools Management Association, at KGF.

4	20-12-2018	Valedictory Function- The Golden Jubilee Celebrations of DVS College of Arts, Science and Commerce, Desheeya Vidhyashala Samithi, Shivamogga.
5	26-01-2019	Government Model Higher Primary School at Belvai, Karkala Taluk.
6	15-02-2019 & 16-02-2019	Sandur Residential School, Shivapur, Sandur, Ballari District.

The Hon'ble Lokayukta had addressed the students with a view to inculcate the need of following discipline, honesty, upright and transparent path in life while developing competency and efficiency in the field they choose in their future life as their profession. The whole object was to send a message among the younger generation for the growth of the society and country as a whole. There should be transparency both in public and private administration and it is only when the society is free from mal-administration that it can provide for the growth of the country etc.

**III. The following are some of the suo-motu cases/complaints taken-up by Hon'ble Lokayukta, which are of general and public interest –**

**1) No.LOK/Mys/1350/2018/ARE-6:-**

An e-mail dated 22.3.2018 was received from one Sri Anil Kumar Shastry, Senior Assistant Editor of “The Hindu” daily, Mangaluru, alleging that unscientific speed breakers (road humps) were laid in violation of the recommendation made by the Indian Road Congress (IRC) Code 99-1998, within the municipal limits of Mangaluru City Corporation by its officers/officials and Mangaluru City Traffic Police etc.

On the basis of information received by e-mail, a suo-motu investigation was taken up by Hon'ble Lokayukta and comments were called for from the above mentioned authorities with a direction to submit copies of recommendation made by the Indian Road Congress (IRC) Code 99-1998 and other relevant regulations governing laying of speed breakers either by the Municipal City Corporation or traffic authorities or any other authorities of Mangaluru City.

In response to the Order dated 5.5.2018, all the I have submitted their comments/reports along with supporting materials. Copies of the said comments/reports were sent to the I for his rejoinder. The rejoinder was also received and the matter is now posted for final scrutiny note by the Scrutiny Officer i.e., Additional Registrar of Enquiries-6.

**2) No.Compt/LOK/MYS-3642/2018/ ARE-6:-**

A report dated 23.01.2018 was received from the Deputy Superintendent of Police, Karnataka Lokayukta, Mandya setting out the deficiencies at various Government/General Hospitals, Primary Health Centers & dispensaries etc., at Mandya. Hence, a suo-motu investigation was taken up by Hon'ble Lokayukta in exercise of power conferred under Sections 7(1)(b) and 9(3)(a) of Karnataka Lokayukta Act, 1984.

The concerned officers District Health Officer and District Surgeon of Mandya District, as well as the Principal Secretary, Health & Family Welfare Department were directed to examine the facilities available/not available in the District Hospital, Mandya and submit a report on the

medical facilities that were required to be provided and also the steps taken.

In response to the said notice dated 17.12.2018, the Director, Health & Family Welfare Department, Bengaluru submitted an interim report in respect of 12 institutions.

The said report indicated that the concerned department had taken positive steps to redress the grievances and to provide facilities to the Primary Health Centers of Mandya District and also ensured cleanliness in maintaining the toilets and providing good treatment to the needy people. It was also stated that steps will be taken under MNREG scheme to remove the shrubs developed in the compound area at Gejjaragere Primary Health Center, and a comprehensive report will be submitted regarding the steps taken to redress the grievance. Presently the matter is pending for further action taken reports from the concerned officer.

**3) No.Compt/LOK/BGM-1652/2018/Sr.APP-1:-**

An anonymous petition dated 31.05.2017 was received at this institution, which was sent by certain persons of Sudi Village, Gadag Taluk & District alleging

that there has been illegal extraction/transportation of sand without any permit and in violation of rules thereby causing loss of an amount of ₹32,60,000/- to the Government exchequer etc., The matter was referred to the ADGP, Karnataka Lokayukta, Bengaluru to get it enquired through the Lokayukta Police. Accordingly the Superintendent of Police, Karnataka Lokayukta, Dharwad, who was in charge of Gadag District got it enquired through his sub-ordinate officer and submitted a report dated 8.3.2018. The report prima-facie indicated that there has been illegal extraction/transportation of sand from Sy.No.36/5 of Dyamahunse Village, Rona Taluk of Gadag District, without any permit. The report also indicated the officers responsible for the same. Hence, a suo-motu proceeding was initiated to further investigate the allegations made and comments/report from the concerned officials were called for by issuing notices to them.

The Deputy Commissioner, Gadag District was directed to conduct an inquiry and send report with regard



to the illegal removal/lifting of sand and to prosecute the culprits.

In response to the notice sent, calling for comments/report, the Deputy Commissioner, Gadag District vide his interim report dated 13.11.2018 submitted that he has passed an order dated 6.9.2018 imposing penalty on the culprits. Further, a reminder has also been sent to the Deputy Commissioner, Gadag to submit a detailed report regarding illegal mining of sand. Presently the said report is awaited.

**4) No.Compt/LOK/MYS/2187/2018/ARE-6: -**

The New Indian Express daily dated 3<sup>rd</sup> August, 2018 had published a news item with title “**103-yr-Old Woman lives life on her own terms**” highlighting the self respect of 103 year old woman Smt.Sarasuajji, for which she gave lot of importance all these years and avoided depending on others.

Hon’ble Lokayukta pointed out that, making a very old lady who is physically weak to work for her livelihood and shelter results in violation of human rights and the

right to life and liberty guaranteed under Article 21 of the Constitution of India and also runs counter to several provisions made in Part-IV of the Constitution of India i.e., Directive Principles of State Policy and it is the primary duty of the officials who are in charge of implementing the social security and welfare schemes to see that all beneficiaries get the benefits of these schemes. Hence, a suo-motu proceeding was initiated under Sections 7(1)(b) & 9 of the Karnataka Lokayukta Act, 1984 and the Deputy Commissioner, Udupi District, Udupi and the Chief Executive Officer, Udupi district were directed to take remedial measures, to conduct an inquiry and submit report so as to extend the benefits for which Smt.Sarasuajji is entitled under several schemes like old age pension, free ration and other benefits as per the scheme; allotment of site/construction of a house and payment of money. They were also informed to report the details of the officers who had overlooked the claim of extending such benefits to Smt.Sarasuajji including their names and addresses.

In response to the Order dated 03.08.2018, a report dated 07.09.2018 was received from the Chief Executive

Officer, Udupi stating that the Grama Panchayath has provided Smt.Sarasuajji with water facility, Aadhar card has been issued and ration is also being supplied to her. Further it is stated that the panchayath had taken all steps to provide basic facilities to Smt.Sarasajji under various Government schemes. The photographs have also been enclosed along with the report showing that a house has been constructed, solar light has been installed and water facility is being provided to the land measuring 1.24 acre standing in the name of Smt.Sarasajji. Since, the report dated 07.09.2018 of Chief Executive Officer, Udupi, prima facie indicated that steps have been taken to provide basic facilities to Smt.Sarasajji, the proceeding was **closed**.

**5) No.Compt/LOK/Mys/2404/2018/ARE-5: -**

A suo-motu investigation was taken-up on 23.8.2018, regarding the problems being highlighted in various national daily news papers both Kannada and English that are being faced by the school and college students on account of heavy rains, floods and landslides, uprooting of

several residential buildings and Educational Institutions etc., at Kodagu District.

The District Administration through the local bodies like Grama Panchayaths, Taluk Panchayaths, NGOs and other representatives of the Panchayath were directed to immediately identify the students who have been dislocated and such of the students to be housed both inside the District and also in the neighbouring districts of Mangaluru, Mysuru & Udupi and submit the Status Report.

A status report dated 07.03.2019 was filed by the Deputy Secretary to Government, Higher Education Department (Universities) by enclosing copy of status report dated 06.03.2019 submitted by the Registrar of Mangaluru University, indicating the steps taken by the University and other officials in rehabilitating the students who were affected by Kodagu land sliding disaster. Presently the reports received in this case are under scrutiny.

**6) No.Compt/LOK/BCD-2540/2018/ARE-1: -**

**Illegal mining activity within the buffer zone of Bannerghatta National Park -**

The “New Indian Express” daily dated 7.8.2018 & 27.8.2018 had published the news item under the caption “Land swap between Defence, govt. in ‘sensitive zone’ and “Bannerghatta faces threat of being swallowed by Urban Jungle”. The said articles revealed that illegal mining activity is rapidly increasing. Hence, a suo-motu proceeding was initiated directing the authorities concerned to immediately stop illegal mining/quarry activities and also to conduct inquiry and to submit a report with regard to the illegal mining/quarry activities being carried out, without there being a valid licence granted by the authorities and take remedial measures for protection of the environment, the bio-diversity and the natural flora and fauna found in Bannerghatta National Park.

The authorities concerned were also directed to submit a report as to whether any licence has been granted to carry on mining/quarry operation within the area falling

under the buffer zone, if so, the steps, if any, taken on that behalf to comply with the direction laid down by the Hon'ble Supreme Court of India in the case of **Goa foundation Vs. Union of India and others reported in (2014)6 SCC 738.**

In response to the suo-motu order, status reports have been filed by the concerned authorities including the Director of Mines and Geology, stating that the department has taken steps to suspend 15 quarrying licensees which would seriously affect the eco sensitive zone of the Bannerghatta National park and the District Administration has constituted a "District Level Task Force" to prevent illegal mining operation. Presently this matter is pending investigation.

**7) No.Compt/LOK/BCD-2350/2018/ARE:-**

In "**Prajavani**" Kannada daily dated 12.08.2018 a news item was published highlighting that the condition of the Municipal High School at Hospet is in very bad shape, unsafe and totally unsuitable for imparting education for the students. It was also highlighted that the building in

which education is being imparted was originally a prison and subsequently it was converted to an educational institution and that it continued to be a prison. Further, the news item also highlighted that the Head Master of the School had expressed that the building may collapse at any time. Hence, a suo-motu investigation was taken up by Hon'ble Lokayukta and report was called for from the concerned officers of the Education Department with regard to the steps taken to improve the conditions of the school building. Reports received from the concerned authorities are under scrutiny.

**8) No.Compt/LOK/BCD-2601/2018/ARE-1:-**

On the basis of an anonymous petition received, alleging that one Anand R/o.No.135/A, Nisarga Layout, Gidadakonenahalli, Bengaluru, has put up a construction, violating the building regulations, directions were issued to the ADGP, Karnataka Lokayukta, Bengaluru to get the matter enquired in to by the Lokayukta Police. Accordingly, the then Superintendent of Police-2, City Division, Karnataka Lokayukta, Bengaluru got it enquired through his sub-ordinate officers and submitted a report

that Sri. Anand had put-up a commercial complex in violation of the building regulations and that the construction was unauthorized. Hence, a suo-motu proceeding was initiated in exercise of the powers conferred by Hon'ble Lokayukta, under Sections 7(1)(b) & 9(3)(a) of Karnataka Lokayukta Act, to investigate and examine the responsibilities of the officers/officials who have failed in their duty in not preventing the unauthorized construction and also in taking steps to remove the unauthorized construction as reported by Lokayukta Police.

Pursuant to the Order dated 11.09.2018, the respondents have submitted their status report dated 13.11.2018 stating that the said construction is unauthorized and steps will be taken to demolish the same and prayed for grant of time. Further on 19.02.2019, the respondents along with the status report had submitted a copy of the interim order dated 15.02.2019 passed in Appeal No.15/2019(CH-1), by the Karnataka Appellate Tribunal, Bengaluru. The interim Order indicated that the Tribunal had granted stay of the operation, execution and implementation of the order dated 16.01.2018 passed by



the officials of BBMP for demolition of the building in question and the matter is fixed for hearing before the Tribunal on 04.06.2019.

In the meanwhile the Joint Commissioner, Rajarajeshwari Nagar Zone, Bengaluru was directed to conduct an inquiry and submit status report as to –

- (1) The actual date of commencement of the construction of the building and completion of the building.
- (2) The date of securing the electricity connection to the building.
- (3) The name and addresses of the officers responsible for allowing the unauthorized construction of the building in question.
- (3) The total liability of the owner to pay tax on the building in question and the revenue officers who are responsible for the same.

Presently the matter is pending for further investigation.

**9) No.Compt/LOK/BGM-3350/2018/Sr.APP-2: -**

On the basis of an anonymous petition received from the members of the public of Kancharagatti Village, Haveri District, Hon'ble Lokayukta directed an enquiry by the Police Inspector, Karnataka Lokayukta, Haveri. The Police Inspector, Karnataka Lokayukta, Haveri submitted a report dated 10.09.2018 highlighting certain irregularities in the distribution of sites under various Ashraya Schemes and

release of funds for construction of the houses to several beneficiaries. The report submitted prima-facie indicated that there have been irregularities, in the matter of distribution of sites and release of funds allotted by the State and hence a suo-motu proceeding was initiated on the basis of order dated 23.11.2018 passed by Hon'ble Lokayukta and notices were directed to be issued to the concerned District Officers to submit their comments/ replies. Presently the matter is under investigation.

**10) No.Compt/LOK/BCD-3419/2018/ARE-1:-**

In "Prajavani" Kannada daily news paper dated 24.11.2018, a news item was published highlighting that at Lalbagh, garbage and other unwanted waste materials have been thrown indiscriminately and public being attacked by the stray dogs. In this regard, a suo-motu investigation was taken up on 30.11.2018 as per the orders of Hon'ble Lokayukta and notices were issued to the concerned officers to submit comments/reply and also to report the steps taken to prevent the same.

In response to the order dated 30.11.2018, status reports have been filed by the Joint Director of Horticulture

and Deputy Director of Horticulture, Lalbagh, Bengaluru, stating that effective steps are being taken to remove and clear the garbage at Lalbagh. Further, it is stated that in view of the interim order passed by the Hon'ble Supreme Court of India in SLP No.691/2009 dated 23.01.2009; SLP No.4453/2013 dated 06.02.2013 & SLP No.17112/2013 dated 10.05.2013, the officers of BBMP are finding it difficult to either remove or deal with stray dogs and efforts are being made before the Hon'ble Supreme Court either to get the matter heard or get the interim order vacated to enable the officers of BBMP to take effective measures to protect and take care from the menace of stray dogs, in terms of the judgment of the Hon'ble Supreme Court. The respondents were directed to file their Status Report with regard to the steps taken by them, by the next date of hearing. Presently the matter is under further investigation.

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**(H.M.Nanjundaswamy),**  
Registrar,  
Karnataka Lokayukta,  
Bengaluru.

**AS\***