

**Karnataka Lokayukta**  
(Under Section 7 of the Karnataka Lokayukta Act, 1984)

CASE  
NUMBER **COMPT/LOK/BCD/1710/2020**

District : **Bangalore (U)**

**BY :**

**1. SUO MOTO**

As per the Order of Honble Lokayukta, Dated:  
04/09/2020.

**COMPLAINANT/S**

**AGAINST :**

**1. DEPUTY COMMISSIONER**

Bengaluru Urban District, Bengaluru.

✓ **2. DIRECTOR**

Pre-University Education, Sampige Road,  
Malleshwaram, Bengaluru.

✓ **3. COMMISSIONER OF LABOUR AND  
CHIEF EXECUTIVE OFFICER**

Koushalya Bhavan, Bannerughatta Road,  
Bengaluru.

✓ **4. COMMISSIONER**

Food and Civil Supplies Department, Cunningham  
Road, Bengaluru.

**RESPONDENT/S**

**Allegation/Grievance**  
**Brief :** Dereliction of duty

Received From : Suo-Moto  
Received On : 05-09-2020

*05/09/2020*  
**Seal and Signature**

**Complaint stands**  
**allotted to :** **ARE-1**

**SCRUTINY AND OPINION**

*Rd*  
*5/9/2020*

**KARNATAKA LOKAYUKTA : BENGALURU**

No. LOK/BCD/1710/2020

Date: 04-09-2020

**ORDER**

In 'Vijaya Karnataka' - Kannada daily newspaper dated 04-09-2020 a news item with the title "ಹೆಬ್ಬ ಕಾಲೇಜಿಗೆ ಮಹೇಶ್ ಅಡ್ಮಿಷನ್" has been published. The news item indicates that in spite of specific directions from the Hon'ble Minister for Primary and Secondary Education, Karnataka to issue Labour Card to the mother of Master. Mahesha, the concerned officials/officers have failed to comply with the directions of the Hon'ble Minister. Further, the news item indicates that the Hon'ble Minister for Food and Civil Supplies had also directed the concerned officials/officers to add the name of the brother of Master. Mahesha in the Ration Card. However, the concerned officials/officers have failed to comply with the directions. Instead of repeating the same, it is useful to extract the news item itself, which reads as follows:

**ಹೆಬ್ಬ ಕಾಲೇಜಿಗೆ ಮಹೇಶ್ ಅಡ್ಮಿಷನ್**

ವಿದ್ಯಾಭ್ಯಾಸದ ಹೊಣೆ ಹೊತ್ತಿರುವ ಕೇರ್ ವರ್ಕ್ಸ್ ಫೌಂಡೇಷನ್‌ನಿಂದ ನೆರವು

ಎಸ್‌ಎಸ್‌ಎಲ್‌ಸಿ ಪರೀಕ್ಷೆಯಲ್ಲಿ ಉತ್ತಮ ಸಾಧನೆ ಗೈದಿದ್ದ ಬಡ ವಿದ್ಯಾರ್ಥಿ ಮಹೇಶನ ಮುಂದಿನ ವಿದ್ಯಾಭ್ಯಾಸದ ಹೊಣೆ ಹೊತ್ತಿದ್ದ ಕೇರ್ ವರ್ಕ್ಸ್ ಫೌಂಡೇಷನ್, ಉಡುಪಿ ಜಿಲ್ಲೆಯ ಹೆಬ್ಬ ತಾಲೂಕಿನ ಅಮೃತ ಭಾರತಿ ಪಿಯು ಕಾಲೇಜಿನಲ್ಲಿ ಆತನಿಗೆ ಪ್ರವೇಶ ಕೊಡಿಸಿದೆ. ಕಾಲೇಜಿನ ಪ್ರವೇಶ ಶುಲ್ಕವನ್ನು ಸಿಡಬ್ಲ್ಯುಎಫ್‌ನಿಂದ ಪಾವತಿಸಿ

ಮಹೇಶನ ಇಚ್ಛೆಯಂತೆಯೇ ಪಿಸಿಎಂಬಿ ವಿಷಯಕ್ಕೆ ಪ್ರವೇಶ ಕಲ್ಪಿಸಲಾಗಿದೆ. ಅಮೃತ ಭಾರತಿ ಪಿಯು ಕಾಲೇಜಿನ ಕ್ಯಾಂಪಸ್‌ನಲ್ಲೇ ವಸತಿ ನಿಲಯವನ್ನೂ ಕಲ್ಪಿಸಲಾಗಿದೆ. ಪ್ರಸ್ತುತ ಆನ್‌ಲೈನ್ ತರಗತಿ ನಡೆಯುತ್ತಿರುವುದರಿಂದ ಬೆಂಗಳೂರಿನ ಮಲ್ಲೇಶಪಾಳ್ಯದಲ್ಲಿರುವ ತನ್ನ ಜೋಪಡಿಯಿಂದಲೇ ತರಗತಿಯಲ್ಲಿ ಪಾಲ್ಗೊಳ್ಳುತ್ತಿದ್ದಾನೆ. ಇನ್ನು ಮಹೇಶನ ವಿದ್ಯಾಭ್ಯಾಸಕ್ಕೆ ಕಾಲೇಜು ಹಾಗೂ ಸರ್ಕಾರದಿಂದ ಉಚಿತವಾಗಿ ಸಿಗುವ ಸೌಲಭ್ಯವನ್ನು ಹೊರತುಪಡಿಸಿ ಇನ್ನುಳಿದ ಆತನ ವಿದ್ಯಾಭ್ಯಾಸ ವೆಚ್ಚವನ್ನು ಸಂಪೂರ್ಣವಾಗಿ ಭರಿಸಲಾಗುವುದು. ಆತ ಎಲ್ಲಿಯವರೆಗೆ ವ್ಯಾಸಂಗ ಮಾಡುತ್ತಾನೋ ಅಲ್ಲಿಯವರೆಗೂ ಅವನ ಓದಿನ ಜವಾಬ್ದಾರಿ ವಹಿಸಿಕೊಳ್ಳಲಾಗುವುದು ಎಂದು ಕೇರ್ ವರ್ಕ್ಸ್ ಫೌಂಡೇಷನ್ ಮಾಹಿತಿ ನೀಡಿದೆ.

ಮಹೇಶನ ತಾಯಿಗೆ ಉದ್ಯೋಗ ಭರವಸೆ: ಇನ್ನು, ಕೇವಲ ಮಹೇಶನ ವಿದ್ಯಾಭ್ಯಾಸವಷ್ಟೇ ಅಲ್ಲದೇ ಆತನ ತಾಯಿ ಮಲ್ಲಮ್ಮನಿಗೂ ಉದ್ಯೋಗ ನೀಡುವ ಭರವಸೆಯನ್ನು ಸಿಡಬ್ಲ್ಯುಎಪ್ ನೀಡಿದೆ. ಮಲ್ಲಮ್ಮನಿಗೆ ಬ್ಯಾಂಕೊಂದರಲ್ಲಿ ಖಾತೆ ತೆರೆಯಲು ಸೂಚಿಸಲಾಗಿದೆ. ಖಾತೆ ತೆರೆದ ಬಳಿಕ ಸಿಡಬ್ಲ್ಯುಎಪ್ ಸಂಸ್ಥೆ ಬೆಂಗಳೂರಿನಲ್ಲಿ ದತ್ತು ಪಡೆದಿರುವ ಯಾವುದಾದರೊಂದು ಶಾಲೆಯಲ್ಲಿ ಹೌಸ್ ಕೀಪಿಂಗ್ ಉದ್ಯೋಗ ಕೊಡಿಸಲಾಗುವುದು ಎಂದು ಕೇರ್ ವರ್ಕ್ಸ್ ಫೌಂಡೇಷನ್ ಭರವಸೆ ನೀಡಿದೆ.

ತಿಂಗಳಾದರೂ ಸಿಗದ ಕಾರ್ಮಿಕ ಕಾರ್ಡ್: ಈ ನಡುವೆ, ಎಸ್‌ಎಸ್‌ಎಲ್‌ಸಿ ಫಲಿತಾಂಶ ಪ್ರಕಟವಾದ ಬಳಿಕ ಮಹೇಶನ ಸಾಧನೆ ಮೆಚ್ಚಿ ಆತನ ಮನೆಗೆ ಶಿಕ್ಷಣ ಸಚಿವರು ಭೇಟಿ ನೀಡಿದ್ದರು. ಈ ವೇಳೆ ಅವರು ಮನೆಯ ಸ್ಥಿತಿಗತಿ ಅವಲೋಕಿಸಿ ಮಹೇಶನ ತಾಯಿ ಮಲ್ಲಮ್ಮನಿಗೆ ಕಾರ್ಮಿಕ ಕಾರ್ಡ್ ಕೊಡಿಸುವುದಾಗಿ ಭರವಸೆ ನೀಡಿದ್ದರು. ಕಾರ್ಡ್ ವಿತರಿಸುವಂತೆ ಅಧಿಕಾರಿಗಳಿಗೂ ಸೂಚಿಸಿದರು. ಆಧಿಕಾರಿಗಳು ಒಮ್ಮೆ ಅವರ ಮನೆಗೆ ಭೇಟಿ ನೀಡಿ ದಾಖಲೆಗಳನ್ನು ಪಡೆದಿದ್ದಾರೆ. ಆದರೆ, ತಿಂಗಳು ಕಳೆದರೂ ಇನ್ನೂ ಕಾರ್ಮಿಕ ಕಾರ್ಡ್ ನೀಡಿಲ್ಲ. ಈ ಬಗ್ಗೆ ಯಾವ ಅಧಿಕಾರಿಗಳನ್ನು ಕೇಳಬೇಕು ಎಂಬುದು ತಿಳಿದಿಲ್ಲ ಎಂದು ಮಲ್ಲಮ್ಮ ತಿಳಿಸಿದರು.

ರೇಷನ್ ಕಾರ್ಡ್‌ಲ್ಲೂ ಹೆಸರಿಲ್ಲ: ಮಹೇಶನ ಸಾಧನೆಯ ಜತೆಗೆ ಆತನ ಸಂಕಷ್ಟಗಳನ್ನು ಬಿಚ್ಚಿಟ್ಟಿದ್ದ 'ವಿಕ' ವರದಿಯನ್ನು ಓದಿದ ಆಹಾರ ಸಚಿವ ಕೆ.ಗೋಪಾಲಯ್ಯ ಮಹೇಶನ

ಮನೆಗೆ ರೇಷನ್ ಕಳಿಸಿದ್ದರು. ಜತೆಗೆ, ರೇಷನ್ ಕಾರ್ಡ್‌ನಲ್ಲಿ ಬಿಟ್ಟು ಹೋಗಿದ್ದ ಮಹೇಶನ ಅಣ್ಣ ವಿಶ್ವರಾಜ್ ಹೆಸರನ್ನು ಪಡಿತರ ಚೀಟಿಗೆ ಸೇರ್ಪಡೆಗೊಳಿಸುವಂತೆ ಅಧಿಕಾರಿಗಳಿಗೂ ಸೂಚಿಸಿದ್ದರು. ಆದರೆ, ತಿಂಗಳು ಕಳೆದರೂ ವಿಶ್ವರಾಜ್ ಹೆಸರು ಸೇರ್ಪಡೆಗೊಂಡಿಲ್ಲ.

ಆಹಾರದ ಕಿಟ್ ತೆಗೆದುಕೊಂಡು ಹೋಗಿದ್ದ ಆಹಾರ ಇಲಾಖೆಯ ಬೆಂಗಳೂರು ಪೂರ್ವ ವಲಯದ ಉಪ ನಿರ್ದೇಶಕ ಸದಾಶಿವಯ್ಯ ಸಹ ವಿಶ್ವರಾಜ್ ಹೆಸರು ಸೇರ್ಪಡೆಗೊಂಡ ನಂತರ ಪಡಿತರ ಚೀಟಿ ನೀಡುವುದಾಗಿ ಭರವಸೆ ನೀಡಿದ್ದರು. ಆದರೆ, ತಿಂಗಳು ಕಳೆದರೂ ಭರವಸೆ ಇನ್ನು ಭರವಸೆಯಾಗಿಯೇ ಉಳಿದಿದೆ.

### ಥಂಬ್ ಇಂಪ್ರೆಷನ್ ಬೇಕಿದೆ

ಪಡಿತರ ಚೀಟಿಯಲ್ಲಿ ಹೊಸ ಹೆಸರು ಸೇರ್ಪಡೆಗೊಳಿಸಬೇಕಾದರೆ ಸೇರ್ಪಡೆಗೊಳ್ಳುವ ವ್ಯಕ್ತಿಯ ಥಂಬ್ ಇಂಪ್ರೆಷನ್ ಪಡೆಯಬೇಕು. ಆದರೆ, ಕೊರೊನಾ ಹಿನ್ನೆಲೆಯಲ್ಲಿ ಈ ಕೆಲಸವಾಗಿಲ್ಲ. ಮಹೇಶನ ಅಣ್ಣ ವಿಶ್ವರಾಜ್ ಹೆಸರನ್ನು ಪಡಿತರ ಚೀಟಿಗೆ ಸೇರ್ಪಡೆಗೊಳಿಸುವ ವಿಷಯ ಗಮನದಲ್ಲಿದ್ದು, ಖಂಡಿತವಾಗಿಯೂ ಅತಿ ಶೀಘ್ರದಲ್ಲೇ ಸೇರ್ಪಡೆಗೊಳಿಸಲಾಗುವುದು ಎಂದು ಆಹಾರ ಪೂರೈಕೆ ಮತ್ತು ನಾಗರಿಕ ಸರಬರಾಜು ಇಲಾಖೆಯ ಮೂಲಗಳು ತಿಳಿಸಿವೆ.

2) The News Paper publication extracted above indicates that Master. Mahesha, who was a student of Government School at Jeevanbhima Nagar in Bengaluru has scored highest marks in the SSLC examination. Since, the said Master. Mahesha has come from a poor migrant family, Care Works Foundation has taken the responsibility of providing education to him and he has been joined to Amrutha Bharathi Pre-University College, Hebri Taluk, Udupi District. The Hon'ble Minister for Primary and Secondary Education had visited his hutment in Mallesh



Palya, where Master. Mahesha lives with his mother Smt. Mallamma. After congratulating him on his outstanding performance and considering the social and economic background of the family and as Smt. Mallamma is a construction labourer, the Hon'ble Minister had assured to provide her a Labour Card and also directed the concerned officials/officers to make arrangement for providing a Labour Card. In spite of such directions, the concerned officials/officers have failed to provide the Labour Card to Smt. Mallamma even after lapse of one month. Further, the News Item indicates that due to illiteracy and lack of awareness, she does not know whom to contact to get the Labour Card. Further, the news item indicates that the Hon'ble Minister for Food and Civil Supplies had also assured her to add the name of Sri. Vishwaraj, who is the elder brother of Master. Mahesha in the Ration Card and in this connection, the Hon'ble Minister had directed the concerned officials/officers to take steps for adding the name of Sri. Vishwaraj. However, even after lapse of one month, the concerned officials/officers have failed to comply with the directions.

3) In the case of **National Campaign Committee for Central Legislation on construction labour (NCC-CL) V/s Government of India (2018 (5) SCC 607)**, the Hon'ble Supreme Court has observed that construction workers do not assist only in building infrastructure, but



they also assist in building the nation, in their own small way. Further a direction has also been issued to give identity cards to all construction workers in terms of Section 12 of the BOCW Act (Building and Other Construction Workers' Welfare Act, 1966).

4) In the light of what is stated above, it is imperative on the concerned authorities to make available the identity card to Smt. Mallamma, a construction worker to avail various welfare and social security benefits available under the said Act to live with dignity enshrined in Article 21 of the Constitution of India.

5) It is needless to mention that failure on the part of the concerned officials/officers in complying with the directions issued by the Hon'ble Ministers for providing the Labour Card and adding the name in Ration Card amounts to mal-administration, as defined under Sec. 2(10) of the Karnataka Lokayukta Act, 1984 (for short 'KL Act'). The KL Act casts an obligation on the Lokayukta under Sec. 12(1) of the KL Act for redressal of the grievance of the public and Sec. 2(10) casts an obligation on the Lokayukta to prevent the mal-administration by the public authorities.

6) The news item published in 'Vijaya Karnataka' referred to above, in my considered view, can be treated as source material to initiate suo-moto proceedings in exercise

of the powers conferred on me under Sections 7(1)(b) and 9(3)(a) of the KL Act. Accordingly, I hereby exercise my suo-moto power and initiate suo-moto proceedings. The office is directed to register this matter as suo-moto proceeding.

7) For the purpose of investigation/redressal of the grievance highlighted in the news item published in 'Vijaya Karnataka', I am of the view, that it would be just and necessary to hear the officers mentioned herein below and implead them as Respondents to this proceeding. Accordingly, the office is directed to implead the following officers as Respondents:

1.	The Deputy Commissioner, Bengaluru Urban District, Bengaluru;
2.	The Director, Pre-University Education, Sampige Road, Malleshwaram, Bengaluru.
3.	The Commissioner of Labour and Chief Executive Officer, Koushalya Bhavan, Bannerughatta Road, Bengaluru;
4.	The Commissioner, Food and Civil Supplies Department, Cunningham Road, Bengaluru;

**8) Issue notice to the officers referred to above. They are directed to submit their comments/report**



within four weeks from the date of receipt of this notice on the following;

(i) Steps taken for providing Labour Card to Smt. Mallamma, who is a migrant construction labour;

(ii) Steps taken to add the name of Sri. Vishwaraj, who is the brother of Master. Mahesha;

(iii) The details of benefits extended and to be extended from the Government to Master. Mahesha for his further education; and

(iv) Details of the officials/officers, who have failed to comply with the directions of Hon'ble Ministers;

(v) Details of any other benefits to which the said family is entitled for under various Government Welfare Schemes and the steps taken to extend those benefits to the family as they belong to a poorer section of the society.

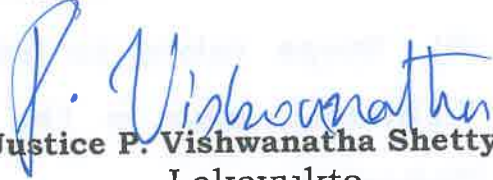
9) The office is also directed to enclose the copy of the paper publication to the Respondents. In the mean time it is open to the respondents to redress the




**grievance highlighted in the news item referred to above.**

10) The Respondents are given **four (4) weeks time** to file their comments/report.

List this case on 05.10.2020.

  
(Justice P. Vishwanatha Shetty),  
Lokayukta,  
Karnataka State.

  
4/9/2020

OAK

11) ARLO-4 (Compt.Sec.)}

12) ARE-1)