

Karnataka Lokayukta

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

CASE

NUMBER COMPT/LOK/MYS/592/2018

:

District : Udupi

BY :**1. SUO MOTO,**As per the order of Honble Lokayukta Dated:
20/11/2017**COMPLAINANT/S****AGAINST :****1. PDO,**

Kalyanapura, Karkala Taluk, UDUPI District.

2. PRESIDENT,

Kalyanapura, Karkala Taluk, UDUPI District.

RESPONDENT/S**Allegation/Grievance****Brief :**

Dereliction of Duty.

Received From :

By ARE-6 Section.

Received On :

19-02-2018.

Seal and Signature

**Complaint stands
allotted to :**

ARE-6

SCRUTINY AND OPINION

As per order dt
20/11/17 of Honble
Lokayukta, Lt + HWS
on 6/3/18.

M
21/2

3

BEFORE THE HON'BLE LOKAYUKTA,
STATE OF KARNATAKA

CAMP AT UDUPI ON 20TH NOVEMBER 2017

Sl.No. 24

Shri. D. Rodalf Albert,
Udupi.

..... Complainant

V/s

The PDO, Kalyanapura,
And another.

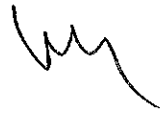
.....Respondent/s

ORDER

The complainant & respondents are present.

The grievance of the complainant and one Shri. Joseph, Kalyanapura, is that the officials working in the Grama Panchayath have failed to implement the scheme of Solid Liquid/~~Resource~~ Management System resulting in serious inconvenience/nuisance to the people who are residing in the area in question.

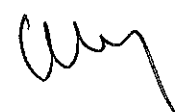
It is also brought to my notice by Shri. Joseph that when they file the complaint against the officials,



they used to make false cases against the complainants under Atrocities Act. If, the allegation that a false case has been filed against Shri. Joseph under Atrocities Act is true, it is a matter of serious nature. The concerned persons who are responsible for foisting false case will have to be dealt with seriously.

However, at this stage, it is not necessary to conduct an investigation on that grievance, since it is brought to my notice that the police have not taken action on the said false complaint.

So far as the grievance of Solid Liquid Resource Management Scheme is concerned, the steps have not been taken by the authorities. Shri. Suresh, Panchayath Development Officer and Smt. Pushpa S. Kotyar, President of Grama Panchayath who are present before me submit that they will take effective steps in this regard at the earliest. They seek eight (8) weeks time. The time sought for by them is granted.



The Panchayath Development Officer of Kalyanapura Grama Panchayath seeks for six (6) weeks time to attend to the work where the complainant's area is involved and he seeks for three (3) months time to attend to the work of impelentation of Solid and Liquid ~~Resource~~ ^{Waste} Management System pertaining to entire village. The said statement of Panchayath Development Officer is placed on record.

In the light of the request made by the Panchayath Development Officer, six (6) weeks time is granted to him to implement the scheme of Solid Liquid ~~Resource~~ ^{Waste} Management so far as the area of the complainant is concerned and three (3) months time is granted to attend to the work of entire village. If, they require further assistance, the President and Panchayath Development Officer of Kalyanapura Grama Panchyath can seek assistance from the Deputy Commissioner of the District and the Chief Executive Officer of Zilla Panchayath, Udupi.

The President and Panchayath Development Officer of Kalyanapura Grama Panchayath have to submit their compliance report within fourteen (14) weeks from today with regard to the steps they have taken and the status report with regard to the work executed by them as on 2nd March 2018.

It has also come to my notice that the problems referred to above are being faced by almost all the Panchayath in Udupi District and other District of the State. Since, the matter with respect to Udupi is concerned, it is brought to my notice that there are about 158 Panchayaths in Udupi District and 5 Urban Local Bodies, out of them there are 62 Panchayaths are located in rural areas and there are 4 Urban Local Bodies located near the Highways.

It is needless to point out that the collection of waste and polluted substance not only emits bad smell, but also generates mosquitoes and causes several health hazard to the public. Therefore it is the duty of the concerned Panchayaths and the Municipal



Bodies to implement the scheme of Solid and Liquid Waste Resource Management System in a scientific manner at the earliest.

In the light of what is stated above, all the Panchayaths and the Urban Local Bodies in the District are directed to implement the scheme of Solid and Liquid Waste Management System within six (6) months from today. However, so far as the Panchayath and Urban local bodies located on the National Highways are concerned, it is directed to implement the scheme of Solid and Liquid Waste Management System within three (3) months from the date of communication of this order.

The Chief Executive Officer, Zilla Panchayath, Udupi is directed to communicate this order to all the Panchayaths in Udupi District to get ~~done~~ ^{the work} the work of implementation of Solid and Liquid Waste Management System ^{done} as stated above within the prescribed time.

Similarly, the Deputy Commissioner, Udupi District, Udupi is directed to communicate this order




to all the Urban Local Bodies and get the work done referred to above within the prescribed time.

Having regard to the facts and circumstances of the case, I am of the view that in the public interest to register this complaint as suo-motu complaint. Accordingly, office is directed to register the complaint as suo-motu complaint.

Communicate this order to the Deputy Commissioner, Udupi District, Udupi and the Chief Executive Officer, Zilla Panchayath, Udupi and parties concerned to this complaint.

List this matter on 6th March 2018.


(Justice. P. Vishwanatha Shetty), 20/4/2018
Lokayukta,
State of Karnataka.

*GAK

02) 6/3/18
ARE-6
Sanford CEO
WDA2018

We have not received report from DC, CEO, ZP, Udupi. We have received only letter dated 16/12/2017 written by Planning Director, District Urban Development Cell, Udupi to CEO, ZP, Udupi.

Hence, for kind further orders.

M G / 3
ARE-6

3. Hon'ble Lokayukta

The number may be sent along with the copy of the order dated 20-11-2017. But this being last year of 2018.

6/3/2018

~~Letter~~
List to Hon
7/6/18.

M 7/3

comphnd pan ③

2
13/3-

OU) ARE-6

02.08.2018
only 12.5.2018
S. G. ...

05. We have received letter dated 19/03/2018 from the complainant. He is stated that even though judgment was passed on 20.11.2017 at Udupi regarding the solid and liquid waste management of Kalyanapura Grama Panchayath, the authorities have not taken steps scientifically to implement the scheme. Accordingly, he requested to solve the problem and save the village and his neighborhood from environment pollution and health hazarders.
06. We have not received specific report from the Deputy Commissioner and CEO, Udupi. The letter dated 28/02/2018 of Commissioner, CMC, Udupi indicates that steps have been taken to manage the solid and liquid waste.
07. Since, the complainant has stated that proper steps have not been taken by the authorities concerned, it is necessary to send the copy of the letter written by the complainant, to the Deputy Commissioner, Udupi, CEO, ZP, Udupi and Commissioner, CMC, Udupi to examine the matter and submit the report within the three months. If approved, such letters will be addressed to the concerned and submit the report by 03/09/2018.

Submitted for kind orders.

M 7/6
ARE-6

08. Hon'ble Lokayukta

[Handwritten signature]
7/6/2018

M 8/6

completed pan 2
12/06/18

— J —

BY ARE-6

03.09.2018

CEO ವ್ಯವಸ್ಥಾಪಕ
2018

DC & CEO Udupi
ವ್ಯವಸ್ಥಾಪಕ
2018

MYS/592/2018

10. We have not received reports from DC, Udupi, CEO, ZP, Udupi and Commissioner, CMC, Udupi. However, we have received copy of the final show cause notice dated 28/06/2018 issued to PDO of Kalyanapura Grama Panchayath, by the CEO, ZP, Udupi. It is seen that due to non action and dereliction of official duty on the part of PDO with regard to redressing the grievance of the complainant, the CEO has issued final notice to the PDO.

11. In view of the said letter one more reminder may be ordered to the DC, CEO, ZP, Udupi, Commissioner, CMC, Udupi to submit the further action taken in the matter. If approved, reminder will be issued to them to submit the report by 02/11/2018.

Submitted for kind orders.

M3/9
ARE-6

12. Hon'ble Lokayukta

Approved
4/9/2018

M4/9

Completed para
2018.

13) ARE 6

01-11-2018

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පාලන කොමිෂන්

Perused, Re: Memo

Reminder to CEO

to submit

the budget action taken

report by 28/12/18

M/11
ARE-6

Completed para 2

14) ARE 6

28.12.18

අධ්‍යක්ෂ ජනරාල්

පාලන කොමිෂන්

අධ්‍යක්ෂ ජනරාල්

Perused. For note

on report by 28/1/19

M/28/12
ARE-6

15) ARE 6

28.1.19

අධ්‍යක්ෂ ජනරාල්

Completed para 2

Perused.

Issue Notice to
Complainant to submit
the Reply to the report
of P.O.O dt 25/10/18.
by 13/3/19 M/28/1
ARE-6

16) ARE-6

13-03-19

Handwritten notes in Hindi, including "मि. अ. अ. अ." and "मि. अ. अ. अ."

Regular ARE-6 is on leave.

Received letter dated 25/02/2019 from the complainant.

Time may please be granted to put up before regular ARE-6 to prepare note by 09/05/2019.

Submitted for kind orders.

C. Chandra [Signature] 13/3
I/c. ARE-6

17. Hon'ble Lokayukta)

Handwritten signature and date 13/3

17) ARE-6

09-05-19

For note

~~Regular ARE-6 is on leave.~~

No. LOK/MYS/592/2018/ARE-6

Date: 09-05-2019

NOTE

19) The report of Respondent discloses that, action plan has already been prepared to redress the grievance of the Complainant. Technical approval has also been given by the Zilla Panchayath, Udupi District. But, land is not sanctioned by the Government. Only after sanctioning of Government land for implementation of the scheme (Solid/Liquid Waste Management) further steps will be taken. In view of the said report, reminder may be ordered to the Respondent and also EO, TP, Udupi Taluk, to submit the further action taken report with regard to implementation of the scheme, by 24-07-2019.

Submitted for kind orders of your Lordship.

M/S
ARE-6

20) Hon'ble Lokayukta)

[Handwritten signature]
10/5

M/S

Graphical para

214 ARE-6

26-07-19

Recd letter dated 17.7.19

From EO, TP, Udupi

NOTE

21) We have received the letter dtd:17-7-2019 from the EO, Taluk Panchayath, Udupi. The letter discloses that since the Tahasildar has not granted Government land for establishment of Solid/Liquid Waste Management Unit, the said unit has not been established. However, on instruction was given to the Kalyanapura Gram Panchayath, to find out the old building for stocking the solid and liquid waste at least 3 days in a week.

22) In view of the said letter ^{and} having regard to the fact that public interest is involved, the Dy. Commissioner, Udupi and CEO, Zilla Panchayath, Udupi may be directed to take up the issue and examine the matter as per the order dtd:20-11-2017 and to submit the action taken report with regard to sanctioning of Government land for establishing Solid/Liquid Waste Management Unit. If approved, such letters will be addressed to the Dy. Commissioner and the CEO, Zilla Panchayath, Udupi to submit the action taken report in that regard by 25-9-2019.

Submitted for kind orders of your Lordship.

M 24/7/19
ARE-6

23) **Hon'ble Lokayukta)**

[Handwritten signature]
25/7

M 29/7

Complained para
of

24 AREB

25.09.19

DC & CEO

~~2000000000~~
DC 4500000000
20000

Note

Perused the letter dt
30/8/19. A Mshe
Reminder to C.E.O
Z. P. Udherpi, to submit
the further action
taken report by
28/11/19.

M 25/9
ARE-6

~~2000000000~~
Complied para
②

25 AREB

28.11.19

CEO 2P 45000
20000 45000

Note

Perused the letter dt
1/10/19. A Mshe Remin-
der to C.E.O to submit
the further action taken
report by 24/1/20.

M 28/19
ARE-6

Complied
②

26. AP ~~EB~~

26.01.2020

CEO Panchayath

Udupi

CEO Email

No.Lok/Mys/592/2018/ARE-6

Date:27-01-2020

NOTE

26) We have received the report dtd:23-1-2020 from the CEO, Zilla Panchayath, Udupi, through Email. The said report reads here as under;

ಮೊದಲನೇ ಮಹಡಿ
ರಜತಾದ್ರಿ, " ಸಿ" ಬ್ಲಾಕ್,
ಮಣಿಪಾಲ, ಉಡುಪಿ - 576104



ಕರ್ನಾಟಕ ಸರ್ಕಾರ
ಉಡುಪಿ ಜಿಲ್ಲಾ ಪಂಚಾಯತ್

ದೂರವಾಣಿ: 0820-2574945
Fax No: 0820-2574880
Email: zpuDupi@gmail.com

ಸಂ.ಉಜೆಪಂ.ಅಭಿವೃದ್ಧಿ:ಸಿಆರ್ 2019-20

ದಿನಾಂಕ: 23-1-2020.

ಅಪರ ನಿಬಂಧಕರು,
ವಿಚಾರಣೆಗಳು-6,
ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ ಕಚೇರಿ,
ಬೆಂಗಳೂರು-1.

ಮಾನ್ಯರ,

ವಿಷಯ: ಕಲ್ಯಾಣಪುರ ಗ್ರಾಮ ಪಂಚಾಯತ್ ವ್ಯಾಪ್ತಿಯ ಘನ ಮತ್ತು ದ್ರವ ತ್ಯಾಜ್ಯ
ನಿರ್ವಹಣೆ ಕುರಿತಂತೆ ಕೈಗೊಳ್ಳಲಾದ ಕ್ರಮದ ಮಾಹಿತಿ ನೀಡುವ ಬಗ್ಗೆ.

ಉಲ್ಲೇಖ: ತಮ್ಮ ಪತ್ರ ಸಂ. Compt: Lok: MYS: 592: 2018: ARE=6 ದಿನಾಂಕ: 19-12-2019.

-0-

ಉಡುಪಿ ಜಿಲ್ಲೆಯ ಕಲ್ಯಾಣಪುರ ಗ್ರಾಮ ಪಂಚಾಯತ್ ಪ್ರದೇಶ ವ್ಯಾಪ್ತಿಯಲ್ಲಿ ಘನ ಮತ್ತು ದ್ರವ ತ್ಯಾಜ್ಯ ನಿರ್ವಹಣೆಯನ್ನು ಕೈಗೊಳ್ಳದೇ ಇರುವ ಬಗ್ಗೆ ಸ್ಥಳೀಯರಾದ ಶ್ರೀ ರುಡಾಲ್ಫ್ ಅಲ್ಬರ್ಟ್ ಇವರು ಮಾನ್ಯ ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತರಿಗೆ ಸಲ್ಲಿಸಿದ ಮನವಿಯ ಮೇರೆಗೆ ಲೋಕಾಯುಕ್ತರಿಂದ ಕ್ರಮ ಕೈಗೊಳ್ಳಲು ಆದೇಶವಾಗಿರುತ್ತದೆ. ಈ ಬಗ್ಗೆ ಉಲ್ಲೇಖದ ಪತ್ರದಂತೆ ಕೈಗೊಂಡ ಕ್ರಮದ ಬಗ್ಗೆ ವರದಿ ಕೇಳಲಾಗಿದೆ. ಈ ಪ್ರದೇಶದಲ್ಲಿ ತ್ಯಾಜ್ಯ ನಿರ್ವಹಣಾ ಘಟಕವನ್ನು ಸ್ಥಾಪಿಸಲು ನಿವೇಶನ ಲಭ್ಯವಿಲ್ಲವೆಂದು ಕಂದಾಯ ಇಲಾಖೆಯಿಂದ ವರದಿ ನೀಡಲಾಗಿರುವ ಹಿನ್ನೆಲೆಯಲ್ಲಿ ಸದ್ರಿ ಘಟಕವನ್ನು ನೆರೆಯ ಗ್ರಾಮ ಪಂಚಾಯತ್ ಗಳ ಸಹಯೋಗದೊಂದಿಗೆ ಅಥವಾ ಖಾಸಗಿ ಜಮೀನನ್ನು ಖರೀದಿಸಿ ನಿರ್ಮಿಸುವ ಬಗ್ಗೆ ಕ್ರಮ ಕೈಗೊಳ್ಳುವುದಾಗಿ ಈ ಹಿಂದೆ ಈ ಕಛೇರಿಯಿಂದ ವರದಿ ಸಲ್ಲಿಸಲಾಗಿತ್ತು. ಅದರಂತೆ ಕಲ್ಯಾಣಪುರ ಗ್ರಾಮ ಪಂಚಾಯತ್ ನ ಪ್ರದೇಶದಲ್ಲಿ ಲಭ್ಯವಾಗುವ ಘನ ತ್ಯಾಜ್ಯಗಳನ್ನು ನೆರೆಯ ಗ್ರಾಮ ಪಂಚಾಯತ್ ಗಳ ಜೊತೆಗೆ ಒದಂಬಡಿಕೆಯೊಂದಿಗೆ ನಿರ್ವಹಿಸಲು ಅಥವಾ ಖಾಸಗಿ ಜಾಗ ಖರೀದಿಸಿ ನಿರ್ವಹಿಸುವ ಬಗ್ಗೆ ಪರಿಶೀಲಿಸಿ ಕ್ರಮ ಕೈಗೊಳ್ಳಬೇಕಿದೆ. ಈ ಕುರಿತಂತೆ ಕಾರ್ಯನಿರ್ವಹಣಾಧಿಕಾರಿಯವರು ದಿನಾಂಕ: 8-1-2020ರಂದು ಕಲ್ಯಾಣಪುರ ಗ್ರಾಮ ಪಂಚಾಯತ್ ಗೆ ಹೊಂದಿಕೊಂಡಿರುವ ಇತರ ಗ್ರಾಮ ಪಂಚಾಯತ್ ಗಳಾದ ಉಪ್ಪೂರು ಮತ್ತು ಹಾವಂಜಿ ಗ್ರಾಮ ಪಂಚಾಯತ್ ಗಳ ಪಂಚಾಯತ್ ಅಭಿವೃದ್ಧಿ ಅಧಿಕಾರಿಗಳ ಸಭೆಯನ್ನು ನಡೆಸಿ ವಿವರವಾಗಿ ಚರ್ಚಿಸಲಾಗಿದೆ ಹಾಗೂ ಕೈಗೊಳ್ಳಬಹುದಾದ ಮಾರ್ಗೋಪಾಯಗಳನ್ನು ಮತ್ತು ಪರಿಹಾರ ಕ್ರಮಗಳನ್ನು ಸಿದ್ಧಪಡಿಸಿ ಗ್ರಾಮ ಪಂಚಾಯತ್ ನ ಸಾಮಾನ್ಯ ಸಭೆಯಲ್ಲಿ ಚರ್ಚಿಸುವಂತೆ ತಿಳಿಸಲಾಗಿದೆ. ನಿವೇಶನದ ಲಭ್ಯತೆ ಹಾಗೂ ಸ್ಥಳೀಯರು ತ್ಯಾಜ್ಯ ವಿಲೇವಾರಿ ಘಟಕ ಸ್ಥಾಪನೆಯಲ್ಲಿ ಸಾಮಾನ್ಯವಾಗಿ ತೋರುವ ಆಕ್ಷೇಪಣೆಗಳ ಹಿನ್ನೆಲೆಯಲ್ಲಿ ಜನರ ಮನವರಿಕೆಯೊಂದಿಗೆ ಮತ್ತು ಗ್ರಾಮ ಪಂಚಾಯತ್ ಗಳ ಹೊಂದಾಣಿಕೆಯೊಂದಿಗೆ ಕಲ್ಯಾಣಪುರ ಗ್ರಾಮ ಪಂಚಾಯತ್ ನ ಘನ ತ್ಯಾಜ್ಯವನ್ನು ವೈಜ್ಞಾನಿಕವಾಗಿ ನಿರ್ವಹಿಸಲು ಕ್ರಮ ವಹಿಸಲಾಗುತ್ತಿರುವುದನ್ನು ತಮ್ಮ ಆದ್ಯ ಗಮನಕ್ಕೆ ತರಲಾಗಿದೆ.

ತಮ್ಮ ವಿಶ್ವಾಸಿ,

ಮುಖ್ಯ ಕಾರ್ಯನಿರ್ವಹಣಾಧಿಕಾರಿ,
ಜಿಲ್ಲಾ ಪಂಚಾಯತ್, ಉಡುಪಿ.

27) As per the said report, the process of identifying suitable land for the purpose of establishing Solid and Liquid Waste Management Centre is still going on. Hence, one more reminder may kindly be ordered to the Dy. Commissioner and CEO, Zilla Panchayath, Udipi, to submit the further action taken report, by 30-3-2020.

Submitted for kind orders of your Lordship.

M 27/1/2020
ARE-6

28) Hon'ble Lokayukta)

M 27/1/2020

M 28/1

Complied

②

29) ARE-6
in case
COVID-19 @
Solemn

NOTE
perished. Due to Lock
down the bike has
Called today.

As per the circular
dt 21/5/2020
granted

Please Reminders to
Submit the reports by

13/8/2020.

M20/S.
AAE6

30/ AAE6

08-06-2020

with

CEO updated

was ready

✓

note

perused the letter dt
10/8/2020,

Please Reminders
to Submit the business
action taken report
by 8/10/2020

M14/8
AAE6

Complied
②

31/ AAE6
2.10.2020

CEO 4000

was ready

POO was

was ready

perused the letter dt 1/10/2020.
Please Reminders to Submit
the business action taken
report by 23/11/2020

M8/10
AAE6

Complied

32) ARE-6
23-11-20
CEO ZP D-7
[Handwritten signature]

Date:23-11-2020

NOTE

Regular ARE-6 is on leave.

We have not received the report from the CEO, Zilla Panchayath, Udupi District. Hence, office to issue reminder to the CEO, Zilla Panchayath, Udupi District, to submit the report, by 13-01-2021.

[Handwritten signature]
ARE-6 (I/c)

Complied
[Handwritten mark]

33) ARE-6
13-01-2021
CEO ZP D-7
[Handwritten signature]

Date:13-01-2021

NOTE

33) We have not received the further action taken report from the CEO, Zilla Panchayath, Udupi District, inspite of issuance of repeated reminders. Hence, D.O. letter may kindly be ordered to the CEO, Zilla Panchayath, Udupi

[Handwritten mark]

District, to submit the further action taken report, by 6-3-2021.

Submitted for kind orders of your Lordship.

M 13/1
ARE-6

34) Hon'ble Lokayukta)

[Handwritten signature]
14/1/2021

M 19/1
Complied
②

33) AREB
06.03.2021
CSO 2P WIA
WIA 2020-2021

Await the report by
15/4/2021

M 18/3
AREB

35) AREB
15-04-2021
CSO 2P WIA
WIA 2020-2021

Placed
report by
Await the
26/4/2021
M 17/4
AREB

SOJAREG

26-04-2021

Waste Camp

~~Waste Camp~~

200A 00000

PRE-6 is on line

Await Repet

from CEO. 2-P. Wapi

02/06

from 26/04/21