That, you DGO-1 Sri. Kavitha Kage, Panchayath Development Officer, Suntanoo Gram Panchayath, Aland Taluk, Kalburgi District, failed and you DGO 2- Sri Nagamurthy K. Sheelavanth, Junior Engineer, Taluk Panchayath, Aland Taluk, Kalburgi District, have executed the work under MGNREG scheme for the year 2012-13 by using machineries instead of labourers and thereby have deprived the labourers from getting employment. You DGOs even though have denied the allegations have not produced any materials and muster roll to show that the works have been carried out through labourers and have not produced expenditure details of the works carried out in the year 2012-13 under MGNREG scheme to show the payment of wages to the labourers. Also the Photographs at the stage of beginning and after completion of the works have also been not produced to show involvement of labourers to execute the works. You DGO 1 has produced copy of the financial year 2012-13 which are not produced to show involvement of labourers to execute the works. You DGO 1 has produced copy of the document “Nominal of muster roll and bills with expenditure for the financial year 2012-13 which are not paid yet”
which discloses that the forestry work in the land of Anusuyabai Vittal is repeated at SL.No.10 and SL.No.11 for different amounts. Only one work of forestry in the land of Anusuyabai is approved in the action plan produced by you DGO 1, but in the expenditure to be paid, two works have been shown under the same head. Therefore, you DGOs have not produced any materials which are available with you to show that the works have been carried out by using labourers. Hence it is prima facie inferred that the works have been carried out by using machineries instead of Labourers which is in violation of the guidelines under MGNREG.

Thus you DGO 1 and 2, being a Government/Public servant has failed to maintain absolute integrity besides devotion to duty and acted in a manner unconbecoming of a Government servant and thus committed misconduct as enumerated U/R 3(1) of Karnataka Civil Service (Conduct) Rules 1966”

Therefore, I hereby submit the following recommendations:

1. In para 1 of the Inquiry Officer’s findings, it is stated that “The description of the work not furnished in the order of 2012-13 being furnished for the first time in May 2013, which was sent to the instances of the works for which the funds were released. And hence, the first paragraph of the said document asserts that the works were carried out during the period of her predecessor Smt. Suvarna (PDÖ of Suntanooor Gram Panchayat). It is also brought on record of the inquiry that the reply furnished by Smt. Suvarna on 02.09.2013 is already on the Lokayukta to indicate that the works had been carried out during her period and the number of labourers engaged for the works etc. have already been furnished by her i.e. Smt. Suvarna to the Lokayukta institution, but the same has been totally ignored and a false charge is
framed against myself (DGO-1Smt. Kavitha Kage) without obtaining any clarification from me before the articles of charge was issued against me.

It may be mentioned here that the Hon’ble Upalokayukta has made his specific recommendation of the DGO on the findings of the inquiry officer (ARE-10) of Lokayukta recorded in his inquiry report dated 22.11.2017 and further it may kindly be seen that Hon’ble Upalokayukta himself has not looked into the submissions of the DGO as also the brief submitted on her behalf during the inquiry. This clearly proves that there is no proper consideration of the facts of the inquiry by both the Inquiry Officer (ARE-10) of Lokayukta as also the Hon’ble Upalokayukta. The recommendation of Hon’ble Upalokayukta in the circumstances is partial and made to bring pressure on the Government to implement his own false recommendation without proper appreciation of the facts or evidence in the inquiry. Government has the full authority as Disciplinary Authority to reject such presumptive, baseless and false findings as also unlawful recommendation. It is, therefore, prayed that the findings of the Inquiry Officer in his report dated 22.11.2017 and the recommendation of Hon’ble Upalokayukta dated 27.11.2017 may kindly be rejected in the interest of administrative justice.

It may be mentioned here that the Hon’ble Upalokayukta has made his specific recommendation of punishment without obtaining the representation of the DGO on the findings of the inquiry officer (ARE-10) of Lokayukta recorded in his inquiry report dated 22.11.2017 and further it may kindly be seen that Hon’ble Upalokayukta himself has not looked into the submissions of the DGO as also the brief submitted on his behalf during the inquiry. This clearly proves that there is no proper consideration of the facts of the inquiry by both the Inquiry Officer (ARE-10) of Lokayukta as also the Hon’ble Upalokayukta. The recommendation of Hon’ble Upalokayukta in the circumstances is partial and made to bring pressure on the Government to implement his own false recommendation without proper appreciation of the facts or evidence in the inquiry. Government has the full authority as Disciplinary Authority to reject such presumptive, baseless and false findings as also unlawful recommendation. It is, therefore, prayed that the findings of his report dated 22.11.2017 and the recommendation of Hon’ble Upalokayukta dated 27.11.2017 may kindly be rejected in the interest of administrative justice.

DGO has taken the contention that all the alleged works were completed before she took charge as PDO at Santanoor on 25.10.2013. But she has not denied that during her period her period further proceedings are done. DGOs submit that all the records pertaining to the works completed, were submitted to the Gram Panchayath concerned and the records remain with the panchayath office/taluk office as the case may be. All the records are perused by social audit and there are no complaints of any kind. But DGOs have not produced any of the copies of the documents, photographs to show that the work was carried out manually without using the
machinery. In Ex P 8 it is clearly mentioned that the payment was not made to any of the labourers. This fact shows that the work was not executed manually. DGO also have not chosen to examine themselves in order to substantiate their contention.

The oral and documentary evidence on record clearly reveals that DGOs have executed the work under MGNREG scheme for the year 2012-13 by using machineries instead of labourers and thereby have deprived the labourers from getting employment. DGOs even though have denied the allegations have not produced any materials and muster roll to show that the works have been carried out through labourers and have not produced expenditure details of the works carried out in the year 2012-13 under MGNREG scheme to show the payment of wages to the labourers. Also the photographs at the stage of beginning and after completion of the works have also been not produced to show involvement of labourers to execute the works.

DGO 1 has produced copy of the document “nominal muster roll and bills with expenditure for the financial year 2012-13 which are not paid yet” which discloses that the forestry work in the land of Anusuyabai Vital is repeated at Sl. No. 10 and Sl. No.11 for different amounts. Only one work of forestry in the land of Anusuyabai is approved in the action plan produced by DGO1, but in the expenditure to be paid, two works have been shown under the same head. The DGOs have not produced any materials which are available with them to show that the works have been carried out by using labourers. Hence it can be prima facie inferred that the works have been carried out by using machineries instead of labourers which is in violation of the guidelines under MGNREG.

Thereby the DGOs, being Government/public servants have failed to maintain absolute integrity besides devotion to duty and acted in a manner unbecoming of the Government servants.

**Order**

The DGOs are directed to report the status of implementation of works under MGNREGA scheme for the financial year 2016-17 and 2017-18, and also list out any issues faced in the completion of the works under MGNREGA scheme.

**Date**

06-07-2018
ಎಲೆಕ್ತೇಣ ಎಲೆಕ್ಕದ ಶ್ರೀಮಾತಿ. ಸಂಬಂಧvolga 8(iii).&(iii-a) ಅವಸ್ಥೆಗಳು ಕೇಳೆ ಅವರು ಜೇವು ಬಹುತು ಸಂಸ್ಥಾನದಲ್ಲಿ ಅಂದಾಜು ಮಾಡಬೇಕು ಎಂದು ಶೀರ್ಷಣೆಗೆ ಸೂಚಿಸಿದ್ದುಂತು. ಪ್ರತಿ ಸಂಸ್ಥೆಯ ಜಿಲ್ಲೆಗಳಲ್ಲಿ ಯಾವುದೇ ವಿವರಣೆಗಳಿನಂತಹ ಅಂದಾಜು ಮಾಡಬೇಕು ಎಂದು ಸೂಚಿಸುವುದು. ಆಯುಕ್ತ ಪ್ರತಿ ಸೂಚಿಸಿದ್ದುಂತು.

ಎಲೆಕ್ಕದ ಶ್ರೀಮಾತಿ.

ಎಲೆಕ್ಕದ ಶ್ರೀಮಾತಿ.

(ಸಂಸ್ಥಾನದ ಆಡಿಮ್ಯೂಲರ್)

ಎಲೆಕ್ಕದ ಸ್ಥಾನದ ವೃತ್ತಿ.

(ಸ್ಥಾನದ ವೃತ್ತಿ)

ಪ್ರತಿಪಾದಕರಾಯಿತು ಎಂದು ವ್ಯಕ್ತಿಸಿದ್ದುಂತು.

ಪ್ರತಿಪಾದಕರಾಯಿತು ಎಂದು ವ್ಯಕ್ತಿಸಿದ್ದುಂತು.

1. ಎಲೆಕ್ಕದ ವೃತ್ತಿ.
2. ಎಲೆಕ್ಕದ ವೃತ್ತಿ.
3. ಎಲೆಕ್ಕದ ವೃತ್ತಿ.
4. ಎಲೆಕ್ಕದ ವೃತ್ತಿ.
5. ಎಲೆಕ್ಕದ ವೃತ್ತಿ.
6. ಎಲೆಕ್ಕದ ವೃತ್ತಿ.
7. ಎಲೆಕ್ಕದ ವೃತ್ತಿ.
8. ಎಲೆಕ್ಕದ ವೃತ್ತಿ.
9. ಎಲೆಕ್ಕದ ವೃತ್ತಿ.