

**Appeal from MN Vijayakumar, IAS to all IAS officers of Karnataka cadre to impress upon Sri SV Ranganath, IAS not to further tarnish the image of Karnataka by shielding and promoting the corrupt**

1 message

depenq kar <depenq@gmail.com>

Mon, Feb 27, 2012 at 11:17 AM

To: subirhs@hotmail.com, sudhir.krishna@gmail.com, skrishna@nic.in, shamimriaz85@hotmail.com, hampole123@gmail.com, kaushik.mukherjee.km@gmail.com, l_venkatachalam@yahoo.com, arvindj@nic.in, arvindj356@gmail.com, knshrivastava@gmail.com, apj_53@yahoo.co.in, cskedar@gmail.com, cs.kedar@nic.in, lvnag@yahoo.com, anitakaul.kaul@gmail.com, anitakaul.edu@nic.in, vp@baligar.com, anup@nic.in, utripathy@gmail.com, nadadur01@yahoo.com, skhuntia@hotmail.com, s.khuntia@nic.in, v56001@hotmail.com, vumeshias81@gmail.com, mnvkumar@gmail.com, prabharatna@yahoo.co.in, shoban_pattanayak@hotmail.com, sk.pattanayak@nic.in, vidyamn@hotmail.com, gollerkeri@hotmail.com, gvkrishnarau@gmail.com, peru_irp@india.com, sridharanr57@gmail.com, kpk1959@gmail.com, bachu6@yahoo.com, pbramamurthy@rediffmail.com, satyamurthyd@gmail.com, madan17@gmail.com, dandavprasad@gmail.com, ravikumar62@gmail.com, nsivasailam@rediffmail.com, sivasailam@bmr.co.in, pkharola@hotmail.com, mahenjain@hotmail.com, yogendratripathi@yahoo.com, raychid@hotmail.com, blmeena2005@rediffmail.com, erubothu@rediffmail.com, amitaprasad@hotmail.com, svandita@hotmail.com, sanjivbangalore@gmail.com, subhash59@hotmail.com, shalini_rajneesh@hotmail.com, maruka1656@yahoo.com, prasadsn@gmail.com, mohamedsanaulla@yahoo.co.in, kalpanag_19@yahoo.co.in, rajeevchawlaia@karnataka.gov.in, rajeevchawlaia@gmail.com, sandeep@nic.in, sandeepdave@msn.com, ajay_seth@hotmail.com, ajayseth@nic.in, v_manjula@hotmail.com, lnarayana_m@yahoo.com, bhak62@yahoo.co.in, bhak62@gmail.com, arvindjannu@hotmail.com, ev_rr@hotmail.com, jayanthimv@yahoo.com, rajkhatri61@hotmail.com, anilnet668@yahoo.com, sdm57@rediffmail.com, b_raju23@yahoo.co.in, charybkr@yahoo.co.in, jawaid1964@gmail.com, nagambikasharma@gmail.com, ganga_geeta@yahoo.co.in, harishgowda_ba@hotmail.com, mohan.kapil@nic.in, gaurav7gupta@gmail.com, atul_kt@yahoo.com, kumarnaikg@gmail.com, shrighegde@gmail.com, gvkongawad@gmail.com, krshashidhara@yahoo.co.in, brmudbi@rediffmail.com, brmudbi@gmail.com, atheeqlk@rediffmail.com, nilaya.mithash@gmail.com, vanila5@rediffmail.com, vandanagumani@gmail.com, v.vidyar@gmail.com, prabhakaraks226@gmail.com, umamahadevan@gmail.com, akshayganapathy@hotmail.com, tshambhatt@gmail.com, girinath.tushar@gmail.com, srumashankar@yahoo.com, dyaberi@yahoo.com, r_prasad@yahoo.com, arvind1671@hotmail.com, a.shrivastava@nic.in, a_parwez@yahoo.com, nmpias@gmail.com, raomm71@gmail.com, kuths@hotmail.com, kh.aswath@yahoo.com, rksingh00@yahoo.com, gsvrashmi@yahoo.co.in, mmias@indiatimes.com, mmias@gmail.com, rajendrakataria@gmail.com, raj69kat@gmail.com, amaranarayana@yahoo.com, selva01@yahoo.com, mimibiswas@yahoo.com, vbpatil@yahoo.com, niri_kpalli@rediffmail.com, niri_kpalli@yahoo.com, sriraman.narain@gmail.com, ritvikp@gmail.com, ritvik@nic.in, naveenrst@gmail.com, mani1972.work@gmail.com, m_moudgil@hotmail.com, ramachandra52@yahoo.com, rk_rkr@yahoo.com, vstradps@rediffmail.com, meshivalingamurthy@gmail.com, mesmurthy@gmail.com, srikar.ms@gmail.com, srikar_sridhar@yahoo.com, subodhyadav@hotmail.com, nprabhakar1999@gmail.com, adonisyedsaleem@yahoo.co.in, anumohan@yahoo.com, hgsvrivar@gmail.com, cgwda@yahoo.com, vanagundhisekhar@yahoo.co.in, anwarpasha51@gmail.com, hema_bose@yahoo.com, pankaj24pandey@yahoo.com, rajponnu@yahoo.com, subhaspattanashetti@yahoo.co.in, bnkrishnaiah55@gmail.com, dc.karbgk@kar.nic.in, darpanjain@mailcity.com, ekroopcaur@yahoo.com, ravi_ias31@yahoo.co.in, drmanjulanaik@gmail.com, shamlaiqbal@rediffmail.com, imkongla@yahoo.com, vishwanathds09@gmail.com, jafferpc@yahoo.co.uk, pcjaffer@gmail.com, manoj13473@yahoo.com, vishalravi@rediffmail.com, ajaynaghabhushan@hotmail.com, v-anubukumar@rediffmail.com, drmvprasad@yahoo.co.in, cshikha@yahoo.com, sameershukla@rediffmail.com, jaggiias@gmail.com, vipulbansal2000@yahoo.com, rejuempty@rediffmail.com, rejuempty@gmail.com, theunbeatablegirl@yahoo.com, gumeettej@gmail.com, jm_manoj@yahoo.com, manpatni@gmail.com, randeep2000@yahoo.com, salmafahim@gmail.com, anurag_tewari@rediffmail.com, drthrilokias@gmail.com, kpmohanrajas@gmail.com, ddmehendale@yahoo.com, ujjwalghosh.ias@gmail.com, ujjwal_ghosh108@gmail.com, deepacholan@gmail.com, poncholan@gmail.com, sid_leo8@yahoo.co.in, pallaviakurathi@gmail.com, priyanka.francis@gmail.com, dkravi79@gmail.com, sindhuri.dr@gmail.com, s.kanth79@gmail.com, drvenkateshias@gmail.com, pi.sreevidya@gmail.com, kanagavalli.thanesh@gmail.com, cva.kailash@gmail.com, vinothpriyar2010@gmail.com, vijaya.jyothsna@yahoo.com, dr.ramprasad2009@gmail.com, manjun15@gmail.com, srinivasa.hr9@gmail.com, govigowda@yahoo.com, sckalasad@gmail.com, njayaramias@gmail.com, g.sathyavathi@gmail.com

Cc: 1_CS <cs@karnataka.gov.in>, 1_o/o CS <officeofcs@gmail.com>, CS Karnataka Gmail <cskarnataka@gmail.com>, cvc@nic.in

ಎಂ.ಎನ್. ವಿಜಯಕುಮಾರ್, ಐಎಸ್.,
ವಿಶೇಷ ಕರ್ತವ್ಯಾಧಿಕಾರಿ ಹಾಗೂ ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಪ್ರಧಾನ ಕಾರ್ಯದರ್ಶಿ
ಸಿಬ್ಬಂದಿ ಮತ್ತು ಆಡಳಿತ ಸುಧಾರಣೆ ಇಲಾಖೆ
(ಇಲಾಖಾ ವಿಚಾರಣಾ ಕೈಪಿಡಿ)

M.N. Vijayakumar, IAS.,
Officer on Special Duty and E/o
Principal Secretary to Govt.,
Dept. of Personnel and Administrative Reforms
(Dept. Enquiry Manual)



(Tel. No.) ದೂರವಾಣಿ: (Office) ಕಛೇರಿ: 22867169

ಈಮೇಲ್ ವಿಳಾಸ: depenq@gmail.com

Email: depenq@gmail.com

ಕರ್ನಾಟಕ ಸರ್ಕಾರದ ಸಚಿವಾಲಯ
21ನೇ ಮಹಡಿ, ವಿ.ವಿ. ದೊಡ್ಡ ಗೋಪುರ
ಡಾ: ಅಂಬೇಡ್ಕರ್ ವೀಧಿ, ಬೆಂಗಳೂರು - 560 001

Karnataka Govt. Secretariat
21st Floor, V.V. Main Tower
Dr. Ambedkar Veedhi, Bangalore - 560 001

No.PER/106/OSD/DPAR/DEM/2012

25/02/2012

Sub: Appeal to all IAS officers of Karnataka cadre to impress upon Sri SV Ranganath, IAS not to further tarnish the image of Karnataka by shielding and promoting the corrupt.

Dear IAS officers of Karnataka,

As you are all aware not a week passes in Karnataka without some major scam or some report shielding a corrupt officer appearing in any of the major newspapers. Not many apart from Dr SM Jamdaar know how in February 2007 I got raided a private house in which Revenue Department Court orders were being written. I was transferred immediately within less than 24 hours after the raid was videographed and I sent a report to Government. Not many of you may know about the serious looting of public money in the energy sector I reported from 2004 to 2006. But you might have heard about 7 transfer orders issued in less than 10 months period. You must have also heard about many attempts that were made on my life after I filed a complaint with the Lokayukta against the Chief Secretary. You may recollect that I sent an email to all of you on 21/2/2011 titled the *Height of Unfairness*. After two weeks after sending that information to H.E. the President of India, I was appointed as OSD to prepare Departmental enquiry manual. But till today DPAR(Services) has not provided me even a single information needed to write the Manual.

You may recollect on 9/12/2009, I put important portions of the Departmental Enquiry Manual after studying SC Judgments from 1951 to 2011 and HC of Karnataka Judgments from 1999 to 2011. When except one Secretary none responded to any of my letters to provide certain information needed to write the Manual, I filed RTI applications. After that about 6 departments responded. From one such response received in January 2012, I learnt about a Departmental enquiry Guide prepared in 2010 itself. I am attaching at pages 6 and 7 prefaces written by Sri MN Vidyashankar, IAS and Dr Amita Prasad to

Page 1 of 19

that Guide (dated 1/6/2010). As can be seen from this it has been written by Sri R Lobo and Sri N Kshetrapal. Suppressing all these I was posted as OSD to prepare Departmental Enquiry Manual on 7/3/2011 when in fact the then Hon'ble Chief Minister had given approval for some other post in Dec 2010 itself. The criminal intention behind posting me as OSD to prepare Departmental enquiry Manual when I myself was

facing enquiry is given in my confidential letter to the DG of Karnataka Police on 11/3/21011.

What you may not know is the fact that Sri R Lobo who coauthored the Departmental Enquiry Guide was appointed as Presenting officer in my case. Till the completion of Enquiry he never uttered a word about the guide he had coauthored and I have said earlier I learnt about it only last month. He himself not only flouted what he wanted others to follow but kept quiet about brazen violations by the IA. My email dated 21/2/2012 titled the *Height of Unfairness* contains some paras written cryptically. The actual message tells how Sri SV Ranganath, IAS who was named a witness engaged a Consultant and advocate as IA by flouting all norms which Sri R Lobo aptly termed as *DA has purchased IA* to give predetermined findings. He must have suppressed the fact what the Advisors to Governor had recorded. What I have done is to bring out the unfair acts of the DA, the IA and the PO as per the Guide prepared on behalf of the government by Sri R lobo and Sri N Kshetrapal. This are placed at pages 8 to 19. You would all be able to read in more detail as *The Trial of A Whistleblower* would be put on the internet also. As you can see in addition to unfair acts, criminal tampering of enquiry documents is going on even as I write this.

As you are all aware Sri SV Ranganath is the only officer who could have easily prevented from Karnataka getting branded as the most corrupt state in the country. But as is evident he has not done so but is happy appearing before Courts to get admonished (if what I learnt is correct, he has been fined also). As can be seen from enclosed documents, he has not only tampered with the entire enquiry but is also refusing to give critical portion of the enquiry report fearing that it would not only expose the prejudice and unfair acts of the IA but also exposes his nexus with the IA to shield some of the most corrupt officers (at least in respect of one of them against whom corruption charges were there the IA has acted as his consultant and may be even now continuing to act).Many of you might have read about my complaint given to the Lokayukta against Sri SV Ranganath, IAS, Chief secretary for his criminal obstruction put to prevent me from finalizing the manual. What you may not know is the fact that I have sought permission to criminally prosecute him as per Hon'ble SC decision dated 31/1/2012.

Under such circumstances I request at least some of you to do the following after going again through my email dated 21/2/2011 and the enclosed pages:

1. I request you to impress upon Sri SV Ranganath, IAS to immediately bring to the notice of the Hon'ble Chief Minister that only he has to be held responsible for the present situation for not acting immediately as per the as previous Chief Minister's approval given 16/12/2010 to give some other posting but waited till 7/3/2011 to harass me. Please also impress upon Sri SV Ranganath, IAS that he should inform Hon'ble CM that he overruled previous Chief Minister's approval and posted me as OSD to write Departmental enquiry manual in spite of being aware of a departmental enquiry guide was already approved by the Principal Secretary, DPAR Sri MN Vidyashankar many months earlier. And that he did so in spite of being aware of the fact that I myself am facing enquiry. This is important as no one knows in how many other cases he would have overruled Hon'ble Chief Minister's decision to create embarrassment to the government.
2. I request you also to impress upon Sri SV Ranganath, IAS to act only after placing this letter along with all the enclosed documents before the State Cabinet because in his zeal to cover up his/others corrupt and criminal acts, he would be bringing bad name to Hon'ble Chief Minister and the cabinet also.
3. Sri SV Ranganath, IAS ignoring all principles of natural justice unfairly continues to act as DA (as narrated in the enclosed documents) in spite of the fact that he knew that he was named a witness in Dec 2007 itself and that even the IA *purchased* by him was not able to state that he cannot be called to give evidence as a witness because the file containing corruption report given by me was last found in his possession. Hence I request you to impress upon Sri SV Ranganath, IAS not to proceed further but to seek clarification from DoPT, GOI. As you are all aware AIS Rules allow seeking such clarification.
4. As per APAR rules, APARs should not only be written within prescribed time schedule but should also be shown to the officer reported upon in time. Hon'ble Supreme Court has passed serious orders against not doing so and these have all been brought to his notice many times. Since March 2008 he has not shown action taken on APAR representation and he has not shown any APAR since April 2008. I request if any such thing has happened in any of your case. In my APARs I have given details of corrupt acts exposed by me including that of Sri SV Ranganath, IAS. I request you to impress upon Sri SV Ranganath, IAS to make available all APAR related materials. I also request you to impress upon Sri SV Ranganath, IAS to bring to the notice of the Cabinet all other Hon'ble Supreme Court and High Court decisions which he ignored. Otherwise when such things get exposed, these would cause serious embarrassment to the Government, particularly when Hon'ble CM is the Accepting Authority for Principal Secretary Grade officers.
5. As can be seen the final part of the enquiry report (mentioned as Annexure in the partial report given to me) has not been given to me for

months together in spite of making many representations. This Sri SV Ranganath, IAS is doing not only to prevent exposing the inhuman, illegal, prejudiced and unfair acts of the Consultant appointed by him as IA(in the words of none other than the presenting officer that *DA had purchased IA*) but also mainly with a view to shield his own and others corrupt and criminal acts. Hence I request you to impress upon Sri SV Ranganath, IAS to bring to the notice of the Cabinet the portion withheld him to the cabinet, so that the cabinet can direct him to make available the withheld portion of the Enquiry report immediately. Without it I would not be able to properly give my response to the most unfairly held enquiry.

6. Some of the uncertified copies given to me show deliberate criminal tampering, removal and fabrication of documents. I have made many requests to give certified copies but till today Sri SV Ranganath, IAS has refused to provide me certified copies as it would expose his criminal tampering of records. I have come across such tampering done by Sri SV Ranganath, IAS. It is not clear in how many other cases he would have made the cabinet to take decisions based on records tampered by him. I request you to impress upon Sri SV Ranganath, IAS to place all documents whose certified copies I have been repeatedly seeking so that the Cabinet can get a firsthand look at how Sri SV Ranganath, IAS so that the cabinet can be extremely careful and may even decide to reexamine earlier decisions . The cabinet can also direct Sri SV Ranganath, IAS to immediately give certified copies to enable be me to give my response to the Enquiry Report

Thanking You,

Yours Sincerely

(MN Vijayakumar)

Copy to:1. Sri SV Ranganath, IAS, Chief Secretary to GOK & Reporting Officer, Vidhana Soudha, Bangalore

2. Sri ISN Prasad, Principal Secretary to Hon'ble Chief Minister to bring this to the notice of Hon'ble Chief Minister as he is also the Accepting Authority under APAR Rules. He is also requested to place this before the cabinet

3. Sri Jyothi Prakash Mirji, IPS, Commissioner of Police, Bangalore for necessary action in continuation of my letter dated 23/01/2012

4. Dr Amita Prasad, IAS, Principal Secretary RD & PR and DG, ATI, Mysore with a request to put on ATI website, the Departmental enquiry Guide prepared by Sri R Lobo and Sri N Kshetral to enable all IAS officers to know truth.

5. The Police Inspector, Cubbon park police station in continuation of my complaints since 11/3/2011

6. Mrs HR Lalitha, steno typist in my office to keep a copy of this letter and make it available to the police

7. Sri UH Narayanaswamy, Under Secretary, DPAR (Services I) for immediate necessary action to show it to all officers and staff who deal with DE matters.

8.



ಎಂ.ಎನ್.ವಿದ್ಯಾಶಂಕರ್, ಐ.ಎ.ಎಸ್.
ಸರ್ಕಾರದ ಪ್ರಧಾನ ಕಾರ್ಯದರ್ಶಿಗಳು
ಸಿಬ್ಬಂದಿ ಮತ್ತು ಆಡಳಿತ ಸುಧಾರಣೆ ಇಲಾಖೆ
ಕರ್ನಾಟಕ ಸರ್ಕಾರದ ಸಚಿವಾಲಯ
ಬಹುಮಹಡಿ ಕಟ್ಟಡ,
ಬೆಂಗಳೂರು.

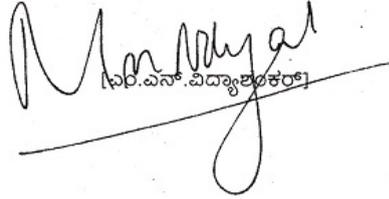
ಮುನ್ನುಡಿ

ಸರ್ಕಾರದ ಕಾರ್ಯಕ್ರಮಗಳನ್ನು ಶೀಘ್ರವಾಗಿ ಜನರಿಗೆ ತಲುಪಿಸಬೇಕೆಂಬುದು ಸರ್ಕಾರದ ಆಶೆಯಾಗಿದೆ. ಅಭಿವೃದ್ಧಿ ಕಾರ್ಯಕ್ರಮಗಳನ್ನು ಜನರಿಗೆ ತಲುಪಿಸುವಲ್ಲಿ ವಿಳಂಬ ಉಂಟಾದರೆ ಅಥವಾ ಅಶಿಸ್ತಿನ ನಡವಳಿಕೆ ಕಂಡುಬಂದರೆ ಅದರಿಂದ ಅಭಿವೃದ್ಧಿಯು ಕುಂಠಿತಗೊಳ್ಳುತ್ತದೆ.

ಸರ್ಕಾರದ ಕಾರ್ಯನಿರ್ವಹಣೆಯಲ್ಲಿ ಕಂಡುಬರುವ ಲೋಪದೋಷಗಳನ್ನು ನಿವಾರಿಸಲು ದಂಡನೆ ಕ್ರಮಗಳನ್ನು ಕೈಗೊಳ್ಳುವುದು ಅನಿವಾರ್ಯವಾಗುತ್ತದೆ. ಈ ರೀತಿಯ ಸಂದರ್ಭದಲ್ಲಿ ತೆಗೆದುಕೊಳ್ಳಬೇಕಾದ ಕ್ರಮಗಳ ಬಗ್ಗೆ ಕರ್ನಾಟಕ ನಾಗರೀಕ ಸೇವಾ [ಸಿಸಿಎ] ನಿಯಮಗಳನ್ನು ರೂಪಿಸಲಾಗಿದೆ.

ದಂಡನೆಗೆ ಒಳಪಡಿಸುವ ಅಧಿಕಾರಿಗಳು ಅನುಸರಿಸಬೇಕಾದ ಕ್ರಮದ ಕುರಿತು "ಇಲಾಖಾ ವಿಚಾರಣೆಗಳನ್ನು ನಡೆಸುವ ಬಗ್ಗೆ ಮಾರ್ಗದರ್ಶಿ [A Guide to hold Departmental Inquiries]" ಎಂಬ ಪುಸ್ತಕವನ್ನು ಆಡಳಿತ ತರಬೇತಿ ಸಂಸ್ಥೆಯು ಪ್ರಕಟಿಸುವ ವಿಷಯವನ್ನು ತಿಳಿದು ಸಂತಸವಾಗಿದೆ.

ಈ ಪುಸ್ತಕದ ಪ್ರಯೋಜನವನ್ನು ಎಲ್ಲಾ ಅಧಿಕಾರಿಗಳು ಮತ್ತು ಸಿಬ್ಬಂದಿಯವರು ಪಡೆಯುವಂತಾಗಲಿ ಎಂದು ಆಶಿಸುತ್ತೇನೆ.


ಎಂ.ಎನ್.ವಿದ್ಯಾಶಂಕರ್



ಡಾ. ಅಮಿತಾ ಪ್ರಸಾದ್, ಐ.ಎ.ಎಸ್.,
ಪ್ರಧಾನ ಕಾರ್ಯದರ್ಶಿಗಳು ಹಾಗೂ ಮಹಾ ನಿರ್ದೇಶಕರು
ಆಡಳಿತ ತರಬೇತಿ ಸಂಸ್ಥೆ, ಮೈಸೂರು

ಮುನ್ನುಡಿ

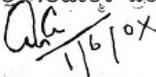
ಸಾರ್ವಜನಿಕರಿಗೆ ಆಡಳಿತ ನೀಡುವ ಸಂದರ್ಭದಲ್ಲಿ ವಿವಿಧ ಇಲಾಖೆಗಳು ದಕ್ಷತೆಯಿಂದ ಕರ್ತವ್ಯ ನಿರ್ವಹಿಸಬೇಕಾಗಿದೆ. ದಕ್ಷತೆಯನ್ನು ಸುಧಾರಿಸುವಲ್ಲಿ ಹಾಗೂ ಜ್ಞಾನ ಮತ್ತು ಕೌಶಲ್ಯವನ್ನು ಅಭಿವೃದ್ಧಿಪಡಿಸಲು ತರಬೇತಿಯ ಅವಶ್ಯಕತೆ ಇದೆ.

ಸಂಸ್ಥೆಯು ಏರ್ಪಡಿಸುವ ವಿವಿಧ ತರಬೇತಿಗಳಲ್ಲಿ ಸೇವಾ ನಿಯಮಗಳನ್ನು ಕುರಿತ ತರಬೇತಿಯು ಪ್ರಮುಖ ಪಾತ್ರವನ್ನು ನಿರ್ವಹಿಸುತ್ತಿದೆ. ಕರ್ತವ್ಯ ಲೋಪ ಹಾಗೂ ಶಿಸ್ತಿನ ಉಲ್ಲಂಘನೆಯ ಸಂದರ್ಭದಲ್ಲಿ ಅನುಸರಿಸಬೇಕಾದ ಕ್ರಮಗಳನ್ನು ಕುರಿತು ಸಂಸ್ಥೆಯ ವತಿಯಿಂದ ಶಿಸ್ತು ಕ್ರಮ ಜಾರಿಗೊಳಿಸುವ ಸಂದರ್ಭದಲ್ಲಿ ಅನುಸರಿಸಬೇಕಾದ ಕ್ರಮ ಹಾಗೂ ಬೇಕು-ಬೇಡ ಎನಿಸುವ ವಿಷಯಗಳು (Do's and Don'ts in Departmental Inquiries) ಎಂಬ ಪುಸ್ತಕವನ್ನು ಆಡಳಿತ ತರಬೇತಿ ಸಂಸ್ಥೆಯ ವತಿಯಿಂದ ಹೊರತರಲು ಹೆಮ್ಮೆ ಎನಿಸುತ್ತಿದೆ.

ಈ ಪುಸ್ತಕವನ್ನು ಶ್ರೀ.ಎನ್. ಕ್ಷೇತ್ರಪಾಲ್, ಸರ್ಕಾರದ ನಿವೃತ್ತ ಜಂಟಿ ಕಾರ್ಯದರ್ಶಿಗಳು ಹಾಗೂ ಜಂಟಿ ಮುಖ್ಯ ಚುನಾವಣಾ ಅಧಿಕಾರಿಗಳು ಹಾಗೂ ಶ್ರೀ. ರಿಚರ್ಡ್ ಲೋಬೊ, ಸರ್ಕಾರದ ಜಂಟಿ ಕಾರ್ಯದರ್ಶಿಗಳು, ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳ ಇಲಾಖೆ ಇವರು ಜಂಟಿಯಾಗಿ ರಚಿಸಿದ್ದು, ಇವರ ಪ್ರಯತ್ನಕ್ಕೆ ತುಂಬು ಹೃದಯದ ವಂದನೆಗಳನ್ನು ಸಲ್ಲಿಸುತ್ತೇನೆ.

ಈ ಪುಸ್ತಕವನ್ನು ಪರಿಶೀಲಿಸಿ ಮುದ್ರಣಕ್ಕೆ ಸಿದ್ಧಪಡಿಸಿದ ಶ್ರೀ.ಕೆ.ಆರ್. ಸುಂದರ್, ಜಂಟಿ ನಿರ್ದೇಶಕರು (ತರಬೇತಿ), ಶ್ರೀ.ಕೆ. ಇಕ್ಬಾಲ್ ಹುಸೇನ್, ಜಂಟಿ ನಿರ್ದೇಶಕರು (ಆಡಳಿತ), ಶ್ರೀ.ಹೆಚ್.ಪಿ. ಶಿವಶಂಕರ್, ಬೋಧಕರು (ಸಾಮಾನ್ಯ ಆಡಳಿತ- 1) ಮತ್ತು ಶ್ರೀ.ಕೆ. ಶ್ರೀನಿವಾಸ, ನಿವೃತ್ತ ಬೋಧಕರು, ಆಡಳಿತ ತರಬೇತಿ ಸಂಸ್ಥೆ ಇವರಿಗೆ ವಂದನೆಗಳು.

ಈ ಪುಸ್ತಕವು ಎಲ್ಲಾ ಅಧಿಕಾರಿಗಳ ಮತ್ತು ಸಿಬ್ಬಂದಿಯವರ ಅವಶ್ಯಕತೆಗಳಿಗೆ ಉಪಯುಕ್ತವಾಗುವುದೆಂದು ಭಾವಿಸಿದೆ. ಪುಸ್ತಕವನ್ನು ಉತ್ತಮಪಡಿಸುವಲ್ಲಿ ಸಲಹಾತ್ಮಕ ಪ್ರತಿಕ್ರಿಯೆಗಳಿಗೆ ಸ್ವಾಗತವಿದೆ.


(ಅಮಿತಾ ಪ್ರಸಾದ್,

Unfair and illegal acts of the DA, the IA and the PO brought out as per the Guide for Departmental Enquiry prepared for government of Karnataka in 2010 by Sri R Lobo and Sri N Kshetrapal for which Sri MN Vidyashankar, IAS had written preface in his capacity as Principal Secretary, DPAR

Page numbers refer to page numbers of this Departmental Enquiry Guide

Page No	As per the Guide	Actual fact/s in my case
60	Disciplinary Authority cannot initiate enquiry in which he himself is involved	Though it is clear from the basic concept of natural justice a person interested cannot be Disciplinary authority, in my case brazenly the then Chief Secretary in addition to naming himself a witness initiated the Disciplinary Proceedings during Governor's rule that too for having filed a complaint against him with the Lokayukta by fabricating baseless charges. But Advisors to Governor who were fully aware of the facts and who saw my responses to the Charges (naming the present Chief Secretary as a prime witness as the corruption report given by me was last traced to him and he had not initiated action) asked the Chief Secretary to give a posting suitable to my Grade and the Chief Secretary himself was removed. This happened in Dec 2007. After this all efforts to stop me from pursuing my corruption cases failed. In oct 2009, the present Chief Secretary directly told me not to pursue the corruption cases if I wanted posting and made the illegal, unethical and immoral suggestion to compromise with corruption. I refused it in writing. He sent rowdies to harass me. When I did not budge, he unashamedly subjected me to

		<p>medical examination in December 2009 by asking me to appear before doctors whose corrupt practices I had reported earlier. He was very certain that I would not appear and would yield to his illegal suggestion. I not only appeared before the same doctors and administered anti-corruption oath to them telling them that whistle blowing is not a mental illness but is a diagnostic method to expose the corrupt who cause cancer of the Society, but also told them that world over corrupt bosses of whistleblowers always brand whistleblowers as mentally ill and that I was no exception. Unfortunately our healthy pet dog was killed with in less than 48 hours after I attended the Medical Examination(Till today the present Chief Secretary has not communicated the findings of the Medical Board. I have mentioned this fact in my APARs since 2009 and other corrupt acts allowed by him till today. But in brazen violation of APAR Rules and SC decisions/directives in spite of filing RTI application/complaint he has not made even APARs available to me till today) I have given copy of my letter dated 27/1/2010 to all IAS officers of Karnataka Cadre which clearly brings out how I refused present Chief Secretary's illegal, immoral and unethical demand to compromise with corruption. In spite of being fully aware of the fact that he was named a witness by me in Dec 2007 itself, after I refused to compromise with corruption, appointed the Inquiry Authority by again brazenly flouting all norms of appointment. This he did by purchasing the IA who would give findings which were predetermined as voluntarily revealed by none other than the Presenting officer himself on 17/2/2011. On 21/2/2011 I sent an email to all IAS officers of Karnataka cadre titled The height of Unfairness. It contains in cryptic form the purchase of IA by DA to give predetermined findings. I reported to government with evidence looting of public money/wealth by corrupt officers and insisted the Chief Secretaries to initiate action. One such report was last found with the present Chief Secretary. This resulted in three attempts on my life and issuing 7 transfer orders in less than 10 months period. When I filed complaint against the then Chief Secretary with the Lokayukta in June 2007 (after he made it clear in the presence of my wife that he shields the corrupt), he in addition to putting not just my life but those of my family members indulged in the worst form of retaliation. He fabricated APAR but was caught because he had assumed posting I never held, assumed the role of both the reporting officer and reviewing officer just to record adverse remarks and by destroying evidences. During his examination as a witness I made him to reveal even worse things (he was removed later from the post of Chief Secretary is a different thing but he deserves to be criminally sentenced. I have sought permission of the Government).</p>
61, 62	Whether show cause notice can be issued without conducting preliminary enquiry	<p>Except in the cases of Audit reports and Reports of Lokayukta, Courts, Police etc preliminary inquiry into each charges must be got done by assigning it to an officer with proven integrity. Preliminary investigation is important not just to prevent innocent officers from being harassed but also to collect all evidences and witnesses against officers indulging in misconduct. In my case the Chief Secretary who admitted that he shields the corrupt never cared to at least get any report from any of the officers immediately senior to me. Since he knew that apart from himself if any other person is named a witness his criminal conspiracy would be exposed behind framing baseless charges and hence did not conduct any preliminary enquiry and even ignored the suggestion given by his subordinates to get legal opinion.</p>
63	Only DA must sign show cause notice and should not make Secretary, deputy Secretary etc to sign	<p>As the DA had named himself a witness while framing charges in December 2007, he asked an officer junior to me who is not authorized to issue show cause notice to issue notice to me. In my response to the charges in December 2007, I had named the present Chief Secretary as my prime witness when I had no knowledge that he would become the Chief Secretary that too by superseding more eligible senior officers. The present Chief Secretary knowing that he has been named a witness by me in December 2007 adopted the same illegal strategy and is making his subordinates sign on behalf of him though he should be issuing any thing as the DA. The present Chief Secretary after I refused to accept his illegal, immoral and unethical suggestion to compromise with corruption did not even make any effort to hide his brazen illegal acts at every stage from thereon and has till today not stopped criminally harassing and obstructing me. It is important to note that his predecessor, though not named as a witness chose not to appoint the inquiry authority as the Advisors to H.E. the Governor had clearly ruled out DE in my case.</p>
64	Whether after a decision was taken not to hold enquiry, can enquiry be initiated later	<p>The Chief Secretary who framed charges did not proceed further after Advisors to Governor who were aware of facts suggested instead to give posting suitable to my experience and expertise. The Chief Secretary who succeeded him also did not proceed with the enquiry but the present Chief Secretary by handing over his office seal to his predecessor made him to write certain things in my APAR. But his predecessor because of pressure put the date on which he was no longer Chief Secretary. Against this criminal act and other similar things involving land mafia running the KAT mentioned by me in the APAR I gave my representation. But the present Chief Secretary who is involved with so many mafia for a long time has till today not cared to respond to my representation. The same applies to all APARs after that period. He has not showed them till today though he claims he is my Reporting Officer(I have moved Govt since April 2010 to name another officer in his place as Reporting Officer)</p>
65	Mode of service	<p>Though charges should be directly served in spite of being aware of the fact that I would not be in Belgaum but in Bangalore to attend a Meeting, the charges had been sent to the office and it appears that the sealed cover was asked to be opened by someone(I donot know what was</p>

		replaced)
66	Who are to be shown as witnesses	Anyone whose statement is mentioned must be included as witness. In my case no such thing was done. Even the sole non-official witness on whose letter charges were based was not included in the witness list. As far as official witnesses are concerned, all my efforts to examine them as witness failed because of the conspiracy between the DA & the IA. The DA himself being named as the prime official witness leaving out even my immediate senior officers clearly indicate that the framing of charges was nothing but a retaliation against me for having filed a complaint with the Lokayukta against him.
67	Can showcause notice be issued without ascertaining basic facts	In all cases the least that must be done is to get views of the immediate senior officer. The only charge to which a senior officer was named witness was dropped while in respect of all other charges not even a single senior officer or for that matter those supposed to have knowledge had been shown as witnesses. Even the show cause notice must be based on the report of the immediate senior officer.
68, 69	Can showcause notice be issued without revealing details	One cannot selectively reveal documents relied upon. If preliminary investigation had been done in addition to his report, statements of witnesses and documents relied upon would have been available. No such thing was done in respect of a single charge against me (For those interested the charges are for acting as per anti-corruption pledge, calls given by the PM and the President, my wife's fight against corruption for my efforts to protect corruption related enquiry file, for insisting not to ignore govt's own notification and for protecting valuable govt land- only the last one was dropped!) Such baseless charges were framed with the only intention of harassing me to keep me engaged in an unfair enquiry me with the sole objective to prevent me from pursuing corruption cases reported by me. These officers instead went on tampering with evidences in some cases even removing all materials which would contradict the charges.
70	Can officer against whom complaint had been filed issue showcause notice	This is a clear case of brazen misuse of power to harass a subordinate and in my case only such things have happened. All the show cause notices have been issued in retaliation to the complaint filed by me with the Lokayukta against the then Chief Secretary in 2007.
71, 72, 75	Who can be appointed as IA	Rules are very clear that only serving/retired officers and retired judges can be appointed as IA provided they have no interest in the case. If retired officers/judges are engaged in any other activities after retirement then such things should be clearly mentioned and only with the consent of the Government Servant they can be appointed as IA. The Disciplinary Authority must have a clear idea of clients if the person whom he wants to appoint as IA is engaged in any other profession after retirement. If he is engaged in any activity which requires confidentiality of his clients like consultancy etc., he should never be appointed as IA. In the case of Advocates, it is easy to find out not only his clients but how he argued the case as whatever he files as an Advocate in a Court can be accessed because they are all public documents. The same is not at all true in the case of Consultants. It may be noted that mostly people who want to keep things confidential only approach legal Consultants. Those approaching Consultants expect that the Consultant not only keep their being clients of him confidential but also expect that the issues for which they approached the Consultant also be kept confidential unless ordered by a Competent Court. Any Consultant who reveals details of his clients or issues for which Consultancy was sought would be indulging in criminal breach of trust. It is for this reason nowhere Consultants are appointed as Inquiry Authorities. Any retired judge who gets appointed as IA suppressing that he is a Consultant can never be expected to act fairly because the motive behind his accepting the duties of the IA which gives him only meager fee compared to his work as Consultancy (suppressed) has to be doubted. Suppression of any post retirement activity must be construed as done with ulterior motive. In this regard Hon'ble SC decision is very clear. Unfortunately even though this Judgment of the Supreme Court was available the same has not been mentioned in the Guide. In my case the fact that the IA was a practicing consultant and a practicing advocate were both suppressed till I discovered those myself. Not only that but the fact that the IA and the DA who framed charges were involved in the same case, the fact that IA was a consultant to an officer whose corrupt acts I myself was enquiring into (but abruptly changed after I insisted on video recording the proceedings) and the fact that both the present Chief Secretary and the IA had other joint interests were all suppressed. But for the voluntary revelation on 17/2/2011 by the Presenting Officer himself about the unholy nexus between the IA and the DA, it would have been difficult to unearth so many things. All IAS officers of Karnataka Cadre may remember my email dated 21/2/2011 titled the <i>Height of Unfairness</i> . It contained details of the unholy nexus between the IA and the DA in a cryptic form. I kept the CVC, the CBI and even H.E. the President of India informed about this. I have documented how the IA's postretirement professions affected the enquiry itself.
73, 74, 76	What should be done if the Government Servant	It has been clearly stated in all Manuals written on Departmental Enquiry that the IA must immediately suspend the hearing, inform the DA and proceed only if the DA passes an order. He should not sit over judgment against himself. But in my case the IA did exactly the opposite. He did not

	expresses lack of faith in the IA	stop the proceedings and even went to the extent of saying that he would give me certain documents to judge him! The DA on the other hand who is expected to pass an Order immediately because of the already ulterior motive with which he had selected the IA never responded till I sent a final letter that too after nearly four months(he wanted to send me on election duty but the ulterior motive was revealed). That is a big story in itself and how crooked DA brazenly and unashamedly misused authority meant to punish the really corrupt used it to harass me can be read in great detail in my book <i>The Trial of a Whistleblower. (I was given permission by the Government to write such a book after more than 15 months after I responded to charges)</i> The unfair and unethical acts of the IA started even before appearing before him when he sent his mobile number to me through some middlemen to contact him (I was undergoing one week training at that time)and later when he said he would like to hold the enquiry in his house. When the GS has expressed his total lack of faith in the IA, the IA not suspending the enquiry till the DA gives his decision clearly shows the vested interest IA has in the case. This is exactly what happened in my case. Even though I had given details as to why I did not have faith in the IA in August 2010 itself, the DA never responded till December 2010 by which time IA brazenly continued conducted unfair proceedings
76	Who should examine reply given to the charges	Only DA must examine the reply and he becomes solely responsible for it. He should communicate all his decisions under his signature only. This has never happened in my case even once so far.
76	Who should not be appointed as IA	The very fact that in all serious cases GOI Expert Group has suggested as a major measure of Departmental Enquiry Reforms ,only serving officers should be appointed as IA explains everything. This is mainly because Retired officers/Judges cannot be held accountable for serious lapses. At least in the case of retired Government Servants, they are prohibited from conducting the Departmental enquiry three years after retirement. Unfortunately, in the case of retired judges, the same yardstick is not applied. Many totally ignorant officials involved in enquiry matters are under the utter wrong impression (or deliberately do with ulterior motive) that if something is not forbidden then it is allowed. The best example for this is appointing a retired judge who is pursuing Consultancy work as given earlier against page Nos 71,72 & 75. This would only be correct if the consent of the Government Servant is taken and not otherwise and if all the clients of the Consultant are not only willing to disclose their names but also the purpose for which they sought Consultancy. Since this is a very remote possibility and involves time consuming process, no Consultant is ever appointed as IA. Any Consultant who gives names of this clients and purpose for which they approached him without taking the clients' consent would be indulging in criminal breach of trust. Such a Consultant should never be appointed as IA. Today we see many retired Judges joining political parties, multinational companies and big business houses. Can they all be appointed as IAs? Take another case of a retired Judge who had been consulted by an official against whom grave corruption complaint is there .Can such a Consultant be appointed as an IA? What if the retired Judge suppresses the fact that he is also a practicing Consultant and Advocate. If a retired Judge conceals such facts which can be easily verified , what about others like any of his client being interested in the outcome of the DE. All such things exactly happened in my case.
76	Whether salary can be denied during enquiry	It is very clear from AIS Rules and SC decisions that enquiry would be void if subsistence salary had been denied to even a suspended official. Then it would be even more wrong to deny salary during enquiry of an official who is not even suspended as has happened in my case. In fact to harass me by withholding salary even Order approved by the Chief Minister in Dec 2010 to give me posting was not given effect to with malicious intention till March 2011. This is the worst case possible and the DA's criminal intention of harassing me in the garb of DE becomes clear. The present Chief secretary among other things to financially harass me got me relieved without DPAR issuing any transfer order. As everyone says such things can happen only in the most corrupt state!
77, 78	Is it fair to appoint an officer junior to the Government Servant as PO	The real purpose behind holding departmental enquiry is not just to punish the wrong doer but also to improve the self respect of officials. As Expert Committee appointed by GOI itself has observed those officials who do not yield to do illegal things and protest are subjected to enquiries to teach lesson to others. Even from the point of experience, a junior officer who was never in the shoes of his senior can be expected to understand everything. If that official in addition to being junior also happens to not to belong to the same Service, it becomes even worse. The Presenting officer should not just be bold but should also know the decision making process and what his Service expects of him . Only such an officer can even prevent an honest official from being further harassed in the garb of enquiry. It is only such an officer who also can understand how a really corrupt officer acts. Unless the DE is conducted to undermine the Service itself as has happened in my case, it is not advisable to appoint any officer who does not belong to the Service and certainly not an officer junior to the GS. Unfortunately all these happened in my case and the PO was so coward that in spite of having the personal knowledge of the unholy nexus between the DA and the IA instead of informing some other suitable authority informed about it to me totally shattering my mental peace. All these happened in my case.
78 ,79, 82	Can PO send orders of IA	PO is not expected to sign anything or send anything which only the IA is expected to do. In my case the PO sent the ORDER to me without even

		marking a copy to the IA. The nexus between the PO and the IA got exposed. DA to whom many such things were brought to notice did not care to set right many such things but encouraged those things by not warning either the IA or the PO because of the ulterior motive with which he initiated enquiry throwing all norms and facts.
80, 81	Can PO act against IA, DA	A PO who comes across ulterior motive behind forcing an official to face enquiry of either the IA or the DA or both must withdraw himself at the earliest and bring to any other statutory authority at least confidentially such matters so that the already harassed official is not subjected to further unbearable mental agony. If nothing else he could have reported to his immediate superior. Unfortunately the PO in my case neither withdrew from the case nor informed other authorities about the unholy nexus between the IA and DA which he was aware of. Instead, the PO chose to voluntarily inform me and my wife about the unholy nexus between the DA and the IA. He also voluntarily revealed that Rules and norms flouted in my case and informed 7 months in advance what the final findings that would be given not only by the IA but also by the DA. But what is unfortunate is that he is one of the co-authors of the Guide on Departmental Enquiries and the least he could have done was to withdraw from the case, but he chose not to do so. He was the second PO to be appointed in my case after the first PO withdrew himself for reasons unknown to me probably because he refused to be part of the conspiracy. On the other hand, the second PO in my case not only became part of the conspiracy but also violated each and every norm which he himself had written for others to follow. This is the worst form of lack of integrity. The same PO even suppressed the information that he had authored the Guide to hold Departmental Enquiry throughout the enquiry period inspite of the IA asking the PO whether any material was available as to how departmental enquiries should be conducted, particularly when the issue of summoning of witnesses came up. I learnt about the Guide in January 2012 in response to an RTI query.
82	Can PO act like a subordinate to IA	PO is never expected to act as a subordinate of IA. Unfortunately I have documented many instances of PO acting as not just a subordinate of IA but as a class IV employee under IA. A PO who had co-authored a Guide should not have degraded himself so much but it gives raise to many other doubts as to why someone wants to continue in spite of such humiliation.
83, 84	Can IA frequently demand the Government Servant to engage an advocate	IA has no right to say as to how the GS should defend himself. But IAs for whom DEs have become a lucrative business in spite of the low fees paid find it easy to make deals with advocates. The PO in the presence of IA even when the evidence of my wife was being recorded told that all the charges would be proved if I did not engage an advocate which is nothing but another way of confirming indirectly what he voluntarily revealed on 17/2/2011.
85	Can IA give uncorrected copy	IA is expected to give only certified photo copy or a copy which contains all corrections. He cannot force the GS himself to make corrections. This is exactly what happened in my case. Later many of the documents including Order sheets were found tampered. The DA in addition to not giving a part of the enquiry report also refused to give certified copies. Such things only indicate the desperate malicious acts of the DA-IA unholy nexus.
86, 87, 88, 89, 90	Can DA refuse to show documents sought	DA cannot and must not refuse to show any document or deny certified copies sought. DA must not forget that his actions may lead to unnecessarily deprive livelihood of not just the Government Servant but his entire family. The only question that the DA must ask is what harm he himself would suffer if he gives the materials sought. Only a DA who has initiated enquiry based on baseless materials or who has tampered with documents (including destruction) or whose own criminal conduct would get exposed is afraid to give certified copies.
89	Can DA provide uncertified copies	DA must not provide any uncertified copies. Even if the GS does not ask he must provide only certified copies. Really dishonest officers prefer only uncertified copies.
91, 106	Can IA try to contact GS even before hearing starts	IA must not try to contact GS except in the enquiry hall. In my case even before I was to appear before him, IA had sent his mobile number to contact him. Only those who want to make illegal deals engage in such things. As this happened even before the enquiry started and as I was informed about many of his other activities which convinced me beyond doubt that fair enquiry cannot be expected from him, I reported to the DA my total lack of faith in the IA giving innumerable events. Though the DA was informed he ignored it and the real nexus between the DA and the IA revealed by none other than the PO himself made clear to me why the IA wanted to give his mobile number to me.
92	Can IA act against his own procedure he had informed the GS at the beginning at the enquiry itself.	IA should not act against the procedure he himself informed to the GS in the beginning of the enquiry. Such deviations clearly indicate that he is acting as per some external influence and it can only mean conspiracy. In my case in respect of summoning documents, witnesses and even time that would be given for examination of witnesses were all changed. If the IA had not changed what he had informed earlier the criminal conspiracy forcing me to face the enquiry into baseless charges would have been exposed by the witnesses themselves almost a year back and it would have been impossible for the IA to give the predetermined findings. But the unholy nexus between the IA and DA is so strong that the IA brazenly

		indulged in all unfair acts but discarded all evidences placed also without assigning reasons.
93, 94	Can IA refuse request for proper place for holding enquiry	IA must not select a place for which entry is difficult. Certainly under no such circumstances he should desire to hold the enquiry in his own residence that too when the GS has expressed total lack of faith in the IA. All these happened in my case. Though it was brought to the notice of the DA, for reasons already given he never acted.
94, 115	Can IA force to hold proceedings ignoring medical advice	IA cannot sit over judgment on diagnosis made by experts particularly when the GS offered himself to be examined by any doctor of DA's choice. Ignoring all such things the IA behaved in the most inhuman manner and conducted the enquiry when I was not well. DA who was fully aware of all these things never acted upon any of the requests made.
95		
96	Can the immediate superior officer to whom the officer reports be ignored as witness	It is always mandatory to get a report from the immediate senior officer To establish that he had given certain views to the DA or whether his views were not sought can only be confirmed by examining him as a witness. In my case just to avoid calling immediate senior officers as witnesses, their views were not taken. If reports from immediate senior officers had been taken in my case, not even a single charge could have been framed against me but criminal proceedings would have been initiated against the DA himself almost 5 YEARS BACK. If a proper officer had been appointed as PO then such an officer would have brought out such glaring lapses to the notice of DA. In my case the PO in spite of he himself compiling circulars (that too twice)many of which clearly indicate no charges should be framed without getting the heads of departments views in writing never uttered a word nor withdrew himself when such glaring lapses were noticed.
97, 08, 99	Can IA examine one witness in the presence of another witness	IA must never examine one witness in the presence of another. In spite of this heon many occasions sought information from my wife in the presence of Government's witness.
100	Can IA ignore written statement filed before the GS examines himself	IA not only ignored the written statement but also has removed the written statement given by me as per the uncertified partial copies given to me by the DA. While IA/DA is expected to consider all statements given by GS he is not expected to remove them and this shows ulterior motive.
101, 102, 103, 105, 112	Can IA refuse to summon witnesses listed by GS	Though it is for the GS to make arrangements to produce the witnesses listed by him, it is only IA who must summon witnesses by issuing notice. In case if witnesses fail to appear then he can compel their attendance. Same thing applies to documents. In my case the IA who initially said he would issue notice and that I would have to bear the expenditure if any never issued any notice and forced me to write letters requesting them to appear as witnesses. I not only informed the witnesses that I would be able to pay only economy flight charges for those staying outside as I had not been paid salary for months together with malicious intention by DA and requested them to give evidence even if it is against me . But all those who had conspired never turned up including the DA who had been listed as the prime witness in my case. As DA had initiated the baseless enquiry and had predetermined asto what the IA must give as findings, he did not take any action to either call witnesses or produce documents (the most important document was last traced to be in his possession)
102	Can IA refuse to summon documents sought by GS	Just like witnesses above, the IA cannot refuse to make efforts to get documents if necessary by compelling them to produce documents. All documents sought by the GS must have been made available even before examining the first witness by the PO. Unfortunately in my cases while some documents surfaced only after the examination of Government's witness was over, many critical documents which would have exposed the criminal conspiracy behind forcing me to face the baseless unfair enquiry were never produced and have not been made available till today. DA was aware of each and everything that was happening and as he was not only just a witness but was also the last custodian of the document he made sure that none of the critical documents sought were produced. The IA, who as voluntarily revealed by the PO, had been purchased by the DA ,never mentioned anything about such serious things while giving his findings. But from an IA who ignored even all other documentary evidences marked, this also is something expected otherwise how he would have given the findings agreed upon even before the commencement of the enquiry
104	Can IA insist to give only written argument	IA cannot tell how GS should give his final reply. In my case just to avoid recording himself in unequivocal terms the criminal conspiracy behind the baseless enquiry and even worse to avoid recording how unfairly he himself had acted at every stage (that too even before appearing before him), against AIS Rules insisted that I must give only written response. The inhuman way in which the IA behaved during this period would be revealed in my book " <i>The trial of a Whistleblower</i> "

105, 113, 116	Can IA act on assumptions	Findings given by the IA are fully based on assumptions. All evidences produced not only brought out the charges being utterly baseless but clearly established criminal conspiracy behind forcing me to face this baseless enquiry. Even in respect of easily verifiable facts IA has made assumptions. Just to quote only a few. While I had more than two hundred days of leave at my credit, he concludes that I remained absent as I did not have any leave at my credit. While letter after letter written by me clearly showed that while I was posted to Mysore Lamps no facility was given (phone, vehicle, salary, even a class four staff), he assumed that I used phone given by Government in my house. More funny is that he also records that I worked in Mysore Power Corporation (till today I have not heard of such a company). When both Sri AKM Nayak and the SP, Belgaum knew where I was, he concludes that I was unauthorizedly absent in spite of Chief Secretary's office itself contained mails sent indicating. This is in spite of letters availing CL were found in WRD file! I was away as my mother was ill and she later died. But what becomes glaring is the fact that he got different parts of his enquiry report written by different group of people. Luckily unsolicited documents given by DPAR revealed not only how it was being done but also the pressure exerted by the DA on some officials to act illegally.
107	Can IA replace order sheet for which GS signature was obtained	IA has no business to meddle with any document on which the signature of the GS has already been taken. In my case all Orders received under protest have been replaced and at least in two cases even unfair and illegal methods adopted by the IA recorded by me have been made to vanish as per the uncertified copies given by DPAR. This amounts to serious criminal tampering of documents
109	Can copies of documents identified by witness on behalf of PO be denied	Actually fair enquiry demands that certified, clearly visible photocopies must be given. In my case I reported to the DA about the IA getting changes made to the witness statements that too by allowing the witness to take home the statements after taking my signature. I protested and even informed the DA in writing, but DA who had purchased the IA to give findings which he wanted (as per the voluntary revelation of the PO) never acted. This is the worst conspiracy possible. Such tampering have taken place is obvious from not only the uncertified copies given to me but also from the refusal by the DA to give not just certified copies but also part of the enquiry report itself
109 110	Can IA allow unconnected people during the enquiry	I have protested against the presence of many unconnected people in the enquiry hall, I have protested against the PO frequently speaking over mobile during enquiry, I have protested against witness statements emailed to outside group even before showing it to me. As all these became daily happenings I even started reporting to the CVC, The CBI and the DopT. As expected the DA who had purchased the IA to give predetermined findings as per the voluntary revelation of the PO never acted
111		
112		
114	Can IA ask witness to take oath	IA should not ask witness to take oath. But in my wife's case he made her to take oath. But he abruptly stopped recording her evidence when everything she was stating and she had produced showed an enormous conspiracy that the DE was initiated after more than 2 and a half years after I had responded to the baseless charges when all efforts to get me killed failed. The PO who was a coward did not even insist forcefully to cross examine my wife as he knew all evidences given not only by her but given by me would be ignored. This was the only method left for the IA to do as per voluntarily revelation made by the PO as per which DA had purchased the IA to give findings he wanted even before appointing him as IA.
115, 116	Can IA ignore written requests	IA must never ignore any written request. The same applies to the DA. In my cases innumerable instances of both IA and DA ignoring my written requests are there.
117	Can IA proceed without providing documents sought by GS	IA must not start the proceedings without ensuring availability of all documents needed. IA obviously did not do so (and certainly expected from DA) and continued to hold the proceedings even though the documents I sought were never produced. This behavior of the IA only strengthens what the PO voluntarily revealed about the DA purchasing the IA.
118	Can charges be framed only on newspaper report	Never. In fact statement of either the reporter or the editor must be taken before framing charges. They must also be made witnesses. In my case leave alone doing any such thing even the same newspaper publishing a totally different view of the same incident the very next day was removed. IA obviously ignored such glaring facts as per voluntarily revelation made by the PO as per which DA had purchased the IA to give findings he wanted even before appointing him as IA.
119, 120	Can DA interfere with	Unsolicited uncertified documents given to me by DPAR clearly indicate that DA colluded with enquiry conducted by IA. As earlier informed even

	IA's proceedings	witness statements before corrections and before showing to me were getting emailed. Though it gave an impression that only IA is conducting the enquiry, the presence of unauthorized people in the same hall, the frequent mobile conversation during the inquiry, making changes to statements recorded in my presence after taking my signature, removal and tampering of acknowledgments given under protests, replacing order sheets containing my signature with others all point out to a totally different thing. Only thing is that all such things appear to have been done brazenly as some of them were so sure that I would not be alive till the end of enquiry. This is the only possible conclusion that can be drawn as to why I was posted as OSD to write Departmental enquiry manual while I myself was facing enquiry that too overruling the approval given by the Chief Minister. If the posting had been done with genuine interest then why DPAR has not made available even a single information sought by me since March 2011 to prepare the manual. All these when DPAR, Principal Secretary had written a preface to the Departmental Enquiry guide about 9 months earlier!!
121	Can IA deviate from Rules	IA must stick to rules, guidelines and circulars issued by the Government. In my case as can be seen almost everything expected to be followed to make an enquiry fair has been violated. But such things only can be expected of an IA who had been purchased by the DA to give predetermined findings as per voluntarily revelation made by the PO.
122, 123, 125, 127, 128	Can IA conduct inquiry as per his whims and fancy	I have given enough instances to show that the IA conducted the enquiry as per his whims and fancy. There is hardly even a single act of the IA which can be shown to have been done in a fair manner. Now I hope you all understand as to why I sent the email titled the <i>Height of Unfairness</i> on 21/2/2011 to all IAS officers of Karnataka Cadre. But only such things can be expected as per voluntarily revelation made by the PO as per which DA had purchased the IA to give findings he wanted even before appointing him as IA.
124	Can IA keep DA informed as to how he is writing his final enquiry report	IA should never consult DA as to how he should prepare the report as to what findings to give. Unsolicited documents given to me by DPAR clearly indicate that DA colluded with enquiry conducted by IA and it even extended to writing the final enquiry report. Otherwise how can one explain handwritten notes regarding the enquiry findings given along with information not pertaining to enquiry by the DPAR. If the handwriting is that of the IA himself then it would mean he was taking approval from someone in DPAR or if belongs to some one in DPAR then what findings should be given in what manner was being dictated by someone in DPAR. Anyone reading this clearly can understand that both are wrong. As a part of the enquiry report has not been given till today, it can only be concluded that the conspiracy is only tip of the iceberg and it is being done to suppress more serious crime from being exposed
126	Can IA engage another person to write the report	As earlier stated so many factual errors and wholesale discarding of evidences and witness statements and information contained in the unsolicited documents given by DPAR and finally not giving the final portion of the enquiry report all point to the fact that more than one person has written the final report
130	Can DA ignore IA also deliberately ignoring evidences	This is only thing that can be expected of the DA as he himself ignoring the decision of the Advisors to Governor initiates inquiry that too by appointing an IA to give findings as he wanted. It is also expected of the DA as he made it very clear that I would not be even getting a posting if I do not compromise with corruption. It is expected of a witness who ignores all Rule of Law and acts as a DA. It is expected of DA who is so afraid to give APAR which should have been shown mandatorily voluntarily shown without asking. It is expected of DA who neither acts as a Reporting Officer nor appoints another officer to act as Reporting Officer. It is expected of a DA who uses rowdies to threaten me. It is expected of a DA who makes a week long Vigilance awareness program a two minute mourning like session. It is expected of a DA who is afraid to encourage Vigilant Eye Program. It is expected of a DA who to deny me salary during enquiry relieves me without DPAR issuing any transfer order. It is expected of a DA who overrules even Chief Minister's approval with extreme criminal intention. It is expected of a DA who releases illegally withheld salary amounting to more than Rs 8 lakhs only after I deposited the bribe cheque with the Hon'ble Lokayukta!!! It is expected of a DA about whom even the PO voluntarily reveals that he purchased IA by throwing all norms of appointment to get findings as he wants. It is expected of a DA who after appointing me as OSD to prepare Departmental enquiry Manual that too while I myself am facing enquiry denies not only facilities but information needed to write the manual. It is expected of a DA who shows utter contempt to Rule of Law, Hon'ble Supreme Court directives/decisions. What I have given here vis only a small fraction of what the DA has done. It does not include his criminal conspiracy to harass me and my family financially, mentally, physically. His criminal obstruction to prevent me from performing my duties. It does not include how he harassed and humiliated my wife.
131, 132, 133, 134	Can DA refuse to give entire Enquiry Report given by IA	DA must give everything that is given as Enquiry Report. In my case the last critical portion which would have helped me to establish the prejudice, malicious intention of both the DA and the IA and so also their unholy nexus has been denied to me till today to shield those who have looted thousands of Crores of Rupees.

134, 135	DE against retired GS	Though it is not applicable to me many efforts have been made to force me to retire since January 2007. DA many times tried to communicate through the IA that he wanted to drop the enquiry if I take VRS. DA many times as can be seen from my requests wanted me to go out of Karnataka on deputation to get rid of me somehow and to achieve this he did not even mind suppressing the fact that I was facing an enquiry
136-150	appeal	Not applicable right now.
151, 152	Can enquiry proceedings be unduly delayed	GOI instructions are very clear that enquiry must be completed within 6 months after framing charges. In my case even though I gave my response to the charges in Dec 2007 itself, just to harass me enquiry is not being completed. All my letters including this show how I am forcing the DA to conclude the enquiry
153	Promotion during enquiry	In my case many actions have been taken which as per GOI itself amount to demotion. So it is reverse of what is allowed.
154, 155, 156, 157	Criminal proceedings and DE	Instead of initiating criminal proceedings against officers whose corrupt practices I reported Corrupt Chief Secretaries have instead subjected me to the most unfair enquiry. I have started already with the process of initiating criminal proceedings against the DA
158	Death during DE	If my confidential letter dated 11/3/2011 is seen, DE would have been dropped after I was found dead in March 2011 itself. Luckily on 8/3/2011 when I was waiting in the PS to CS cubicle, a well wisher came and told me about the real intention behind posting me and more importantly about the location of the office. He advised me not to go alone to that office without someone trustworthy. In fact the office is so located that if there is an emergency I cannot even talk to anyone on mobile. DE against me would have been closed after I was found "dead by committing suicide after jumping from the 21 st floor". I defeated the DA's conspiracy and I am alive at least to write this.
159	Can DA correct his own orders	Neither DA nor IA can correct his own order after giving it to GS. In my case as per the uncertified copies given not only IA has tampered with the order sheets, he has even made changes to witness statements
159, 160	Sanction for prosecution	To start with I have sought sanction to criminally prosecute the DA under many sections of the IPC. As can be seen from the above not many sections under the IPC can be excluded.

