

**BEFORE THE HON'BLE INSTITUTION OF ANDHRA PRADESH LOKAYUKTA,  
BASHEERBAGH, HYDERABAD-63  
Complaint No.1149 of 2013 (B-1)**

**BETWEEN**

**Jampana Kondala Rao, S/o. Venkaiah,  
K.S. Mahal, Vuyyuru. Krishna Dist. (A.P)**

..... Petitioner

**AND**

**1.Yalamanchili Babu Rajendra Prasad, MLC  
2.G. Jaya Raju, SE.PR.I. Division, Machilipatnam, Krishna Dt.  
3.SE APSPDCL, Vijayawada circle, Vijayawada, Krishna Dt.  
4.G.V. Balaji, Municipal Commisisoner, Vuyyuru Nagarpanchayat,  
Vuyyuru town, Krishna District, (A.P)**

... Respondents 1 to 4

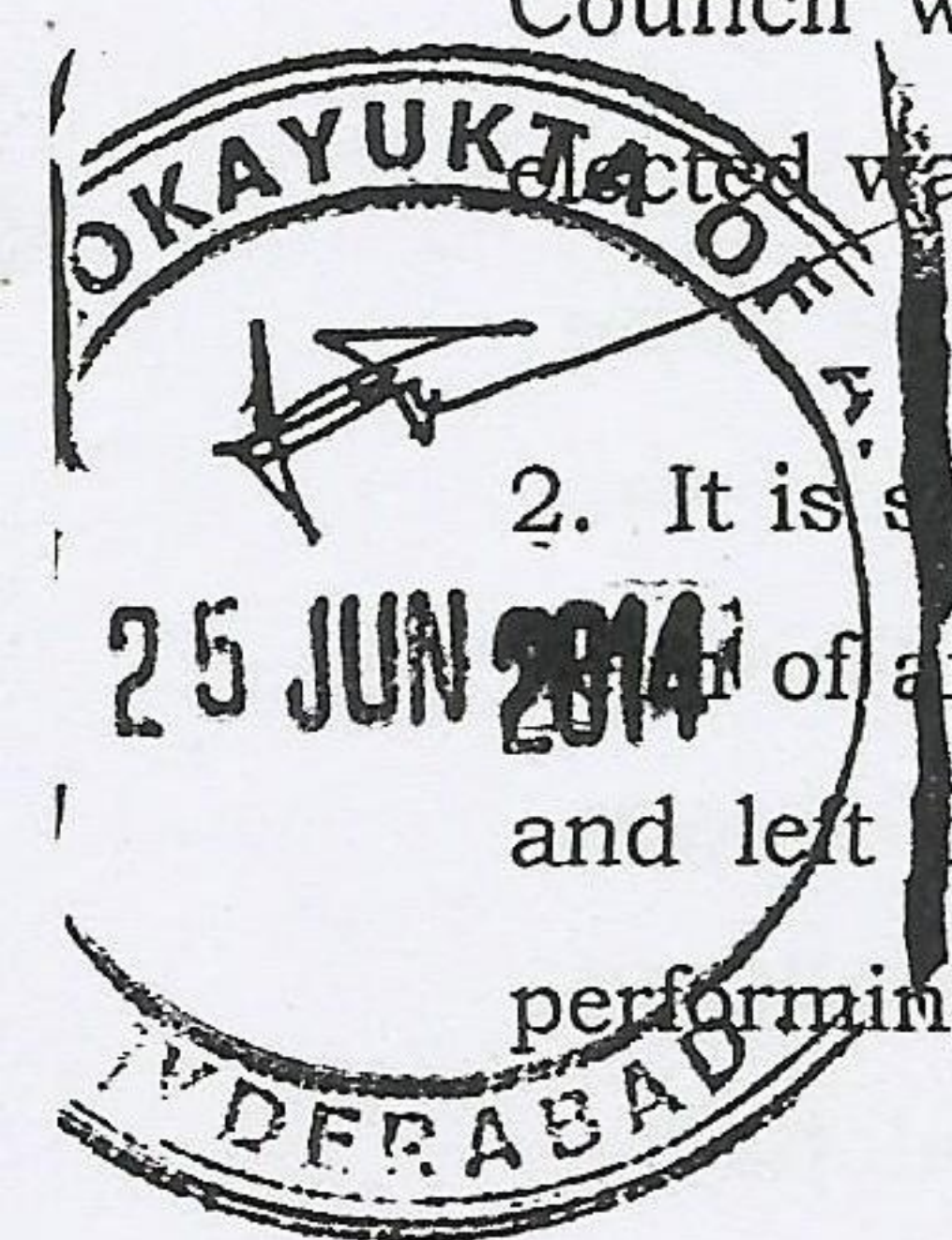
**REPORT/COUNTER FILED BY THE 4TH RESPONDENT OFFICE i.e., THE MUNICIPAL  
COMMISSIONER, VUYYURU NAGARPANCHAYAT, VUYYURU, KRISHNA DISTRICT**

I, Kanikaram Srinivasa Rao S/o. Pandu Ranga Rao Aged 50 years, presently working and discharging my duties as Municipal Commissioner, Vuyyuru Nagarpanchayat do here by solemnly affirm and sincerely state on oath as follows basing upon the facts and records available at my office i.e., the office of the Nagarpanchayat, Vuyyuru.

1. I humbly submit that I took charge of my duties as Municipal Commissioner, Vuyyuru Nagarpanchayat on 02.03.2014. It is submitted that Vuyyuru Gram Panchayat was transformed into Vuyyuru Nagarpanchayat on 28.12.2011, prior to it, it was Vuyyuru Gram Panchayat. As such the transformation process is going on and the records are being transferred, updated and processed accordingly, further recently in the month of March'2014 the Vuyyuru Nagarpanchayat for the first time went for the elections and as such all the staff including myself are involved in the process of election and the results were declared recently and I am now fully involved in my office duties. Further Municipal Council was not established and Municipal Chairperson is to be elected by the newly elected ward members.

2. It is submitted that my predecessor in office i.e., Sri G.V. Balaji who used to be at the head of affairs of this office worked till 02.03.2014 as Municipal Commissioner, Vuyyuru and left to Machilipatnam Municipal Office as Assistant Municipal Commissioner and performing his duties.

3. It is submitted that while office files are being sorted out and classified, the legal files are being concentrated, the need and necessity of standing counsel the Municipality Vuyyuru is identified and as such the of appointment standing counsel is on process, the file relating to the above petition filed by the petitioner namely Japana Kondala Rao is verified and to the utter surprise it came to my notice that a report is to be filed on or





before 25.06.2014 before this Hon'ble Institution. Immediately on 12.06.2014 I addressed a notice to my predecessor in office i.e., Sri G.V. Balaji who is at the helm of affairs as on the day of filling this petition before your authority. In the notice addressed to him I requested him to reply to the Hon'ble Institution of Lokayukta as the 4th respondent in the present petition is shown in-person as Sri G.V. Balaji, Municipal Commissioner, Vuyyuru Nagarpanchayat. On 21.06.2014 Sri G.V. Balaji replied to me and the copy of the same is being filed herewith for the kind perusal. It is submitted that I made strenuous efforts to sort out the files relating the subject matter. But I could not reliably know that those records pertaining to the subject matter were not at all transferred to this office, while the Gram Panchayat, Vuyyuru is being transformed into Nagarpanchayat and I have taken steps to get the records from the then higher authorities i.e., The District Panchayat Officer, Machilipatnam, Krishna.

**4. It is further humbly submitted that as per the records available in my office and upon perusing the petition, affidavit, complaint of the petitioner along with 7 documentary evidence filed with the petition, I respond/report to your Hon'ble authority i.e., Institution of Lokayukta as under:**

- a) The petitioner namely Jampana Kondala Rao, S/o Venkaiah, Vuyyuru is a politician by profession as it is clearly revealed from the documents filed by him i.e., Youth Congress General Secretary of Krishna District. Further the 1st respondent namely Yalamanchali Babu Rajendra MLC from Vuyyuru is of his opposite rival part i.e., from T.D.P., and as such it is just and natural that allegations/counter allegations in political parties is quite natural and is part of their professional political rivalry.
- b) It is the case of the petitioner that he filed the present petition for public purpose, where as our reliable enquiries revealed that he is a litigant by virtue and as such he files petitions with no cause of action on bureaucrats, officials and on rival political parties so as to uplift his image in public and accordingly get political mileage.
- c) Further it is the case of the petitioner that while constructing Sri Seetha Rama Kapu Kalyana Mandapam a misappropriation of 2 crores of public funds was caused by the respondents. It is submitted that the said construction of the Kalyana Mandapam took place in the years 1995 to 2003 when the 1st respondent and his wife were Panchayat Presidents of Vuyyuru Gram Panchyat. As such it is established that the alleged misappropriation took place if at all at the time and tenure of Vuyyuru Grama Panchayat and as such recently formed/transformed Vuyyuru Nagarpanchayat has no bearing on the said allegations as the Vuyyuru Nagarpanchayat is not even born by that time as alleged. And it is submitted that the petitioner has neither leveled allegations nor shown them as parties. It is evident that the petitioner is pelting stones in dark.



d) Further it is submitted that as observed from the press note dated.24.01.2013 released by the then Municipal Commissioner, Vuyyuru Nagarpanchayat Sri G.V. Balaji reveals that our office took charge and possession on 24.01.2013 only and as seen and observed from the complain of the petitioner it is whiled on 20.03.2013 i.e., 60 days after Nagarpanchayat took charge, further it is to recollect your Hon'ble authority that Vuyyuru Nagarpanchayat exists from 28.12.2011, where as the petitioner is questioning and alleging the Nagara panchayat and attributing frauds and misappropriations of the year 1995 to 2003.

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e) It is submitted that the petitioner filed a 2 page petition one in English and the another in Telugu. The English version is addressed to the Hon'ble Lokayukta and Upa Lokayukta, Hyderabad stating that "the respondents indulged in corrupt practices in abuse of their official position, caused a wrongful loss of Rs.2 cross of public funds and thereby gained wrongfully" and prays to take action. To prove his case he filed 7 references/documents. In the entire petition he never tried to explain how those 7 documents will prove his case but simply attached them to the petition. After a mere perusal of the 7 documents it prima facie proves that all the 7 documents are self contradictory to one another and are contradictory to the main petition.

f) The documents when read over reveal the following :-

- i) the first document is the proceedings of the Executive Engineer, Panchayat Raj dt. 28-2-2003, which reveals that Rs.7 lakhs is only released for the construction of the said Mandapam and the money is not at all released to the 4th respondent office i.e. Nagara Panchayat, Vuyyuru and the respondent has not made the Vuyyuru Panchayat or the Panchayat Raj Department as a party to this proceedings to answer the same.
- ii) The second document is a computerized press note dt. 17-3-2011 released by one Kunapareddy Srinivasa Rao who is not a party to the proceedings. Wherein he sates that Rs.10 lakhs was released by the first respondent and his wife for construction of the Kalyana Mandapam and nothing against the respondents 1 to 4 and more particularly the 4th respondent is there in the press note. The astonishing thing is that the press note was not at all published in any daily news papers and as such the petitioner has not filed the copies of the same.
- iii) The third document is a registered letter addressed by Addl. Director, A.C.B. to the petitioner stating that T. Pradeep Kumar of Vuyyuru and Kunapareddy Srinivasa Rao , Panchayat Member , Vuyyuru an enquiry is being conducted by the Vigilance and Enforcement Department, and the said records pertaining to the Mandapam were already seized and an

**COMMISSIONER**  
**VUYYURU NAGAR PANCHAYAT**  
**VUYYURU, Krishna (Dt.)**



another letter from Director General, A.C.B., stating that S. Anand, Panchayat Secretary, Vuyyuru and Komma Vara Prasad A.E., Panchayat Raj Department, Vuyyuru are examined and the entire record was handed over to Vigilance and Enforcement Department, Vijayawada and further stating that enquiry has already been started in a parallel way also. It is pertinent to bring to the notice of this Hon'ble Institution, that the petitioner has not preferred to make parties either the Panchayat Raj Department or the Anti Corruption Bureau. It shows that the petitioner is with unclean hands before this Hon'ble Institution.

- iv) The 4th document is addressed by Regional Vigilance Enforcement Officer, Vijayawada to Bazwada Bar Association, Human Rights Committee which has nothing to do with this petition or with the petitioner or with the respondents and there is no valid representation from their side and as such it cannot be treated as a document of evidence.
- v) The 5th document pertains to the A.P.S.P.D.C.L., who is the third respondent and as such I being the 4th respondent cannot explain the things which happened at the office of 3rd respondent and has no bearing on the present petition and as it is with regard to R.O.I. Act appeal.
- vi) The 6th document clearly reveals that the petitioner is of a political origin which is addressed to Public Information Officer, D.P.E. Division, A.P.S.P.D.C.L., Vijayawada with regard to R.T.I. Act in which in Page No.4 some typed data by him is filed on his own accord in a 8 page petition stating how the money was allegedly received from various departments by way of funds.
- vii) The 7th document is a news paper article cutting of VAARTHA AND SAKSHI which shows that the 4th Respondent Office took possession and charge of the Kapu Kalyana Mandapam on 24-1-2013 which supports my case that we have nothing to do with the earlier happenings when it was a Panchayat.

In view of the above submissions I beg to submit that the petitioner has no iota of truth in his allegations and the 7 documents does not support his case that is why he has not explained in the entire petition how the 7 documents have bearing on the petition and on the allegations.

I further beg to submit that as observed above the records are already seized by the Vigilance and Enforcement Department, Vijayawada admittedly accepted by the petitioner and as such further begs to submit that I being a new person to this office who recently took charge on 2-3-2014 and am

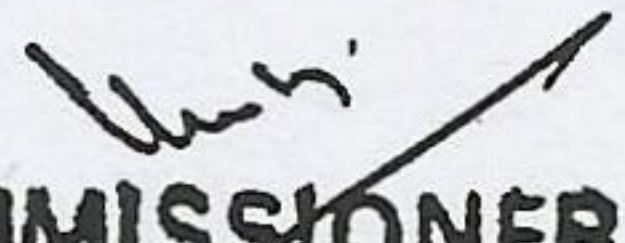


always ready to support your Hon'ble authority i.e. the Institution of Lokayuktha which is established to meet the ends of justice and to curb corruption and redtapism in bureaucracy .

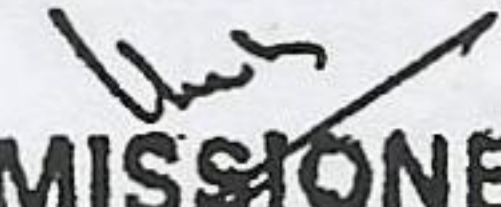
It is further begged before Honorable Lokayuktha the Institution of justice to grant necessary time so as to give your authority all the necessary information . Further this office will file an appropriate counter when the entire information regarding Kapu Kalyana Mandapam is received back from Vigilance & Enforcement Department, Vijayawada.

Therefore it is prayed to dismiss the petition as it is prima-facie a self contradictory, untrue exercise engineered by a politician on bureaucrats.

Vuyyuru,  
dt.25-6-2014.

  
**COMMISSIONER**  
**VUYYURU NAGAR PANCHAYAT**  
**VUYYURU, Krishna (Dt.)**  
4th Respondent

Facts stated above are all true and correct to the best of my knowledge, belief and information and the information given above are all as per records available in our office.

  
**COMMISSIONER**  
**VUYYURU NAGAR PANCHAYAT**  
**VUYYURU, Krishna (Dt )**  
4th Respondent.

Copies enclosed :

1. Notice issued to Sri G.V. Balaji, the then Commissioner,  
Vuyyuru Nagar Panchayat, dt. 12-6-2014.
2. Reply to item No.1 issued by Sri G.V.Balaji, Asst. Commissioner,  
Machilipatnam Municipality, dt. 21-6-2014.



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Post with Ack.due:

నగరపంచాయతీ కార్యాలయము  
ఉయ్యూరు. తేది.12.06.2014.

ఓ.సి.నెం.372/2014/సి1,

నోటీసు

విషయము : ఉయ్యూరు నగరపంచాయతీ - కాపుల కళ్యాణ మండపము స్వాధీనం - లోకాయుక్త ఫిర్యాదు నెం.1149/2013/బి1 - శ్రీ జంపాన కొండలరావు, ఉయ్యూరు వారు - శ్రీ జి.వి. బాలజీ, ఉయ్యూరు నగరపంచాయతీ కమీషనరువారిపై వేసిన ఫిటీషన్ కు ది.25.06.2014వ తేదిన విచారణ - సంపూర్ణ నివేదిక సమర్పించుటకై -తగు నిర్మాణాత్మక చర్యల విషయమై - నోటీసు జారీ చేయుట గురించి.

సూచిక : లేఖ ఎల్.డిస్.నెం.1149/2013/బి1/LOK/1749/2014, ది.25.02.2014వ తేదిన గల ఆంధ్రప్రదేశ్ లోకాయుక్త, హైదరాబాద్ వారి నోటీసు.

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ఉయ్యూరు నగరపంచాయతీ పరిధిలో గల కాపుల కళ్యాణ మండపమును ఉయ్యూరు నగర పంచాయతీకి ఆప్పటి మునిసిపల్ కమీషనరు అయిన తమరు స్వాధీనపర్చుకొనిన విషయము విదితమే. తమరి దాని నిర్మాణ విషయములో రూ.2 కోట్లకు పైగా అవకతవకలు జరిగినట్లు శ్రీ జంపాన కొండల రావు, S/o. వెంకయ్య, ఉయ్యూరు వారు ఆరోపణలు లేవనెత్తుచూ మహారాజశ్రీ ఆంధ్రప్రదేశ్ లోకాయుక్త, హైదరాబాద్ వారి దగ్గర ఫిటీషన్ నెం.1149/2013/బి1, గా ది.20.03.2013న వారి నోటీసుయందు పేర్కొనబడిన నిందిత అధికారిగా తమరిని వ్యక్తిగతంగా పెర్కొనుచూ, ఆప్పటి ఉయ్యూరు నగరపంచాయతీ కమీషనరుగా ఉన్న తమరి పేరు మీద ఫిర్యాదిదారు ఫిటీషన్ వేసిన విషయము తమరికి తెలిసినదే. తమరి నిమిత్తము తమరు కొన్ని ఉత్తర ప్రత్యుత్తరములు మునిసిపల్ స్టాండింగ్ కౌన్సిలు వారితో జరిపినట్లు గానూ గల రికార్డులో ఉన్నది. ఇట్టి స్థితిలో తమకు అసిస్టెంటు కమీషనరుగా మచిలీపట్నం పురపాలక సంఘమునకు బదిలీ అయినందున, తమరు మహారాజశ్రీ ఆంధ్రప్రదేశ్ లోకాయుక్త, హైదరాబాద్ ముందు గాజరుకానందున వారు లేఖ ఎల్.ఆర్.డిస్.నెం.1149/2013/బి1/LOK/1749/2014, ది.25.02.2014వ తేదిన ఈ కార్యాలయమునకు ఉత్తర్వులు పంపుచూ, ది.25.06.2014వ తేదీలోపు ఇందు విషయమై సంపూర్ణ నివేదికను లోకాయుక్త వారికి అందజేయుటకు చివరి ఆపకాశముగా తమరిని ఉద్దేశించి తమరియపర్చినారు. సదరు నోటీసు ఈ కార్యాలయమునకు ది.28.02.2014వ తేదిన అందిన విషయము తమకు విదితమే, తమరు ఈకార్యాలయము నుండి బదిలీ అయిన నాటి నుండి సదరు నివేదిక సమర్పణకై, తమకు వెసులుబాటు కలిగించు నిమిత్తము కార్యాలయ దస్త్రములను ఉత్తర ప్రత్యుత్తరాది విచారణ సమాచారము కొరకు తీవ్రముగా యత్నించిననూ ఈ విషయమై ఎట్టి సమాచారం లభించి యుండలేదు. కాని ఈ విషయమై తమరితో ఫోన్ ద్వారా సంప్రదించుచున్నాను, మరియు ది.24.01.2013వ తేదీ నాటి తమచే జారీ చేయబడిన పత్రికా ప్రకటన యొక్క నకలు మనహా సదరు పైలు కమిషనరుకు సమయానుకూలముగా పంపించి యుండివుండలేదని తమకు విశిధపర్చుకొనుచున్నాను.

// Attested by me //

  
**COMMISSIONER**  
**VUYURU NAGAR PANCHAYAT**  
**VUYURU, Krishna (Dt )**



కావున సదరు సూచిక నందు పేర్కొనబడిన లోకాయుక్త, హైదరాబాద్ వారి ఉత్తర్వుల ప్రకారం జరూరు చర్యలు చేపట్టవలసియున్నందున, సదరు ఫిటీషన్ తమ పేరుపై దాఖలై యున్నందున, సదరు ఫిర్యాదుకు తమరే ప్రత్యక్షంగా సమాచారము ఇవ్వవలసియున్నందున ఈ విషయమై మేమెట్టి సహకారం మీకు అందజేయగలవారమో తెలియపర్చుచూ, తమరు మా కార్యాలయమునకు వచ్చి ది.20.06.2014వ తేదీ లోగా సదరు సమస్య పరిష్కారమునకు నిర్మాణాత్మకమైన చర్యలు చేపట్టవలసినదిగా తెలియ జేయడమైనది.

*[Handwritten signature]*  
కమీషనరు,

ఉయ్యూరు నగరపంచాయతీ  
*[Handwritten signature]*  
12/06/14

- జత: 1) ఫిటీషన్ కాపీలు.  
2) లోకాయుక్తవారి ఉత్తర్వులు.

ము: శ్రీ జి.వి. బాలాజీ గారు.  
అసిస్టెంట్ కమీషనరు,  
పురపాలక సంఘ కార్యాలయము,  
నుచిలీపట్నం (కృష్ణాజిల్లా).

- నకలు: శ్రీ రిజిస్ట్రార్, ఇన్స్టిట్యూట్ ఆఫ్ ఆంధ్రప్రదేశ్, లోకాయుక్త, బషీర్ బాగ్, హైదరాబాద్ వారికి సమాచార నిమిత్తము సమర్పించడమైనది.  
నకలు: శ్రీ ప్రాంతీయ సంచాలకులు మరియు అప్పిలేటి కమీషనరు, పురపరిపాలనా శాఖ, రాజమండ్రి వారికి సమాచార నిమిత్తము సమర్పించడమైనది.  
నకలు: శ్రీ కమీషనరు మరియు సంచాలకులు పురపరిపాలనా శాఖ, హైదరాబాద్ వారికి సమాచార నిమిత్తము సమర్పించడమైనది.

DESPATCH.

*[Handwritten signature]*  
13-6-14

// Attested by me //

*[Handwritten signature]*  
COMMISSIONER  
VUYURU NAGAR PANCHAYAT  
VUYURU, Krishna (Dt.)



The Commissioner,  
Vuyyuru Nagar Panchayat  
Vuyyuru,  
Krishna District.

Sir,

Sub:- Vuyyuru Municipality - Lokayuktha - Complaint  
No.1149/2013/B1 filed by Sri. J. Kondala Rao - Certain  
information - Furnished - Reg.

Ref:- Lr.Dis.No.1149/2013/B1/LOK/1749/2014, dt. 12/08/2012 &  
25/02/2014.

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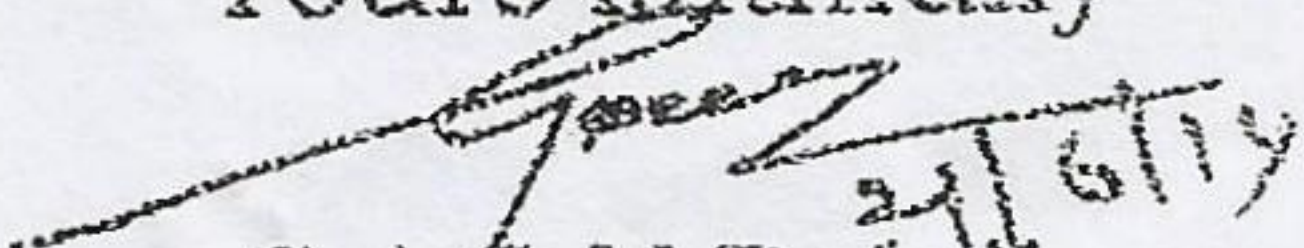
In obedience to the instructions issued in the letter of Hon'ble Lokayuktha and with reference in your Notice 2<sup>nd</sup> cited, I am to inform you that a complaint no.1149/2013 was filed by Sri J. Kondala Rao before the Hon'ble Lokayuktha alleging the loss of public funds with regard to construction of Sri SEETHA RAMA KAPU KALYANA MANDAPAM.

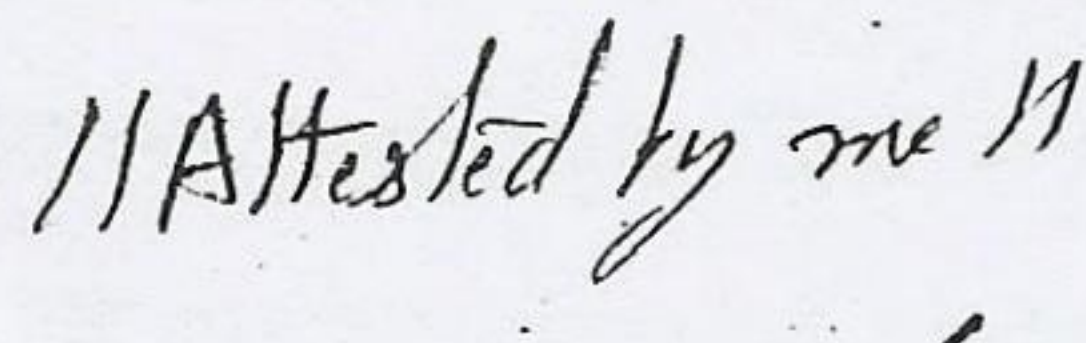
In this connection the first notice was issued to the Commissioner Vuyyuru Nagar Panchayat directing to submit a report on the complaint of the complainant on or before 20.02.2014 and Sri I.Ravindra Babu advocate was addressed through this office letter dt.07.11.2013 requesting to attend before the Hon'ble Lokayuktha for requesting time for submission of report subsequently the Hon'ble Lokayuktha was pleased to adjourn the matter to 25.06.2014 for submission of report by the Municipal Commissioner Vuyyuru Nagar Panchayat Vuyyuru.

I am to further inform you that I was transferred from Vuyyuru Nagar Panchayat and Assumed duty as Assistant Commissioner from the FN of 03.03.2014 while I was working as Commissioner in that Nagar Panchayat, I looked after the case during my working tenure and the said 2<sup>nd</sup> adjournment notice has been reached to Vuyyuru Nagar Panchayat on 28.02.2014 stand posted to 25.06.2014 and where I had left and relived from Vuyyuru Nagar Panchayat on 02.03.2014 only where there is no time to submit report to the Hon'ble Lokayuktha with in only one day duration and on the other hand the adjournment notice from the Hon'ble Lokayuktha has sent to the Municipal Commissioner Vuyyuru Nagar Panchayat only but not to G.V.Balaji in my name.

I therefore request the Commissioner Vuyyuru Nagar Panchayat to send detailed report to the Hon'ble Lokayuktha in this regard with in time.

Yours faithfully

  
Sri G.V. Balaji,

  
COMMISSIONER  
VUYYURU NAGAR PANCHAYAT  
VUYYURU, Krishna (Dt)