

IN THE COURT OF DEPUTY COMMISSIONER UTTARA KANNADA KARWAR

Present: Sri. S S Nakul, I.A.S
Deputy Commissioner,
Uttar Kannada, Karwar.

No. DUDC/IV/Viva/2018-19



Between

Shri Krishna Mastappa Naik,
Councilor TMC Bhatkal

V/s

Chief Officer
Town Municipal Council
Bhatkal.

Sub: Disqualification of the members under section 16(2)(C) of Karnataka Municipality Act 1964.

Preamble:

The Chief officer TMC Bhatkal vide his letter no. Pusabhe-Adalita Vi/CR/2016-17 dated 15-7-2016 and No. Pusabhe-CR/2018-19/137 dated: 04-8-2018 submitted a report with documents stating that Shri Krishna Mastappa Naik Councilor TMC Bhatkal remained absent for 3 consecutive meetings of the municipal council which was held on 12-01-2016, 29-02-2016 and 26-04-2016 and requested to take action as per section 16 (2) (C) of Karnataka Municipalities Act 1964.

The Karnataka Municipalities Act 1964 section 16 (2) (C) reads as follows.

“ If any councilor during the term for which he has been elected or appointed absent himself from the meetings of the municipal council, during three consecutive months except with the leave of the municipal council may be disqualified”

Pursuant to the above provision notice was issued to Shri Krishna Mastappa Naik, Councilor T.M.C Bhatkal dated: 20-9-2016 and this notice was served on his Mother Smt. Mastamma Mastappa Naik since Shri Krishna Mastappa Naik was not available in his residence. The notice being served on his mother the service of notice is sufficient but Shri Krishna Mastappa Naik did not submit any explanation, hence second and final notice dated: 30-8-2018 was issued to him. This notice was served by affixture on his resident door as he was not found there and the door was found locked. Sufficient opportunity was given to him but he has neither submitted his explanation nor appeared before the under signed. Hence I am of the opinion that there are sufficient grounds to disqualified Shri Krishna Mastappa Naik from the membership of Bhatkal Town Municipal Council. Hence, I proceed the following order.

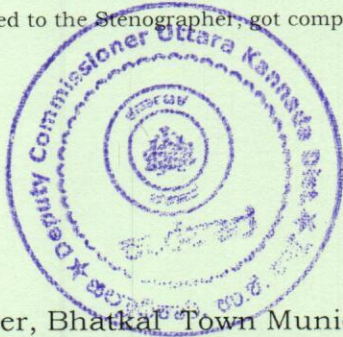
No. DUDC/IV/Viva/2018-19

Dated: 22-10-2018

Order

Regarding the facts and circumstances of the case and the reasons narrated above, as per the section 16 (2) (C) of Karnataka Municipalities Act 1964 Shri Krishna Mastappa Naik councilor Town Municipal Council Bhatkal is here by disqualified.

(Order dictated to the Stenographer, got computerized, verified and pronounced in open court on 22-10-2018)



**Deputy Commissioner,
Uttara Kannada, Karwar.**

Copy to:-

1. Chief Officer, Bhatkal Town Municipal Council Taluk: Bhatkal for information and further necessary action.
2. Shri Krishna Mastappa Naik, R/o Taluk Bhatkal for information.