

FIRST INFORMATION REPORT

முதல் தகவல் அறிக்கை

(Under Section 154 Cr.P.C.)

(கு.ந.வி.தொ.பிரிவு 154 இன் கீழ்)

TAMIL NADU POLICE
INTEGRATED INVESTIGATION FORM-I

8097162

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1. District : CUDDALORE PS: V & AC Year: 2018 FIR No.:6/2018 Date: 01.08.2018
மாவட்டம் காவல்நிலையம் ஆண்டு மு.த.அ. எண் நாள்
2. (i) Act சட்டம்: Indian Penal Code Sections பிரிவுகள்: 167,477-A,468,471,420,409, r/w 109,
(ii) Act சட்டம்: Indian Penal Code Sections பிரிவுகள்: 477-A r/w 109, 468 r/w 109, 471
(iii) Act சட்டம்: Prevention of Corruption Act 1988 Sections பிரிவுகள்: r/w 109, 420 and 409 r/w 109
(iv) Other Acts & Sections பிற சட்டங்களும், பிரிவுகளும் : Sections பிரிவுகள்: 13 (2) r/w 13 (1) (c)
3. (a) Occurrence of Offence Day : Date from : 2012 Date to : 2017
குற்ற நிகழ்வு நாள் நாள் முதல் நாள் வரை
Time Period : Time from : நேரம் முதல் நேரம் வரை
நேர அளவு நேரம் முதல் நேரம் வரை
(b) Information Received at PS. Date : 01.08.2018 Time : 1330 hrs
காவல் நிலையத்திற்கு தகவல் கிடைத்த நாள் நேரம்
(c) General Diary Reference : Entry No(s) Vol - II Time : 1330 hrs
பொது நாட்குறிப்பில் பதிவு விவரம் எண் நேரம்
4. Type of Information : Written/ Oral : Through Vigilance Report
தகவலின் வகை : எழுத்து மூலம் / வாய் மொழியாக
5. Place of Occurrence (a) Direction and Distance from PS: WSIS at Chidambaram Municipality Limit
குற்ற நிகழ்விடம் (அ) காவல்நிலையத்திலிருந்து எவ்வளவு தூரமும், எத்திசையும் 50 Kms South
Beat Number : (b) Address :
முறைக் காவல் எண் முகவரி
- (c) In case outside limit of this Police Station. then the Name of P S -- District --
இக்காவல் நிலைய எல்லைக்கப்பால் நடந்து இருக்குமாயின், அந்நிலையில் அந்த கா.நி.பெயர் மாவட்டம்
6. Complainant /Informant (a) Name : M.Sathish (b) Father's/ Husband's Name : G.Muthukrishnan
குற்றமுறையிட்டாளர்/ தகவல் தந்தவர் பெயர் தந்தை / கணவர் பெயர்
(c) Date / Year of Birth : (d) Nationality : Indian (e) Passport No. :
நாள் / பிறந்த ஆண்டு நாட்டினம் வெளிநாட்டு கடவுச்சீட்டு எண்
Date of Issue : Place of Issue :
வழங்கப்பட்ட நாள் வழங்கப்பட்ட இடம்
(f) Occupation : (g) Address : Vigilance and Anti-Corruption Detachment,
தொழில் Inspector of Police முகவரி Cuddalore - 607001.
7. Details of Known/Suspected/Unknown accused with full particulars. (Attach separate sheet if necessary)
தெரிந்த / ஐயப்பாட்டிற்குரிய / தெரியாத குற்றஞ்சாட்டப்பட்டவரின் முழுமையான விவரங்கள்
(தேவையெனில் தனித்தான் இணைக்கவும்)
A-1 C.Kasinathan, A.E, A-2 P.Vijayalakshmi, A.E, A-3 B.Vijayakumar, A.E.E., A-4 M.Pandiyana, A.E.E.,
A-5 M.Asokan, A.E.E., All are TWAD Board, Urban Division, Chidambaram, A-6 M/s VVV Constructions
Pvt. Ltd., No.14, Pillaiyar Kovil Street Extn., Annai Sathiya Nagar Main Road, Nesapakkam, Chennai-78.
8. Reasons for delay in reporting by the complainant / Informant:
குற்றமுறையிட்டாளரால் / தகவல் கொடுப்பவரால் முறையிட்டதில் தகவல் கொடுப்பதில் தாமதம்
Vigilance Report has initiated in to the allegations in WSIS, Chidambaram constructed by TWAD.
After getting permission FIR has registered.

9. Particulars of properties stolen / involved (Attach separate sheet if necessary)
கனவாடப்பட்ட / களவிற்குள்ளான சொத்துக்களின் விவரம் (தேவையெனில் தனித் தாளில் இணைக்கவும்)
10. Total value of properties stolen / involved :
கனவாடப்பட்ட / களவிற்குள்ளான சொத்துக்களின் மொத்த மதிப்பு
11. Inquest Report / Un-natural death Case No. if any:
பிண விசாரணை அறிக்கை / இயற்கைக்கு மாறான இறப்பு எண் ஏதேனும் இருந்தால்
12. FIR Contents (Attach separate sheet, if required) :
முதல் தகவல் அறிக்கையின் சுருக்கம். (தேவையெனில் தனித்தாளில் இணைக்கவும்)

Respected Sir,

It is submitted that, in this matter based upon a Vigilance Report on this 1st day of August, 2018 at 13.30 hours when I am in the Vigilance and Anti-Corruption Detachment, Cuddalore as in charge of Station House Officer of the said detachment, I register the following information as FIR.

It is submitted that there was embezzlement of Government fund and malpractices in the implementation of Water Supply Improvement Scheme [WSIS] for Chidambaram Municipality between the years 2012 and 2017 at Chidambaram Municipality in Cuddalore District which revealed the following information.

(Contd. Page -3)

13. Action taken : Since the above report reveals commission of offence(s) u/s as mentioned at item No.2 registered the case and took up the investigation / directed Rank to take up the investigation / Refused Investigation / transferred to PS..... on point of jurisdiction.

எடுக்கப்பட்ட நடவடிக்கை : மேலே குற்ற முறையீட்டில் உள்ளவை பிரிவு 2ல் கூறப்பட்ட சட்ட பிரிவுப்படியான குற்றமாக வழக்கு பதிவு செய்து புலனாய்வுக்கு எடுத்துக்கொள்ளப்பட்டது / பணிக்கப்படுதல் பதவி நிலை பணியாளரின் புலனாய்வுக்கு எடுத்துக்கொள்ள பணிக்கப்பட்டது / மறுக்கப்பட்டு எல்லையைக் கருதி புலனாய்வுக்கு காவல் நிலையத்திற்கு மாற்றப்படுகிறது.

FIR read over to the Complainant / Informant, admitted to be correctly recorded and a copy given to the Complainant / Informant free of cost

மு.த.அ. குற்றமுறையீட்டாளருக்கு / தகவல் தந்தவருக்கு படித்துக்காட்டி, அது சரியாக எழுதப்பட்டு இருப்பதாக ஏற்றுக் கொள்ளப்பட்டு, அதன் படி நகல் ஒன்று இலவசமாக கொடுக்கப்பட்டது.

14. Signature / Thumb Impression of the Complainant / Informant
குற்றமுறையீட்டாளர் / தகவல் கொடுப்பவரின் ஒப்பம் / பெருவிரல் இரேகைப் பதிவு

Signature of the Officer in-charge, Police Station
காவல் நிலைய பொறுப்பு அலுவலரின் ஒப்பம்

15. Date & Time of despatch to the court:
நீதிமன்றத்திற்கு அனுப்பப்பட்ட நாளும், நேரமும்

Name: பெயர்
Rank: நிலை
INSPECTOR No. எண்
V S AC CUDDALORE.

1.8.18 at 15.00.

The accused **A-1 C.Kasinathan, Assistant Engineer**, TWAD Board, Chidambaram, Urban Division, Cuddalore. [Retired on 30.06.2017], Employee Code 12115/TWAD worked in the WSIS, Chidambaram from 11/2012 to 02/2013 which include the relevant period occurrence. The **A-2 P.Vijayalakshmi, Assistant Engineer**, TWAD Board, Chidambaram, Urban Division, Cuddalore. Employee Code 13704/TWAD, has been working in the WSIS, Chidambaram from 03/2013 to till now which includes the relevant period of occurrence. The **A-3 B.Vijayakumar, Assistant Executive Engineer**, TWAD, Urban Division, Cuddalore. Employee Code: 7886/TWAD, worked in the WSIS, Chidambaram from 11/2012 to 12/2014 which include the relevant period of occurrence and now at CE's Office, TWAD, Vellore. The **A-4 M.Pandiyan, Assistant Executive Engineer** [Retired on 28.02.2015], TWAD, Urban Division, Cuddalore. Employee Code: 10283/TWAD worked in the WSIS, Chidambaram from 01/2015 to 02/2015 which include the relevant period of occurrence. The **A-5 M.Asokan, Assistant Executive Engineer** [Retired on 31.01.2018], TWAD, Urban Division, Cuddalore. Employee Code: 10206/TWAD worked in the WSIS, Chidambaram from 03/2015 to 01/2018 which include the relevant period of occurrence. The **A-6 M/s VVW Constructions Private Limited**, No.14, Pillaiyar Kovil Street Extension, Annai Sathiya Nagar Main Road, Nesapakkam, Chennai-600 078 was the contractor of the WSIS work at Chidambaram Municipality at the relevant period of occurrence. Therefore the accused **A-1 to A-5** were public servants within the meaning of section 2 (c) of The Prevention of Corruption Act, 1988 at the relevant period of occurrence.

The accused **A-6** has been possessing a private contract company and was engaged by an agreement in the WSIS work at Chidambaram Municipality by the Chief Engineer, TWAD Board, Vellore at the relevant period of allegation.

It is submitted that, the Government of Tamil Nadu has implemented a standalone Water Supply Improvement Scheme [WSIS] to Chidambaram Municipality of Cuddalore District to the value of **7.18 crore rupees**. The Government of Tamil Nadu accorded its Revised Administrative Sanction for the same vide its GO (D) No.81/MA&WS/MA2/Department, dated 17.02.2011. The

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technical sanction for the contract work was accorded by the Chief Engineer [CE], TWAD vide CE/NR/R/No.6/2011-2012, dated 16.06.2011 for Rs.7.17 crore rupees. The name of the work is **"Providing Water Supply Improvement Scheme to Chidambaram Municipality in Cuddalore District including paid maintenance of 12 months"**. [Hereinafter referred as **WSIS**]. The above work was awarded to **A-6's** M/s VVV Constructions Private Limited, [Hereinafter referred as **A-6 Contractor**]. The A-6 contractor is a single qualified bidder approved by Tender Committee and the work order was issued by the CE/TWAD/Vellore in letter No. F9124/F WSIS to Chidambaram/SDO/CW/VLR/2012, dated 18.10.2012. Agreement for single lump sum contract between CE and the Contractor was effected vide CE/VLR RNo.04/2012-2013 dated 28.11.2012. The approximate departmental value of the work to be done under the aforesaid lump sum agreement was **Rs.5,29,54,369/-**. The tendered and accepted value by the contractor as per the agreement was **(+) 9.59%** than the departmental value. The remaining works out of 7.18 crore rupees were awarded to various contractors through CHIT TENDERS at the division level i.e., Cuddalore Division.

The work order for the above WSIS has been issued by the CE, TWAD, Vellore on 18.10.2012. The work was commenced by the Contractor on 03.11.2012. The Superintending Engineer, TWAD, Cuddalore-Viluppuram Circle has reported the completion of work vide his letter SE/TWAD Board/CUD-VPM Circle/Cuddalore Letter No. 2883/F.CDM Mpty/2017/CVC/JDO, dated 01.02.2017 wherein he recommended that the scheme under discussion was completed in all respects on 30.11.2015 and trial run has also commenced from 28.12.2015. As per the agreement successful commissioning and proof of guarantee performance has to be followed and observed. Necessary check list along with test certificate were also to be submitted in this regard.

In response to the letter of SE, TWAD, Cuddalore Viluppuram Circle, the CE, TWAD, Vellore has given her consent for the commencement of contractor's maintenance with effect from 29.06.2016 i.e., after completion of 6 months trial run

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(103/2018)

period which was said to be started from 28.12.2015 in her letter in No.0542/F.CDM Municipality WSIS/T1/CE/VLR/2016, dated 08.02.2017.

Further it is submitted that, as per the letters/orders articulated supra the contractor maintenance period started with effect from 29.06.2016. In fact the order for contractor maintenance was issued on 08.02.2017 i.e., after 7 months period of the commencement of the contractor's maintenance. It is not possible to commence the contractor's maintenance to his [contractor] wish or without proper order from CE which should be issued after due inspection of the complete scheme by the SE concerned as per the letter of MD, TWAD in No. F.CM/AE7/R/PM/2012 dated 13.03.2012.

It is reported that the following major corruptive activities by A-1 to A-6 are found in the work.

The amount eligible for the work of rejuvenating the existing Infiltration well, Sump etc., at Nallamputhur Head works [Schedule A6] was **Rs.423718.42**. It is alleged that during the course of rejuvenating work one of the existing infiltration well was tilted and collapsed. Till now it is shown as one of the work executed and the bill was also passed for the work as per agreed rates to A-6.

The amount eligible for the work of Supply, Delivery, Laying and Joining of Ductile Iron [DI] pipes and specials for pumping main and feeder main [Schedule A12] was **Rs.13611613.81**. It is alleged that the construction of masonry valve pit for fixing sluice valves, scour valves and air valves as per type design 9/43, foundation with PCC 1:4:8 and brick work in CM 1:5 and other work have not been executed properly. Besides that the scour valves and sluice valves and air valves in many numbers have been not provided at the required points as per contract agreement.

The amount eligible for the work of construction of 2.60 lakh liters service reservoir at Bus Stand, and construction of 1.90 lakh liters service reservoir at Uzhavar Sandai at Chidambaram Municipality was **4922356.27 and 3860116.98**

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(M. S. S. S. S.)

respectively. It is alleged that supply and fixing in position of **spiral staircase of RCC** has not been provided as per agreement. As well **RCC hand rails** are not provided as per agreement. Besides that allegedly valves and masonry pits were not provided as per agreement. In all places wherever scour arrangements, inlet arrangements, outlet arrangements overflow bye pass arrangements needed Ductile Iron [DI] Threaded and connected with Flange Pipes were provided instead of Cast Iron Double Flange [CI D/F] Pipes. Further the rate offered in the contract was for CI D/F pipes and not for DI. Moreover the DI pipes are inferior in terms of value, worth, quality, sturdiness and price.

The amount eligible for the work of supply, delivery, laying, jointing and testing of Distribution System with PVC pipes for Zone 1,2,3 at Chidambaram Municipality was Rs.5690582.00 and Rs. 2694472.70 for Zone 4 and 5. The cost for one public fountain costs Rs.5294/- and 55 numbers costs 2,91,170/- as per agreement.

It is alleged that the actual length of the **DISTRIBUTION SYSTEM [DS]** is lesser than the measurement recorded by the accused. The depth of the pipes laid was not met with the actual requirement as per standards/agreement. Trust Blocks were not provided properly wherever the **DS** bends were required as per specifications. Construction of single tap **public fountain 55 numbers** as per type design CC 1:4:8 by using 20 mm HBG for foundation concrete and other as per agreement have not been provided as per agreement. Further, the most of the already existing fountains were showed and recorded as if they are new.

The amount eligible for the work of Providing House Service connections including metering was 13187555.95 It is alleged that no new House Service **[HS]** connections **[5300 Numbers]** were provided as per agreement. In fact the already existing old house service connections were shown as if they were new. The already existing connections were provided with a plastic body meter which costs only to the value of Rs.250/- approximately. On the other hand for the house service meter, single brass body meter costs Rs.1285/- and the costs for 5300 numbers are

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(m. 10 min)


(Continuance of FIR in Cuddalore V&AC Cr.No. 6/2018 – page -7)

Rs.68,10,500/-. Further to that no materials as per agreement were provided by the contractor since no new connections were effected and old ones were fitted with PVC water meter with some PVC coupler, union and etc., Whereas the agreement stipulates only GI pipes, Brass body meter, GI specials and PVC saddle piece have to be used. As per stipulation in the agreement the only one PVC material in **HS** connections is Saddle Piece.

The amount for the work of providing water meters at head works at Kanagasabai Nagar and Bus Stand Booster Station was **Rs.1149000.00**. It is alleged that no water meters were provided at Head Works as per agreement.

It is alleged that the entire scheme is not working up to the mark and the ultimate aim of the scheme was not attained. The A-1 and A-2 are measurement authorities and A-3 to A-5 are check measurement authorities. It is alleged that the A-1 to A-5 were colluded with the A-6 contractor during the term of their office and at the time of execution of the WSIS scheme at Chidambaram Municipality, made false measurements knowingly, recommended for payment to the A-6 contractor for the false measurements, measured, recorded and check measured by A-1 to A-5 and the state was made to believe that the records created by A-1 to A-5 are genuine and thus A-6 contractor has got payments on the false measurements in the WSIS Scheme, Chidambaram. Thus in every component of the major scheme, huge amount was embezzled with the able connivance of A-1 to A-5 with A-6 contractor.

Further that the **A-1 to A-5** involved in collusion with the **A-6** Contractor and failed to adhere to the agreement conditions, failed to execute the work as per the scope and specifications, standards. The **A-1 to A-6** appears to have committed criminal breach of trust and offences punishable under appropriate law. The **A-1 to A-5** suspected to have committed offences by recording false measurement and false check measurement and enabled the A-6 contractor to get the payment as per agreement without actually executing the work which resulted in embezzlement of the same by the contractor.


11/07/18
C. M. Sarin

(Continuance of FIR in Cuddalore V&AC Cr.No. 6/2018 – page -8)

Thus there is information against A-1 to A-6 for suspicion of commission of cognizable offences of framing incorrect record, forgery for the purpose of cheating, using forged record as genuine, cheating, criminal breach of trust and criminal misconduct committable by public servants.

Thus there is enough information against accused A-1 to A-5 for suspicion of commission of cognizable offences u/s 167, 477-A, 468, 471, 420 and 409 of IPC and u/s 13 (2) r/w 13 (1) (c) of The Prevention of Corruption Act, 1988 and against A-6 u/s 167 r/w 109, 477-A r/w 109, 468 r/w 109, 471 r/w 109, 420 and 409 r/w 109 and 13 (2) r/w 13 (1) (c) of The Prevention of Corruption Act, 1988 r/w 109 IPC.

Hence I register a case in Cuddalore Vigilance and Anti-Corruption Crime No. 06/2018 u/s 167, 477-A, 468, 471, 420 and 409 of IPC and u/s 13 (2) r/w 13 (1) (c) of The Prevention of Corruption Act, 1988 against A-1 to A-5 and u/s 167 r/w 109, 477-A r/w 109 IPC, 468 r/w 109, 471 r/w 109, 420 and 409 r/w 109 and 13 (2) r/w 13 (1) (c) of The Prevention of Corruption Act, 1988 r/w 109 IPC against A-6.

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17/9/18
M. S. S. S. S.
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Cuddalore