

FIRST INFORMATION REPORT

TAMIL NADU POLICE
INTEGRATED INVESTIGATION FORM-I

முதல் தகவல் அறிக்கை

(Under Section 154 Cr.P.C.)

(கு.ந.வி.தொ.பிரிவு 154 இன் கீழ்)

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8097115

- District : Salem மாவட்டம் PS: V & A C காவல்நிலையம் Year: 2018 ஆண்டு FIR No.: 9/Ac/2018 மு.த.அ. எண் Date: 23.03.2018 நாள்
- (i) Act சட்டம்: Prevention of Corruption Act 1988 Sections பிரிவுகள்: u/s 13(2)/w/13(1)(c) & (d) of PC Act 1988 & w/109 I.C.
(ii) Act சட்டம்: Indian Penal Code Sections பிரிவுகள்: 120B & w/167, 409, 420, 477A
(iii) Act சட்டம்: Sections பிரிவுகள்: IPC
(iv) Other Acts & Sections பிற சட்டங்களும், பிரிவுகளும் :
- (a) Occurrence of Offence Day : Date from : 2015 நாள் முதல் Date to : 2016 நாள் வரை
குற்ற நிகழ்வு நாள் நாள் முதல் நாள் வரை
Time Period : — Time from : — Time to : —
நேர அளவு நேரம் முதல் நேரம் வரை
(b) Information Received at PS. Date : 23.03.2018 Time : 16.00 Hrs
காவல் நிலையத்திற்கு தகவல் கிடைத்த நாள் நேரம்
(c) General Diary Reference : Entry No(s) 23.03.2018 Time : 16.00 Hrs
பொது நாட்குறிப்பில் பதிவு விவரம் எண் நேரம்
- Type of Information : Written/ Oral : தகவலின் வகை : எழுத்து மூலம் / வாய் மொழியாக Suo. motto
- Place of Occurrence (a) Direction and Distance from PS: குற்ற நிகழ்விடம் (அ) காவல்நிலையத்திலிருந்து எவ்வளவு தூரமும், எத்திசையும் About 55 Km North East
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
- Complainant /Informant (a) Name : C.R. Roopathirajan (b) Father's/ Husband's Name Chinna Ranganatha
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 : Inspector of Police (g) Address : Vigilance and Anticorruption,
தொழில் முகவரி Salem
- Details of Known/Suspected/Unknown accused with full particulars. (Attach separate sheet if necessary)
தெரிந்த / ஐயப்பாட்டிற்குரிய / தெரியாத குற்றஞ்சாட்டப்பட்டவரின் முழுமையான விவரங்கள்
(தேவையெனில் தனித்தாள் இணைக்கவும்)
① C. Ganapathi, President, 5768, Kethumackerpalathi Pudur PACCS, Kadayampatti, TK Salem Dt.
② G. Saravanan, I/c secretary, -do
③ C. Govindasamy, Accountant -do
④ P.K. Subramanian, Bank Inspector, Salem District Central Coop Bank, Omalur Area off Salem.
- Reasons for delay in reporting by the complainant / Informant: குற்றமுறையிட்டாளரால் / தகவல் கொடுப்பவரால் முறையிட்டதில் தகவல் கொடுப்பதில் தாமதம்
Conducted Detailed Enquiry.

9. Particulars of properties stolen / involved (Attach separate sheet if necessary)
களவாடப்பட்ட / களவிற்குள்ளான சொத்துக்களின் விவரம் (தேவையெனில் தனித் தாளில் இணைக்கவும்)
10. Total value of properties stolen / involved :
களவாடப்பட்ட / 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)

A Seperate Enclosure is Attached here with

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 Inspector R. Gnanathilak Rank Inspector 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 Suo-Motto

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

23.03.2018
17.30 Hrs

Name: பெயர் C. R. Roopathirajan
Rank: நிலை Inspector No. எண்

of Police
Vigilance & Anticorruption,
Salem.

ATTACHMENT TO COLUMN NO.12 OF FIRST INFORMATION REPORT IN
VIGILANCE AND ANTI CORRUPTION, SALEM DETACHMENT Cr.No.09/AC/2018

AO-1 Tr.C.Ganapathy is the elected President of S.768 Kethunaickenpatti pudur, Primary Agricultural Co-operative Credit Society, Kadaiyampatti Taluk, Salem District from 09.05.2013.

AO-2 Tr.G.Saravanan is the Incharge Secretary of S.768 Kethunaickenpatti pudur, Primary Agricultural Co-operative Credit Society, Kadaiyampatti Taluk, Salem District from 26.4.2014.

AO-3 Tr.C.Govindasamy is the Accountant of S.768 Kethunaickenpatti pudur, Primary Agricultural Co-operative Credit Society, Kadaiyampatti Taluk, Salem District from June 2015.

AO-4 Tr.P.K.Subramani is an Employee of the Salem District Central Co-operative Bank (SDCCB) Ltd and he is working as Bank Inspector in respect of 11 PACCS's in Kadaiyampatti Block Salem District including S-768 Kethunaickenpattipudur PACCS, from 25.10.2010.

The above said AO-1 to AO-4 are public servants as defined u/s 2(c) of Prevention of Corruption Act 1988.

Based on a enquiry report submitted by one of the IO in Salem Detachment in DE.55/2017/COOP/SL dated 13.1.2018, and on the direction issued by the Hon'ble High Court of Madras in Cr.O.P.17367 of 2017 Dated.10.10.2017, the Director, Vigilance and Anti-corruption, Chennai in Confidential Memo No. DE 55/2017/COOP/SL, Dated.13.02.2017 ordered to register FIR and accordingly FIR is registered.

The Salem District Central Co-operative Bank Ltd., (SDCCB) Salem provides funds to all the Primary Agriculture Co-operative Credit Societies (PACCS) under its jurisdiction to provide various loans to their members such as crop loan, medium term loan, jewel loan, producers pledge loan etc., Each PACCS is governed by an Executive Board which includes 1 President, 1 Vice President and 9 Board of Directors elected by all the "A" class members of the said PACCS. An "A" class member is the one whose

 23.3.18

enrollment is approved by the Governing Board. The Board is the sole authority to run the Society and it is responsible for all activities of the Society.

For obtaining crop loan a farmer should apply in the loan application form available in the PACCSs mentioning the crop going to be raised and loan amount required. He should enclose VAO certificate with copies of computer patta and chitta of his agriculture land along with the application, and the proof that he is owning the said lands and in possession and enjoyment of the same, to the Secretary of the PACCS concerned.

The Secretary who receives the application should verify the informations furnished in that application and its enclosures with assistance of AO3. He should visit the spot and conduct field inspection to verify whether the land mentioned in the application is actually in the name and possession of the applicant and whether the said land is wet or dry land, whether it is suitable for cultivating the crop which the applicant proposes to raise etc., and confirm the genuinity of the information furnished by the applicant. Then if it is found to be true, the Secretary will calculate the loan amount, considering the crop to be raised and area to be cultivated as per the "Scale of Finance" published every year by the Salem District Central Co-operative Bank Ltd, Salem in connection with sanction of crop loans and furnish his recommendation in the application form mentioning the eligible loan amount and put his signature. Then he place the loan applications before the Board of Directors for approval. The Secretary is the sole responsible person to ensure the genuinity of the application.

Then the President will convene a meeting of Board of Directors and in the meeting, the Board of Directors will scrutinize all the loan applications placed before them. They will scrutinize the applications and verify whether the informations furnished in the applications are tallied with the VAO certificate and revenue records enclosed along with it. The President or Vice President or Board of Directors will not go for field verification to confirm the genuinity of the applications. Just based on the recommendation of the Secretary of the Society, the Board will pass resolution recommending to sanction loans to the eligible applicants. Then the President will put his signature in all the applications found eligible and return the applications to the Secretary along with a copy of the Resolution passed. The Secretary will submit all the

Ch. N. S. 23.3.18

applications along with the resolution copy to the Field Supervisor appointed by SDCCB, Salem for further action.

Then the Field Supervisor concerned will scrutinize each and every application. He will verify all the details furnished in the applications and tally it with the VAO certificates and revenue records enclosed along with the same. Then he will visit the spot in person, conduct spot inspection and verify whether the lands mentioned in the applications are actually in the names and possession of the applicants concerned, whether the extent of lands mentioned in the applications are correct, whether the lands are wet or dry lands and whether the lands are suitable for cultivating the crops proposed to be raised by the applicants concerned etc. He will also verify the loan amounts calculated and recommended by the Secretary of the Society to each and every applicant considering the extent of lands and nature of crops as per "Scale of Finance" fixed by SDCCB. After confirming the genuinity of the applications as well as the correctness of the loans calculated and recommended, he will sanction loans to all the genuine applicants and put his signature in the concerned applications. Then he will furnish his recommendation in the resolution copy and forward it to the nearby branch of the SDCCB for releasing of funds.

Then the branch of SDCCB will release the funds and credit the total amount to be given to the borrowers as cash to the SB Account of the PACCS concerned and the amount to be given as fertilizers will be credited to the cash credit account being maintained separately for this purpose in the PACCS concerned.

Immediately after 7 days from the date of disbursement of loan to the applicants, the Secretary of the society should visit the agricultural fields of each and every applicant and conduct spot verification to ascertain whether the applicants have raised the crops for which the loans have been sanctioned to them and ensure proper utilization of the loan amounts disbursed. After conducting spot verification, he has to record about the actual status of the crops raised in the Crop Verification (CVR) Register being maintained in the PACCS concerned before the Field Supervisor conduct spot verification and record the same in the CVR Register. If the Secretary finds any of the borrower did not raise the crops for which he availed that loan and failed

Ch. Srinivas 23.3.18

to utilize the loan amount properly he has to take immediate steps to recover the total amount from the individual concerned.

Similarly, 30 days after disbursement of loan amounts to the applicants, field supervisor has to visit the agricultural fields of each and every applicant and conduct spot inspection to verify whether the applicants have raised the crops for which the loans have been sought by them and ensure proper utilization of the loan amounts disbursed. After conducting spot inspection, he has to record about the actual status of the crops raised in the Crop Verification Register (CVR) being maintained in the PACCS concerned. If he finds any of the borrower did not raise the crops for which he availed that loan and failed to utilize the loan amount properly he has to take statutory recovery action against the individual concerned immediately and see that the amounts disbursed to him is recovered fully. He is also called as Bank Inspector and is the direct representative of the Salem District Central Co-operative Bank fully responsible for all the loan activities of the PACCSs under his control concerned.

The accused A1 to A4 knowing that the loans might be waived by the Government in view of the General Elections for Tamil Nadu State Assembly 2016 have entered into conspiracy in connivance with the 350 amenable members of the Primary Agriculture Co-operative Credit society of Kethunaickenpattipudur in Kadayampatty Taluk of Salem District and sanctioned Mulberry crop loans to ineligible persons to the tune of Rs.2.19 Crores during the financial year 2015-16 and misappropriated 50% of the amount as their shares. The above said 350 members are not at all engaging in mulberry activities and a sum of Rs.2.19 Crores Bank funds was sanctioned illegally by the AOs with malafide intention to derive illegal pecuniary gain for themselves. Further, in the above instances the AOs have sanctioned loans even to the certain members who are not at all having any lands on their own or undertake cultivation in the lands taken for lease.

Further, mulberry is a wet crop and it needs regular and periodical irrigation and Mulberry can be cultivated only in wet lands having either canal or well irrigation. But, crop loans were sanctioned for the members who are not having wells in their fields or provided with canal irrigation.

C. Srinivasan 23.3.18

Further, during this illegal process of committing malpractices in sanctioning of crop loans to these ineligible members, the AOs 1, 2 and 4 had wantonly failed to scrutinize the loan applications submitted by the individual members and they avoided to put their signatures in the loan application forms. The AO-2 Tr.G.Saravanan, the Secretary of the Society had willfully not furnished his report recommending for sanctioning of crop loans to 102 loan applicants in their loan applications and he has also not put his signature in all these applications. While so, the AO-1 Tr.C.Ganapathy had illegally passed resolution in the Board meeting recommending to sanction crop loans for these 102 applicants without verifying the genuineness of these applications. He has also not put his signature in all these applications. The Field Supervisor AO-4 who is the scrutinizing authority and also sanctioning authority fully responsible for proper utilization of loan amounts had also willfully neglected his duty to scrutinize as many as 208 crop loan applications out of the total 359 for the purpose of getting illegal gain. He has also not put his signature in all these 208 applications to that effect. In spite of it, AO-1 Tr.C.Ganapathy had illegally passed resolution recommending sanctioning of crop loans to these 208 applicants. Though all the AOs knew well that all these loan applicants are ineligible persons, they had purposely omitted to scrutinize the 350 application forms, conduct field verifications and also wantonly not furnished their recommendations in the application forms with the ultimate aim of getting illegal gain in collusion with each other.

Further, the AOs 2 and AO-4 never visited the fields after disbursement of loan amounts to these applicants and avoided to conduct spot inspection to verify whether the borrowers have raised the crops for which the loans have been sanctioned and disbursed to them. So they did not record the status of the crops in the Crop Verification Register (CVR) which is mandatory as per the Rules and procedures of the SDCCB. For the same reasons the AOs 2 and 4 had not initiated any action to recover the loan amounts disbursed to the 350 ineligible members to the tune of Rs.2.19 Crores. Though this Rs.2.19 Crores amount given as crop loans to these 350 ineligible members is the SDCCB funds, now the State Government have waived all these loans and ought to pay these amounts to the SDCCB. Thus the AOs 1 to 4 have caused loss to the Government funds to the tune of 2.19 Crores for their personal gain.

 23.3.18


Further, it is found that the AOs 1 to 4 in connivance with each other have collected Rs.500/- as illegal gratification from all these 350 loan applicants under the pretext of office expenses. They had also collected Insurance amount from all these 350 applicants to whom crop loans have been sanctioned for raising mulberry plantation @ 2.5% of the total loan amount sanctioned, knowingly that crop Insurance is made for all crops except Mulberry. In this aspect the AOs have collected illegal gratifications of Rs.1,75,000/- under the pretext of office expenses and Rs.5,47,500/- under the pretext of Insurance premium totally Rs.7,22,500/- from all the 350 crop loan borrowers and shared that amount among themselves illegally and obtained illegal pecuniary advantage.

It is found that the AO-1 to A4 colluded with each other sanctioned Mulberry crop loan of Rs.2.19 Crores for 350 ineligible members and misappropriated the same by violating the guidelines and procedures and for that purpose they have also committed the offences of framing of incorrect records, cheating and falsification of accounts. Further, it is also found that they have also unlawfully collected an amount of Rs.7.22,500/- from the 350 members for whom Mulberry crop loans was sanctioned and obtained illegal gain

The above said information discloses the commission of cognizable offences punishable u/s 120-B r/w 167, 409, 420, 477(A) IPC and u/s 13(2) r/w 13(1) (c) & (d) of the Prevention of Corruption Act, 1988.

Hence, I am registering a case against the accused in Salem V&AC Cr.No.09/AC/2018 u/s 120-B r/w 167, 409, 420, 477(A) IPC and u/s 13(2) r/w 13(1) (c) & (d) of the Prevention of Corruption Act, 1988 r/w 109 IPC on 23.03.2018 at 16.00hrs.

Original FIR is submitted to the Hon'ble Special Judge, Special Court for Trial of Cases under Prevention of Corruption Act, Salem and copy of FIR is submitted to the Director, Vigilance and Anti-Corruption, Chennai.


23.3.2018
(C.R. BOOPATHI RAJAN)
Inspector of Police,
V&AC., Salem-4