

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)

8073052

2019

6/2019

12.07.2019

1. District : கன்னியாகுமரி PS: V&AC Nagercoil Year: 2019 FIR No.: 6/2019 Date: 12.07.2019
மாவட்டம் காவல்நிலையம் ஆண்டு முத.அ. எண் நாள்
2. (i) Act சட்டம்: இந்திய தண்டனைச் சட்டம் Sections பிரிவுகள் 109, 120-B and 420 IPC
ஊழல் தடுப்பு சட்டம் (திருத்தம் 2018) and 13(2)r/w 13(1)(c) of the
(ii) Act சட்டம்: Sections பிரிவுகள் PC Act 1988)
(iii) Act சட்டம்: Sections பிரிவுகள்:
(iv) Other Acts & Sections பிற சட்டங்களும், பிரிவுகளும் : 21.10.2017 20.02.2018
3. (a) Occurrence of Offence Day : Date from : 21.10.2017 Date to : 20.02.2018
குற்ற நிகழ்வு நாள் நாள் முதல் நாள் வரை
Time Period : Time from : நேர அளவு நேரம் முதல் நேரம் வரை
12.07.2019 10.00 hrs
(b) Information Received at PS. Date : Time :
காவல் நிலையத்திற்கு தகவல் கிடைத்த நாள் நேரம்
(c) General Diary Reference : Entry No(s) Time :
பொது நாட்குறிப்பில் பதிவு விவரம் எண் நேரம்
4. Type of Information : Written/ Oral : எழுத்துமூலமாக Kanya Spinning Mills Ltd.,
தகவலின் வகை : எழுத்து மூலம் / வாய் மொழியாக North about 22 kms
5. Place of Occurrence (a) Direction and Distance from PS:
குற்ற நிகழ்விடம் (அ) காவல்நிலையத்திலிருந்து எவ்வளவு தூரமும், எத்திசையும்
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 : G.மதியழகன் (b) Father's/ Husband's Name :
குற்றமுறையீட்டாளர்/ தகவல் தந்தவர் பெயர் காவல் துணை கண்காணிப்பாளர் தந்தை / கணவர் பெயர்
ஊ.த.க.துறை, நாகர்கொவில். தந்தை / கணவர் பெயர்
(c) Date / Year of Birth : (d) Nationality இந்தியன் (e) Passport No. :
நாள் / பிறந்த ஆண்டு நாட்டினம் வெளிநாட்டு கடவுச்சீட்டு எண்
Date of Issue : Place of Issue :
வழங்கப்பட்ட நாள் வழங்கப்பட்ட இடம்
காவல் துணை ஊ.த.க.துறை,
(f) Occupation : கண்காணிப்பாளர் (g) Address : நாகர்கொவில்.
தொழில் ஊ.த.க.துறை, முகவரி
நாகர்கொவில்.
7. Details of Known/Suspected/Unknown accused with full particulars. (Attach separate sheet if necessary)
தெரிந்த / ஐயப்பாட்டிற்குரிய / தெரியாத குற்றஞ்சாட்டப்பட்டவரின் முழுமையான விவரங்கள்
(தேவையெனில் தனித்தாள் இணைக்கவும்)
1. Tr.E.Veeramuthu, Managing Director, Kanyakumari District Co-Operative Spinning Mill,
Aralvoimozhi, Kanyakumari District.
2. The Proprietor, M/s Nu Tech Industrial Parts (P) Ltd., No.2/555-9, Babu Jeya Jeevan Ram
Street, Virugambakkam, Chennai. (Private Individual)
8. Reasons for delay in reporting by the complainant / Informant:
குற்றமுறையீட்டாளரால் / தகவல் கொடுப்பவரால் முறையிட்டதில் தகவல் கொடுப்பதில் தாமதம்
- இல்லை -

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

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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)

1. Tr.E.Veeramuthu,
Managing Director,
Kanyakumari
District Co-
Operative Spinning
Mill, Aralvoimozhi,
Kanyakumari Dist.

Submitted:

On credible information, it is came to know that, there is misappropriation of Govt. fund happened in the process of purchasing and installation of the 2 Nos of 250 KW Gear boxes to the NEPC Micon M600 model 250KW Wind Mill Machines of Kanniya kumari Dist Coop Spinning Mill, Aralvaimozhy, Kanniyakumari Dist by the marginally noted Accused Officers and on the basis of the instructions of the Director, DVAC, Chennai-16, today 12.07.2019 at 11.00 hrs I, (G.Mathialagan, deputy superintendent of Police, V&AC, Nagercoil, Kanyakumari Detachment) registered a case in Nagercoil V&AC Cr.No.06/2019 u/s 120-B, 420 and 109 IPC and 13(2) r/w 13(1)(c) of the Prevention of Corruption Act 1988 against the marginally noted accused. The credible information is that the Accused Officer-1, Tr.Veera Muthu is working as the Managing Director, Kanyakumari Dist Co-operative Spinning Mill, Aralvoimozhi from 07.06.2017 to till date. Hence, he is the Public Servant within the ambit of the Prevention of Corruption Act 1988.

2. The Proprietor,
M/s Nu Tech
Industrial Parts (P)
Ltd.,
No. 2/555-9,
Babu Jeya Jeevan
Ram Street,
Virugambakkam,
Chennai.
(Private Individual)

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 Tr.S.John Benjamin, Inspector to take up the investigation / Refused Investigation / transferred to PS.....on point of jurisdiction.

எடுக்கப்பட்ட நடவடிக்கை : மேலே குற்ற முறையிட்டில் 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.

முதலு. குற்றமுறையிட்டாளருக்கு / தகவல் தந்தவருக்கு படித்துக்காட்டி, அது சரியாக எழுதப்பட்டு இருப்பதாக ஏற்றுக் கொள்ளப்பட்டு, அதன் படி நகல் ஒன்று இலவசமாக கொடுக்கப்பட்டது.

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

Tr. E. Veeramuthu
12/07/19

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

12.07.19 at 13.30 hrs.

Name: பெயர் G. MATHIALAGAN
Rank: நிலை D.S.P. No. எண்
V&AC,
Nagercoil

Another one, Accused Officer-2, the Proprietor of M/s Nu Tech Industrial Parts (P) Ltd., No.2/555-9, Babu JeyaJeevan Ram Street, Virugambakkam, Chennai (Private Individual).

Kanniyakumari District Co-operative Spinning Mill, Aralvaimozhy, Kanniyakumari District is shortly called as Kanya Spin and it has erected four numbers of NEPC- Micon 600 model 250KW Wind Mills in the Kanya Spin Premises, Aralvaimozhy, Kanyakumari District and each machines producing average 1000 units of Electric Power per day. These production would full fill the 1/5th need of Spinning Mill Consumption ie., the mill's average electric consumption is 20,000 units per day and it will be adjusted with the Wind Mill production, the remaining portion will be charged at the same rate of purchase of Wind Mill generated electric power by the TANGEDCO.

The above said 4 Wind Mills of Kanya Spin Mills were erected during the year 1995 and are functioning. During 2015 the Wind Mill III and IV had breakdown due to repair in the respective Gear boxes. Hence, the unit III machine was made run by putting a rental Gear box for the rent of Rs.2,500/- per day from one RS. Wind Tech Engineers Pvt. Ltd., Aralvaimozhy and the Wind Mill IV machine was kept idle without making any repair.

In the above said circumstances, the Management decided to purchase 2 numbers of 250KW Gear boxes for the unit III and IV Wind Mills respectively. There were already Flender, a German company made 250KW Gear boxes fitted in the above said Wind mills. Hence, management of Kanya Spin initiated report in this regard to the Director, Handlooms and Textiles, Chennai. The Director, Handlooms and Textiles, Chennai has issued tender schedule for the supply of 2 numbers of 250KW Gear boxes for the Wind Mills of Kanyakumari District Co-Operative Spinning Mills. The Tender committee under the Chairmanship the Director, Handlooms and Textiles, Chennai after following Tender process had selected the low bidder Nu-tech Industrial Parts Pvt. Ltd., Chennai to supply the Gear boxes and Slew Rings for the rate quoted by him as follows -

Sl. No	Name of Accessories	Name of L1 Bidder	Basic Price Quoted	Negotiated Final price
1.	NEPC-MICON M600 Model Gear box 250KW	Nutech Industrial Parts Pvt. Ltd., Chennai.	Rs.16,50,000/-	Rs.15,80,000/-
2.	NEPC-MICON M600 Model Slew Ring 250KW		Rs.4,50,000/-	Rs.4,50,000/-

Hence, the Director Handlooms and Textiles had issued letter of acceptance and directed the Managing Director, Kanyakumari District Co-operative Spinning Mills to issue purchase order as per conditions stipulated in the Tender Schedule. Hence, on response to the direction, the Managing Director, Kanya Spin Mill Tr.Veeramuthu had initiated purchase order vide Rc.165/2017-18/SK, dt.21.10.2017 to Nutech Industrial Parts (P) Ltd., as follows-

Sl. No	Description of Items	Qty	Basic Cost	GST 5% Ex-factory Per unit	Unit Price	Total Price (in the purchase order)
1.	Slew Ring for NEPC Wind Mill	2 Nos	Rs.4,50,000	Rs.22,500	Rs.4,72,500	Rs.9,45,000
2	Gear box for NEPC Wind Mill	2 Nos	Rs.15,80,000	Rs.79,000	Rs.16,59,000	Rs.33,18,000
Total						Rs.42,63,000

Accordingly the Slew Rings and Gear boxes were supplied to Kanya Spin Mill, Aralvoimozhy by the Nutech Industrial Parts (P) Ltd., Chennai vide invoice No.GINV/133/A17-18, dt.30.10.2017 and the Managing Director, Kanya Spin Mill has sent a IOB cheque No.635759, dt.18.11.2017 for Rs.9,45,000/- for the payment of 2 numbers of Slew Rings and paid Rs.14,56,000/- and Rs.16,59,000/- through RTGS/NEFT, IOB, Aralvoimozhi cheque No.146505 and cheque No.146302 respectively for the payment of 2 Gear boxes by withholding Rs.2,03,000/- as the Security Deposit.

Thus supplied Gear boxes and Slew Rings were installed in the 4th unit by RS. Wind Tech Engineers Private Ltd., on 09.01.2018 and installed in the 3rd unit by M/s Bhairavi Associates, Aralvoimozhi on 17.02.2018 and they furnished work completion report in this regard. On getting the work completion report, the Managing Director, Kanya Spin Mill communicated the matter of installation of Gearboxes and Slew Rings to the Director, Handlooms and Textiles as the Gear boxes were erected which were purchased through Tender committee on 20.02.2018.

In this Circumstance, it is further ascertained that, there were 225KW Elecon made gear boxes were installed instead of 250KW Gear boxes in the NEPC Micon 250KW Wind Mills of Kanya Spin Mill, Aralvoimozhy in the above process. In this connection, the Gate Register and Stores Register of Kanyakumari Dist Co-Operative Spinning Mills Ltd established the entries of 225 KW Gear boxes get in to the Kanyakumari District Co-Operative Spinning Mills Ltd., on 20.12.2017. So, it is very clear that 225 KW Gear boxes only get in to the premises and were installed in the 250 KWA Windmill contrary to the items mentioned in the Tender Schedule and the Letter of Acceptance.

So, it is very clear that, instead of 250 KW Gear Box, the Accused Officers installed 225 KW Gear Box, hence, the power production will be get reduced and also the life of 250 KW Wind Mill machine will be deteriorated within the stipulated period of life due to the installation of 225 KW Gear Box in the place of 250 KW Wind Mill machine. Hence, the Accused Officers have caused loss to the Govt by putting 225KW Gear box instead of 250KW Gear box in the NEPC-Micon M600 250KW wind Mills and deteriorating the Wind Mills and also reducing the production of electric power.

It is also ascertained that the market rate of 225 KW Gear box is Rs.9,75,600/-. The price list furnished by the Elecon company for 225 KW Gear Box is Rs.9,75,600/- who is the actual supplier of the Gear boxes in this case, but the supplier SO2 M/s Nu Tech Industrial Parts (P)Ltd., supplied the same Elecon 225 KW Gear Box, but he quoted the rate Rs.16,59,000/- per 250 KW Gear box in the Tender and he was paid for 2 nos of 250 KW Gear Boxes (16,59,000X2= Rs.33,18,000/- ie Rs.13,66,800/- higher than the actual price of Elecon 225 KW Gear Box Rs.9,75,600x2= Rs.19,51,200/-). Besides that, the market rate of the 250KW Gear Box in Kirloskar company, a Legend of the industrial products supplier is Rs.10,25,000/-.


In the above transaction, it is very clear that, during the period between 21.10.2017 and 20.02.2018 from the date of placing purchase order by the Accused Officer-1 to the Accused -2 and the payment made by the Accused Officer-1 to the Accused -2, they have conspired among themselves and the Accused Officer-1 Tr.Veera Muthu, the -Managing Director, Kanya Spin, Aralvaimozhy have placed the purchase order for the supply of 250KW Gear Box on 21.10.2017 but the Accused Officer-2, the supplier M/s Nu Tech Industrial Parts (P) Ltd Supplied 2 nos of 225 KW Elecon Gear Box on

18.11.2017 for the same rate as he quoted for 250 KW during tender process. The Accused Officer-1 also with criminal intention to favour the supplier M/s Nu Tech Industrial Parts (P) Ltd., did not inform the actual matter of supply and erection of 225 KW Gear Box instead of 250 KW Gear Box to the Director, Handlooms and Textiles but he informed the Director on 20.02.2018 that the Gear boxes were erected which were purchased through Tender committee.

Hence, it is revealed that Accused Officers-1 and -2 have colluded and conspired among themselves, cheated the Govt. and Accused Officer-1 dishonestly or fraudulently allows NuTech Industrial Parts (P) Ltd., to misappropriate the amount of Rs.13,66,800/- by supplying 225KW Gear box in the 250 KW Wind Mill machine and caused wrongful loss to the Govt. Kanyakumari Dist Co-operative Spinning Mill to that extent. Hence, the act of Accused Officer-1 Tr.Veera Muthu, the MD, Kanya Spin, Aralvaimozhy, Kanniykumari District constitutes the offence under sec 120-B, 420 IPC and 13(2) r/w 13(1)(c) of the Prevention of Corruption Act 1988 and the act of Accused Officer-2 constitutes the offence under sec 120-B, 420 IPC and 109 r/w 13(2) r/w 13(1)(c) of the Prevention of Corruption Act .

Hence, in view of the above incident, on the instruction of the Director, DVAC, Chennai, I am registering this case in Nagercoil V&AC Cr No.6/2019 u/s 120-B, 420 and 109 IPC and 13(2) r/w 13(1)(c) of the Prevention of Corruption Act 1988 against the Marginally noted Accused Officers on 12.07.2019 at 11.00 hrs.

The Original FIR is being sent to the Honble Chief Judicial Magistrate cum Special Court, Kanniyakuamri District @ Nagercoil. Copies sent to concerned officials.


12/07/19
(G. MATHIALAGAN
DSP, V&AC,
Nagercoil)