

Submitted.

FIRST INFORMATION REPORT

TAMIL NADU POLICE
INTEGRATED INVESTIGATION FORM I

முதல் தகவல் அறிக்கை

(Under Section 154 Cr.P.C.)

(கு.வி.தொ.பிரிவு 154 இன் கீழ்)

8069845

C

01/AC/2021

- District : **Dharmapuri** PS: **VSAC** Year: **2021** FIR No.: **01/AC/2021** Date: **03.06.2021**
மாவட்டம் காவல்நிலையம் ஆண்டு மு.த.அ. எண் நாள்
- (i) Act சட்டம்: **IPC** Sections பிரிவுகள்: **120B, 406, 409, 465, 468**
(ii) Act சட்டம்: **PC Act 1988** Sections பிரிவுகள்: **471 r/w 109 IPC**
(iii) Act சட்டம்: **PC Act 1988** Sections பிரிவுகள்: **13(2) r/w 13(2)(A) and 12**
(iv) Other Acts & Sections பிற சட்டங்களும், பிரிவுகளும்: **Of PC Act 1988 as amended in 2018**
- (a) Occurrence of Offence Day : Date from : **11.01.2019** Date to : **11.01.2019**
குற்ற நிகழ்வு நாள் நாள் முதல் நாள் வரை
Time Period : Time from : **31.03.2019** Time to : **10.30 hrs**
நேர அளவு நேரம் முதல் நேரம் வரை நேரம்
(b) Information Received at PS. Date : **03.06.2021** Time : **10.30 hrs**
காவல் நிலையத்திற்கு தகவல் கிடைத்த நாள் நேரம்
(c) General Diary Reference : Entry No(s) Time :
பொது நாட்குறிப்பில் பதிவு விவரம் எண் நேரம்
- Type of Information : Written/ Oral : **Through Sources**
தகவலின் வகை : எழுத்து மூலம் / வாய் மொழியாக
- Place of Occurrence (a) Direction and Distance from PS: **27 km East**
குற்ற நிகழ்விடம் (அ) காவல்நிலையத்திலிருந்து எவ்வளவு தூரமும், எத்திசையும்
Beat Number : (b) Address : **Morappur Block**
முறைக் காவல் எண் முகவரி **Dharmapuri District.**
- (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 : **D. Palanisamy** (b) Father's/ Husband's Name : **V. Paraman**
குற்றமுறையிட்டாளர்/ தகவல் தந்தவர் பெயர் தந்தை / கணவர் பெயர்
(c) Date / Year of Birth : **38 yrs** (d) Nationality : **Indian** (e) Passport No. :
நாள் / பிறந்த ஆண்டு நாட்டினம் வெளிநாட்டு கடவுச்சீட்டு எண்
Date of Issue : Place of Issue :
வழங்கப்பட்ட நாள் வழங்கப்பட்ட இடம் **Inspector of Police**
(f) Occupation : (g) Address : **VSAC, Dharmapuri.**
தொழில் முகவரி
- Details of Known/Suspected/Unknown accused with full particulars. (Attach separate sheet if necessary)
தெரிந்த / ஐயப்பாட்டிற்குரிய / தெரியாத குற்றஞ்சாட்டப்பட்டவரின் முழுமையான விவரங்கள்
(தகவலுடைய தனித்தான் இணைக்கவும்) **1) Tr. P. K. Mahalingam, formerly BDO (V/D), Morappur Block, Dharmapuri District. 2) Tr. S. Venkattaraman, formerly BDO Morappur Block, Dharmapuri District 3) Tr. R. Krishnan Proprietor of Sri Lakshmi Traders, No.111, Salem main Road, Krishnagiri.**
- Reasons for delay in reporting by the complainant / Informant:
குற்றமுறையிட்டாளரால் / தகவல் கொடுப்பவரால் முறையிட்டதில் தகவல் கொடுப்பதில் தாமதம்

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)

Separate sheets are enclosed

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 No. எண்
P. PALANISAMY
Inspector of Police,
V3AC, Dharmapuri.

Sir. Submitted

Annexure to the SI.No.12 of the printed FIR in connection with Dharmapuri
Vigilance and Anti-Corruption Cr.No.01/AC/2021 u/s 120 B, 406, 409, 465, 468,
471 of IPC r/w 109 IPC and 13(2) r/w 13(1)(a) and 12 of the Prevention of
Corruption Act 1988 as amended in 2018.

Accused

01. Tr.P.K.Magalingam,
Formerly Block Development Officer (VP),
Morappur Block,
Dharmapuri District.
02. Tr.S.Venkattaraman,
Formerly Block Development Officer (VP),
Morappur Block,
Dharmapuri District.
03. Tr.R.Krishnan,
Proprietor of Sri Lakshmi Traders,
No.111, Salem Main Road,
Krishnagiri.

During the collection of sources, the following information was gathered against the Accused noted in the margin who are hereinafter referred to as A-1, A-2 and A-3 respectively. Accused 1 and 2 were working as Block Development Officers (V.P) at Morappur Block, Dharmapuri District and they are public servants as defined u/s 2(c) of the Prevention of Corruption Act 1988. A-3 is Proprietor of Sri Lakshmi Traders and he is a private individual.

A-1 Tr.P.K.Magalingam was working as Block Development Officer (V.P), Morappur Block, Dharmapuri District from 13.06.2018 to 09.03.2019. Now, he is working as Block Development Officer (B.P), Kadathur Block, Dharmapuri District. After the tenure of A-1, A-2 Tr.S.Venkattaraman was working as Block Development Officer (V.P), Morappur, Dharmapuri District from 10.03.2019 to 09.06.2019. Now he retired from service. A-3 Tr.R.Krishnan is running a shop in the name of Sri Lakshmi Traders, No.111, Salem Main Road, Krishnagiri.

As per the Tamil Nadu Panchayats (Preparation of plans and Estimates for works and mode and conditions of contract) rules 2007 as notified in G.O (Ms).203, Rural Development and Panchayat Raj (PR-I) Department, dated 20.12.2007, the Block Development Officer shall be the tender inviting authority for the supply of goods and services by following the procedures laid down in Tamil Nadu Transparency in Tenders Act, 1998, issue work orders to the registered contractors and sanction funds under various schemes being implemented in their jurisdiction.

It is gathered that the District Collector, Dharmapuri District by proceedings in Roc.No.935/2916/R6 Dated:11.01.2019 has released funds to all the Panchayat Unions for the purchase of following cleaning materials at the total cost of Rs.29,000/- per a Panchayat which

included Rs.24,000/- for the materials (for 2 groups) and Rs.5000/- for the uniforms to be supplied to "TooimaiKaavalars" under the scheme by name "Solid Waste Management System in the Village Panchayats under Swachh Bharat Mission", in which a sum of Rs.12,47,000/- was released to Morappur Union. In the said order, the District Collector has further instructed all the Block Development Officers to purchase the materials according to the mode prescribed by the Assistant Engineer/Union Engineer by following the Tender Transparency Act. Based on the sanction of the District Collector, Dharmapuri, A-1 Tr.P.K.Magalingam, Block Development Officer (V.P), Morappur Block obtained quotations on 25.01.2019 from following firms to purchase the following materials for 43 Panchayats.

Sl.No.	Materials	Sri Lakshmi Traders, Krishnagiri	Sri Ramana Electricals, Krishnagiri	Sri Vigneswara Electricals, Krishnagiri
01.	Broom Stick (Medium and Large)	470-00	490-00	515-00
02.	Aluminum Basin	480-00	510-00	539-00
03.	First Aid Box	1250-00	1315-00	1348-00
04.	Spade	1450-00	489-00	509-00
05.	Long Handle Steel Cleaner	1970-00	2019-00	2104-00
06.	Long Handle Steel Fork	1970-00	2019-00	2104-00
07.	Medium Handle Steel Fork	1650-00	1710-00	1825-00
08.	Long Handle Steel Drainage Cleaner	1970-00	2019-00	2104-00
09.	Medium Handle Picker	1384-00	1415-00	1446-00
10.	Scraper	370-00	395-00	419-00
	Total	11,964-00	12381-00	12913-00

Sl.No.	Materials	Sri Lakshmi Traders, Krishnagiri	Sri Ramana Electricals, Krishnagiri	Sri Vigneswara Electricals, Krishnagiri
01.	Uniform	758-00	825-00	850-00
02.	Gloves	155-00	179-00	189-00
03.	Mask	95-00	107-00	116-00
04.	Cap	95-00	107-00	116-00
05.	Gum Boot	343-00	397-00	424-00
	Total	1446-00	1615-00	1695-00

As Sri Lakshmi Traders, Krishnagiri owned by A-3 quoted the lowest rate among the other firms, A-1 issued work order to him vide his proceedings in Roc.No.1404/2018/E5 dated: 25.01.2015. Thereafter, the above materials were supplied by A-3 to 43 Panchayats under acknowledgments. Then, A-1 vide his proceedings in Roc.No.1404/2018/E5 dated: 08.03.2019 released a total sum of Rs.12,43,689/- to A-3 for the purchase of above materials. Thereafter, A-1

was transferred from Morappur and A-2 assumed the charge of Block Development Officer In lieu of A-1. A-3 Tr S.Venkattraman prepared two bills by Voucher No.11/2018-19 for Rs.4,33,845/- and Voucher No.12/29.03.2019 for Rs.8,09,844/- and issued a cheque 962547 Dated: 29.03.2019 for total sum of Rs.12,43,689/- to Sri Lakshmi Traders, Krishnagiri under acknowledgment and the said sum was deducted on 27.03.2019 from the Savings Bank A/c No.6640346196 of the Indian Bank maintained in the Name of "Solid Waste Management". From this transaction, the following information against Accused have come to light.

The required articles were purchased from A-3 Tr R.Krishnan, Proprietor of Sri Lakshmi Traders, Krishnagiri at the total cost of Rs. 12,43,689/-. The total value of procurement comes under the financial limit of above Rs.10,00,000/- and below Rs.25,00,000/-. According to the Tamil Nadu Panchayats (Preparation of plans and Estimates for works and mode and conditions of contract) rules 2007 as notified in G.O (Ms).203, Rural Development and Panchayat Raj(PR-I) Department, dated 20.12.2007, A-1, being the tender inviting authority, should have published a notice of tender in a District edition Tamil Newspaper as the value of procurement of goods and services above Rs.10 lakhs up to Rs.25 lakhs. For this transaction, A-1 should have adopted Open Tender procedures by following the procedures as laid down in Tamil Nadu Transparency in Tenders Act, 1998. But it was not followed by him. He has adopted the procedures for single tender which is in no way applicable to this transaction.

With respect to the genuineness of the quotations are concerned, the sources reveals that the firm Sri Krishna Traders, No.111, Salem Main Road, Krishnagiri only is registered with TIN No.33ADGFS2995F1ZV and remaining two firms in the name of Sri Ramana Electricals, Krishnagiri and Sri Vigneswara Electricals, Krishnagiri are fictitious and not existing in the said address. Therefore, it clearly shows that such quotations were forged with the knowledge of A-1 in view of the awarding work order only to A-3.

Further, with respect to the rates for the purchased materials are concerned, the sources reveal the following information.

Out of the purchased materials (10 items) under the allotment of Rs.24,000/-, the rates for the materials Aluminum Basin, Spade, and Scrapper are available in the open market. The rates for the materials Aluminum Basin, Spade, and Scrapper were compared with the rates quoted by the following firms during the collection of sources and it reveals the following information.

Name of the materials	Rates quoted by Sri Lakshmi Traders (A-3)	Rates quoted by the other firms			Difference in rates
		Sri Murugan Hardware, Dharmapuri	Sri Singaravelan stores, Dharmapuri	Vasavi Hardwares Kaverippattinam,	
Aluminum Basin	450-00	-	190-00	-	260-00
Spade	1450-00	-	-	250-00	1200-00
Scrapper	370-00	90-00	-	-	280-00

The above figure would clearly show that the materials Aluminum Basin, Spade and Scrapper were purchased by A-1 from A-3 for exorbitant rate. While applying the difference of rates to the purchased quantity for 43 Panchayats, it comes around Rs.1,49,640/- as detailed below.

Name of the materials	Rates quoted by Sri Lakshmi Traders (A-3)	Difference in rate	purchased quantity	Total
Aluminum Basin	450-00	260-00	86	22,360-00
Spade	1450-00	1200-00	86	1,03,200-00
Scrapper	370-00	280-00	86	24,080-00
			Total	1,49,640-00

The above information clearly discloses that there is a prima facie case against A-1 to A-3 that they had fraudulently and dishonestly misappropriated a total sum of Rs.1,49,640/- in the purchase of materials under the allotment of Rs.24,000/- per a Panchayat.

Similarly, it is gathered that Uniforms and other items were purchased (5 items) under the allotment of Rs.5,000/-, the rates for all the items are available in the open market. It is further gathered that during relevant period, the District Collector, Erode vide Proceedings in Roc.No.358/2019/A6 Dated: 05.03.2019 has also placed order for the purchase of same materials under this scheme from Priya Arts and Printers, Krishnagiri and the rates quoted by the said firm for the materials Uniform Mask, Cap were compared with the rates quoted by A-3 and it reveals the following information.

Name of the materials	Rates quoted by Sri Lakshmi Traders (A-3)	Rates quoted by the other firms			Difference in rates
		Priya Art and Printers, Krishnagiri	Mahadev Trading Company, Krishnagiri	Vishal Store, Krishnagiri	
Uniform	758-00	642-00	-	-	116-00
Gloves	155-00	-	-	85-00	70-00

Mask	95-00	43-00	-	-	52-00
Cap	95-00	58-00	-	-	47-00
Gum Boot	343-00	-	270-00	-	73-00

The above figure would clearly show that the materials Uniform, Mask and Cap were purchased by A-1 from A-3 for an exorbitant rate. While applying the difference of rates to the purchased quantity for 43 Panchayats, it comes around Rs.55,685/- as detailed below.

Name of the materials	Rates quoted by Sri Lakshmi Traders (A-3)	Difference of rate	purchased quantity	Total
Uniform	758-00	116-00	172	19,952-00
Gloves	155-00	70-00	344	24,080-00
Mask	95-00	52-00	86	4,472-00
Cap	95-00	47-00	86	4,042-00
Gum Boot	343-00	73-00	43	3,139-00
			Total	55,685-00

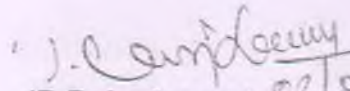
The above information clearly discloses that there is prima facie case to allege that A-1 to A-3 had fraudulently and dishonestly misappropriated a total sum of Rs.55,685/- in the purchase of materials under the allotment of Rs.5000/- per a Panchayat.

In the above transactions, A-2 knowing fully well that A-1 had not followed the tender procedures, he deliberately settled the bill amount of Rs.12,43,689/- to A-3. It is to take note that A-2 had divided the amount Rs.12,43,689/- into two bills but he issued a single cheque for the said sum. His main intention for doing so is that for no reason, it should not be known to anyone on a mere glimpse of the bill that open tender system was not adopted. Thereby, he also took active role in the said conspiracy and went hand in glove with A-1 and A-3 in the commission of the offences.

The information collected against Accused shows that A-1 and A-2 have entered into criminal conspiracy with A-3 and committed the offences by misusing their official position in course of discharging their official functions Accused 1 and 2, in the capacity as a Block Development Officers and being the tender inviting authority, during their long career in the department have rudimentary knowledge that they should invariably follow the relevant acts and rules in execution of works. But they totally threw away them and acted in favour of A-3 and fleeced the Government Funds in the purchase of cleaning implements under the guise of providing clean hygiene to public.

The above information clearly makes out cognizable offences against all Accused in which, A-1 and A-2 each committed the offences u/s 120 B, 409, 465, 468, 471 of IPC and 13(2) r/w 13(1)(a) of the Prevention of Corruption Act 1988 as amended in 2018 and 406 r/w 109 IPC whereas A-3 committed the offences u/s 120 B, 406 and 13(2) r/w 13(1)(a) r/w 12 of the Prevention of Corruption Act 1988 as amended in 2018 and 465, 468, 471 r/w 109 IPC.

Prior approval u/s 17A of the Prevention of Corruption Act 1988 as amended in 2018 was obtained for A-1 and A-2 from the authority competent to take up a regular case against them. Therefore, I registered a case in Dharmapuri V&AC Cr.No.1/AC/2021 u/s 120 B, 406, 409, 465, 468, 471 of IPC r/w 109 IPC and 13(2) r/w 13(1)(a) and 12 of the Prevention of Corruption Act 1988 as amended in 2018 against Accused 1 to 3 on 03.06.2021 at 10.30 hrs. The original FIR was sent to the Hon'ble court of Special Judge/Chief Judicial Magistrate, Dharmapuri and other copies were to the officers concerned.


(P.Palanisamy) 03/06/21
Inspector of Police,
Vigilance and Anti-Corruption,
Dharmapuri.