

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

8081693

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1. District : Kanyakumari PS: V&AC Year: 2021 FIR No.: 10/2021 Date: 17.12.2021
மாவட்டம் காவல்கிளையம் Nagercoil ஆண்டு மு.த.அ. எண் நாள்
2. (i) Act சட்டம்: The Prevention of Corruption Act 1988 Sections பிரிவுகள்: U/s.13 (2) r/w 13(1) (c) of P.C
(ii) Act சட்டம்: Sections பிரிவுகள்: Act 1988 and
(iii) Act சட்டம்: IPC Sections பிரிவுகள்: 167,409,465,468, 471,420 &
477-A IPC
(iv) Other Acts & Sections பிற சட்டங்களும், பிரிவுகளும் :
3. (a) Occurrence of Offence Day : Date from : 2011 - 2014 Date to :
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 : 17.12.2021 Time : 14.00 hrs
காவல் நிலையத்திற்கு தகவல் கிடைத்த நாள் நேரம்
(c) General Diary Reference : Entry No(s) 17.12.2021 Time : 14.00 hrs
பொது நாட்குறிப்பில் பதிவு விவரம் எண் நேரம்
4. Type of Information : Written/ Oral :
தகவலின் வகை : எழுத்து மூலம் / வாய் மொழியாக Written
5. Place of Occurrence (a) Direction and Distance from PS:
குற்ற நிகழ்விடம் (அ) காவல்நிலையத்திலிருந்து எவ்வளவு தூரமும், எத்திசையும் About 10 Kms, South East, Puthalam
Town Panchayat.
Beat Number : (b) Address :
முறைக 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 : (b) Father's/ Husband's Name :
குற்றமுறையிட்டாளர்/ தகவல் தந்தவர் பெயர் Tmt.C.Sivasankari தந்தை / கணவர் பெயர் Tr.G.Maria Antony
(c) Date / Year of Birth : (d) Nationality : (e) Passport No. :
நாள் / பிறந்த ஆண்டு 30.05.1979 நாட்டினம் Indian வெளிநாட்டு கடவுச்சீட்டு எண்
Date of Issue : Place of Issue :
வழங்கப்பட்ட நாள் வழங்கப்பட்ட இடம்
(f) Occupation : (g) Address : No.210/1-A, Lourdh Annai Salai,
தொழில் V&AC, Kanyakumari District Detachment - Rajakamangalam Road,
ment @ Nagercoil. Nagercoil.
7. Details of Known/Suspected/Unknown accused with full particulars. (Attach separate sheet if necessary)
தெரிந்த / ஐயப்பாட்டிற்குரிய / தெரியாத குற்றஞ்சாட்டப்பட்டவரின் முழுமையான விவரங்கள்
(தேவையெனில் தனித்தாள் இணைக்கவும்)

Tr.S.Radhakrishnan, Formerly Bill Collector of Puthalam Town Panchayat, Kanyakumari District.

8. Reasons for delay in reporting by the complainant / Informant:
குற்றமுறையிட்டாளரால் / தகவல் கொடுப்பவரால் முறையிட்டதில் தகவல் கொடுப்பதில் தாமதம்

Detailed Enquiry Conducted

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)

Accused:
Tr.S.Radhakrishnan,
Formerly Bill Collec-
tor of Puthalam
Town Panchayat,
Kanyakumari
District.

Submitted: I C.Sivasankari, Inspector of Police, Vigilance and Anti-Corruption, Kanyakumari Detachment at Nagercoil while on duty on 17.12.2021, I received the Memorandum from Directorate of Vigilance and Anti-Corruption, Chennai Confidential DE 29/2016/TP/KK dated 29.11.2021 along with a copy of prior approval of Director, Town Panchayat, Chennai-28 under 17(A)(1) of the Prevention of Corruption Act 1988, as amended by Act 16/2018, I register the following case against the accused. The nubble of the case disclosed through the above cited confidential communication is narrated as under. The accused Tr.S.RadhaKrishnan was the then Bill collector of Puthalam town Panchayat from 22.09.2011 to 20.09.2014. Now he is working as Bill Collector in Neyoor

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 John Benjamin..... பதவி Inspector of Police... 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: 17.12.2021 at 14.45 hrs
நீதிமன்றத்திற்கு அனுப்பப்பட்ட நாளும், நேரமும்

Name: I C.Sivasankari...
Rank: Inspector of Police, V&AC, Kanyakumari Detachment @ Nagercoil.

Continuation of FIR in Kanyakumari V&AC Cr.No.10/2021

Town Panchayat. As such the accused is a public servant within the ambit and purview of Section 2(c) of the Prevention of corruption Act, 1988.

The Puthalam Town Panchayat is one among the 55 Town Panchayats of Kanyakumari District and some part of its area situated on Coastal Regulation Zone. As per law, Town Panchayat Executive Officer is empowered to give building plan approval, Tax assessment for Residential building upto 4000 Sq.ft and for commercial buildings upto 2000 Sq.Feet.

The residents of Panchayat if needs Extension, Renovation of house. The old Tax Assessment and Door number already assigned will be retained in the matter of New house construction the Building Plan Approval, New Tax Assessment and New Door number will be allotted. In the cases of old house purchase, the name transfer fee of Rs.100/-has to be paid and old assessment number and old door number already assigned will be allotted. In the cases of House destruction the local body authority concerned should visit the house and after verification, they have to conclude that the house is eligible for destruction and shall convene meeting and pass resolution to that effect in the council and cancel the Tax.

House and House Tax receipts are the basic necessity for address and identity of a citizen. House tax receipt is essential for obtaining Family Ration Card, Aadhar Card, Old age pension, Opening Bank account etc. The peoples residing 500 meters away from the coastal zone are put to hardship in getting the Family ration cards, old age pension, opening the Bank Accounts, joining the Schools and colleges without address proof. To avoid these difficulties and at the time to regulate the coastal Regulation Zone as temporary measure, temporary structure were permitted in the coastal areas as per regulations.

The construction made in the Coastal Regulation Zone is regulated by the Coastal Regulation Committee. The coastal area is divided into CRZ-1,

CRZ-II and CRZ-III. The application received from public by the local bodies for construction in the above zones with proper documents would be sent to District Environmental Engineer. The application would be placed in the District Regulation Committee headed by District Collector and thereafter would be sent to State Regulation Committee for approval. After obtaining approval permission would be granted for construction by complying the Coastal Regulation Development procedure. These regulations are made compulsory. The Plan fees would be collected and due entries were made in the relevant records and receipts were issued to the applicant. But plan approval would not be granted and only tax in the head "Roof Tax" alone would be collected and receipt would be issued.

To construct a new house an applicant has to apply for building plan approval with required documents and with prescribed fee to the Local Body Authority. After adopting due procedure and making necessary entries in the Building Plan Register, by the Town Panchayat authority building plan license would be issued. After completion of the construction work, the owner should give the work completion report. Then the Executive Officer personally or through the Bill Collector would visit the house and assess the Tax and also allot the new Door number. In this regard entries will be made in the Tax Assessment Register, Day Book, Property Tax Demand Register and entries also would be made in the computer. One of the Tax Assessment Register is called as Hand Book and that would be entrusted to the accused for collecting House Taxes.

The accused is not empowered to make any entries in the Hand Book without the knowledge and consent of the Executive Officer. Whenever entries are made in the Tax Assessment Register at the time of name transfer or cancelling the Tax in the Town Panchayat then only the accused should make the new entries in this Hand Book on the approval of Executive Officer.

On Physical verification and examination of witnesses, disclosed that the accused had misappropriated the fees amount prescribed for name transfer

from the name of the vender to vendee and in fees and miscellaneous fees pertaining to Building Plan approval with regard to construction of new houses within the Coastal Regulation Zone as described in the following two tables.

Misappropriation of fees amount related to name transfer of old house owners to new house owners

Sl.No	Old house owner	New house owner	Misappropriated fees amount in Rs.
1	Tr. Arumuga perumal	Tr.A. Thangaraja	Rs. 100/-
2	Tr. Karuppaiah	Tr.S. Rachel Gnanajothi (Renjitham)	Rs.100/-
3	Tr. Sivalingam	Tr.S. Anantha Krishnan	Rs.100/-
Total			Rs.300/-

Misappropriation of fees amount in Building Plan Approval

Sl.No	Name of dilapidated house owner not brought to the knowledge of panchayat by Bill collector so as to enter in the relevant register .	Name of the house owner who was assigned the old door number instead of new number	Misappropriated amount by the accused received as fees from the applicants and failed to remit the same in panchayat account
1	T.Hema	C. Rabisingh	Rs. 12,907/-
2	S. Vimala	L. Suresh	Rs. 11,954/-
3	Athikesava Perumal	V. Vijay Ananth	Rs. 12,608/-
4	G.Pushpanmal Thangam	K. Rajagpopal	Rs. 7,115/-
5	Enakulamuthu	Jebarasakumar, Bothka Illam	Rs. 5,373/-
6	S.Prabhakaran (Sakthivel)	V. Johnson	Rs. 6,541/-
7	S. BalaKrishnan	S.GibsonsamVilsida nibai	Rs. 16,942/-
8	Rukmoni	KalaPerumal (Suresh)	Rs. 9,323/-
9	Mari Kamalabai	S. Sathalaingam	Rs. 9,979/-
10	Natarajan (Gomathi)	M. Michael	Rs. 6,573/-
11	Gomathi	M. Parthasarathi	Rs. 98,630/-
12	T. Rajendran	Y.David	Rs. 9,581/-

13	K.Suyambulingam	V. GopalaKrishnan	Rs. 12,023/-
14	S. Selvaraj (Ambuja)	T. Jeyachandran	Rs. 17,808/-
Total			Rs. 2,37,357/-

There are no houses existing in the said name and in the said addresses in the Tax Assessment Register. There were no resolutions in the panchayat. Counsel to bring the houses under the head of destroyed Houses or dilapidated houses. There were no entries in the Tax Assessment Register, Hand Book, Property Tax Register for name transfer of the persons houses and no petitions have been entertained in the office for transferring their name from the old name to new name.

The accused had manipulated in his Hand Book by replacing the name of the house owners whose Houses were actually dilapidated but not brought under destroyed Houses in Panchayat records as per procedure. The accused had manipulated the Hand book by using whitener or striking with pen and entered the New names of the owners of newly constructed houses, independently and given them the Tax Assessment Number and Door number of destroyed houses without producing any name transfer petition received from them in the office and without the knowledge of the Executive Officer Tmt.A.V.Rukumani. The newly constructed house owners who got the Tax Assessment Numbers and Door numbers through the Bill Collector Tr.Radha Krishnan were not having knowledge that they were the numbers of destructed houses already assigned. All the new house owners have stated in a single voice that they had given application to the Bill Collector Tr.Radha Krishnan for building plan approval and he received amount ranging from Rs.5,373/- to Rs.98,630/- from them and given the computer tax receipt for Tax assessment. On perusal of records and examination of witnesses Tr.Kannan, AD Town Panchayat, Nagercoil and computer operators (temporary staff) Tmt.R.Ramila and Tmt.P.Sathiya Jothi, it reveals that the Bill Collector

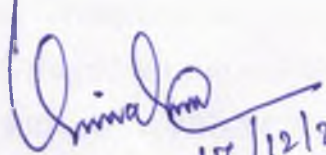
Tr.S.Radha Krishnan had received the amount and applications from the applicants and made entries only in his Hand Book and on the basis of entries made in the Hand Book he had effected the changes in the Computer by deceiving the above said computer operators without producing the applications in the office and without the knowledge of the Executive Officer Tmt.A.V.Rukumani misappropriated the said money received from the applicants and cheated them also and made loss to Government to the tune of **Rs.2,37,657/-** by not remitting the Building Plan Approval fee and other miscellaneous fees in the account of the Puthalam Town Panchayat.

Thus it is revealed that by using the above modus operandi the accused being a public servant between the Year 2011 - 2014 had misappropriated the Panchayat funds to a tune of Rs. 2,37,657/- by framing incorrect records and by using the forged facsimile signature and designation of Executive Officer and deceiving the Data Entry Operators by entering the applicants name and cheated them and the new house owners also after altering the name of the old buildings owner in the handbook by using whitener and making new entries and thereby committed offence of forgery for the purpose of cheating and Criminal breach of trust and criminal misconduct punishable under Indian Penal Code and Prevention of Corruption Act 1988.

The available materials makes out a prima facie case against the accused Tr.S.Radhakrishnan U/s.13(2) r/w 13(1)(c) of Prevention of Corruption Act 1988 and 167, 409, 465, 468, 471, 420 and 477-A of Indian Penal Code.

Therefore, today 17.12.2021 at 14.00 hrs I registered a case in Kanyakumari Detachment Vigilance and Anti-corruption Cr.No.10/2021 against Tr.S.RadhaKrishnan for the commission of offences U/s.13(2) r/w 13(1)(c) of Prevention of Corruption Act 1988 and 167, 409, 465, 468, 471, 420 and 477-A of Indian Penal Code.

The original FIR is submitted to the Hon'ble Court of Chief Judicial Magistrate cum Special Judge, Special Court for Trial of cases under Prevention of Corruption Act, Kanyakumari District @ Nagercoil and other copies to the officials concerned and I handed over a copy of the F.I.R to Tr.S.John Benchamin, Inspector of Police for further investigation.


17/12/2021

(C. SIVASANKARI)

Inspector of Police,

VDAE, Nagercoil

Kanyakumari Detachment