

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

C 8051850

- District : *Madurai* PS: *Y & AC* Year: *2021* FIR No.: *20/21* Date: *30.12.2021*
மாவட்டம் காவல்நிலையம் ஆண்டு மு.த.அ. எண் நாள்
- (i) Act சட்டம்: *Indian Penal Code* Sections பிரிவுகள்: *120(B), 406, 408, 420 IPC*
(ii) Act சட்டம்: Sections பிரிவுகள்: *r/w 34 IPC*
(iii) Act சட்டம்: *PC Act 1988* Sections பிரிவுகள்: *13(B) r/w 13(B) (2) & (d) of PC Act 1988*
(iv) Other Acts & Sections பிற சட்டங்களும், பிரிவுகளும் :
- (a) Occurrence of Offence Day : Date from : *2015-16* Date to : *2016-17*
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 : *30.12.2021* Time : *1200hrs.*
காவல் நிலையத்திற்கு தகவல் கிடைத்த நாள் நேரம்
(c) General Diary Reference : Entry No(s) *30.12.2021* Time : *1200hrs.*
பொது நாட்குறிப்பில் பதிவு விவரம் எண் நேரம்
- Type of Information : Written/ Oral :
தகவலின் வகை : எழுத்து மூலம் / வாழ்-மொழியாக *written type*
- Place of Occurrence (a) Direction and Distance from PS: *11th Branch Channel of Periyar main*
குற்ற நிகழ்விடம் (அ) காவல்நிலையத்திலிருந்து எவ்வளவு தூரமும், எத்திசையும் *canal of melur taluk, madurai dist.*
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 : *K. KUMARAGURU* (b) Father's/ Husband's Name : *R. KARUPPIAH*
குற்றமுறையீட்டாளர்/ தகவல் தந்தவர் பெயர் தந்தை / கணவர் பெயர்
(c) Date / Year of Birth : *20.12.74* (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 Anti-corruption*
தொழில் முகவரி *Madurai.*
- Details of Known/Suspected/Unknown accused with full particulars. (Attach separate sheet if necessary) *1) T. J. Solomon*
தெரிந்த / ஐயப்பாட்டிற்குரிய / தெரியாத குற்றஞ்சாட்டப்பட்டவரின் முழுமையான விவரங்கள் *Christudoss, AE, WRD*
(தேவையெனில் தனித்தாள் இணைக்கவும்) *Periyar main canal, Mellupatti sec, formerly*
WRD, Saruganur Basin, Division - II melur *2) N. V. MURUGESAN, AEE*
Division - II, melur *3) M. ARK. Prabhu, BE PMC Division, formerly PMC Sub-*
Tr. S. Baskaran, contractor *4) T. T. MURUGASUBRAMANIAN, melur* *5) T. T. MURUGASUBRAMANIAN, SE Hd, PWD,*
8. Reasons for delay in reporting by the complainant / Informant: *PMC Division, madurai.*
குற்றமுறையீட்டாளரால் / தகவல் கொடுப்பவரால் முறையிட்டதில் தகவல் கொடுப்பதில் தாமதம்
Based on the findings of PE 231/2018/PWD/mu
This case was registered. Hence no delay.

- 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)

Typed content in page no 3 to 7 is enclosed herewith.

- 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 S. M. Sathya Sathyan, DSP, VAC, Madurai 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
30/12/2021
1300hrs.

Name: பெயர் S. K. Kumaranaguru,
Rank: நிலை Inspector No. எண்
V. A. C., Madurai.

Honoured Madam submitted :

Accused:

1. Tr. J.Solomon Christudoss, Assistant Engineer, WRD, Periyar Main Canal, Mettupatty Section, Madurai. Formerly Periyar Main Canal Sub Division-II, Melur, Madurai.
2. Tr. N.Murugesan, Assistant Executive Engineer, WRD, Saruguniar Basin Division, Sivagangai. Formerly Periyar Main Canal Sub Division.II, Melur, Madurai.
3. Tr. A.R.K.Prabhu, Executive Engineer (Not allowed to Retire), PWD, Periyar Main Canal Division, Melur, Madurai.
4. Tr.S.Baskaran, Contractor (Private Individual).
5. Tr.T.Muruga Subramanian, Superintending Engineer (Retired), PWD, Periyar Main Canal Division, Melur, Madurai.

Accused.1 was holding in charge of Assistant Engineer, Periyar Main Canal Sub Division-II, Melur, Madurai during the period from 11.3.2016 to 22.5.2017.

Accused.2 was worked as Assistant Executive Engineer, Periyar Main Canal Sub Division-II, Melur, Madurai during the period from 17.2.2016 to 31.08.2020.

Accused.3 was worked as Executive Engineer, Periyar Main Canal Sub Division-II, Melur, Madurai during the period from 22.8.2014 to 28.2.2018. He was not allowed to retire on 28.2.2018.

Accused.4 is a private individual and licensed contractor and who is authorized to execute the rehabilitation work in the 5th, 6th, 8th, 9th and 11th branch channels of Periyar Main Canal, Madurai during 2016.

Accused.5 was worked as Superintending Engineer, Periyar Vaigai Basin Circle, Madurai during the relevant period of rehabilitation work done in 5th, 6th, 8th, 9th and 11th branch channels of Periyar Main Canal by the above said Contractor/Accused.4. He was retired from service on 31.05.2018.

All the above said Accused.1 to Accused.3 and Accused.5 are public servants as defined u/s 2(c) of Prevention of Corruption Act, 1988.

On credible information as to the commission of irregularities and malpractices in the execution of rehabilitation work of 11th Branch Channel in Periyar Main Canal, Madurai District, a Preliminary Enquiry was conducted as per the order of DVAC, Chennai in PE.231/18/PWD/MU. During the enquiry, the following facts were brought to light.

As per G.O.Ms.No256, Public Works (W1) Department, dated 15.12.2015, the Government of Tamil Nadu has accorded sanction for a sum of Rs.15 Crore for taking the rehabilitation work in 5th, 6th, 8th, 9th and 11th Branch Channels of Periyar Main Canal of Vadipatti, Madurai North, Madurai East, Melur Taluks of Madurai District, based on the schedule of rates for the year 2014-2015 with escalation for 2015-2016.

The objectives of the above said project are 1) The loss of precious water will be minimized to a greater extent and required water can be supplied at the tail end of the Ayacut by rehabilitation of this system; 2)The wastage of precious water will be minimized by storing the surplus water of upper tanks to lower down tanks in the chain; 3) The wells in and around the irrigation tanks will get good recharge of water and additional yield of water can be utilized for irrigation; and 4) Repair and

reconstruction of sluices, shutters, diversion structures, renewal of shutter arrangements will greatly reducing the wastage of precious water.

A Detailed Report along with estimate for the above said rehabilitation work was prepared by the then Assistant Engineer (A.1) and Assistant Executive Engineer (A.2), approved by Executive Engineer (A.3) and by the Superintending Engineer (A.5) on 17.12.2015 and the Chief Engineer, WRO, Madurai Regional technically sanctioned on 23.12.2015.

After tender notification, Tender Agreement in No.32/SE/PVBC/Madurai/2015-16 dated 26.02.2016 for the above said Rehabilitation Work was given to the contractor/A.4, who was the lowest bidder. As per tender agreement, Rehabilitation Work were commenced on 01.03.2016 and completed by the above said contractor/A.4. A.1/Assistant Engineer recorded the measurement in the M.Book as if all the works specified in the estimate and agreement was performed by A.4. A.2/Assistant Executive Engineer checked the measurement and the A.3/Executive Engineer conducted the super check on the measurements and they approved and passed the 1st bill for Rs.58,37,947/- on 31.03.2016, 2nd bill for Rs.1,91,28,457/- on 15.6.2016, 3rd bill for Rs.4,85,00,000/- on 30.08.2016 and Final bill for Rs.6,28,76,800/- on 28.12.2016 to A.4/Contractor. Finally bill was paid only after the verification and certificate issued by A.5/Superintending Engineer.

During the Preliminary Enquiry, a super check team was nominated to evaluate the rehabilitation work carried out in 11th branch channel in Periyar Main Canal. As per tender agreement, 38 items of work were found in Rehabilitation Work of 11th Branch Channel. Among

those 38 items, 4 items of visible work like Field Channel, Retaining Wall and Lining with PCC Slab were evaluated by the super check team headed by Er.Ganesan, nominated by the Chief Engineer, PWD/WRO, Madurai Region.

At the time of evaluation, the super check team measured and compared the visible work carried out in the 11th branch channel with the M.Book measurement and found that the existing old structures like Drop, Sluice, culvert and Ramp in lining with PCC slab and Retaining Wall were not deducted and it has not been made in the M.Book. The difference in quantity due to overlapping and less weep holes in retaining wall were also found and misappropriated amount of Rs.3,10,704/- was calculated by the super check team.

It is reliably learnt that without proper checking, A.2 Assistant Executive Engineer, checked the measurement and A.3 Executive Engineer super checked the measurement recorded by A.1 Assistant Engineer in the M.Book and the final bill was sanctioned to A.4/Contractor only after the verification and certificate issued by A.5/Superintending Engineer. Based on the reports of A.1, A.2, A.3, the Superintending Engineer/A.5 sanctioned the final bill amount to A.4/Contractor for the Rehabilitation work carried out in the 11th Branch Channel alone, which was not executed as per the agreement.

It is reliably learnt that A.1 to A.3 and A.5 being the Assistant Executive Engineer, Assistant Engineer, Executive Engineer and Superintending Engineer respectively, and as such, they are public servants as defined u/s 2(c) of Prevention of Corruption Act, 1988 entered in to criminal conspiracy with A.4/Contractor, colluded with each other and misappropriated the Government fund to the tune of Rs.3,10,704/- in the execution of rehabilitation work of the 11th branch


channel in Periyar Main Canal and got pecuniary advantage by manipulating the records so as to make it appear as if they followed the rules and procedures and using the forged records as genuine, in order to get undue advantages for themselves and in anticipation of getting such undue advantages and thus conspired together for such purpose, thereby resulting a pecuniary loss to the Government.

Hence, there is prima facie materials available on record for taking up the investigation against the Accused-1 to Accused-5 for the offences committed by them under Section 120(B), 406, 408, 420 IPC r/w 34 IPC and 13(2) r/w 13(1)(c)&(d) of P.C. Act 1988.

Thereafter, previous approval u/s 17 A of Prevention of Corruption Act, 1988 was obtained from Principal Secretary to Government vide Letter No.25440/E1/2018-5, dated 29.01.2021.

Therefore, I am registering a case in Madurai Vigilance and Anti-Corruption, Crime No. 20/2021 under Section 120(B), 406, 408, 420 IPC r/w 34 IPC and 13(2) r/w 13(1) (c) & (d) of P.C. Act 1988, today on 30.12.2021 at 12.00 hrs for the above said offence for the purpose of taking up investigation.

The original FIR is submitted to the Special Judge, Trial of Cases under Prevention of Corruption Act, Madurai and copies of the FIR are sent to the officers concerned.


30/12/2021
Inspector of Police,
Vigilance and Anti Corruption,
Madurai.