

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 8102196

1. District : **Chennai** PS: **Chennai city-1** Year: **2022** FIR No.: **10/2022** Date: **14.11.2022**
மாவட்டம் காவல்நிலையம் ஆண்டு மு.த.அ. எண் நாள்
2. (i) Act சட்டம்: **IPC** Sections பிரிவுகள்: **120(B), 420, 167, 409**
(ii) Act சட்டம்: **Prevention of Corruption Act, 1988.** Sections பிரிவுகள்: **13(2) r/w 13(1) (c)**
(iii) Act சட்டம்: Sections பிரிவுகள்:
(iv) Other Acts & Sections பிற சட்டங்களும், பிரிவுகளும் :
3. (a) Occurrence of Offence Day : Date from : **During the** Date to :
குற்ற நிகழ்வு நாள் நாள் முதல் **Year 2017** நாள் வரை
Time Period : Time from : Time to :
நேர அளவு நேரம் முதல் நேரம் வரை
(b) Information Received at PS. Date : **10.10.2022** 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 : **Credible source information**
தகவலின் வகை : எழுத்து மூலம் / வாய் மொழியாக
5. Place of Occurrence (a) Direction and Distance from PS:
குற்ற நிகழ்விடம் (அ) காவல்நிலையத்திலிருந்து எவ்வளவு தூரமும், எத்திசையும் **Approximately 15 kms, North East**
Beat Number : (b) Address : **office of the Director of Medical and Rural Health Services (ESI), Teynampet, Chennai.**
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 : (b) Father's/ Husband's Name : **Tr. Singaravelu.**
குற்றமுறையிட்டாளர்/ தகவல் தந்தவர் பெயர் **S. Sankar** 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 : **Deputy supt. of Police,** (g) Address : **Chennai city-1, Dett., Vigilance and Anti-Corruption**
தொழில் முகவரி **Atandur, Chennai-16.**
7. Details of Known/Suspected/Unknown accused with full particulars. (Attach separate sheet if necessary) (1) **Tr. M. R. Embasakaran,** தெரிந்த / ஐயப்பாட்டிற்குரிய / தெரியாத குற்றஞ்சாட்டப்பட்டவரின் முழுமையான விவரங்கள் **formerly Director of Medical and (தேவையெனில் தனித்தான் இணைக்கவும்) Rural Health Services (ESI) IK, Chennai (2) Tr. S. Amarnath, supt. o/o the Director of Medical and Rural Health Services (ESI), Chennai (3) Tr. M. John Andrew, formerly Regional Administrative Medical officer, ESI, Madurai, (4) Tr. A. Ashok Kumar, Superintendent, o/o the Regional Administrative Medical officer, ESI, Madurai**
8. Reasons for delay in reporting by the complainant / Informant:
குற்றமுறையிட்டாளரால் / தகவல் கொடுப்பவரால் முறையிட்டதில் தகவல் கொடுப்பதில் தாமதம்
Conducting Preliminary Enquiry.



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)

Separate Sheet 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 Thir.C. Sankar Rank Insp.R...... to take up the Investigation / Refused Investigation / transferred to PS. CC-1, V.R. AC, Chennai 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.

முதலா. 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

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 S. Sankar.....
Rank: நிலை DSP, CC-1, No. 16.....
VRAC, Chennai-16.

COLUMN NO.12 OF FIR IN CR.NO.10/2022/AC/CC-1

A Preliminary Enquiry in PE.164/2018/MED/HQ was conducted on the petition of Tr.S.N.Lakshimipathi and the outcome of the enquiry discloses the following facts:-

2) Accused Officer A1 Dr.Tr.Enbasekaran, who was formerly working as Director, Medical and Rural Health Services (DMS) from 17/04/2017 to 30/06/2018 during the relevant period of occurrence is a public servant as defined u/s 2(c) of Prevention of Corruption Act 1988.

3) Accused Officer A2 Dr.Tr.John Andrew who was formerly working as Regional Administrative Medical Officer, ESI, Madurai Region during the period from 04.06.2015 to 31.01.2018 at the relevant period of occurrence is a public servant defined u/s 2(c) of Prevention of Corruption Act, 1988.

4) Accused Officer A3 Tr.Amarnath was working as Superintendent, O/o the Director of Medical and Rural Health Services (ESI), Chennai during the year 2017 at the relevant period of occurrence and he is a public servant defined u/s 2 (c) of Prevention of Corruption Act, 1988.

5) Accused Officer A4 Tr.Ashok Kumar was working as Superintendent, O/o the Regional Administrative Medical Officer, ESI, Madurai Region, Madurai during the year 2017 at the at the relevant period of occurrence and he is a public servant defined u/s 2 (c) of Prevention of Corruption Act, 1988.

6) The Medical indent for the procurement of medicine for Madurai Region for the year 2017-18 was prepared by Tmt.Kalyani Medical Store Officer, Central Medical Store, ESI Scheme, Madurai after collecting the details of the requirement of medicine from 65 ESI dispensaries of the Madurai Region. She consolidated the total requirement of medicine for the sum of Rs.13,12,52,093/- in consultation with Dr.Tr.Chitibabu Medical Officer, Central Medical Store, ESI Scheme, Madurai. Both the official had signed in the Medical indent and forwarded the same to Dr.Tr.John Andrew the then Regional Administrative Medical Officer (RAMO) during the month of August 2017.

7) The RAMO should have forwarded the said Medical indent proposal for the sum of Rs.13,12,52,093/- to the Director ESI, but instead of this procedure the RAMO Tr.John Andrew and the Superintendent Tr.Ashok Kumar who were working in the RAMO office conspired with Tr.Enbasekaran, Director ESI, and one Tr. Amarnath, Superintendent working in the O/o the Director, ESI with Intent to swindle the Government money in an illegal way.

8) In this context the official viz. Dr. Tr.John Andrew, Formerly Regional Administrative Medical Officer, ESI Madurai Region and Tr.Ashok Kumar, Superintendent, O/o the Regional Administrative Medical Officer, ESI Madurai Region had prepared the forged indent to the tune of Rs.37,71,61,535/- on the directions of Tr.Enbasekaran, the Director ESI and sent the same to the Directorate ESI, Chennai. After that the Director Tr.Enbasekaran, and Office Superintendent Tr.Amarnath has increased and finalized the Medical indent to the tune of Rs.40,29,30,190/- for Madurai Region during the year 2017-18.

9) In this transaction the excess drug procured have lost the expiry and due to non availability of space for preserving the valuable medicine and life saving drugs (which essentially needed the preservative apparatus), have lost its potency and thereby the accused have caused loss to the Government to the tune of Rs. 27,16,78,097/-.

10) When the above issue in respect of the enhancement of procurement of medicine for this high value was noticed by her and the Medical Officer Tr.Chittibabu, both of them informed AO-3 Tr.John Andrew about this non requirement of medicine and insisted him that the huge amount of excess Medicine to be procured is not at all necessary, but he did not heed their instructions. And he did not take any action to reduce the medical indent.

11) In the requirement of Medical Indent both Medical Store officer and Medical Officer will sign. The indent prepared without signature of the both officials is invalid. The indent level can be increased or decreased to some limited extent only (i.e) up to 10% decrease or increase. The RAMO can increase the proposed purchase only to this extent with valid reasons. He cannot alter the entire proposal by way of increasing the purchase into huge

level than the proposal already initiated by Medical Store Officer and Medical Officer, on his own without the knowledge of the Medical Officer of the said Region.

12) In pursuance of criminal conspiracy between the Accused officers A1 to A4 the accused officers created forged indent for the procurement of medicine for the year 2017-2018 for the Madurai region violating the instructions narrated in G.O.Ms.No.547 at 04/11/1995 and the instructions mentioned, the Medical indent proforma, being public servants abusing their official position, in violation of direction of law, made touching the discharge of trust knowing fully well that the bulk purchase of valuable life saving medicine will result in huge loss to the Government, not only that, the life saving drugs essentially needed the preservative apparatus and there was no such infrastructure or facilities in the concerned department. Their ultimate intention is to obtain pecuniary advantage for themselves from private Medicine manufacturing units with the purchase of bulk orders.

13) In pursuance to the conspiracy, the accused AO-1 to AO-4 prepared the forged indent against the actual indent proposal initiated by Tmt.Kalyani, MSO and on the instigation of Tr.Enbasekaran, Director, MRHS, (ESI), Mr.John Andrew, RAMO, Madurai insisted Tmt.Kalyani, Medical Store officer, to put signature with anti date in the enhanced forged Medical Indent prepared by them. As she refused to sign in the forged Medical indent, the matter was in turn communicated to AO-1 by A-2, and the director AO-1 Tr.Enbasekaran, on the day itself transferred the said Kalyani to ESI, Hospital, Thathaneri, Madurai without any valid reason, and issued orders in Ref.No. 1945/ESI/E1(2) /2017 on 06.02.2018 by mentioning " On Administrative grounds". On the same day the RAMO, Madurai Tr.John Andrew AO-2 issued relieving order to her from Central Medical Store, Madurai vide Na.Ka.956/NI 2/ 2018 and served the relieving order to her at 8.30 pm at the door step of her residence of Tmt.Kalyani, MSO as she deemed to have been relieved on 06.02.2018 afternoon. Further, a charge memo under rule 17(b) was served against her with false and exaggerated allegations. This has been clearly evident the conspiracy made among the

accused officers and the link between the Director ESI and the RAMO in this issue.

14) Aggrieved over this transfer order the said Tmt.Kalyani, approached the Hon'ble High Court, Madurai Bench and filed a Writ Petition W.P.(MD) No.2609/2018 and WP(MD) No.2806/2018 and got interim stay order on 08.02.2018 for the impugned transfer and posting order issued against her. Later, on 6.2.2022 the writ petition stands allowed. In the issue of charge memo, she brought it to the purview of the Hon'ble High Court vide W.P.(MD)No.3619 of 2018 in WP(MD) No. 3489 of 2018 on 21.02.2018 and the High Court issued stay order for the charge memo issued against Tmt.Kalyani.

15) Further the enquiry reveals that, the Audit Officer in the office of the Principal Accountant General, AG's avenue, Press colony Post, Madurai has conducted inspections from 22.01.2018 to 06.02.2018 at the office of RAMO, Madurai and prepared an audit findings report, wherein it was mentioned in PART II B – as

“Purchase of medicine in excess of requirement under RRC 140 for Rs.7.05 crore - supply of II installment of medicine awaited for Rs.20.15 crore.” “..... However, the Director of Medical and Rural Health Services, ESI, Chennai placed supply order with firms for much higher amount of Rs. 40.29 crore”. -----“Which is purely excess order placed for medicine purchased without any calculation / estimation of the need”.

16) In view of the above, prima facie materials available for the allegation that the AO-1 to AO-4 conspired together and created forged Medical Indent for a sum of Rs.40,29,30,190/- against the actual indent prepared by Tmt.Kalyani, MSO for Rs. 13,12,52,093/-. AO-1 and AO -2 also insisted Tmt.Kalyani to put her signature in the forged indent prepared by them with the anti date as if prepared and sent by her. As she was not willing to do the above irregularity the AO-1 vindictively punished her by issuing transfer order and charge memo against Tmt.Kalyani. Hence the involvement

of AO-1 Tr.Enbasekaran, Director is clearly made and cannot be ruled out in this issue.

17) In view of the above, the accused officer Tr.Enbasekaran formerly Director, Medical and Rural Health Services Conspired with the other accused Tr.Dr.John Andrew formerly RAMO, ESI, Madurai Region. Tr.Ashok Kumar and Tr.Amarnath, violated directions of law, created forged indent for the procurement of medicines for the year 2017-2018 for the Madurai Region to the tune of Rs. 40,29,30,190/- against the actual indent of Rs. 13,12,52,093/- and thereby cheated the Government in fraudulent manner by misusing their official powers and caused loss to the Government to the tune of Rs. 27,16, 78,097/- to obtain pecuniary advantage for themselves and to facilitate the Manufacturing units to obtain monetary benefits.

18) The above acts of AO1 to AO4 constitute the suspicion of commission of cognizable offences u/s 120(B), 420, 167, 409 IPC 13(2) r/w 13(1) (c) of PC Act, 1988 and there is a prima facie to register a regular case against them. Prior approval was accorded to register a Regular Case against (A-1) Tr.M.R.Enbasekaran, (A-2) Tr.S.Amarnath, (A-3) Tr.M.John Andrew, and (4) Tr.A.Ashok Kumar by the Principal Secretary to Government, Health and Family Welfare (K1) Department in Letter (D) No.410, dated 12.04.2022.

19) Hence, today 14.11.2022 at 17.00 hrs, I am registering a case in Vigilance and Anti-Corruption, Chennai City-1 Detachment, Cr.No.10/2022/AC/CC-1, u/s 120 (B), 420, 167, 409 IPC and 13 (2) r/w 13 (1) (c) of Prevention of Corruption Act, 1988 against the accused (A-1) Tr.M.R.Enbasekaran, formerly Director of Medical and Rural Health Services (ESI) (I/c), Chennai (A-2) Tr.S.Amarnath, Superintendent, O/o the Director of Medical and Rural Health Services (ESI), Chennai (A-3) Tr.M.John Andrew, formerly Regional Administrative Medical Officer, ESI, Madurai (4) Tr.A.Ashok Kumar, Superintendent, O/o the Regional Administrative Medical Officer, ESI, Madurai.

20) The original F.I.R is submitted to the Hon'ble Special Court for cases under the Prevention of Corruption Act, Chennai and copy of the F.I.R is forwarded to officers concerned.


(S.Sankar) 11/11/2022

Deputy Superintendent of Police,
Chennai City-1 Detachment,
Vigilance and Anti-Corruption,
Chennai-16.