

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 8102116

- District : Tenkasi
மாவட்டம்
PS: Vigilance and Anti
காவல்நிலையம் Corruption
Year: 2023 ஆண்டு
FIR No: 04/2023 முதல. எண்
Date: 16.08.2023 நாள்
- (i) Act சட்டம்: Sections பிரிவுகள்:
(ii) Act சட்டம்: IPC Sections பிரிவுகள்: 120(B), 465, 466, 468, 471 and 201
PC Act 1988 13(2) r/w 13 (1) (d)
(iii) Act சட்டம்: Sections பிரிவுகள்:
(iv) Other Acts & Sections பிற சட்டங்களும், பிரிவுகளும் :
- (a) Occurrence of Offence Day : Date from : Date to :
குற்ற நிகழ்வு நாள் நாள் முதல் நாள் வரை
Time Period : Time from : Year of 2015 Time to : Year of 2016
நேர அளவு நேரம் முதல் நேரம் வரை
(b) Information Received at PS. Date : Time :
காவல் நிலையத்திற்கு தகவல் கிடைத்த நாள் 16.08.2023 நேரம் 13.00 hrs
(c) General Diary Reference : Entry No(s) Time :
பொது நாட்குறிப்பில் பதிவு விவரம் எண் 16.08.2023 நேரம் 13.00 hrs
- Type of Information : Written/ Oral :
தகவலின் வகை : எழுத்து மூலம் / வாய் மொழியாக In typing (Computer)
- Place of Occurrence (a) Direction and Distance from PS:
குற்ற நிகழ்விடம் (அ) காவல்நிலையத்திலிருந்து எவ்வளவு தூரமும், எத்திசையும் Sivagamipuram, Keelapavoor Block
Tenkasi District.
Beat Number : (b) Address : 12 Km Eastern side.
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 : D.Robin Gnanasingh (b) Father's/ Husband's Name : T.D.Thiraviamani
குற்றமுறையீட்டாளர்/ தகவல் தந்தவர் பெயர் தந்தை / கணவர் பெயர்
(c) Date / Year of Birth 04.04.1974 (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 : O/o the Vigilance and Anti Corruption,
தொழில் முகவரி Tirunelveli Detachment.
- Details of Known/Suspected/Unknown accused with full particulars. (Attach separate sheet if necessary)
தெரிந்த / ஐயப்பட்டிருந்த / தெரியாத குற்றஞ்சாட்டப்பட்டவரின் முழுமையான விவரங்கள்
(தேவையெனில் தனித்தாள் இணைக்கவும்)
1)Tr.S.Sekar, Secretary, Hindu Middle School, Sivagamipuram, 2)Tmt.S.Ponnukkili, Head Mistress, Hindu Middle School, Sivagamipuram, 3)Tr.Y. Jesuvadian, formerly AEEO, Keelapavoor Block, 4)Tr.C Mohanasundaram, formerly DEEO, Tirunelveli, 5)Tr.P.Amburose, formerly AEEO, Keelapavoor, 6)Tmt.A.Nirmala Jesu, formerly DEEO, Tirunelveli 7)Tr.K.Murugesan, BT Assistant Teacher, Hindu Middle School, Sivagamipuram.
- Reasons for delay in reporting by the complainant / Informant:
குற்றமுறையீட்டாளரால் / தகவல் கொடுப்பவரால் முறையிட்டதில் தகவல் கொடுப்பதில் தாமதம்

Detailed Enquiry conducted hence delay.

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

Not arise

10. Total value of properties stolen / involved :
கனவாடப்பட்ட / களவிற்றுகள்ளை சொத்துக்களின் மொத்த மதிப்பு

Not arise

11. Inquest Report / Un-natural death Case No. if any:
பிண விசாரணை அறிக்கை / இயற்கைக்கு மாறான இறப்பு எண் ஏதேனும் இருந்தால்

Not arise

12. FIR Contents (Attach separate sheet, if required):
முதல் தகவல் அறிக்கையின் கருக்கம். (தேவையெனில் தனித்தாளில் இணைக்கவும்)

Accused:

- 1)Tr.S.Sekar is the Secretary of the Government aided Hindu Middle School, Sivagamipuram from 01.07.1987 to till date.
- 2)Tmt.S.Ponnukkili is the Head Mistress of Hindu Middle School, Sivagamipuram from 28.04.2002 to till date and who is none other than the wife of Tr.S.Sekar Accused Officer-1.
- 3)Tr.Y.Jesuvadian, Formerly Assistant Elementary Educational Officer, Keelapavoor Block from 29.10.2014 to 10.08.2015.
- 4)Tr.C.Mohanasundaram, Formerly District Elementary Educational Officer, Tirunelveli from 11.09.2014 to 30.06.2015.
- 5)Tr.P.Amburose, Formerly Assistant Elementary Educational Officer, Keelapavoor from 11.08.2015 to 21.06.2016.
- 6)Tmt.A.Nirmala Jesu, Formerly District Elementary Educational Officer, Tirunelveli from 25.09.2015 to 31.05.2017.
- 7)Tr.K.Murugesan, BT Assistant Teacher, Hindu Middle School, Sivagamipuram from 07.04.2015 to till date.

Submitted.

Sir, I, D.Robin Gnanasingh, Inspector of Police, Vigilance and Anti Corruption, Tirunelveli Detachment, while on duty today on 16.08.2023, I received a confidential official memorandum of Director of Vigilance and Anti Corruption, Chennai, in No.DE/98/2017/EDN/TI Dt 07.08.2023 along with the copy of prior approval given u/s 17A(1) of the Prevention of Corruption Act, 1988 by the Competent authority,
/ Separate Sheet attached /

13. Action taken : Since the above report reveals commission of offence(s) u/s as mentioned in Item No.2 registered the case and took up the investigation / directed Sub Inspector Rank to take up the investigation / Refused investigation / transferred to PS.....on point of jurisdiction.

எடுக்கப்பட்ட நடவடிக்கை : மேலே குற்ற முறையிட்ட 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: 16/08/2023
நீதிமன்றத்திற்கு அனுப்பப்பட்ட நாளும், நேரமும்
1345 hrs

Name: பெயர் D.Robin Gnanasingh
Rank: நிலை Inspector of Police
V.O.A.E. Tirunelveli

Continuation of Tenkasi Vigilance and Anti-Corruption Crime No.03/2023:-

the Director of School Education, Chennai-6 vide proceedings R.C No.6361/A1/S5/2002 dated 22.06.2023 against AO-2 to AO-7. In the memorandum, it has been instructed to register a regular case against Tr.S.Sekar, Secretary of the Government aided Hindu Middle School, Sivagamipuram, Keelapavoor Block, Tenkasi District and 6 others on the outcome of the detailed enquiry conducted in DE.98/2017/EDN/TI. Accordingly, I came to Tenkasi Vigilance and Anti-Corruption Detachment and registering a case today on 16.08.2023 at 13.00 hrs in Tenkasi Vigilance and Anti-Corruption Cr.No.04/2023, U/s 120(B), 465, 466, 468, 471 and 201 of IPC and 13 (2) r/w 13 (1)(d) of P.C. Act, 1988

The crux of the allegations pertains to the registration of the first Information report are excerpted here under:

The origin and genesis of the episode which lead to the Detailed Enquiry which is a sine qua non for this FIR pertains to the alleged promotion and followed by an appointment of a BT Assistant in the Hindu Middle School, Sivagamipuram of Keelapavoor Block, Tenkasi District. The said school started as a primary school during the year 1909 and attained upgradation as Middle school which got aid from the Government of Tamilnadu. The said school is having classes from I to VIII standard and the school will come under the purview of the provisions under Tamil Nadu Recognized Private school (Regulation) Act, 1973.

The fundamental question of pivotal importance is the accused officers above mentioned who are solely under the control of the management committee and it's Secretary are Public servants as defined under section 2 (c) of P.C. Act, 1988 shall be answered favorably because the school gets grants and the financial affairs of the said school is handled and all salaries are drawn from the fund allotted by the Government of Tamil Nadu and hence the accused officers who get salary and other benefits from the funds of Government and governed by the Tamil Nadu Recognized Private school (Regulation) Act, 1973 are indisputably public servants. The accused officers who are employed as officials of the education department are public servants.

One Tmt.T.Selin, who worked as a secondary grade teacher passed away on 04.04.2015 and the same has been confirmed by her death certificate.

The teachers who teach class I to V standard are known as primary teachers and the teachers who perform their duties as teacher for classes VI to VIII are called as Upper Primary teachers. It is a condition precedent, mandatory and basic rule is that the vacancy arose out of the death of Tmt.T.Selin would have been filled by appointing a secondary grade teacher alone as per G.O.(Ms) No.100 of School Education (Budget) Department dated 27.06.2003. The sum and substance of the G.O is that, if a vacancy arises due to the demise of the primary teacher then that post should be filled by appointing a teacher of same grade namely secondary grade teacher. Where as if the same situation arises pertain to upper primary teacher's death, then the scenario will be different and the person eligible to be appointed is BT Assistant namely persons qualified with B.Ed Degree.

The happenings and the unsavoury situation in the school has a start up with the appointment of Tr.K.Murugesan (AO-7) through promotion as BT Assistant, in which place as per the persuading rules only a secondary grade teacher should have been appointed. The said Tr.K.Murugesan got his appointment through promotion by mala fide acts of the AO-1 namely Secretary of the said Hindu Middle School, Sivagamipūram, Tmt.S.Ponnukkili (AO-2) who is none other than the wife of Tr.S.Sekar. The said Tr.S.Sekar being the secretary of the school, in order to promote AO-7 with oblique motive passed a resolution in the school committee on 06.04.2015 to promote Tr.K.Murugesan in the absence of the avenue for promotion and only the option left there on to appoint a secondary grade teacher. It is rudimentary rule that if the President of a school committee died then a change of the President would have been occurred as per rule 12 (4) of Tamil Nadu recognized Private school (Regulation) rule 1974. As such the demise of one Tr.V.Sudar Olivu Nadar who was the President of the school committee should have been brought into records of the school committee and necessary information of his death should found place in the resolution. Whereas, the date of death of Tr.V.Sudar Olivu Nadar being 27.05.2014, the resolution passed on 06.04.2015 to

promote Tr.K.Murugean contained manipulation of records with regard to the death of school committee President. The said Tr.K.Murugean joined as BT Assistant of the school on 07.04.2015. The AEEO, Keelapavoor namely Tr.Y.Jesuvadiyan AO-3, who visited the said school on 07.04.2015 made written observations in visit note stating only that, the said Tmt.T.Selin passed away and the death certificate of the individual would be brought into records by AO-1 as soon as possible.

The said AEEO namely Tr.Y.Jesuvadiyan, who received the proposal for promotion of AO-7 on 08.04.2015 with guilty intention sent proposal to the DEEO, Tirunelveli for approval of the promotion without any legal sanctity and de hors any valid records and based upon fabricated records knowingly that the AO-7 cannot be promoted on the said situation arose there on. The DEEO, Tirunelveli, Tr.C.Mohanasundaram (AO-4) with mala fide intention accepted the proposal sent by AO-3 knowing fully well that, AO-7 cannot be promoted as per available rule, Law and practice. The AO-1 and AO-2 on or before 06.04.2015 acted in connivance with ulterior motive to afford the promotion to AO-7, in contravention of rule falsified, fabricated and created forged documents by suppressing school Mirror, students skill register, Students attendance register, Students rank card and notes of lesson of the teacher pertain to 2014-15 in order to make it believable that, the deceased Tmt.T.Selin was an upper primary teacher so as to pave way for the illegal promotion of AO-7 Tr.K.Murugesan. While Tmt.T.Selin was only a primary teacher that per se would have been came to light if the above mentioned documents were available and sent to the AO-3 and AO-4.

AO-6 Tmt.A.Nirmala Jesu being the DEEO, Tirunelveli who is duty bound and responsible for the rectification of wrongs which constituted criminal offences by the acts of AO-1 to AO4 and AO-7, wilfully with ulterior motive ratified the belated and penultimate proposal by the AO-1. It is pertinent to state that the AO-1 after the death of Tr.V.Sudar Olivu Nadar would have sent the proposal to AO-6 namely Tmt.A.Nirmala Jesu to incorporate the death of Tr.V.Sudar Olivu Nadar in relevant records immediately after the demise of School Committee President. Instead and ironically the said Tmt.A.Nirmala Jesu who received the proposal from AO-1 for the change of School committee President

and school committee member on 02.03.2016 ratified the same with mala fide intention. The said Tmt.A.Nirmala Jesu who received complaint with regard to the malpractices of appointment through promotion of AO-7 and the inclusion of one Tmt.S.Tamilarasi as school committee member favoured AO-1. Adding fuel to flame Tmt.A.Nirmala Jesu approved the appointment made illegally on the arising of vacancy in the said school due to the illegal promotion of AO-7 and the said AO-6 accorded permission and approval to the subsequent illegal appointment of one Tmt.G.Priyadarshni. The AEEO namely, Tr.P.Amburose (AO-5) being the competent authority to send Proposal to approve the appointment of Tmt.Priyadarshini did the same with intent to get illegal gain, sent the proposal to AO-6. The said AO-5 who has to made a visit physically to the school on 07.06.2016 to verify the appointment of Tmt.G.Priyadarshini, falsified the school visit records as if he visited the school on the said day without visiting there.

As such on or before 06.04.2015 AO-1 to AO-3 and AO-7 along with AO-4 entered in to a criminal conspiracy to fabricate records by suppressing the records namely School Mirror, Students skill register, Students attendance register, Students rank card and notes of lesson of the teacher so as to accelerate the illegal appointment through promotion of AO-7. In furtherance of the said criminal conspiracy AO-1 with AO-5 and AO-6 entered in to further conspiracy before 02.03.2016.

In pursuance of the above narrated criminal conspiracies AO-1 and AO-2 created false documents by making itself clear that, though the School Mirror, Students skill register, Students attendance register, Students rank card and notes of lesson of the teacher would have been maintained properly by AO-1 and AO-2, the alleged promotion of AO-7 would not have come into existence. AO-3 and AO-4 being the officers having domain over the records which would reveal that the said Tmt.T.Selin was only a teacher who handled classes for IV std alone. It is crystal clear that, if that records maintained properly by AO-1 to AO-4 and the promotion of AO-7 will be a futile exercise and the AO-1 to AO-4 and AO7 committed forgery by making false documents and caused loss to exchequer mala fide by way of making additional and extra ordinary salaries and other allowances illegally to AO-7 and there by committed criminal misconduct. The AO-5 and AO-6 committed abetment by criminal conspiracy by AO-1 and AO-2.

As such AO-1 to AO-4 and AO-7 deemed to have committed offences punishable u/s 120(B), 465, 466, 468, 471 and 201 IPC and 13 (2) r/w 13 (1)(d) of P.C. Act, 1988. AO-5 and AO-6 appeared deemed to have committed offences punishable U/s 120(B) r/w 465, 466, 468, 471 and 201 IPC and 13 (2) r/w 13 (1)(d) of P.C. Act, 1988 and it requires detailed investigation. Therefore, I am registering a case in Tenkasi V&AC Crime No.04/2023 against the above mentioned accused officers for the purpose of taking upon investigation in this matter.

The original FIR was sent to the Hon'ble Special Judge for Trial of cases under the Prevention of Corruption Act, Tirunelveli and other FIR copies to concerned higher officials and one copy to Tmt.C.Jayasree, Inspector of Police, V&AC, Tenkasi Detachment for investigation.

[Handwritten Signature]
16/8/22
D. Roshan Aravind Singh
Insp. V&AC
Tirunelveli.