

FIRST INFORMATION REPORT

TAMIL NADU POLICE

INTEGRATED INVESTIGATION FORM-I

முதல் தகவல் அறிக்கை
(Under Section 154 Cr.P.C.)
(கு.ந.வி.தொ.பிரிவு 154 இன் கீழ்)

8040818

1. District : **Theni** PS: **V & A E, Theni** Year: **2023** FIR No.: **05/2023** Date: **16.11.2023**
மாவட்டம் காவல்நிலையம் ஆண்டு மு.த.அ. எண் நாள்

2. (i) Act சட்டம்: **PC Act 1988 as amended by** Sections பிரிவுகள்: **7 and 13(2) r/w 13(1)(a)**
(ii) Act சட்டம்: **the PC (Amendment) Act 2018** Sections பிரிவுகள்:

(iii) Act சட்டம்: **Indian Penal Code** Sections பிரிவுகள்: **409**

(iv) Other Acts & Sections பிற சட்டங்களும், பிரிவுகளும் :

3. (a) Occurrence of Offence Day : Date from : **08.03.2019** Date to : **27.06.2019**

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 : Time :
காவல் நிலையத்திற்கு தகவல் கிடைத்த நாள் **16.11.2023** நேரம் **14.30 Hrs**

(c) General Diary Reference : Entry No(s) Time :
பொது நாட்குறிப்பில் பதிவு விவரம் எண் **16.11.2023** நேரம் **15.30 Hrs**

4. Type of Information : Written/ Oral : **On the outcome of the Preliminary Enquiry**
தகவலின் வகை : எழுத்து மூலம் / வாய் மொழியாக

5. Place of Occurrence (a) Direction and Distance from PS: **Bodinayakanur Sub Registrar's office**
குற்ற நிகழ்விடம் (அ) காவல்நிலையத்திலிருந்து எவ்வளவு தூரமும், எத்தனை **about 20km west**

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

6. Complainant /Informant (a) Name : **C. Jeyapriya** (b) Father's/ Husband's Name : **R. Chandrasekaran**
குற்றமுறையிட்டாளர்/ தகவல் தந்தவர் பெயர் தந்தை / கணவர் பெயர்

(c) Date / Year of Birth : **1975** (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 & Anti Corruption**
தொழில் முகவரி **Theni.**

7. Details of Known/Suspected/Unknown accused with full particulars. (Attach separate sheet if necessary)
தெரிந்த / ஐயப்பாட்டிற்குரிய / தெரியாத குற்றஞ்சாட்டப்பட்டவரின் முழுமையான விவரங்கள்
(தேவையெனில் தனித்தாள் இணைக்கவும்)

Mr. Balamurugan, formerly Sub. Registrar, Sub Registrar's office, Bodinayakanur, Theni District

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

Preliminary Enquiry has been conducted.

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 Tr. P. Sundararajan Rank DSP to take up the Investigation / Refused Investigation / transferred to PS V&AC, Theni 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 C. Jeyapriya
Rank: தலை Inspector of Police No. எண் V&AC, Theni

16/11/2023, 16.30 Hrs.

**Continuation of the First Information Report of Vigilance and Anti-Corruption,
Theni Detachment Cr. No. 05/ 2023:
Column No.12. F.I.R. contents**

Hon'ble sir, received the information on pertaining to the registration of FIR as per the instruction in Memorandum in No.PE.100/2021/REGN/TN, dated: 31.10.2023 of the Director, Vigilance and Anti-Corruption, Chennai, I register a case in Theni V&AC, Cr.No 05/2023, u/s 7 and 13(2) r/w 13(1)(a) of the Prevention of Corruption Act, 1988, as amended by the PC (Amendment) Act, 2018 and 409 of IPC against the Accused Officer Tr.Balamurugan, Sub-Registrar, Sub-Registrar,s Office, Bodinayakkanur, Theni District on 14.11.2023. I submit the above said case as under.

Tr.M.Balamurugan, Formerly Sub Registrar, Sub Registrar Office Bodinayakkanur, Periyakulam Registration District, Madurai Zone now working as Sub Registrar (Administration) Office of District Registrar, Marthandam and as such he is a Public Servant within the definition of Section 2(c) of the Prevention of Corruption Act, 1988.

Section 22-A of the Registration Act, 1908 (Central Act XVI of 1908) as inserted by Tamil Nadu Act 48 of 1997 empowers the Government to declare that the registration of any document or class of documents is opposed to public policy. The State Government has notified Section 22A of Registration Act which deals with refusal to register certain document. In sub clause (2) of Section 22A states that registering officer shall refuse to register "instrument relating to the transfer of ownership of lands converted as house sites without the permission for development of such land from planning authority concerned". Further, the Inspector General of Registration, Chennai vide the Circular No. 29945/C1/2015 dated 21.06.2017 and 13.10.2017 also instructed to the implementation of Section 22A of Registration act.

The Tamil Nadu Housing and Urban Development Department GO (Ms) No. 78 dated: 04.05.2017 was implemented to regularise the plots in such unapproved layouts or Sub-divisions so as to protect the interest of those innocent purchasers and to provide basic infrastructure facilities

Whenever a person applies for DTCP approval along with concerned revenue documents through online, the concerned Town and Country Planning

authority will inspect the said land and after scrutinizing the documents and finds if all are correct, will send message or mail to the applicant for remitting the charges like scrutiny charge, Centage charge and Open Space Reservation (OSR) charge as stated in GO No.18, dated: 04.02.2019 of Municipal Administration and Water Supply Department and after collecting the same, technically approved layout will be sent to the concerned local body. At local body appropriate Development charge, Regularisation charge alongwith scrutiny fee will be collected from the applicant. Local body will accord the final approval.

As per Tamil Nadu Housing and Urban Development Department GO (Ms) No. 78 dated 04.05.2017 for the regularisation of these unapproved plots, the following fees should be collected by the competent authority. Scrutiny Fee Rs.2/- per sq.mt.of the whole area of the plot.

- 1) Centage Charge Rs. 300/- for one plot.
- 2) Land conversion charge to be collected by local body.
- 3) Land use conversion charge at the rate of 3% of the market value
- 4) Charges for Open Space Reservation (OSR) area- For regularisation of layout, Open Space Reservation charge shall be collected for 10% charges of the layout area as per the guideline value of the concerned plot or the 10% of the layout area may be remitted to the competent authority

Hence, whenever a person approaches a Sub Registrar for registration of plot, he should get the concerned revenue documents including Encumbrance Certificate from him and he should scrutinize the same with the previous/parent documents and if the application is for registering an agricultural land into plot, then he should ensure that DTCP approval given by concerned local body is attached with the application, or a Sub Registrar should refuse the registration as said in the section 22 A of Registration Act and Circular No. 29945/C1/2015 dated 21.06.2017 and 13.10.2017 of the Inspector General of Registration, Chennai.

The Accused Officer Tr. Balamurugan, served as Sub Registrar, Sub Registrar office, Bodinayakkanur for the period from 02.08.2018 to 05.09.2018 and from 27.02.2019 to 09.09.2019.

The Accused Officer has registered approximately 4104 documents during his service period as Sub Registrar, Bodinayakkanur Sub Registrar Office and out of the 4104 documents, he registered 15 documents without DTCP approval. Hence the Accused Officer Tr. Balamurugan, Sub-Registrar, Sub-Registrar's Office, Bodinayakkanur, Theni District in his official position, violated the circular vide C.No. 29945/rp1/2015, dated: 25.10.2018 of office of the IG Registration, Chennai in which it clearly explains/ tells "While registration of any approved plot, the final regularization order given by concerned local body (where the Development charge and Regularisation charge should be collected) after approval in principle was given by Town and Country Planning authority should be attached" which means, the approval of plot or layout will be given by the competent authority (Panchayat or Municipality or Commissionerate) after collecting the above said fees only. The Accused Officer intentionally registered the following 15 documents of unapproved plots by violating the above said norms for his pecuniary gain and caused huge revenue loss to the Government.

As per the above fee structure, the regularisation charge for the following documents which were registered by the Accused Officer Tr. Balamurugan while he served as Sub Registrar at Bodinayakkanur Sub Registrar's Office were calculated and the revenue loss to the Government is (approximate) arrived as follows.

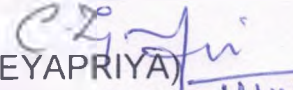
Sl. No	Document No & Date	No of Plots	Total Plot Area (Sq.m)	Survey No	Scrutiny Fee	OSR Fee	Centage Charge each plot Rs.300/	Land Conve rsion Charges	Land use conversio n charge at the rate of 3% of the market value	Total
1	1635/2019, 28.03.2019	4	1484	440/6, 7	3000	86100	1200	1000	25900	117200
2	1636/2019, 28.03.2019	4	1635.1	440/6, 7	3300	95000	1200	1000	28500	129000
3	1637/2019, 28.03.2019	3	1079.15	440/6, 7	2200	62600	900	1000	18800	85500

4	1638/2019, 28.03.2019	9	3246	440/6, 7	6500	188300	2700	1000	56500	255000
5	2645/2019, 31.05.2019	16	2270	315/14C1 14C2	4600	574400	4800	1000	172300	757100
6	2646/2019, 31.05.2019	18	2634	315/14A, 14B, 315/13, 331/6G1A	5300	666500	5400	1000	200000	878200
7	3232/2019, 27.06.2019	8	1355	41/1	2750	245300	2400	Not Applic able	Not Applicable	250450
8	1836/2019, 10.04.2019,	12	1475	584/1Bpt	3000	245000	3600	1000	73500	326100
9	1761/2019, 04.04.2019	13	1450	584/1Bpt	2900	240700	3900	1000	72300	320800
10	2594/2019, 29.05.2019	30	3631	622/5, 635/1	7300	32000	9000	Not Applic able	Not Applicable	48300
11	1191/2019, 08.03.2019	24	3012	442/1A, 2A, 3A1, 3Bpt, 443/1, 2, 3A1, 4A, 456/2, 3Bpt	6100	218500	7200	1000	65600	298400
12	1192/2019, 11.03.2019	24	3289	442/1A, 2A, 3A1, 3Bpt, 443/1, 2, 3A1, 4A, 456/2, 3Bpt	6600	238500	7200	1000	71600	324900
13	1193/2019, 11.03.2019	24	3293	442/1A, 2A, 3A1, 3Bpt, 443/1, 2, 3A1, 4A, 456/2, 3Bpt	6600	238800	7200	1000	71700	325300
14	1194/2019, 11.03.2019	24	3092	442/1A, 2A, 3A1, 3Bpt, 443/1, 2, 3A1, 4A, 456/2, 3Bpt	6200	224200	7200	1000	67300	305900
15	2029/2019, 26.04.2019	48	7445	584/1A1pt	14900	1236000	14400	1000	370800	1637100
Toal										60,59,250

The Accused Officer Tr.Balamurugan intentionally registered 261 un approved plots (Without DTCP approval) through 15 sale deeds by getting undue advantage, with intention to perform his public duty improperly and dishonestly by abusing his power of registration of documents as a public servant and caused loss to the government to a tune of Rs. 60,59,250/- .

Hence, the above said Accused Officer has committed offences u/s 7 and 13(2) r/w 13(1)(a) of the Prevention of Corruption Act, 1988, as amended by the PC (Amendment) Act 2018 and 409 of IPC.

I therefore, today on 16.11.2023 at 15.30 hrs registered this Regular case in Vigilance and Anti Corruption, Theni Detachment in Crime.No.05/2023, u/s 7 and 13(2) r/w 13(1)(a) of the Prevention of Corruption Act, 1988, as amended by the PC (Amendment) Act 2018 and 409 of IPC against Tr.Balamurugan, Sub-Registrar, Sub-Registrar's Office, Bodinayakkanur, Theni District. The original FIR has been sent to the Chief Judicial Magistrate/ Special Court for trial of cases for under Prevention of Corruption Act and the copy of the FIR has been forwarded to the superior officers for further action.


(C.JEYAPRIYA)
Inspector of Police, 16/11/2023
Vigilance and Anti-Corruption,
Theni Detachment.