

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 8097147

1. District : **Namakkal** PS: **V + AC** Year: **2018** FIR No.: **9/AC/2018** Date: **18.05.2018**
மாவட்டம் காவல்நிலையம் ஆண்டு மு.த.அ. எண் நாள்
2. (i) Act சட்டம்: **IPC** Sections பிரிவுகள்: **120-B, 167, 409, 420, 468,**
(ii) Act சட்டம்: Sections பிரிவுகள்: **471, 477-A IPC**
(iii) Act சட்டம்: **Prevention of Corruption Act 1988** Sections பிரிவுகள்: **13(2) & 13(1)(c) & (d)**
(iv) Other Acts & Sections பிற சட்டங்களும், பிரிவுகளும் :
3. (a) Occurrence of Offence Day : Date from : **2014** - Date to : **2015**
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 : **20.3.2015** Time :
காவல் நிலையத்திற்கு தகவல் கிடைத்த நாள் நேரம்
(c) General Diary Reference : Entry No(s) **Vol - II** Time : **17.00 Hrs.**
பொது நாட்குறிப்பில் பதிவு விவரம் எண் **18.5.2018** நேரம்
4. Type of Information : Written/ Oral : **Through collection of information**
தகவலின் வகை : எழுத்து மூலம் / வாய் மொழியாக
5. Place of Occurrence (a) Direction and Distance from PS:
குற்ற நிகழ்விடம் (அ) காவல்நிலையத்திலிருந்து எவ்வளவு தூரமும், எத்திசையும் **About 3 KM West**
Beat Number : (b) Address : **Forestry Extension Division, Namakkal District.**
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 : **M. Nallamma** (b) Father's/ Husband's Name : **K. Muthusamy**
குற்றமுறையிட்டாளர் / தகவல் தந்தவர் பெயர் தந்தை / கணவர் பெயர்
(c) Date / Year of Birth : **21.5.1979** (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 : (g) Address : **Vigilance and Anti corruption, Namakkal Detachment.**
தொழில் **Imp. of Police.** முகவரி
7. Details of Known/Suspected/Unknown accused with full particulars. (Attach separate sheet if necessary)
தெரிந்த / ஐயப்பாட்டிற்குரிய / தெரியாத குற்றஞ்சாட்டப்பட்டவரின் முழுமையான விவரங்கள்
(தேவையெனில் தனித்தாள் இணைக்கவும்)

- Separate sheet enclosed -

8. Reasons for delay in reporting by the complainant / Informant:

குற்றமுறையிட்டாளரால் / தகவல் கொடுப்பவரால் முறையிட்டதில் தகவல் கொடுப்பதில் தாமதம்

A detailed enquiry was conducted in order to ascertain whether any cognizable offence is made out into the allegations mentioned in the report.

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)

Submitted:

Separate sheets 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 Sd/- P. Thangaraj Rank Inspector of Police 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.

முதலாம் 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

P. Thangaraj 18/5/2018
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 M. Nalkummal,
Rank: நிலை No. எண்

18.5.2018 at 18.00 hrs.

Inspector of Police
Vigilance & Anti Corruption
Namakkal Detachment

Continuation of FIR for Sl.No.12 in Namakkal V&AC., Cr.No.9/AC/2018
u/s 120-B, 167, 409, 420, 468, 471, 477-A of IPC and Sec. 13(2) r/w
13(1)(c) & (d) of the Prevention of Corruption Act, 1988.

Accused Officers

01. Tr.K.Sekar (Age-54),
S/o.R.V.Kannan,
formerly Forestry Extension Officer
(Assistant Conservator of Forests),
Forestry Extension Division,
Namakkal District.
(now Divisional Forest Officer,
Bamboos Form Division,
Gobichettipalayam, Erode District.

02. Tr.G.Thangadurai (Age-30),
S/o. M.Gunasekaran,
Technical Assistant,
Forestry Extension Division,
Namakkal District.
(Consolidated pay)

Resided at:
D.No.2/68, Athanur,
Rasipuram Taluk,
Namakkal Dt.



The 1st accused Tr.K.Sekar was working as Forestry Extension Officer, Namakkal from 27.12.2013 to 31.03.2016. Forestry Extension Division is functioning in the entire district and it has been designated as Divisional Management Unit for the purpose of implementing the scheme namely Tamilnadu Bio-Diversity Conservation and Greening Project (TBGP) since 2011. A1 was the officer incharge of Forestry Extension Division and he is responsible for maintaining the accounts of this scheme and he is competent authority to issue cheques.

The 2nd accused Tr.Thangadurai is working as Technical Assistant, Forestry Extension Division, Namakkal from 01.05.2012 to till date. He is responsible for preparing estimate for the expenses during implementation of the scheme and he should present completion report to A1. Both accused are public servants as defined u/s 2(c) of the Prevention of Corruption Act 1988 during the commission of offence.

About the Scheme:

The Tamil Nadu Forest Department has been implementing the scheme by name "Tamilnadu Biodiversity Conservation And Greening Project (TBGP)" with the external assistance of Japan International Co-Operation Agency from the year 2011-12 to 2018-19 for a period of 8 years at a cost of Rs.686.28 crores vide G.O.(Ms.) No.189 Environment and Forests Department, dated: 20.12.2011. Fund is being released every year out of Rs.686.28 crores based on the approval of high-level committee of the project.

Tree Cultivation in Private Land (TCPL) is one among the component of TBGP. This component involves two stages. One is raising nursery and another one is planting the seedlings of short and long rotation plant species. The Government through the forest department bears the total cost for the above works. As per the government circular, Rs.11.95/- and Rs.19.80/- are being provided for rising of Nursery and for planting respectively for a plant seedling. The Forest Extension Division has to carryout nursery and planting of seedlings at the land of respective farmers.

Project Management Consultants will be engaged as envisaged in the Minutes of Discussion (M.O.D.) and G.O.(Ms.) No.190 Environment and Forests Department, Dated: 20.12.2011, annexed with an Operational Manual for the Project Management Unit of TBGP for assisting in the smooth implementation of the project in the field directly under the supervision and control of the Project Management Unit (P.M.U).

The Project Management Unit (P.M.U.) which is a registered society will implement this project all over the State. The forest divisions, Wildlife and other units will be designated as Divisional Management Units (D.M.U.). Forestry Extension Division in each and every district functions as one of the DMUs for the purpose of implementing this project. Forestry Extension Officer is the officer incharge of Forestry Extension Division. The forest ranges

implementing this project will be designated as Field Management Unit (F.M.U.). The PMU is guided by the High Level Empowered Committee (H.L.E.C.) headed by the Chief Secretary to Government and the Governing Body headed by the Principal Chief Conservator of Forests on all financial and policy issues. The Operational Manual will govern the financial transactions, accounting and auditing. The Project funds will be operated through bank accounts. Apart from the provisions made in the Operational Manual, the DMUs and FMUs shall follow the departmental procedure.

Nursery work is being raised in Forest Extension Centers under the control of Forestry Extension Office in every district and also in private lands on agreement basis. Generally, nursery work (sowing) is carried out during the period between January and March of the every year. Nursery is being maintained between the months of April and August. Plantation work is carried out between August and December. After getting sufficient growth, the plant seedlings are distributed to the farmers based on the numbers which have been obtained during the awareness program conducted. At the time of distribution of plant seedlings a consent letter from farmer, copy of patta and photographs are obtained by the officers of FEO. After attaining sufficient growth of nursery plants, the forest Ranger or Technical Assistant will prepare an estimate for the expenses towards the planting of particular numbers of plant seedlings in a particular Cluster.

If the post of Ranger is vacant, Technical Assistant will do the above work. Rates of all components of works will be calculated as per the forest rates of schedule except transportation during the preparation of estimate. For transportation, quotations have to be obtained from the vehicle owners and the lowest quotation will be approved by the FEO. Based on the above estimate and quotation, FEO will pass Divisional Sanction Order (DSO). An agreement will be made between the FEO and the petty contractors those who are enrolled their names in the Forest Divisional Office or District Forest Office. Sometimes they are identified as petty contractors by the Rangers or FEO even though they did

not register in the offices said above. Then, the above work will be entrusted to them according to the agreement. The petty contractors will carry out the above plantation work including transportation of plant seedlings, unloading and carrying them to farmers place, distribution, marking, aligning and digging 45 cm³ pits planting the seedlings and manuring the plants. The Ranger or the FEO who is holding additional charge of Ranger will inspect all the places of planting and will confirm the correctness and completion of planting work. Then, he will instruct the concerned Rangers/Technical Assistants to prepare vouchers after getting sub vouchers according to the DSO. As per the manual of operation, the FEO has to give account payee cheques to the petty contractors. After completion of the above transaction, Technical Assistant has to give completion report as the works enumerated in the DSO get completed. All the above plantation works will be assisted by Foresters and Plot Watchers.


Generally, an amount which is credited in the account of FEO's will be transferred to the account of concerned Rangers. The Ranger will draw the amounts through cheques and then distribute the cash to petty contractors after getting proper vouchers. If the post of Ranger is vacant, the FEO will issue the amount to the petty contractors through cheques. He will get proper voucher and will file it. But currently, cash is being issued to the petty contractors by withdrawing amount by FEO's through self cheques.

Funds for this scheme will be deposited in the account opened in the Indian Overseas Bank in the name of Forestry Extensional Divisional Management Unit (FEDMU) TBGP. FEO is only having the power of issuance of cheques from the above account. During the year 2014-15 the Government had proposed to plant 85,000 plant seedlings to Namakkal District, at the cost of Rs.25.5 lakhs.(All including the expenses of nursery and plantation)

During the course of collection of information, the following allegation against the accused noted in the margin has come to light.

The information reveals that during the year 2014-2015, A1 Tr.K.Sekar and A2 Tr.G.Thangadurai entered in to a criminal conspiracy with dishonest intention to defraud the funds of the Government in implementing the activity of Tree Cultivation in Private Land under the scheme Tamilnadu Bio-Diversity Conservation and Greening Project. In pursuance of the criminal conspiracy, A2 caused to prepare false documents viz., vouchers and petty contractor's memos in the name of fictitious persons and forging the signature of some individuals to believe that they were paid a total sum of Rs.4,21,096/- in the guise of petty contractors towards transportation of plant seedlings from Forest Extension centre Nursery located at Athanur to the place of farmers and towards digging pits and plantation and thereby they dishonestly misappropriated the said sum of Rs.4,21,096/- and caused loss to the Government exchequer. Thereby, A1 and A2 committed the offences u/s 120-B, 167, 468, 471, 477-A, 420, 409 of IPC and sec. 13(2) r/w 13(1) (c) & (d) of the Prevention of Corruption Act, 1988.

The above information clearly makes out a prima facie case against A1 and A2 for commission of offences u/s 120-B, 167, 409, 420, 468, 471, 477-A IPC and sec. 13(2) r/w 13(1) (c) and (d) of the Prevention of Corruption Act 1988. Hence, I registered a case in Namakkal V&AC., Cr.No.9/AC/2018 under above sections against A1 & A2 noted in the margin and further investigation of this case was entrusted to Selvi.P.Thangamani, Inspector of Police, Vigilance and Anti-Corruption, Salem Detachment as per the orders of the Directorate of Vigilance and Anti-Corruption, Chennai. The original F.I.R. was sent to the Hon'ble court of Special Judge/Chief Judicial Magistrate, Namakkal and copies were sent to the officers concerned.


(M.Nallammal) 5/5/2018

Inspector of Police,
Vigilance and Anti-Corruption,
Namakkal Detachment.