

FIRST INFORMATION REPORT

TAMIL NADU POLICE

INTEGRATED INVESTIGATION FORM-I

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

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8069097

1. District : Sivagangai PS: Vigilance and Anti Year: 2024 FIR No: 02/2024 Date: 28.06.2024
மாவட்டம் காவல்நிலையம் Corrupton ஆண்டு மு.த.அ. எண் நாள்

2. (i) Act சட்டம்: Prevention of Corruption Act Sections பிரிவுகள்: 7(a) of PC Act 1988 as
(ii) Act சட்டம்: Sections பிரிவுகள்: amended by the PC
(iii) Act சட்டம்: Sections பிரிவுகள்: (Amendment) Act 2018
(iv) Other Acts & Sections பிற சட்டங்களும், பிரிவுகளும் :

3. (a) Occurrence of Offence Day : Date from : Date to :
குற்ற நிகழ்வு நாள் நாள் முதல் September நாள் வரை February 2019
Time Period : Time from : Time to :
நேர அளவு நேரம் முதல் நேரம் வரை

(b) Information Received at PS. Date : Time :
காவல் நிலையத்திற்கு தகவல் கிடைத்த நாள் 28.06.2024 நேரம்
(c) General Diary Reference : Entry No(s) Time :
பொது நாட்குறிப்பில் பதிவு விவரம் எண் 28.06.2024 நேரம் 10.00 hrs

4. Type of Information : Written/ Oral :
தகவலின் வகை : எழுத்து மூலம் / வாய் மொழியாக Based on Information Collected in Preliminary Enquiry

5. Place of Occurrence (a) Direction and Distance from PS:
குற்ற நிகழ்விடம் (அ) காவல்நிலையத்திலிருந்து எவ்வளவு தூரமும், எத்திசையும் 55 KM North East
Beat Number : (b) Address : Devakottai Taluk Office,
முறைக் காவல் எண் முகவரி Sivagangai District.

(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 :
குற்றமுறையிட்டாளர்/ தகவல் தந்தவர் பெயர் A.KANNAN தந்தை / கணவர் பெயர் N.ALAGARSAMY

(c) Date / Year of Birth : (d) Nationality : (e) Passport No. :
நாள் / பிறந்த ஆண்டு 13.02.1975 நாட்டினம் INDIAN வெளிநாட்டு கடவுச்சீட்டு எண்

Date of Issue : Place of Issue :
வழங்கப்பட்ட நாள் வழங்கப்பட்ட இடம்

(f) Occupation : (g) Address :
தொழில் Inspector of Police முகவரி Vigilance & Anti Corruption,
Sivagangai.

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

Tr.V.Sivasambo, age 58/2024, S/o P.Veeraiah, Now Tahsildar, Tamil Nadu Arasu Cable TV Corporation Limited (TACTV), Formerly Tahsildar, Devakottai Taluk, Sivagangai District.

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

Preliminary Enquiry conducted and hence the delay

9. Particulars of properties stolen / involved (Attach separate sheet if necessary)

களவாடப்பட்ட / களவிற்குள்ளான சொத்துக்களின் விவரம் (தேவையெனில் தனித் தாளில் இணைக்கவும்)

Not arise

10. Total value of properties stolen / involved :

களவாடப்பட்ட / களவிற்குள்ளான சொத்துக்களின் மொத்த மதிப்பு

Not arise

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:- I, A.Kannan, Inspector of Police, Vigilance and Anti-Corruption, Sivagangai Detachment received the information pertaining to this registration of FIR today on 28.06.2024 at 10.00 hrs. as per the instruction given in Memorandum No.PE 96/2022/REV/SG dated 20.06.2024 of the Directorate of Vigilance and Anti-Corruption, Chennai-16 and accordingly I registered a case in Sivagangai Vigilance and Anti-Corruption Cr.No.02/2024 against Tr.V.Sivasambo, Formerly Tahsildar, Devakottai Taluk, Sivagangai District for the commission of the offence u/s 7(a) of P.C Act 1988 as amended by the Prevention of Corruption (Amendment) Act 2018.

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 R.Jesusdoss Rank Ins. Sub. 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.

A. Kannan
INSPECTOR

A. Kannan
INSPECTOR

14. Signature / Thumb Impression of the Complainant / Informant
குற்றமுறையீட்டாளர் / தகவல் கொடுப்பவரின் சுவப்பம் / பெருவிரல் இரேகைப் பதிவு

Signature of the Officer in-charge, Police, Station
காவல் நிலைய பொறுப்பு அலுவலரின் சுவப்பம்

15. Date & Time of despatch to the court:

நீதிமன்றத்திற்கு அனுப்பப்பட்ட நாளும், நேரமும்

28.06.2024 at 12.15 hrs.

Name: பெயர் A. KANNAN

Rank: நிலை Inspector of Police

VRAC, Sivagangai.

Continuation of FIR of Sivagangai V&AC Crime No. 02/2024

Tr.V.Sivasambo is presently working as Tahsildar, Tamil Nadu Arasu Cable TV Corporation Limited (TACTV) from 22.09.2023 onwards. He had previously worked as Tahsildar, Devakottai Taluk, Sivagangai District from 04.09.2017 to 10.03.2019 and as such he is a public servant as defined under Section 2(c) of Prevention of Corruption Act, 1988.

On information, an enquiry in the nature of Preliminary Enquiry has been contemplated by the Director, Vigilance and Anti Corruption, Chennai in PE 96/2022/REV/SG Dated : 21.11.2022 after obtaining the prior approval from the competent authority and consequently I, Inspector of Police, Vigilance and Anti-Corruption, Sivagangai have conducted Preliminary Enquiry and submitted a report which revealed the following facts.

As per the Enquiry Report submitted by the Revenue Divisional Officer, Devakottai, Sivagangai District, vide ந.க.அ/2/8881/2018, dated 04.10.2019, the District Revenue Officer (i/c District Collector) sent a letter in ந.க.அ/6/24598/2019, dated 18.06.2022 to the Director, Vigilance and Anti Corruption, Chennai to conduct Enquiry against the Accused Officer. Prior approval was accorded by the District Collector, Sivagangai against the Accused Officer to conduct Preliminary Enquiry vide Roc.A1/32053/2022, dated 21.10.2022. The Director, Vigilance and Anti Corruption, Chennai, ordered to register and conduct a Preliminary Enquiry against the Accused Officer vide Memorandum in PE 96/2022/REV/SG, Dated 21.11.2022. Accordingly, this P.E. has been registered in PE 96/2022/REV/SG at Sivagangai V&AC Detachment in P.E. Serial No.02/2022-23 Dt. 28.11.2022, and taken up for Enquiry.

During the course of Preliminary Enquiry, 33 Witnesses were examined and 54 documents were collected.

The Government of Tamil Nadu, had, vide G.O. (Ms.) No.521, Revenue (Ser. VII (2) Department, Dated 17-6-1998 framed rules in Section 53 of the Tamil Nadu Village Assistants Service. Rule 3 describes about **Appointing Authority**, according to which "The appointing authority" for the post of "Village Assistant" shall be the Taluk Tahsildar, having jurisdiction over the village concerned". Rule 4 describes about "**Reservation of appointment**", according to which "The rule of reservation of appointment", as laid down in Rule 22 of the General Rules for the Tamil Nadu State and Subordinate Services, shall be applicable for appointment to the post by direct recruitment, treating each taluk as a "separate unit" and Rule 7 (c) describes about **Other Qualifications**, according to which "The person appointed to the post shall belong to the Village to which he is appointed or the adjoining Village if no suitable candidate is available from that Village".

Instructions, issued by the Principal Secretary to Government, Revenue Department, Secretariat, Chennai, vide Letter (Ms) No.631, dated 07.11.2008 with regard to the filling up of Village Assistants Vacancies are as hereunder:

"If no eligible hands are available in the concerned village, then the least distant adjoining village may be selected for recruiting the village assistants. If more than one village is having the same distance, then the candidates may be called for from all such least distant villages and so on and so forth. If there is no candidate still from all these adjoining villages, then alone the candidates may be called for from the entire firka and later if necessary from the entire taluk".

The Government of Tamil Nadu, had, vide G.O.(Ms) No.142, dated 14.10.2009 of Personnel and Administrative Reforms (K) Department, Chennai, issued orders that the ratio of 1:4 in accordance with communal rotation and reservation for priority and non priority categories shall be followed by the recruiting agencies/appointing authorities.

The Government of Tamil Nadu, had, vide G.O.(Ms) No.55, dated 08.04.2010 of Personnel and Administrative Reforms (S) Department, Chennai, issued orders that the revised roster prescribed in this Government Order shall be continued by the recruiting agencies/appointing authorities from the last turn upto which the selection was already made.

The Accused Officer sent a letter in the prescribed format to the District Employment Officer, Sivagangai in Na.Ka.No.அ3/3718/2017 Dt.05.06.2018 and requested to furnish the list of eligible candidates to fill up the post for 10 posts of Village Assistant in the ratio of 1:5 in accordance with communal rotation and reservation for priority and non priority categories by starting the 200 Point Roster System from S.No.1 to 10. It is pertinent to mention here that as per Roster Register already 56 posts were appointed by the then Tahsildar, Devakottai Taluk and so, while selecting candidates for appointment to the post of 10 Village Assistants, the Accused Officer should have continued from S.No.57 to 66 in the 200 Point Roster System, as laid down in the G.O.(Ms) No.55, dated 08.04.2010 of Personnel and Administrative Reforms (S) Department, Chennai. But, deliberately defying the orders of the Government, the AO had called for list of candidates of the Community to suite S.No.57 to 66 of 200 Point Roster System.

After getting the list of candidates, as mentioned above, the AO had, without mentioning the communal rotation and reservation for priority and non priority categories, issued Notification on 13.07.2018 to fill up the post for 10 posts of Village Assistants. Based on the aforesaid notification, AO Tr.Sivasambo had conducted interview on 18.09.2018, 19.09.2018 and 20.09.2018. During the interview, Certificates, produced by the Candidates were verified by Tr.S.Kaleeswaran, Formerly Firka Surveyor, Puliyal Firka, Devakottai Taluk.

After the interview, AO Tr.Sivasambo had sent a letter in Na.Ka.No.அ3/3718/2017 Dt.27.09.2018 to get approval of the Revenue Divisional Officer, Devakottai for the selection of 10 Village Assistants. The Assistant Collector, Devakottai did not approve the selection of Village Assistants and sent a letter in Na.Ka.No.அ2/8881/2018 Dt.08.11.2018 to the AO, stating that the guidelines and procedures issued in G.O.(Ms) No. 521, Revenue (Ser. VII (2) Department, Dated 17-6-1998 were not followed by the AO in the selection. The Assistant Collector further instructed the AO to rectify the defects, select the eligible candidates, following Government Orders and send a revised report.

In his letter in Na.Ka.No.அ2/8881/2018 Dt.27.12.2018, addressed to the AO, the Assistant Collector, Devakottai had brought to the notice of the AO,

the instruction given in Revenue Administration, Disaster Management and Mitigation Department Lr.No.R.A.2(2)/13127/2017, Dated 03.11.2018 and instructed the AO to indicate clearly the communal reservation while issuing notification for the appointment to the post of Village Assistants in future as per Rule 4 of the Village Assistant Service Rule. (G.O.Ms. No.521, Revenue (Ser 7(2) Department, dated 17.06.1998). In his above letter, the Assistant Collector had stated that instruction, issued by the Govt. was not followed by the Accused Officer while issuing Notification, and rejected the list sent by the Accused Officer. The Assistant Collector instructed the AO to issue fresh notification, adhering Government Orders and Government Rules, to conduct fresh interview and select candidates afresh.

Thus, it is evident from the above that the Accused Officer had arbitrarily issued appointment orders for 10 Village Assistant on 31.01.2019, violating 200 Point Roster System, Government Orders, Government Rules. As per the order of the District Collector, Sivagangai, Tr.Sankara Narayanan conducted the enquiry and sent a detailed enquiry report vide Na.Ka.No.2/8881/2018 Dt.04.10.2019 to the District Collector, Sivagangai. In turn, the District Collector (In charge) sent a letter in Na.Ka.No.26/24598/2019, Dt.18.06.2022 to the Director of Vigilance and Anti Corruption, Chennai to conduct Preliminary Enquiry against Tr.V.Sivasambo.

It is a fact on record, as is evident from the Statement of Account in SB Account Number 2803108016011, held in the name of Tmt.Ambika that an amount of **Rs.70,000/-** had been self withdrawn on **01.02.2019 at 12.52 hrs** at Canara Bank, Devakottai Branch. It is also a matter of record, as is evident from the E-Journal cardless deposit transaction that on **01.02.2019 at 17.18 hrs and 17.24 hrs** an amount of **Rs.30,000/- and Rs.40,000/-** respectively had been deposited at Cash Deposit Machine (CDM) to the A/c No. 11078585281, held in the name of Tr.V.Sivasambo (AO), using mobile number 98424 29574, held in the name of Tr.C.Ramanathan.

It is the version of Tr.Ramanathan that the selected candidate Tmt.Ambika is a close relative to him. He further stated that Tmt.Ambika applied for the post of Village Assistant, that at the time of interview, Tr.Kaleeswaran had asked her

as to whether any of her relatives is working in Revenue Department and that she had referred his name. Tr.Ramanathan further stated that Tmt.Ambika's uncle Tr.Mahalingam contacted him over mobile phone, informed him that Tmt.Ambika was selected as Village Assistant and Tr.Kaleeswaran had instructed to pay Rs.5,00,000/- through him for the appointment of Tmt.Ambika. Tr.Ramanathan further stated that he agreed to meet Tr.Kaleeswaran along with Tr.Mahalingam and Tmt.Ambika. Tr.Ramanathan further stated that on the next day at about 17.00 hrs, when they met Tr.Kaleeswaran at his house, located at Tamil Nadu Housing Board, Ram Nagar, Devakottai, Tmt.Ambika paid Rs.4,30,000/- to Tr.Kaleeswaran in the presence of Tr.Mahalingam and himself. He further stated that Tr.Kaleeswaran instructed to pay the balance amount of Rs.70,000/- to the Bank Account held in the name of Tr.Sivasambo at State Bank of India and gave the Bank Account number of Tr.Sivasambo. He also stated that on 01.02.2019, he received the amount of Rs.70,000/- from Tmt.Ambika and deposited an amount of Rs.30,000/- and Rs.40,000/- at State Bank of India, Devakottai Branch Cash Deposit Machine (CDM) to the beneficiary A/c No. 11078585281 held in the name of Tr.V.Sivasambo (AO) and entered his mobile number 98424 29574 while depositing.

It is also a matter of record, as is evident from the Statement of Accounts in respect of SB Account Number 20340808657, held in the name of Tmt.Isurya, on 27.12.2018, 28.12.2018 and 31.12.2018 an amount of Rs.2,50,000/-, Rs.1,00,000/- and Rs.35,000/- respectively had been self withdrawn.

It is also a matter of record, as is evident from the Statement of Account in respect of Jewel Loan Account Number 291700310104212, held in the name of Tr.Ganesan at Tamilnad Mercantile Bank, Devakottai Branch, that on 27.09.2018 an amount of Rs.1,00,000/- had been withdrawn by pledging Gold Jewels of Tr.Ganesan.

It is also a matter on record, as is evident from the Statement of Account in respect of Jewel Loan Account Number 513303741802585, held in the name of Tr.Ganesan at Tamilnadu Grama Bank, Devakottai Branch, that on

27.09.2018 an amount of Rs.1,00,000/- had been withdrawn by pledging Gold Jewels of Tr.Ganesan.

It is also a matter on record, as is evident from the Statement of Account in respect of Jewel Loan Account Numbers 6677736707, 6680059477 and 6680064045, held in the name of Tmt.J.Jesintha Mary at Indian Bank, Sarugani Branch, that on 24.09.2018, 28.09.2018 and 28.09.2018 Jewel Loan had been availed for the amount of Rs.1,50,000/-, Rs.1,25,000/- and Rs.18,000/- respectively by pledging Gold Jewels.

It is also a matter on record, as is evident from the Statement of Account in respect of Jewel Loan Account Number 1202671100063425, held in the name of Tmt.Ilaiyarasi at IDBI Bank Limited, Kannangudi Branch, that on 01.10.2018 an amount of Rs.1,10,000/- had been withdrawn by pledging Gold Jewels of Tmt.Ilaiyarasi.

Documentary evidence namely (a) The Statement of Bank Account which reflects cash withdrawal of Rs.70,000/- by Tmt.Ambika on 01.02.2019 at 12.52 hrs, (b) Cash deposit of Rs.70,000/ by Tr.Ramanathan to the Bank Account held in the name of Accused Officer at State Bank of India on 01.02.2019 between 17.18 hrs and 17.24 hrs strengthens the oral version of Tr.Ramanathan. Accused Officer also admitted that on 21.08.2018, 18.09.2018, 06.12.2018 and 01.02.2019, an amount of Rs.50,000/-, Rs.50,000/-, Rs.20,000/- and Rs.2,00,000/- had been deposited at UCO Bank by Tr.R.M.Karthikeyan and the Accused did not give any reason with regard to the amount thus deposited in his Account.

Thus, there is prima facie evidence to prove the imputation against the Accused Officer being Public Servant in discharge of public duty, improperly with dishonestly, obtained undue advantage from several persons, who were appointed as Village Assistant.

The allegation is that between September 2018 and February 2019, the Accused Officer Tr.V.Sivasambo, formerly Tahsildar, Devakottai Taluk, Sivagangai District appointed 10 Village Assistants, violating the prescribed 200 Point Roster System, Government Orders, Government Rules, and either as

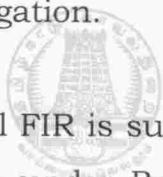
motive or reward, he had obtained huge amount as undue advantage from the each selected candidate.

The above said acts committed by the accused would, appear to be the offence of demand and acceptance as undue advantage which would attract the offence of criminal misconduct punishable u/s 7 (a) of Prevention of Corruption Act, 1988 as amended by Prevention of Corruption (Amendment) Act 2018 and thus there are prima facie materials available on record for taking up the investigation against the Accused for the offences committed by him under Section 7 (a) of Prevention of Corruption Act, 1988 as amended by Prevention of Corruption (Amendment) Act 2018.

Since, Accused being Public Servant committed the offence u/s 7 (a) of Prevention of Corruption Act, 1988 as amended by Prevention of Corruption (Amendment) Act 2018 while discharging their duty, prior approval to register a regular case against accused has been obtained from the District Collector, Sivagangai vide her Letter in Roc.No.A1.32053/2022, Dated 06.04.2024 as per the amendment made in the Prevention of Corruption Act, 1988.

Therefore, today 28.06.2024 at 10.00 hrs, I, A.Kannan, Inspector of Police, Vigilance & Anti - Corruption, Sivagangai registered a case in Crime No. 2/2024 u/s 7 (a) of the Prevention of Corruption Act, 1988, as amended by the Prevention of Corruption (Amendment) Act 2018 against the accused for the purpose of investigation.

The Original FIR is submitted to the Hon'ble Special Judge, Special Court for Trial of Cases under Prevention of Corruption Act, Sivagangai and copies were sent to the Officers concerned.


A. Kannan
INSPE/VEDC
28/6/2024
Inspector of Police,
Vigilance and Anti-Corruption,
Sivagangai.