

FIRST INFORMATION REPORT
(Under Section 154 Cr.P.C.)**प्रथम सूचना रिपोर्ट**
(धारा 154 दंड प्रक्रिया संहिता के तहत)

1. District (जिला): Anti Corruption Bureau, Haryana P.S. (थाना): ACB, Faridabad Year (वर्ष): 2023

FIR No. (प्र.सू.रि. सं.): 0021

Date and Time of FIR (प्र.सू.रि. की दिनांक और समय):

05/09/2023 12:10 hrs

S.No. (क्र.सं.)	Acts (अधिनियम)	Sections (धारा(एँ))
1	IPC 1860	120-B
2	IPC 1860	166
3	IPC 1860	167
4	IPC 1860	201
5	IPC 1860	218
6	IPC 1860	406
7	IPC 1860	409
8	IPC 1860	420
9	PREVENTION OF CORRUPTION ACT, 1988	13(2)
10	PREVENTION OF CORRUPTION ACT, 1988	13(1)(a)
11	PREVENTION OF CORRUPTION ACT, 1988	7

3. (a) Occurrence of offence (अपराध की घटना):

1 Day (दिन): Date from (दिनांक से): Date To (दिनांक तक):

Time Period (समय अवधि): Time From (समय से): Time To (समय तक):

(b) Information received at P.S. (थाना जहाँ सूचना प्राप्त हुई): Date (दिनांक): 05/09/2023 Time (समय): 11:41 hrs

(c) General Diary Reference (रोजनामचा संदर्भ): Entry No. (प्रविष्टि सं.): 011 Date and Time (दिनांक और समय): 05/09/2023 11:41 hrs

4. Type of Information (सूचना का प्रकार): Written

5. Place of Occurrence

(घटनास्थल):

1. (a) Direction and distance from P.S. (थाना से दूरी और दिशा): WEST, 10 Km(s) Beat No. (बीट सं.):

(b) Address (पता): MCF FBD,

(c) In case, outside the limit of this Police Station, then Name of P.S. (यदि थाना सीमा के बाहर है तो थाना का नाम):

District (State) (जिला (राज्य)):

6. Complainant / Informant (शिकायतकर्ता / सूचनाकर्ता):

(a) Name (नाम): Anil KUMAR HPS

(b) Father's/Husband's Name (पिता/पति का नाम):

(c) Date/Year of Birth (जन्म तिथि / वर्ष): 19/11/1978 (d) Nationality (राष्ट्रियता): INDIA

(e) UID No. (यूआईडी सं.):

(f) Passport No. (पासपोर्ट सं.):

Date of Issue (जारी करने की दिनांक):

Place of Issue (जारी करने का स्थान):

(g) ID Details (Ration Card, Voter ID Card, Passport, UID No., Driving License, PAN) (पहचान विवरण (राशन कार्ड, मतदाता कार्ड, पासपोर्ट, यूआईडी सं., ड्राइविंग लाइसेंस, पैन कार्ड))

S. No. (क्र.सं.)	ID Type (पहचान पत्र का प्रकार)	ID Number (पहचान संख्या)
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(h) Occupation (व्यवसाय):

(i) Address

(पता):

S.No. (क्र.सं.)	Address Type (पता का प्रकार)	Address (पता)
1	Present Address	Anti Corruption Bureau, FBD, ACB, Faridabad, Anti Corruption Bureau, Haryana, HARYANA, INDIA
2	Permanent Address	Anti Corruption Bureau, FBD, ACB, Faridabad, Anti Corruption Bureau, Haryana, HARYANA, INDIA

(j) Phone number (दूरभाष सं.):

Mobile (मोबाइल सं.): 91-9999981815

7. Details of known / suspected / unknown accused with full particulars (ज्ञात / संदिग्ध / अज्ञात अभियुक्त का पूरे विवरण सहित वर्णन):

S. No. (क्र.सं.)	Name (नाम)	Alias (उपनाम)	Relative's Name (रिश्तेदार का नाम)	Present Address(वर्तमान पता)
1	Ms.AnitaYadavIASC ommissioner			1. MCF FBD,S.G.M. NAGAR (SANJAY GANDHI MEMORIAL NAGAR),FARIDABAD,HARYAN A,INDIA
2	DaulatRamBhaskarC hief Engineer			1. MCF FBD,S.G.M. NAGAR (SANJAY GANDHI MEMORIAL NAGAR),FARIDABAD,HARYAN A,INDIA
3	Mr.PremrajExecutive Engineer			1. MCF FBD,S.G.M. NAGAR (SANJAY GANDHI MEMORIAL NAGAR),FARIDABAD,HARYAN A,INDIA
4	Mr.Sher Singh A.E.			1. MCF FBD,S.G.M. NAGAR (SANJAY GANDHI MEMORIAL NAGAR),FARIDABAD,HARYAN A,INDIA
5	ShriNaveenKumarSe nior Auditor			1. MCF FBD,S.G.M. NAGAR (SANJAY GANDHI MEMORIAL NAGAR),FARIDABAD,HARYAN A,INDIA
6	ShriHargulalLocalAu ditOfficer			1. MCF FBD,S.G.M. NAGAR (SANJAY GANDHI MEMORIAL NAGAR),FARIDABAD,HARYAN A,INDIA
7	ShVishalKaushikInch argeAccount			1. MCF FBD,S.G.M. NAGAR (SANJAY GANDHI MEMORIAL NAGAR),FARIDABAD,HARYAN A,INDIA
8	MrSatishKumarAcco untsOfficer			1. MCF FBD,S.G.M. NAGAR (SANJAY GANDHI MEMORIAL NAGAR),FARIDABAD,HARYAN A,INDIA
9	ShriVinodKumarSup erintendent			1. MCF FBD,S.G.M. NAGAR (SANJAY GANDHI MEMORIAL NAGAR),FARIDABAD,HARYAN A,INDIA
10	ShriNaveen KumarClerkAccount			1. MCF FBD,S.G.M. NAGAR (SANJAY GANDHI MEMORIAL NAGAR),FARIDABAD,HARYAN A,INDIA
11	Sh.RajendraKumarCl erkAccounts			1. MCFFBD,S.G.M. NAGAR (SANJAY GANDHI MEMORIAL NAGAR),FARIDABAD,HARYAN A,INDIA
12	Satbir Singh Contractor			1. MCF FBD,S.G.M. NAGAR (SANJAY GANDHI MEMORIAL NAGAR),FARIDABAD,HARYAN A,INDIA

8. Reasons for delay in reporting by the complainant / informant (शिकायतकर्ता / सूचनाकर्ता द्वारा रिपोर्ट देरी से दर्ज कराने के कारण):

Particulars of properties of interest (संबन्धित सम्पत्ति का विवरण):

9.

S. No. (क्र.सं.)	Property Category (सम्पत्ति श्रेणी)	Property Type (सम्पत्ति के प्रकार)	Description (विवरण)	Value(In Rs/-) (मूल्य (रु में))

10. Total value of property (In Rs/-) (सम्पत्ति का कुल मूल्य(रु में)):

11. Inquest Report / U.D. case No., if any (मृत्यु समीक्षा रिपोर्ट / यू.डी.प्रकरण सं., यदि कोई हो):

S. No. (क्र.सं.)	UIDB Number (यू.डी.प्रकरण सं.)

12. First Information contents (प्रथम सूचना तथ्य):

To
Station House Officer,
Anti Corruption Bureau,
Faridabad.

Sir,

It is submitted that Enquiry no. 06 dated 21.12.2021 Faridabad was registered in compliance of the order of The Chief Secretary, Government of Haryana vide letter no. 52/45/2020 - 5 Vigilance - II dated 08.12.2021 in the office of Director General, State Vigilance Bureau, Haryana, Panchkula vide endorsement no. 19448/I -2/SVB(H) dated 22.12.2021 on the report of Additional Director General of Police, CID, Haryana against contractor Satbir Singh and employee/officers of Municipal Corporation, Faridabad.

2. It was alleged that MCF gave a tender to contractor Satbir Singh for installing iron grill on the divider road from Crematorium, Ballabgarh to Tigaon Chowk, Bye Pass road. MCF split the work in 6 parts to keep the tender amount less than 1.00 crore so that there was no need for seeking approval from Headquarter, Chandigarh. Total 590 iron grills were installed from Crematorium, Ballabgarh to Tigaon Chowk, Bye Pass road.

3. It was further alleged that the estimated length of one grill is 6.5 feet and breadth 3.25 feet. Approximate weight of one grill is 40-46 Kg. Market rate of iron is Rs 75/- per Kg. Hence cost of one grill comes out to be Rs. 3540 to Rs. 4701. Total cost of 590 grills of 46 Kg each @Rs. 75/- per Kg., comes out Rs. 2401890/-. Thus MCF gave 6 work orders to the contractor for Rs. 2752000/-. But later on, MCF increased the amount of all these 6 work orders, 21 times, to Rs. 58047574/- and MCF made payment of Rs. 49359100/- to the contractor for this work. No entry of these work orders were made in the registers of Ballabgarh Zone, Municipal Corporation, Faridabad. In this work, contractor Satbir Singh in connivance with officers/officials of Ballabgarh Zone, MCF has caused huge financial loss to the Government by corrupt means.

4. Upon enquiry conducted by the undersigned, it was found that Municipal Corporation Faridabad had given a tender for fixing of MS Grill and Curve Stone on the divider road from Crematorium, Ballabgarh to Tigaon Chowk, Bye Pass road to Satbir Singh contractor. Work was split into 6 works and 6 work orders were issued for Rs. 2752000/- (In total). Later on, the revised estimates were prepared and total amount of Rs 49359100/- was paid to the contractor Satbir Singh. The details of work orders, enhanced amount and payment made to the contractor is as below:

Sr. No. Work order no. and Date Work order amount Enhanced amount Amount paid to contractor on first running bill (after deducting 10 % security)

1	MCF/EE-IV/2018/1436 Dated 27.11.2018	4,60,000	93,11,949	79,99,000
2	MCF/EE-IV/2018/1444 Dated 27.11.2018	4,47,000	99,17,905	85,19,000
3	MCF/EE-IV/2018/1445 Dated 27.11.2018	5,30,000	99,91,325	83,61,000
4	MCF/EE-IV/2018/1447 Dated 27.11.2018	4,40,000	96,78,988	80,42,000
5	MCF/EE-IV/2018/1449 Dated 27.11.2018	4,42,000	97,18,103	83,45,000
6	MCF/EE-IV/2018/1456 Dated 27.11.2018	4,33,000	94,29,304	80,93,100
	Total	27,52,000	5,80,47,574	4,93,59,100

5. During enquiry the record i.e. copy of Estimates, Quotations, Comparative Statements, MB no. 1665, pertaining to the above work orders, were called for from Executive Engineer, Ballabgarh Zone. He informed vide his letters no. 181 and 184 dated 26.02.2022 that as per record of XEN Ballabgarh for the year 2018, no such type of work orders were issued to Satbir Singh Contractor. Dispatch register of Ballabgarh Zone was also checked and it was found that there is no mention of date 27.11.2018 and 28.11.2018 in the dispatch register and last dispatch no. for the year 2018 is 1424 dated 31.12.2018 related to relieving of Sh. Udham Singh (Apprentice Electrician). Hence it is quite clear that fake work orders were prepared and fake dispatch numbers were given.

6. It was further revealed that during enquiry conducted by the Executive Engineer, Ballabgarh Zone, Municipal Corporation Faridabad vide his letter no. 86 dated 21.01.2022 had informed this office that as per record of Ballabgarh

Zone for the year 2015, one work order no. MCF/EE-IV/2015/424 dated 11.09.2015 was issued for RMC, Divider and Grill on Tigaon road. No other work order has been issued for fixing of iron grill on Crematorium, Ballabgarh to Tigaon Chowk, Bye Pass Road.

7. Apart from this, enquiry has revealed that it has been informed by Finance Controller vide his office letter number 327 dated 21.01.2022 that according to the records available in the accounts office, total amount of Rs 4,93,59,100/- has been paid through RTGS to the concerned firm through 6 bills. All the documents were scrutinized thoroughly, on which it has been found that the bills of the above work orders have been verified by Shri Sher Singh, then AE, Municipal Corporation and Shri Premraj Executive Engineer, Ballabgarh Zone, MCF.

8. It was further revealed that the entry of all the 6 bills in MW -14 have been made by Shri Rajendra Kumar Clerk Accounts Branch (now retired) and noting sheet for payment of related bills has been found to be prepared by Shri Naveen Kumar Clerk Accounts Branch, Municipal Corporation, Faridabad. The bills were checked by Mr. Vinod Kumar, Superintendent Budget, Accounts Wing and Mr. Vishal Kaushik OIA (Officer Incharge of Account). It is also revealed in the enquiry conducted that Sh Satish Kumar Accounts Officer had proposed for the release of the payments to the contractor Satbir Singh. It was revealed that the bills were sent to the audit branch, Municipal Corporation, Faridabad for pre-audit by Mr. Vishal Kaushik OIA (Officer In-charge of Accounts). After that preaudit was done by Shri Naveen Kumar Senior Auditor and Shri Hargulal Audit Officer, Municipal Corporation, Faridabad. The bills were again sent to Accounts Branch for payment. It would be pertinent to mention here also that at that time Shri Deepak Thapar was working as Joint Director, Audit in Municipal Corporation Faridabad but it has been revealed that Mr Hargulal, Audit Officer had put his signature under the seal of Joint Director citing the Joint Director as 'On Leave'.

9. After that, enquiry has revealed 'May release payment' was written on the noting file by Mr. Daulat Ram Bhaskar, Chief Engineer, Municipal Corporation, Faridabad, and after deducting 10% of the earnest money and after the permission of the then Commissioner, Municipal Corporation, Faridabad, a total of Rs. 4,93,59,100/- was paid to Mr. Satbir Singh contractor by Accounts branch through RTGS. It was also pertinent to mention here that as per rule, on completion of work, 'Completion Certificate' is also issued by Chief Engineer Municipal Corporation. At that time Shri Daulat Ram Bhaskar was working as Chief Engineer.

10. The payment of all these split works was approved by Ms. Anita Yadav, IAS, the then Commissioner, MC Faridabad without any justification and in connivance with MCF officials and Satbir Singh Contractor. While releasing the payment to the contractor, provision of PWD code 9.3.10, 10.15.1 and Section 8 of Municipal Works Rule were not complied with.

11. Apart from this, enquiry has revealed that as per the records of Ballabgarh Division for the year 2015, work order was issued vide No. MCF / EE - IV / 2015 / 424 Dated 11.09.2015 for installation of R.M.C., Divider and Grill on Tigaon Road. During enquiry a copy of the work order and bill vouchers related to its payment had been collected. It has been found that the said work order was given to Satbir Singh Contractor for Rs 4,82,31,831/- which has also been revised and Satbir Singh was paid Rs 7,68,65,500/-. According to the report of the Executive Engineer, in the same work order, the work of installing iron grill has already been completed on Tigaon Road Ballabgarh, and no more work relating to installation of RMC, Divider and grill was pending from the MCF end.

12. It is also pertinent to mention that in the WMS (Work Management System) as revealed in the enquiry conducted, it is shown that the work started on 09.09.2018 while in the work orders date is 27.11.2018. The photos of RMC work has been uploaded and no photo related to grill have been uploaded. These photos have been verified by Mr. Sher Singh then A.E., MCF and Shri Premraj Executive Engineer Ballabgarh Zone, MCF.

13. Therefore, during the enquiry, it has been found that Ms. Anita Yadav, IAS, the then Commissioner MCF, Mr. Daulat Ram Bhaskar, then Chief Engineer, Mr. Premraj, then Executive Engineer, Mr. Sher Singh, then A.E., Shri Naveen Kumar then Senior Auditor, Shri Hargulal, then Local Audit Officer, Shri Vishal Kaushik, then Officer Incharge Accounts, Mr. Satish Kumar then Accounts Officer, Shri Vinod Kumar, then Superintendent, Accounts Branch, Shri Naveen Kumar Clerk, Accounts Branch, Shri Rajendra Kumar, then Clerk, Accounts Branch Municipal Corporation, Faridabad prepared fake documents in connivance with Satbir Singh Contractor resident of 545 Parvatia Colony, N.I.T., Faridabad and issued 6 different work orders for Rs. 27,52,000 (In total) and after that these work orders were enhanced to Rs. 5,80,47,574 and after deducting the 10% earnest money Satbir Singh contractor was paid Rs. 4,93,59,100 on 16.08.2019 as payment of first running bill.

14. Hence, the above said officers/officials of Municipal Corporation, Faridabad have given undue financial benefit by misuse of their official position to themselves and to the contractor Satbir Singh and they have caused financial loss of Rs. 4,93,59,100/- to the Corporation/Government of Haryana. Hence, they have committed offences u/s 166, 167, 218, 406, 409, 420, 120B, 201 IPC and 7, 13(1)(a) r/w 13(2) of P.C. Act 1988.

15. Hence, in the enquiry report, it was recommended to register a case against the above officers/officials of Municipal Corporation, Faridabad and Satbir Singh Contractor. The State Govt. through Chief Secretary to Government of Haryana, Vigilance Department vide letter Memo No. 52/45/2020-VII dated 12.07.2023 has granted a permission to registration of criminal case under section 166, 167, 218, 406, 409, 420, 120B, 201 IPC and 7, 13(1)(a) r/w 13(2) of P.C. Act 1988, as amended in 2018 against (1) Ms. Anita Yadav, IAS, the then Commissioner MCF (2) Mr.

Daulat Ram Bhaskar, then Chief Engineer (3) Mr. Premraj, then Executive Engineer (4) Mr. Sher Singh, then A.E. (5) Shri Naveen Kumar then Senior Auditor (6) Shri Hargulal, then Local Audit Officer (7) Shri Vishal Kaushik, then Officer Incharge Accounts (8) Mr. Satish Kumar then Accounts Officer (9) Shri Vinod Kumar, then Superintendent, Accounts Branch (10) Shri Naveen Kumar Clerk, Accounts Branch (11) Shri Rajendra Kumar, then Clerk, Accounts Branch Municipal Corporation, Faridabad (12) Satbir Singh Contractor for their acts of omission and commission. During the investigation, if role of any other officer/employee of the Municipal Corporation or Private person is found, then prior permission of Government be taken against them as per law. In compliance of the above Govt. of Haryana order O/o The Director General, Anti Corruption Bureau, Haryana Panchkula vide Endst. No. 12154/Secret/ACB(H) dated 14.07.2023 have forwarded the same to ACB Faridabad for further necessary action. It is, therefore requested to

register a First Information Report in the matter. Copy of special report be sent to Ilaqa Magistrate and senior officers through special messenger. As per order of SP, ACB, FBD the file be handed over to Inspector Sant Ram for further investigation. SD. Anil kumar (Anil Kumar) HPS Addl. Superintendent of Police, Anti Corruption Bureau, Faridabad. Dt. 5.09.2023 At. 10.30 AM. अज थाना - हस्ब आमद तहरीर पर मुकदमा नम्बर- 21 दिनांक 05.09.2023 U/S 166, 167, 218, 406, 409, 420, 120B, 201 IPC and 7, 13(1)(a) r/w 13(2) of P.C. Act PS ACB फरीदाबाद दर्ज रजि० किया जाकर FIR की स्पेशल रिपोर्ट नियमानुसार कमप्युटराईज द्वारा तैयार करके बदस्त स्पेशल EHC सोनू न० 686/फरीदाबाद के की जाकर ईलाका मजिस्ट्रेट वा सम्बन्धित अफसरान बाला की सेवा में भेजी जा रही है। नकल मिशल पुलिस मय असल तहरीर हवाले आईन्दा EHC के की जाकर निज्द INSP सन्तराम के हवाले की जायेगी। नोट:- यह मुकदमा INSP राकेश कुमार की हाजरी में दर्ज किया जा रहा है।

13. **Action taken: Since the above information reveals commission of offence(s) u/s as mentioned at Item No. 2.**
(की गयी कार्यवाही : चूँकि उपरोक्त जानकारी से पता चलता है कि अपराध करने का तरीका मद सं. 2 में उल्लेख धारा के तहत है.):

- (1) Registered the case and took up the investigation (प्रकरण दर्ज किया गया और जांच के लिए लिया गया): / or (या)
- (2) Directed (Name of I.O.) (जांच अधिकारी का नाम): Sant Ram Rank (पद): I (Inspector)
No. (सं.): 1030FBD to take up the Investigation (को जांच अपने पास में लेने के लिए निर्देश दिया गया) or (या)
- (3) Refused investigation due to (जांच के लिए): or (के कारण इंकार किया या)
- (4) Transferred to P.S. (थाना): District (ज़िला):
on point of jurisdiction (को क्षेत्राधिकार के कारण हस्तांतरित).

F.I.R. read over to the complainant / informant, admitted to be correctly recorded and a copy given to the complainant / informant, free of cost. (शिकायतकर्ता / सूचनाकर्ता को प्राथमिकी पढ़ कर सुनाई गयी, सही दर्ज हुई माना और एक कॉपी निशुल्क शिकायतकर्ता को दी गयी)

R.O.A.C.
(आर.ओ.ए.सी.)

Signature of Officer in charge, Police Station
(थाना प्रभारी के हस्ताक्षर)

14. Signature / Thumb impression of the complainant / informant
(शिकायतकर्ता / सूचनाकर्ता के हस्ताक्षर / अंगूठे का निशान)

Name (नाम): Anil Kumar

Rank (पद): Asst. Superitendant of Police

No. (सं.): HPS

15. Date and time of dispatch to the court (अदालत में प्रेषण की दिनांक और समय):

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