



ఆంధ్రప్రదేశ్ రాజపత్రము
THE ANDHRA PRADESH GAZETTE
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PART VII EXTRAORDINARY

No.1

AMARAVATI, TUESDAY, JANUARY 17, 2023

G.3382

NOTIFICATIONS BY GOVERNMENT

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**PANCHAYAT RAJ AND RURAL DEVELOPMENT DEPARTMENT
(VIG.I)**

Memo.No.479 / Vig.I / 2003-21.

Dated: 13.01.2023.

ALLEGATION OF GRAVE MISCONDUCT AND MISAPPROPRIATION OF GOVT., FUNDS BY FALSIFICATION OF RECORDS - DISCIPLINARY PROCEEDINGS AGAINST Sri D.V.SATYANARAYANA, FORMER DY.EE PR, NARSIPATNAM, VISAKHAPATNAM DISTRICT (DISMISSED FROM SERVICE) - CHARGES - CASE ENTRUSTED C.O.I - INQUIRY REPORT OF I.A DT: 28.02.2022 - COMMUNICATION OF INQUIRY REPORT AS PER RULE 21 (2) OF APCS (CC&A) RULES, 1991 TO C.O FOR REPRESENTATION - WHEREABOUTS THE C.O IS NOT KNOWN.

- Ref:- 1.Govt. Memo NO. 479/Vig. II/A2/2003-8, PR&RD (Vig.II) Department, Dt: 01.12.2008.
2. G.O.Ms.No.319, PR&RD (Vig. II) Department, Dt: 23.08.2008.
3. G.O.Rt.No.1477, PR&RD (Vig. I) Department, Dt:04.10.2008.
4. G.O.Rt.No.623, PR&RD (Vig. I) Department, Dt: 24.11.2021.
5. From the ENC,PR, Letter No. Vig. I (1)/30777/1998, dated: 27.06.2022.

6. From Sri R.P. Thakur, IPS (Retd.), Member, Commissioner of Inquiries, G.A. Department and Inquiry Authority, D.O. Letter No. 88/COI-RPT/2022, dated: w25.08.2022.
7. Govt. Memo No. 479/Vig. I/2003-20, PR&RD (Vig. I) Department, Dt:13.01.2023.

The Commissioner, Printing, Stationery and Stores Purchase, A.P, Vijayawada is informed that, Government vide reference 1st cited, have framed charges against Sri D.V. Satyanarayana, former Deputy Executive Engineer, Panchayat Raj, Narsipatnam on the allegation of grave misconduct and misappropriation of Government funds by falsification of records and failure to maintain absolute integrity and violation of APCS (Conduct) Rules, 1964, with a direction to submit his written statement of defence. The charged officer has not submitted his defence statement.

2. In the reference 2nd read above, Government dismissed Sri D.V. Satyanarayana, former Deputy Executive Engineer, PR, Narsipatnam, Visakhapatnam District from service, as he was found guilty of the offences under sections 13(1)(c) read with 13(2) of the Prevention of Corruption Act, 1988, convicted under section 248(2) of the Code of Criminal Procedure, 1973 and sentenced to undergo Rigorous Imprisonment for a period of (1) one year, and to pay a fine of Rs.1,000/- and in default to suffer simple imprisonment for (2) two months, for the offences punishable, under sections 13(1)(c) read with 13(2) of the Prevention of Corruption Act, 1988, by the III Additional District and Sessions-cum-Special Judge for Anti-Corruption Bureau Cases, Visakhapatnam, in Judgment dt.01.02.2008 in C.C.No.5/2001 in the criminal case relating to allegations of corruption, misappropriation, forgery and falsification of records in the matter.

3. In the reference 3rd cited, Government have appointed Smt. Chandana Khan, IAS, Commissioner of Inquiries, G.A. Department as Inquiry Authority under Rule 20 (2) of A.P.C.S (CC&A) Rules, 1991 to conduct departmental enquiry on the charges framed against the charged officer, vide reference 1st cited and to submit inquiry report. The case has been re-assigned administrative grounds from time to time and vide reference 4th cited, Government have re-assigned the case and appointed Sri R.P. Thakur, IPS, Member, Commissioner of Inquiries, G.A. Department as the Inquiry Authority to take up the inquiry from where it was left over by the previous inquiry authority and submit inquiry report.

4. In the reference 4th cited, the Engineer-in-Chief, PR, AP has informed that the communication of enquiry notices and other references which were sent through registered post to Sri D.V. Satyanarayana, Dy.EE, formerly worked at Narsipatnam (dismissed) are being returned by the Postal Department as the addressee left the address. He has informed that no details available other than the address ie., Sri D.V. Satyanarayana, Dy.EE(PR), C/o. B. Murali Mohan, Opp: CPI Complex, Ramachandrarao Peta, Eluru-534002, W.G. District, A.P. The ENC,PR has requested the Government for taking necessary further action in the matter.

5. In the reference 5th cited, the Member, Commissioner of Inquiries, G.A. Department and Inquiry Authority has furnished inquiry report dt: 25.08.2022 along with his findings and held that charge against the charged officer is held proved.

6. Government have examined the matter in the light of the instructions issued in U.O.Note No. 598/Ser.C/2016-1, G.A. (Ser.E) Department, dt: 09.11.2016 wherein certain clarification has been issued for imposing penalty against the charged officers in the present disciplinary case(s) even though the charged officer was already been dismissed from service in another case, since the charges are different from one another. Accordingly it has been decided to proceed further in the matter.

7. Accordingly, vide reference 7th cited, Government have communicate a copy of the inquiry report to the charged officer Sri D.V. Satyanarayana, former Dy.EE, PR, Narsipatnam (erstwhile Visakhapatnam), Anakapalli District (dismissed) , as per Rule 21 (2) of APCS (CC&A) Rules, 1991 for his explanation within fifteen (15) days from the date of receipt of the same if any on the findings of I.A in the matter. The same has been sent to the Engineer-in-Chief, Panchayat Raj, A.P, Vijayawada with a request to communicate the same to the above last working station of charged officer as well as to last known address ie., Eluru, W.G. District, and furnish his report to Government in the matter.

AJAY JAIN,

Special Chief Secretary to Government.

Report of inquiry into the charges framed against Sri D.V.Satyanarayana, former Deputy Executive Engineer, Panchayat Raj, Narsipatnam, Visakhapatnam Dist.(now dismissed from service).

The Government in Panchayat Raj and Rural Development (Vig.I) Department vide G.O.Rt.No.623, dated 24-11-2021 under sub-rule (2) of Rule 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 have appointed Sri R.P.Thakur, I.P.S.(Retd.), Member, Commissionerate of Inquiries as Inquiring Authority in place of Sri R.P.Sisodia, I.A.S., the then COI and Inquiring Authority, to inquire into the charges framed against Sri D.V.Satyanarayana, former Dy.Executive Engineer, Panchayat Raj, Narsipatnam, Visakhapatnam Dist.(now dismissed from service). The Government have also appointed Sri M.Varaprasada Rao, Advocate as Presenting Officer in place of Sri Ms.K.Sridevi, Advocate to present the case before the Inquiring Authority on behalf of the Disciplinary Authority under Rule 20(5)(c) of APCS (CC&A) Rules, 1991 vide G.O.Rt.No.785, PR&RD (Vig.I) Dept., dt.13-8-2015 along with earlier Inquiring Authority.

Accordingly, during the course of inquiry, the case was posted for hearing for several times by the earlier Inquiring Authorities for recording the plea of the Charged Officer but CO didn't turn up for any hearing of the case posted by the earlier Inquiring Authorities. Ultimately the case was reassigned to this forum and on receipt of the case, the case was again posted for hearing on 1-2-2022, 29-3-2022, 20-4-2022, 5-5-2022, 20-5-2022, 2-6-2022, 14-6-2022, 30-6-2022, 14-7-2022 and 3-8-2022 for various reasons including for recording the plea of the Charged Officer. But in none of the occasion the CO didn't turn up. The Engineer-in-Chief, Panchayat Raj, A.P., Vijayawada in his letter No.Vig.I(1)/30777/1998, dt.27-6-2022, addressed to the Principal Secretary to Govt., PR&RD (Vig.I) Dept. and copy marked to this forum, has informed that the copies of GOs and Inquiry Notices issued by the Member, COI were sent to the Executive Engineer, PRI Division, Narsipatnam for onward transmission the same to the Charged Officer. Accordingly, the Executive Engineer, PRI Division, Narsipatnam has sent the same to the Charged Officer. But the same were returned back by postal department due to addressee left the address without reference. No other details and address of CO are available in the office of the Executive Engineer, PRI Division, Narsipatnam. Therefore, the forum has decided to take up the case against the CO as ex-parte in terms of sub-rule (20) of Rule 20 of APCS (CC&A) Rules, 1991.

Further, (10) Listed Witnesses are cited in Annexure-IV, enclosed to the Articles of Charges framed against the CO. Out of which (4) LWs, viz.LWs 3, 2, 4 and 10 were examined and their depositions were recorded as PWs 1 to 4. Remaining LWs were given up by the Inquiring Authority on the request of PO. During the examination of PWs, Exhibits P1 to P5 were marked from prosecution side. Thereafter, on the request of the Inquiring Authority, the Presenting Officer has filed his written arguments in respect of the charge framed against the charged

officer before the Inquiring Authority on 3-8-2022 and a copy of the same was communicated to the CO through the Engineer-in-Chief, Panchayat Raj, A.P., Vijayawada with a request to file his written arguments, if any, before this forum on or before 18-8-2022. But no written arguments were received in this forum from the CO within the set time. Later, the Report of Inquiry has been prepared as hereunder under sub-rule (18) of Rule 20 of APCS (CC&A) Rules, 1991.

The report of inquiry mainly consists of 4 parts:

1. Case of the Disciplinary Authority.
2. Case of the Charged Officer.
3. Analysis and Assessment and
4. Findings.

The case of the Disciplinary Authority consists of (1) Articles of Charges framed against the charged officer by the Disciplinary Authority (2) Written Arguments of the Presenting Officer filed before the Inquiring Authority. The case of the charged officer is confined to Written Arguments filed by him before the Inquiring Authority after receipt of copy of written arguments of the Presenting Officer.

(A) Case of the Disciplinary Authority:

1. Articles of Charge framed against Sri Darapureddi Venkata Satyanarayana, former D.E.E., Panchayatraj, Narsipatnam, Visakhapatnam Dist. vide Memo No.470/Vig.II/A2/3003-8, dt.1-12-2005 of PR&RD (Vig.II) Dept.

Articles of Charge-I: That Sri Darapureddi Venkata Satyanarayana while working as D.E.E., Panchayatraj, Narsipatnam from 31-01-1996 to 21-11-1998 has committed grave misconduct in-as-much as he indulged in misappropriation of Govt. funds, by falsification of records and thus he failed to maintain absolute integrity in violation of A.P.C.S. (Conduct) Rules, 1964.

Thus, Sri Darapureddi Venkata Satyanarayana by his above mentioned act has exhibited lack of integrity, devotion to duty, conduct unbecoming of a Govt. Servant and thereby contravened Rule 3(1)(2) of A.P.C.S. (Conduct) Rules, 1964.

Statement of Imputations of Misconduct or Misbehaviour in support of Articles of Charges framed against Sri Darapureddi Venkata Satyanarayana, former D.E.E., Panchayatraj, Narsipatnam, Visakhapatnam Dist.

Sri Darapureddi Venkata Satyanarayana, S/o.Jagannadha Naidu, is a native of Kothuru village, Garugubilli Mandal, Vizianagaram District. His date of birth is 19-07-1960. He joined in Government service on 11-06-1984 as Asst.Executive Engineer, Panchayatraj, Kotturu, Srikakulam District and promoted as Deputy Executive Engineer on 18-01-1991. He is drawing basic pay of Rs.9900/- in the time scale of pay of Rs.6950-13900. He is due to retire on attaining the age of his superannuation on 31-07-2016. (He is here-in-after referred to as Government Servant.)

That Sri D.V.Satyanarayana while working as Dy.E.E., P.R., Narsipatnam from 31-01-1996 to 21-11-1998 has indulged in misappropriation of Government funds by falsification of records.

The brief facts of the case are that on credible information that the Sri D.V.Satyanarayana while working as Dy.E.E., P.R., Narsipatnam has indulged himself in misappropriation of Government funds by falsification of Government records, a case No.17/RC-WLR/98 u/s 13 (2) r/w 13 (1)(c) of the P.C.Act, 1988 and under sections 468 and 477 IPC was registered against him on 21-11-1998 and investigated.

During the evidence collected revealed that the Panchyatraj Department will execute the works under Employment Assurance Scheme (E.A.S.) and the works under E.A.S. are being executed by the Section Officers (Mandal Engineering Officers) by themselves by engaging labourers. Sri D.V.Satyanarayana, who was entrusted with the funds to execute the works under E.A.S. will release the funds to the Section Officers in his jurisdiction, as and when they require in connection with the works executed under "Employment Assurance Scheme" and was the Cheque Issuing Authority.

The Mandals of Narsipatnam, Nathavaram and Golugonda each headed by a Mandal Engineering Officer (M.E.O.) falls in the jurisdiction of Sri D.V.Satyanarayana. Sri Manthena Srirama Raju, Sri Kuracha Satyanarayana and Sri Kalepu Malikharjuna Swamy were the Mandal Engineering Officers respectively of Narsipatnam, Nathavaram and Golugonda Mandals. They execute the works under Employment Assurance Scheme in their Mandals and obtain amounts from Sri D.V.Satyanarayana as and when they require amount for the works under E.A.S. They file an application with Sri D.V.Satyanarayana, get cheques and encash in the Bank. A separate cash book was maintained in the office of Sri D.V.Satyanarayana and separate accounts were operated in Sri Visakha Grameena Bank, Narsipatnam exclusively for the transactions pertaining to the above three Mandals.

Sri Kuracha Satyanarayana (Mandal Engineering Officer, Nathavaram Mandal) applied to Sri D.V.Satyanarayana for issue of advance amount of Rs.11,000/- under E.A.S. grant on 11-11-1997 and similarly Sri Manthena Srirama Raju (M.E.O., Narsipatnam) applied to Sri D.V.Satyanarayana for issue of Rs.8,884/- under E.A.S. grant on 24-12-1997. On 26-12-1997, Sri D.V.Satyanarayana got prepared the cheque bearing No.011560 for Rs.8,884/- in favour of Sri Manthena Srirama Raju through Sri Ramamurthy, Senior Assistant. Sri D.V.Satyanarayana got prepared another cheque No.011531, through Sri Kolli Ramamurthy, Senior Assistant, to the extent that "K.SATYANARAYANA, MANDAL ENGINEERING OFFICER, NATAHAVRAM" without mentioning any amount specifically and get mentioned Rs.11,000/- in the counter-foil of the said cheque. Later, Sri D.V.Satyanarayana, in absence of his Senior Assistant, filled the cheque bearing No.011560 for Rs.71,000/- (seventy one thousand only) and altered the amount of

Rs.8,884/- into Rs.68,884/- on the cheque bearing No.011560. Sri D.V.Satyanarayana obtained three signatures each of Sri M.Srirama Raju and Sri K.Satyanarayana on the reverse of the respective cheques prior to the aforesaid alterations with a dishonest intention, on an assurance that he would get the cheques encashed and give it to them. Sri D.V.Satyanarayana got the cheques encashed by his Junior Assistant, Sri M.V.S.S.Prasad, by presenting the cheques in Sri Visakha Grameena Bank, Narsipatnam withdrew the amount of Rs.1,39,884/- (Rupees one lakh, thirty nine thousand, eight hundred and eighty four only) and handed over only Rs.11,000/- and Rs.8,884/- to Sri Kuracha Satyanarayana and Sri Manthena Srirama Raju. Later, having come to know through Sri Kolli Ramamurthy, Senior Assistant about the withdrawal of Rs.71,000/- instead of Rs.11,000/-, Sri Kuracha Satyanarayana, approached Sri D.V.Satyanarayana informed that he would report the matter to the Executive Engineer and on that Sri D.V.Satyanarayana came to a compromise with him and returned the amount of Rs.60,000/-. Later, Sri Kuracha Satyanarayana adjusted the amount in other works executed by him. On the instructions of Sri D.V.Satyanarayana, his Senior Assistant made necessary changes in the application, dated 11-11-1997 of M.E.O., Nathavaram, cash book, counterfoil of the cheque No.011531 by altering Rs.11,000/- into Rs.71,000/- and prepared fresh voucher for Rs.71,000/-. Similarly, Sri M.Srirama Raju, M.E.O., Narsipatnam have come to know about the drawal of Rs.68,884/- instead of Rs.8,884/- on the cheque bearing No.011560 through Sri K.Ramamurthy, Senior Assistant, reported the matter to Sri G.T.Naidu, Executive Engineer, Panchayatraj, Narsipatnam. Then the Executive Engineer secured all the registers pertaining to the drawl and payment of Rs.6,884/- to Sri M.Srirama Raju from the possession of the Senior Assistant and kept them with him for few days. After putting a hyphen (-) preceding the numeral '6' of the numerals 6884 in all the records, returned them to the Senior Assistant with instructions to keep them with him. Having scented, Sri D.V.Satyanarayana collected the application and voucher of Nasipatnam Mandal and altered the amount of Rs.8,884/- to Rs.68,884/- on both the above documents and returned them to the Senior Assistant. Sri D.V.Satyanarayana also altered the amount of Rs.8,884/- into Rs.68,884/- in the Cash Book and cheque book counterfoil. The original cheques seized from Sri Visakha Grameena Bank, Narsipatnam show that the amount of Rs.71,000/- both in words and numeral were mentioned by Sri D.V.Satyanarayana in cheque No.011531 and Sri D.V.Satyanarayana wrote words "Sixty" and numeral '6' preceding to the words "Eight thousand eight hundred and eighty four and numerals Rs.8,884/- on the cheque bearing No.011560.

During the course of investigation, the Investigating Officer collected admitted handwritings and signatures of Sri D.V.Satyanarayana and sent them to Forensic Laboratory along with cheque No.011531 and 011560 and other questioned documents for comparison. The Asst.Director, F.S.L., A.P., Hyderabad gave her report No.DDP/11/99, dated 31-3-2000 in which she opined that the

person (Sri D.V.Satyanarayana), who wrote the red enclosed signatures and writings marked as S1 to S35 also wrote the red enclosed signatures and writings marked as Q1, Q3 to Q5 and Q10 to 13.

Sri D.V.Satyanarayana altered the amount of Rs.11,000/- into Rs.71,000/- and amount of Rs.8,884/- into Rs.68,884/- and also tampered the connected records, thereby withdrew an amount of Rs.1,20,000/- excess from the bank. Later, Sri D.V.Satyanarayana gave an amount of Rs.60,000/- to Sri Kuracha Satyanarayana, M.E.O., Nathavaram, which was adjusted in the execution of works by him. Thus, Sri D.V.Satyanarayana misappropriated Rs 60,000/- and temporarily misappropriated Rs.60,000/-.

Therefore, it is evident that against Sri Darapureddi Venkata Satyanarayana, while working as Deputy Executive Engineer, RWS Division, Pathapatnam, Srikakulam District that he had indulged in misappropriation of Govt. funds, by falsification of records.

Thus, Sri Darapureddi Venkata Satyanarayana, by his above mentioned acts has exhibited lack of integrity, devotion to duty, conduct unbecoming of a Government Servant and thereby contravened Rule 3(1)(2) of the A.P.Civil Services (Conduct) Rules, 1964.

Thus, the Government Servant has therefore, rendered himself liable for regular departmental action.

Depositions of PWs:

The following (4) listed witnesses were examined as PW-1 to PW-4:

- 1.Sri K.Satyanarayana, A.E.(Retired), Narsipatnam.
- 2.Sri Manthena Srirama Raju, A.E.(Retd.), P.R.Dept., Narasipatnam, Anakapalli Dist.
- 3.Sri Mandala Venkata Satya Siva Prasad, Sr.Assistant, O/o.MPDO, Nathavaram, Anakapalli Dist.
- 4.Sri B.V.S.Nageswara Rao, DSP, GRP, Rajahmundry.

Deposition of PW-1:

Statement of Sri K.Satyanarayana, S/o.Late Pothuraju, Age: 63 years, Occ: AE (Retired), Narsipatnam.

Examination-in-Chief: I worked as Mandal Engineering Officer, Nathavaram, Panchayat Raj Dept. The CO while working as D.E.E., he has submitted a cheque an amount of Rs.11,000/- and CO changed that figure into Rs.71,000/- and the same cheque was presented before the bank and the amount was withdrawn by cash by charged officer himself. My statement which was given to the police is marking as **Ex.P1**. The details are mentioned in Ex.P1.

Cross Examination by the Charged Officer:

The Charged Officer was absent without any intimation.

Deposition of PW-2:

Statement of Sri Manthena Srirama Raju, S/o.Late Venkatapapayya Raju, Age: 75 years, Occ: A.E.(Retired), P.R.Dept., Narasipatnam, Anakapalli Dist.

Examination-in-Chief: While I was working as Mandal Engineering Officer, Narasipatnam Mandal Parishath, the CO has given me a cheque for an amount of Rs.8,884/- for utilizing on EAS works and on the cheque itself he has taken two signatures of mine for encashing the cash. And later he duly explaining me to attend the urgent works and he told me that he will get the cash from the bank. After that very next day he has given the cash of Rs.8884/- to me. After some time I came to know that he has withdrawn an amount of Rs.68,884/- by forging the cheque. Immediately I went to the concerned bank and get the encashed the cheque from the Manager and found that the cheque was forged to Rs.68,884/- instead of Rs.8,884/- by the Charged Officer. Further, I have taken the xerox copies of cash book and with these xerox copies I have made a complaint to the then Executive Engineer, PR, Narasipatnam. My statement is marked as **Ex.P2**. The details are mentioned in Ex.P2.

Cross Examination by the Charged Officer:

The Charged Officer was absent without any intimation.

Deposition of PW-3:

Statement of Sri Mandala Venkata Satya Siva Prasad, S/o.Appalanaidu, Age: 45 years, Occ: Sr.Assistant, O/o.MPDO, Nathavaram, Anakapalli Dist.

Examination-in-Chief: Presently, I am working as Sr.Assistant, O/o.MPDO, Nathavaram Mandal, Anakapalli Dist. While I was working as Jr.Assistant, O/o.Dy.E.E., P.R.Sub-Division, Narsipatnam under control of Sri D.V.Satyanarayana (CO), he handedover me two cheques in the month of December, 1997. In one cheque, it was written that Sri Ramaraju, MEO, Narsipatnam, i.e., an amount of Rs.68,884/- and the back of this cheque attested by D.E.E. (Sri D.V.Satyanarayana, CO) and in the second cheque, it was written that Sri K.Satyanarayana, MEO, Nathavaram, i.e., an amount of Rs.71,000/- and the back of this cheque attested by D.E.E.(Sri D.V.Satyanarayana, CO). On the same day in December, 1997, the CO took me on his scooter to the Grameena Bank, Narsipatnam. There I have presented the cheques to the bank and encashed the above two cheques and handedover the amount of Rs.1,39,884/- to Sri D.V.Satyanarayana, CO. Later, he dropped me at the O/o.Dy.E.E., P.R. Sub-Division, Narsipatnam. My statement was recorded by the ACB officials on 23.11.1998, which is marked as **Ex.P3**.

Cross Examination by the Charged Officer:

The Charged Officer was absent without any intimation.

Deposition of PW-4:

Statement of Sri B.V.S.Nageswara Rao, S/o.Chandra Sekhara Rao, Age: 56 years, Occ: DSP, GRP, Rajahmundry.

Examination-in-Chief: Presently, I have been working as Dy.Superintendent of Railway Police, Rajahmundry since 20.02.2020. Previously, I worked as Inspector of Police, Anti-Corruption Bureau, Visakhapatnam since 28.12.1999 to 26.12.2005.

On 22.01.2000, I took up further investigation in this case from my predecessor, Sri M.Apparao, who is now no more. I have perused the CD file, record and the entire investigation so far made by Sri M.Apparao, Inspector of Police.

On 21.11.1998, the then Inspector of Police, Sri M.Apparao had registered a case in Cr.No.17/RC-WLR/98 u/s 13(1)(C) of PC Act, 1988 and Sec 468, 477-A IPC of ACB, Visakhapatnam Range, on the strength of source information report/occurrence report against Sri D.V.Satyanarayana, D.E.E., P.R., Narsipatnam on the allegation that he misappropriated the Govt. fund to a tune of Rs. 1,20,000/- by falsifying the records including the cheques, which were presented in the bank after obtaining oral permission from DG, ACB, AP, submitted the original FIR in the Hon'ble ACB Court, Visakhapatnam and took up the investigation. FIR copy marked as **Ex.P4**.

On 23.11.1998, he visited the O/o.E.E., P.R., Narsipatnam examined the witnesses 1) Manthena Sri Rama Raju, Mandal Engineering Officer, Narsipatnam (M), 2) Kolli Rama Murthy, Sr.Asst., O/o.Dy.E.E., P.R., Narsipatnam, 3) Mandala Venkata Satya Siva Prasad, Jr.Asst., O/o.Dy.E.E., P.R., Narsipatnam, 4) Kuracha Satyanarayana, Mandal Engineering Officer, P.R., Nathavaram (M) and recorded their detailed statements.

On 03.12.1998, he visited the O/o.E.E., P.R., Narsipatnam and seized the following records.

1. E.A.S. Cash Book for the year 1997-98 of Narsipatnam (M) – 55 used pages.
2. E.A.S. Cash Book-1997-98 of Nathavaram (M) - 61 used pages.
3. Vouchers No.12/24-12-97 for 68,884/- with requisition of concerned M.E.O. (2 sheets)
4. Vouchers No.12/11-11-97 for Rs.71,000/- of Nathavaram with requisition of concerned M.E.O. (2 sheets)
5. Cheque Book No.SB/A-011521 to 011540 of Sri Visakha Grameena Bank, Narsipatnam continuing used counter foils from 011521 to 011536.
6. Cheque Book No.SB/A-011541 to SB/A 011560 of SVGB, Narsipatnam with used counter foils from 011541 to 011560.
7. Pass Book No.2387 of Narsipatnam Mandal of SVGB, Narsipatnam containing 1 to 5 used sheets.
8. Pass Book of Narsipatnam Mandal of SVGB, Narsipatnam containing 1 to 4 used sheets.

On 19.12.1998, the Hon'ble Addl.Dist.Magistrate has recorded the statements of above 04 witnesses u/s 164 Cr.P.C.

On 23.12.1998, he examined and recorded the statement of Sri Kalepu Mallikarjuna Swamy, formerly M.E.O., Golugonda.

On 12.01.1999, he received the following documents from Sri G.T.Naidu, E.E., P.R., Narsipatnam through his letter in Rc.No.90/96/A-1, dated 08.01.1999.

1. Letter, dated 9.11.1998 of Sri M.Sri Rama Raju, M.E.O., Narsipatnam addressed to E.E., P.R., Narsipatnam.
2. Letter, dated 19.11.1998 of Sri M.Sri Rama Raju, M.E.O., Narsipatnam.
3. Letter, dated 17.11.1998 of Sri K.Rama Murthy, Sr.Asst., O/o.Dy.E.E., P.R., Narsipatnam, addressed to E.E., P.R.
4. Letter Rc.No.14/98, dated 18.11.1998 of Sri K.Rama Murthy, Sr.Asst.
5. Hand written letter, dt.16.11.1998 of Sri D.V.Satyanarayana, Dy.E.E., P.R., Narsipatnam, addressed to E.E., P.R., Narsipatnam.

On 01.02.1999, he received Lr.No.A-3/4063/99, dt.23.01.1999 of S.E., P.R., Kakinada with original handwritten letter, dt.20.11.1998 of Sri D.V.Satyanarayana, Dy.E.E., P.R., Narsipatnam addressed to E.E., P.R., Kakinada with a request to sanction leave.

On 05.02.1999, he collected the following documents from the Branch Manager, SVGB, Narsipatnam.

1. Original Cheque No.011531, dt.11.11.1997 issued for Rs.71,000/-.
2. Original Cheque No.011560, dt.24.12.1997 for Rs.68,884/-.

On 30.03.1999, the questioned documents and admitted writings were sent to Director, FSL, Hyderabad through Hon'ble ACB Court, Visakhapatnam for comparison and opinion. He also examined and recorded the statement of Sri D.T.Naidu, E.E., P.R., Narsipatnam. On 17.04.1999 he received a letter in Rc.No.90/96/A-1, dt.14.04.1999 of E.E., P.R., Narsipatnam along with utilization certificate for the year 1997-98 for Rs.16,67,000/- and Rs.16,63,000/- under EAS grants. He also issued a notice to A.O. offering his explanation for the offence and received his written explanation from him on 03.05.1999.

On 21.10.1999, he received the following records/M.Books from Sri B.Narsingarao, Works Inspector, P.R., Narsipatnam and they were seized by him.

- 1) 841/A/NRP - 34 Sheets, 2) 469/A/NRP - 100 Sheets, 3) 10799/B/NRP - 41 Sheets, 4) 656/B/NRP - 50 Sheets, 5) 1079/B/NRP - 40 Sheets, 6) 471/B/NRP - 27 Sheets, 7) 470/B/NRP - 30 Sheets, 8) 757/A/NRP - 103 Sheets, 9) 736/A/NRP - 101 Sheets, 10) 439/A/NRP - 42 Sheets, 11) 730/A/NRP - 91 Sheets, 12) 725/A/NRP - 75 Sheets, 13) 263/A/NRP - 96 Sheets, 14) 444/B/NRP - 32 Sheets, 15) 253/B/NRP - 31 Sheets, 16) 261/A/NRP - 91 Sheets.

After completion of Investigation, he submitted Draft Final Report to the D.G., ACB and in turn the D.G., ACB, AP has submitted Final Report to the Spl.C.S. to Govt., P.R., A.P., Hyderabad on 22.10.1999.

On 20.11.1999, he forwarded the seized M.Books to the Director, FSL, Hyderabad with a letter of advice through ACB Court for comparison and opinion. Subsequently, the I.O. was transferred.

On 22.01.2000, I took up further investigation, examined and recorded the statement of Sri Mukala Venkata Satya Atchuta Rama Seshadri, Branch Manager, SVGB, Narsipatnam.

On 05.05.2000, I have re-examined and recorded the statement of Kuracha Satyanarayana, MEO, Nathavaram (M) and also seized a Xerox copy containing the particulars of bills submitted by him and 2 M.Books bearing Nos.1072/B/NRP and 1094/B/NRP. On the same day, I have submitted further report to D.G., ACB, AP, Hyderabad.

On 13.06.2000, the Hon'ble Court of ACB cases, Visakhapatnam has obtained the Hand Writing Experts opinion from the Director, FSL, AP, Hyderabad.

On 18.12.2000, I have received original sanction orders in G.O.Ms.No.371, dt.07.12.2000 of Panchayat Raj and Rural Development (Estt.III) Dept. to prosecute the A.O. Accordingly, I have filed charge sheet on 06.01.2001 in the Hon'ble ACB Court, Visakhapatnam, since the allegation against the A.O. proved that Sri K.Satyanarayana, Mandal Engineering Officer, Nathavaram Mandal applied to Sri D.V.Satyanarayana, Deputy Executive Engineer for the issue of advance amount of Rs.11,000/- (Rupees eleven thousand only) under Employment Assurance Scheme grant on 11-11-1997 and similarly Sri M.Srirama Raju, Mandal Engineering Officer, Narsipatnam applied to the Deputy Executive Engineer for Issue of Rs.8,884/- (Rupees eight thousand eight hundred and eighty four only) under Employment Assurance Scheme, grant on 24-12-1997. On 26-12-1997, Sri D.V.Satyanarayana, Deputy Executive Engineer got prepared the cheque bearing No.011531 to the extent that "K.Satyanarayana, Mandal Engineering Officer, Nathavaram" without mentioning any amount specifically and get mentioned Rs.11,000 / - In the counterfoil of the said cheque. Sri D.V.Satyanarayana, Deputy Executive Engineer filled the said cheque bearing No.011531 for Rs.71,000/- (Rupees seventy one thousand only). Sri D.V.Satyanarayana, Deputy Executive Engineer got prepared another cheque bearing No.011560 for Rs.8,884/- (Rupees eight thousand eight hundred and eighty four only) in favour of Sri M.Srirama Raju, Mandal Engineering Officer, Narsipatnam. Sri D.V.Satyanarayana, Deputy Executive Engineer got prepared both the cheques through Sri K.Ramamurthy, Senior Assistant of his office and himself altered the amount of Rs.8,884/- into Rs.68,884/- on the said cheque bearing No.011560. Sri D.V.Satyanarayana, Deputy Executive Engineer obtained three signatures each of Mandal Engineering Officers on the reverse of the respective cheques prior to the aforesaid alterations with a dishonest intention on an assurance that he would get the cheques en-cashed and give it them. The Deputy Executive Engineer got the cheques en-cashed by Sri M.V.S.S.Prasad, Junior Assistant of his office by presenting the cheques in Sri Visakha Grameena Bank, Narsipatnam and withdrew the amount of Rs.1,39,884/- (Rupees one lakh thirty nine thousand eight hundred and eighty four only) and handedover only Rs.11,000/- and Rs.8,884/- to Mandal Engineering Officers,

Nathavaram and Narsipatnam respectively. Later, having come to know about the withdrawal of Rs.71,000/- instead of Rs.11,000/-, Sri K.Satyanarayana, Mandal Engineering Officer, Nathavaram approached Sri D.V.Satyanarayana, Deputy Executive Engineer and informed that he would report the matter to Executive Engineer and on that Sri D.V.Satyanarayana, Deputy Executive Engineer came to a compromise with Sri K.Satyanarayana and returned the amount of Rs.60,000/-. Later, Sri K.Satyanarayana adjusted the amount in other works executed by him. On the instructions of Sri D.V.Satyanarayana, Sri K.Rammurthy, Senior Assistant made necessary changes in the application, dated 11-11-1997 of Sri K.Satyanarayana, Cash Book, counterfoil of the cheque No.011531 by altering Rs.11,000/- into Rs.71,000/- and prepared fresh voucher for Rs.71,000/-. Similarly, Sri M.Srirama Raju, Mandal Engineering Officer, Narsipatnam having come to know about the drawal of Rs.68,884/- instead of Rs.8,884/- on the cheque bearing No.011560, dated 24-12-1997 through Sri K.Rammurthy, Senior Assistant, reported the matter to the Executive Engineer, Panchayat Raj, Narsipatnam. Having scented, Sri D.V.Satyanarayana, the Deputy Executive Engineer, collected the application and voucher of Narsipatnam Mandal and altered the amount of Rs.8,884/- into Rs.68,884/- on both the above documents and returned them to Sri K.Rammurthy. Sri D.V.Satyanarayana, Deputy Executive Engineer also altered the amount of Rs.8,884/- into Rs.68,884/- in the Cash Book and cheque book counterfoil. The original cheques seized from Sri Visakha Grameena Bank, Narsipatnam shows that the amount of Rs.71,000/- both in words and numerals were mentioned by the Deputy Executive Engineer in Cheque No.011531 and Sri D.V.Satyanarayana, Deputy Executive Engineer wrote words "Sixty" and numeral "6" preceding to the words "Eight thousand eight hundred and eighty four" and numerals Rs.8,884/- on the cheque bearing No.011560. During the course of investigation, admitted handwritings of Sri D.V.Satyanarayana, Deputy Executive Engineer were collected and sent to Forensic Laboratory (F.S.L.) along with questioned documents. The handwriting expert opined that the questioned signatures and writings are tallied with the admitted handwritings of Sri D.V.Satyanarayana, Deputy Executive Engineer. Sri D.V.Satyanarayana, Deputy Executive Engineer, Panchayat Raj, Narsipatnam altered the amount of Rs.11,000/- into Rs.71,000/- and amount of Rs.8,884/- into Rs.68,884/- and also tampered the connected records, thereby withdrew an amount of Rs.1,20,000/- excess from the bank and misappropriated the same.

I came to know that this case ended in conviction against this CO (in FIR marked as Ex.P4)

The judgment copy in this case is produced at **Ex.P5.**

Cross Examination by the Charged Officer:

The Charged Officer was absent without any intimation.

Written Arguments of Presenting Officer in respect of Articles of Charge framed against the Charged Officer:

Article of Charges were framed against Sri Dorapureddi Venkata Satyanarayana, DEE, RWS Sub-Division, Patapatnam, Srikakulam District, formally worked at Panchayat Raj Dept., Narsipatnam, Visakapatnam District.

That Sri Dorapureddi Venkata Satyanarayana worked as DEE, Panchayatiraj Narsipatnam from 31-01-1996 to 21-11-1998, has committed grave misconduct in as much as he indulged in misappropriation of Government funds by falsification of records and thus he failed to maintain absolute integrity in violation APCS (Conduct) Rules, 1964.

Thus, Sri Dorapureddi Venkata Satyanarayana, by his above mentions act has exhibited lack of integrity, devotion to duty and conduct unbecoming of public servant and thereby contravened Rule 3(1)(2) of AP Civil Service (Conduct) Rules, 1964.

Brief facts of the case: During the course of the investigation the Investigating Officer collected admitted handwritings and signatures of Sri Dorapureddi Venkata Satyanarayana and sent them to forensic laboratory along with cheque No.011 531 and 011 560 and other questioned documents for comparision. The Asst.Director, FSL, A.P., Hyderabad gave her report No.DDP/11/99, dated 31-02-2000 in which she opined that the person (Sri Dorapureddi Venkata Satyanarayana), who wrote the red enclosed signatures and writings marked as S1 to S35 also wrote the red enclosure signatures and writings marked as Q1, Q3, to Q5 and Q10 to Q13.

That Sri Dorapureddi Venkata Satyanarayana altered the amount of Rs.11,000/- into Rs.71,000/- and amount of Rs.8,884 into Rs.68,884/- and also tampered the connected records thereby withdraw an amount of Rs.1,20,000/- excess from the bank.

After careful examination, Government of Andhra Pradesh entrusted the case to the Commissioner or Inquiries. The Commissioner of Inquiries called the witnesses from PW 1 to PW 4 and conducted the inquiry.

Examination of Witnesses: The Commissioner of Inquiries called the witnesses as per Annexure-IV. PW.1, Sri K.Satyanarayana, AE (Retired) deposed that while he was working as MEO, Nathavaram, Panchayatraj Dept., the CO, while working as DEE submitted a cheque an amount or Rs.11,000/- and CO has changed the figure into Rs.71,000/- and the same cheque was presented before the bank and the amount was withdrawn by cash by CO himself. His statement was marked as Ex.P1.

PW.2, Sri M.S.Raju, AE (Retired), Narsipatnam deposed that while working as MEO, Narsipainam, the CO has given him a cheque an amount of Rs.8,884/- for utilising on EAS purpose and on the cheque itself has taken two signatures of him

for encashing the cash and later CO went to the bank and withdrawn the amount of Rs.68,884/- for forgerring the cheques. Immediately he went to the concerned bank and came to know that CO has withdrawn the Rs.68,884/- instead of Rs.8,884/-, he has made complaint to EE, PR, Narsipatnam and his statement was marked as Ex.P2.

PW.3, Sri M.Vankata Satya Siva Prasad, Senior Asst., O/o.MPDO, Nathavaram deposed that when he was working as Junior Asst., PR Sub-Division, Narsipatnam, which was under control CO, the CO hand over two cheques to him in the year 1997, in one of the cheques, it was written an amount of Rs.68,884/- and the second cheque it was written as Rs.71,000/- and both the cheques were attested by CO. On the same day in December, 1997, the CO has taken him on his scooter to the Gramina Bank there he presented two cheques to the bank and encashed an amount of Rs.1,39,884/- and handedover the amount to the CO. His statement was recorded by the ACB officials, which was marked as Ex.P3.

PW.4, Sri B.V.S.Nageswar Rao, DSP, Rajahmundry deposed that he worked as Inspector of Police since 1999 to 2005 at Vishakapatnam. He has taken last part of investigation from Sri M.Appa Rao, Inspector of Police. In this case FIR copy is marked as Ex.P4. He deposed that the CO misappropriated the Govt. funds of Rs.1,20,000/- for falsifying records including cheques. This officer has taken up the investigation by the orders of DG, ACB, A.P. On 23-11-1998 he visited the O/o.EE, PR, Narsipatnam and examined PW.1, PW.2, PW.3 and Kolli Ram Murthy and seized the records pertaining to this case.

On 03-12-1998 and 12-01-1999 he seized some records relating to this case i.e., ESA cash book for the 1997-98 etc. and 7 documents and received documents from EE, PR, Narsipatnam.

On 19-12-1998, Hon'ble ADM, recorded 4 witnesses statements, under UBS, 164 Cr.P.C. On 23-12-1998 he recorded statement of Sri K.Mallikarjuna Swamy on 05-02-1999 he collected document from the Bank, Narsipatnam. On 13-03-1999 he sent the questioned documents to the Director, FSL, Hyderabad through ACB Court.

On 21-01-2000 PW.4 take up the further investigation by PW.4, Sri B.V.S.Nageswar Rao on 13-06-2000. The Hon'ble Court, Visakapatnam obtained handwriting experts opinion from FSL, A.P., Hyderabad. On 06-01-2001 he has filed charge sheet before ACB Court revealing (based on the expert opinion sent by FSL) that the CO, Sri D.V.Staynarayana altered the amounts from Rs.11,000 to Rs.71,000/- and Rs.8,884 to Rs.68,884/- and also tampered the connected records, thereby withdrawn the amount of Rs.1,20,000/- excess from the bank and misappropriated the same. The IO came to know that the case was ended in conviction against the CO. The judgment copy was noted as Ex.P5.

Presenting Officer's opinion: As per the depositions of PW.1 to PW.4. and expert opinion of Forensic Laboratory (FSL), it is revealed that the CO, Sri Dorapureddi Venkata Satyanarayana altered the amount of Rs.11,000/- into Rs.71,000/- and amount of Rs.8,884 into Rs.68,884/- and also tampered the connected records thereby withdrew an amount of Rs.1,20,000/- excess from the bank.

Conclusion: As per the above depositions of witness PWs 1 to 4, it is revealed that the CO is violated conduct rules. It is prayed that the Hon'ble Commission may take appropriate action against the CO.

Written Arguments submitted to the Inquiring Authority by Sri Darapureddi Venkata Satyanarayana, former D.E.E., Panchayatraj, Narsipatnam, Visakhapatnam Dist., CO:

The Charged Officer didn't file his written arguments within the set time gave him by the Inquiring Authority, i.e. on or before 18-8-2022.

Analysis and Assessment:

There is one Charged Officer figured in this case, who is the then Dy.Executive Engineer, Panchayat Raj, Narsipatnam, Visakhapatnam Dist.(now dismissed from service). The following charge was framed against him while he was holding the said post and upon which the present inquiry was ordered.

Charge: While he was working as D.E.E., Panchayat Raj, Narsipatnam from 31-01-1996 to 21-11-1998 has committed grave misconduct in-as-much as he indulged in misappropriation of Govt.funds by falsification of records and thus he failed to maintain absolute integrity in violation of A.P.C.S. (Conduct) Rules, 1964.

The CO of the case didn't turn up the any hearings posted by the earlier Inquiring Authorities and present Inquiring Authority without any valid reasons as was already stated in detail in the preamble of this report. Hence, the inquiry against him was taken up as ex-parte under sub-rule (20) of Rule 20 of APCS (CC&A) Rules, 1991 by this forum as per the Case Diary orders, dt.20-4-2022.

During the course of inquiry, (4) PWs were examined and their depositions were recorded in the presence of Presenting Officer.

PW-1 is the then Mandal Engineering Officer, P.R., Nathavaram, who deposed that he had submitted a cheque for an amount of Rs.11,000/- and CO changed that figure into Rs.71,000/- and the same cheque was presented before the bank and the amount was withdrawn by cash by charged officer himself.

PW-2 is the then Mandal Engineering Officer, M.P., Narasipatnam, who has deposed that the CO gave him a cheque for an amount of Rs.8,884/- for utilizing on EAS works and on the cheque itself CO has taken two signatures of him for

encashing the cash. Later, CO told him that he had to attend the urgent works and hence he told PW-2 that he will get the cash from the bank. After that very next day the CO gave him the cash of Rs.8884/-. Later, he came to know that he had withdrawn an amount of Rs.68,884/- by forging the cheque. Then he went to the concerned bank and got the encashed cheque from the Manager and found that the cheque was forged to Rs.68,884/- instead of Rs.8,884/- by the CO. Subsequently, he took xerox copies of cash book and with the same he made a complaint to the then Executive Engineer, PR, Narsipatnam against CO.

PW-3 is the then Jr.Assistant, O/o.Dy.E.E., P.R.Sub-Division, Narsipatnam under control of CO, who has deposed that he was handed over two cheques by CO in the month of December, 1997. On one cheque, it was written that Sri Ramaraju, MEO, Narsipatnam, i.e., an amount of Rs.68,884/- and the back of that cheque was attested by CO and in the second cheque, it was written that Sri K.Satyanarayana, MEO, Nathavaram, i.e., an amount of Rs.71,000/- and the back of that cheque was attested by CO. On the same day in the month of December, 1997, the CO took him on his scooter to the Grameena Bank, Narsipatnam. There PW-3 presented the cheques to the bank and encashed the said two cheques and the amount of Rs.1,39,884/- was handed over to CO.

PW-4 is the then Inspector of Police, Anti-Corruption Bureau, Visakhapatnam, who deposed that he took up further investigation of this case from his predecessor, Sri M.Apparao, who is now no more. He has perused the CD file, record and the entire investigation so far made by his predecessor. His predecessor had registered a case in Cr.No.17/RC-WLR/98 u/s 13(1)(C) of PC Act, 1988 and Sec 468, 477-A IPC of ACB, Visakhapatnam Range, on the strength of source information report/occurrence report against CO on the allegation that he misappropriated the Govt. fund to a tune of Rs. 1,20,000/- by falsifying the records including the cheques, which were presented in the bank.

During the investigation as per the deposition of PW-4, it was revealed that Sri K.Satyanarayana, Mandal Engineering Officer, Nathavaram Mandal applied to CO for issue of advance amount of Rs.11,000/- (Rupees eleven thousand only) under Employment Assurance Scheme grant on 11-11-1997 and similarly Sri M.Srirama Raju, Mandal Engineering Officer, Narsipatnam applied to CO for Issue of Rs.8,884/- (Rupees eight thousand eight hundred and eighty four only) under Employment Assurance Scheme, grant on 24-12-1997. On 26-12-1997, CO got prepared the cheque bearing No.011531 to the extent that "K.Satyanarayana, Mandal Engineering Officer, Nathavaram" without mentioning any amount specifically and got mentioned Rs.11,000/-. In the counterfoil of the said cheque bearing No.011531, CO filled for Rs.71,000/- (Rupees seventy one thousand only). CO got prepared another cheque bearing No.011560 for Rs.8,884/- (Rupees eight thousand eight hundred and eighty four only) in favour of Sri M.Srirama Raju, Mandal Engineering Officer, Narsipatnam. CO got prepared both the cheques

through Sri K.Ramamurthy, Senior Assistant of his office and himself altered the amount of Rs.8,884/- into Rs.68,884/- on the said cheque bearing No.011560. CO obtained three signatures each of Mandal Engineering Officers on the reverse of the respective cheques prior to the aforesaid alterations with a dishonest intention on an assurance that he would get the cheques en-cashed and give it them. CO got the cheques en-cashed by Sri M.V.S.S.Prasad, Junior Assistant of his office by presenting the cheques in Sri Visakha Grameena Bank, Narsipatnam and withdrew the amount of Rs.1,39,884/- (Rupees one lakh thirty nine thousand eight hundred and eighty four only) and handed over only Rs.11,000/- and Rs.8,884/- to Mandal Engineering Officers, Nathavaram and Narsipatnam respectively. Later, having come to know about the withdrawal of Rs.71,000/- instead of Rs.11,000/-, Sri K.Satyanarayana, Mandal Engineering Officer, Nathavaram approached CO and informed that he would report the matter to Executive Engineer and on that CO came to a compromise with Sri K.Satyanarayana and returned the amount of Rs.60,000/-. Later, Sri K.Satyanarayana adjusted the amount in other works executed by him. On the instructions of CO, Sri K.Rammurthy, Senior Assistant made necessary changes in the application, dated 11-11-1997 of Sri K.Satyanarayana, Cash Book, counterfoil of the cheque No.011531 by altering Rs.11,000/- into Rs.71,000/- and prepared fresh voucher for Rs.71,000/-. Similarly, Sri M.Srirama Raju, Mandal Engineering Officer, Narsipatnam having come to know about the drawal of Rs.68,884/- instead of Rs.8,884/- on the cheque bearing No.011560, dated 24-12-1997 through Sri K.Rammurthy, Senior Assistant, reported the matter to the Executive Engineer, Panchayat Raj, Narsipatnam. Having scented, CO collected the application and voucher of Narsipatnam Mandal and altered the amount of Rs.8,884/- into Rs.68,884/- on both the above documents and returned them to Sri K.Rammurthy. CO also altered the amount of Rs.8,884/- into Rs.68,884/- in the Cash Book and cheque book counter-foil. The original cheques seized from Sri Visakha Grameena Bank, Narsipatnam shows that the amount of Rs.71,000/- both in words and numerals were mentioned by CO in Cheque No.011531 and CO wrote words "Sixty" and numeral "6" preceding to the words "Eight thousand eight hundred and eighty four" and numerals Rs.8,884/- on the cheque bearing No.011560. During the course of investigation, admitted handwritings of CO were collected and sent to Forensic Laboratory (F.S.L.) along with questioned documents. The handwriting expert opined that the questioned signatures and writings are tallied with the admitted handwritings of CO. CO altered the amount of Rs.11,000/- into Rs.71,000/- and amount of Rs.8,884/- into Rs.68,884/- and also tampered the connected records, thereby withdrew an amount of Rs.1,20,000/- excess from the bank and misappropriated the same.

The PO in his written arguments has reiterated the contents of the charge and its imputations framed against CO and depositions of PWs 1 to 4 and requested the Inquiring Authority to take appropriate action against the CO.

Gn perusal of the connected records available with this forum, depositions of PWs 1 to 4 and written arguments filed PO, the forum came to conclusion that the CO misappropriated the Govt. funds as charged, as per the depositions of PWs 1 to 4. PW-4 has also deposed that the case against CO ended in conviction in FIR marked under Ex.P4. Therefore, the forum, by taking all the evidences adduced during the inquiry, opines that the Charge-I framed against CO is **held as proved**.

Findings:

The Charge-I framed against CO is **held as proved**.

R. P. THAKUR,
Inquiring Authority.

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