

പതിമൂന്നാം കേരള നിയമസഭ
പന്ത്രണ്ടാം സമ്മേളനം

നക്ഷത്ര ചിഹ്നമിടാത്ത
ചോദ്യം നമ്പർ - 278

01.12-2014-ൽ മറുപടി
നൽകേണ്ടത്

കാറി കോഴ വിജിലൻസ് അന്വേഷണം

ചോദ്യം

ശ്രീ.എം.എ.ബേബി

മറുപടി

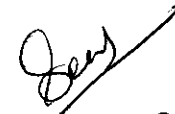
രമേശ് ചെന്നിത്തല
ആഭ്യന്തരവും വിജിലൻസും
വകുപ്പ് മന്ത്രി

(എ) പത്തനംതിട്ട ജില്ലാ പോലീസ് മേധാവിയായിരുന്ന ശ്രീ.രാഹുൽ. ആർ.നായർ, കാറി ഉടമകളിൽ നിന്ന് 17 ലക്ഷം രൂപ കോഴ വാങ്ങിയതായുള്ള ആക്ഷേപം സംബന്ധിച്ച വിജിലൻസ് റിപ്പോർട്ട് ലഭിച്ചിട്ടുണ്ടോ; പ്രസ്തുത കേസിൽ വിജിലൻസ് അന്വേഷണ ഉദ്യോഗസ്ഥൻ എഫ്.ഐ.ആർ തയ്യാറാക്കി രജിസ്റ്റർ ചെയ്തത് എപ്പോഴായിരുന്നു ; എഫ്.ഐ.ആറിന്റെ ഒരു പകർപ്പ് ലഭ്യമാക്കാമോ ;

(എ) ശ്രീ. രാഹുൽ.ആർ. നായർക്കെതിരെ നടത്തിയ അന്വേഷണ റിപ്പോർട്ടിന്റെ അടിസ്ഥാനത്തിൽ ടിയാനെതിരെ വി.സി.5/14-എസ്.ഐ.യു.-I നമ്പറായി ഒരു വിജിലൻസ് കേസ് 17/11/14-ൽ രജിസ്റ്റർ ചെയ്ത് അന്വേഷിച്ചുവരുന്നു. ഇതുമായി ബന്ധപ്പെട്ട് എഫ്.ഐ.ആർ 17/11/14 തീയതിയിൽ രജിസ്റ്റർ ചെയ്തു. എഫ്.ഐ.ആർ-ന്റെ പകർപ്പ് അനുബന്ധമായി ചേർത്തിട്ടുണ്ട്.

(ബി) വിജിലൻസ് റിപ്പോർട്ടിന്മേൽ സ്വീകരിച്ച നടപടി വിശദമാക്കാമോ; ശ്രീ.രാഹുൽ വിജിലൻസിന് നൽകിയ മൊഴിയിൽ, എ.ഡി.ജി.പി ശ്രീമതി.ശ്രീലേഖ, തിരുവനന്തപുരം റേഞ്ച് ഐ.ജി. മനോജ് എബ്രഹാം എന്നിവർക്ക് കാറി പ്രശ്നത്തിൽ എന്തെങ്കിലും പങ്ക് ഉള്ളതായി വെളിപ്പെടുത്തിയിട്ടുണ്ടോ ; വിശദമാക്കാമോ ?

(ബി) 18/11/14-ലെ സ.ഉ (സാ) നം.8900/2014 പൊ.ഭ.വ ഉത്തരവ് പ്രകാരം ശ്രീ.രാഹുൽ. ആർ.നായരെ അന്വേഷണ വിധേയമായി സസ്പെന്റ് ചെയ്തിട്ടുണ്ട്. കേസ് അന്വേഷണത്തിലായതിനാൽ മൊഴികൾ വെളിപ്പെടുത്തുന്നത് ഉചിതമല്ല.


സെക്ഷൻ ഓഫീസർ

In the Hon'ble Court of Enquiry Commissioner of And Special Judge, Thiruvananthapuram



FORM No. 1
KERALA POLICE - കേരള പോലീസ്
FIRST INFORMATION REPORT - പ്രഥമ വിവര റിപ്പോർട്ട്
(Under Section 154 Cr. P. C.) (ക്രിമിനൽ നടപടി നിയമം 154-ാം വകുപ്പ് പ്രകാരം)

1. District: Thiruvananthapuram, Police Station: VACB SIV P, Year: 2014, FIR No: 05, Date: 17.11.2014

2. (i) Act: PC Act Sections 7, 8, 120, (ii) Act: Sections, (iii) Act: Sections, (iv) Other Acts and Sections

3. (a) Occurrence of Offence: Day: 05.11.2014, Date from: 05.11.2014, Time from: 12:11, Time to: 13:00 hrs

(b) Information received at Police Station: 17.11.2014, Time: 13:00 hrs

(c) General Diary Reference Entry No: 14, Type of Information: Written/Oral

4. Place of Occurrence: (a) Direction and distance from P.S.: Ernakulam, (b) Address: Ernakulam, (c) In case outside limit of this Police Station, then the name of Police Station: District

5. Complainant/Informant: (a) Name: R. Sulekha, (b) Nationality: Indian, (c) Date/Year of Birth: , (d) Occupation: Supdt. of Police, Address: VACB, SIV P, Pagarapara, Thiruvananthapuram

6. Details of known/suspected/unknown accused with full particulars: (a) Name: Shri. Rahul R. Nayyars, Formerly District Police Chief, Pathanamthitta District, (b) Name: Shri. Ajith Kumar, middleman of A1

7. Reasons for delay in reporting by the Complainant/Informant:

8. Particulars of properties stolen/involved (Attached separate sheet if necessary):

9. Total value of properties stolen/involved:

12. F.I.R. contents (Attach separate sheets if necessary): The A1, while working as District Police Chief, Pathanamthitta and on duty being a public servant abused his official authority and committed criminal misconduct, demanded Rs. 20,00,000 (Rupees twenty lakhs only) from Shri. Jayesh Thomas an illegal gratification for the reopening of Shomvi metal crusher Kozhencherry which was illegally closed by A1 on 01.05.2014 and as engaged by A1, A2, a private person and middleman, accepted Rs. 17,00,000/- (Rupees Seventeen lakhs only) from Shri. Jayesh Thomas

13. Action taken since the above report reveals commission of offence: U.I. as mentioned at item No. 2 registered the case and took up the investigation/directly on point of jurisdiction refused investigation/transferred to Police Station. Committed the offence u/s 7, 8, 130 (D) of PC Act 1988

14. Signature/Thumb Impression of the Complainant/Informant: R. Sulekha - Supdt. of Police

15. Date & Time of dispatch to the Court: 17.11.2014, 14:30 hrs

Signature of the Officer-in-charge of Police Station: R. Sulekha - Supdt. of Police

Name: VACB SIV P, Rank: Thiruvananthapuram, Date: 17.11.2014

No. 9
District

Palhnamthitta

FIRST INFORMATION

Police Station Vigilance and Anti Corruption Bureau
23/329/2006. 10
P. Rajappan

17.11.2014. 13.00 hrs

An enquiry conducted vide Govt. Letter no. 46400/Spl.C3/2014/
dated 11.06.2014 by the Director, VACB against, Shri. Rahul R. Nair IPS, former District Police Chief,
Palhnamthitta revealed the following:

Shri. Rahul R. Nair IPS, ordered the closure of Shani metal crusher
Kozhenchery on 01.05.2014 and thereafter on 04.05.2014 ordered its reopening without any justifiable
or valid legal grounds. The Sub. Inspector of Police, Kozhiam Police Station was directed over phone by
Shri. Rahul R. Nair to check the quarry even before the anonymous petition received by District Police Chief
at his camp office was forwarded to the Sub Inspector of Police.

Shri. Rahul R. Nair, former District Police Chief Palhnamthitta -
demanded Rs. 2000000/- (Rupees twenty lakhs only) from Shri. Jayesh Thomas for allowing resumption of
the operation of Shani metal crusher and gave Shri. Jayesh Thomas, the mobile number of Shri. Ajithkumar
as his middleman for further transactions. Frequency, duration and pattern of the calls between Shri. Rahul
R. Nair and Shri. Ajithkumar during the end of April and first half of May, 2014 also reveal the
design of the two in the transactions and negotiations relating to closure and re-opening of the quarry.

Shri. Rahul R. Nair, abused his official position as a public servant -
by ordering the closure of quarry without any legal authority vested in him. Similarly, his demand for
illegal gratification and receipt of the same through his middleman, Shri. Ajithkumar are reflections of the
criminal misconduct on his part.

Shri. Ajithkumar, negotiated with Shri. Jayesh Thomas with regard to the cash
to be paid to Shri. Rahul R. Nair for the reopening of Shani metal crusher and received Rs. 1700000/-
(Rupees seventeen lakhs only) from Shri. Jayesh Thomas at Kinnakulam on 04.05.2014 as middleman on behalf
of Shri. Rahul R. Nair for reopening of Shani metal crusher.

From the above, it is prima facie disclosed in the enquiry that Shri. Rahul
R. Nair IPS, in capacity as a public servant abused his official authority and committed criminal misconduct -

P. Rajappan
17.11.2014.

(Contd. --- in additional sheets)

(FIS continuation.)

in the exercise of his official duty by ordering closure of Shenio Metal Crusher without any justifiable legal ground or initiating any criminal action against the licensee, thereafter demanding illegal gratification for himself from Shri. Payesh Thomas who met Shri. Rahul R. Nair at District Police Office Pathanamthitta, directing Shri. Payesh Thomas to contact his middleman Shri. Ajitkumar, and ordering resumption of the operation of Shenio Metal Crusher through S.I of Police Kozhikode after the receipt of bribe of Rs 1700000/- (seventeen lakhs rupees only) on behalf of Shri. Rahul R. Nair on 04.05.2014 at Ernakulam. Thus Shri. Rahul R. Nair acted with the criminal motive of obtaining pecuniary advantage for himself. The above actions of Shri. Rahul R. Nair amount to commission of offence u/s 7, 13 (i) (d) of the PC Act 1988. Shri. Ajitkumar acting as the middle man of Shri. Rahul R. Nair negotiated in the matter and accepted Rs 1700000/- (seventeen lakhs only) as illegal gratification for Shri. Rahul R. Nair and thereby committed offence u/s 8 of PC Act 1988.

Enquiry also revealed similar kind of abuse of official position and criminal misconduct of Shri. Rahul R. Nair. Shri. Rahul R. Nair has ordered the closure and reopening of other metal crusher units functioning in Pathanamthitta districts including Southern Granite Industries, Ranni without

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17/11/2014.

(Contd ----)

83
(FIS - Continuation)

- any legal justifiable ground. For exercising this -
practice, he utilised the service of shadow police who were -
under his direct control after bypassing local police -
officers who are supposed to take legal action against -
criminal violations involving queries.

The Director, Vigilance and Anti corruption -
Bureau, vide letter No: 23/camp/SP(int)/2014 dtd -
15.11.2014, accorded sanction to register a Vigilance
case against Shri. Rahul R. Nair IPS, former
District Police Chief Pallanamthitta District and
Shri. Ajithkumar, a private person and middleman
of Shri. Rahul R. Nair up 7, 8, 13 (d) of P Act
1988.

The order of Director VAB is attached herewith.

R. Sukesan

R. Sukesan -

Supdt: of Police.

Vigilance & Anti corruption Bureau, Poojappura.
Special Investigation Unit - I, Thiruvananthapuram.

17.11.2014.

Jay
Section Officer