

# Edu board refuses nod to ACB to prosecute officials

■ Cases involving DEO, headmistress gather dust

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HYDERABAD, DEC. 26

Two cases of irregularity filed against education department employees by the Anti-Corruption Bureau seem to have hit a wall. The investigating agency sent the case files to the state education board for permission to prosecute the accused, but the board merely referred the matter to another forum instead of giving the go-ahead for prosecution.

One of the ACB cases involves a district education officer (of deputy collector rank) and another relates to a headmistress. The TS education board referred the cases for a departmental action, instead of approving their prosecution. It is well-known that a case referred for the departmental action takes at least 10-15 years to conclude. The ACB in all referred five cases to the state education board, of which three cases involving officers holding lower ranks were given approval for prosecution, but the cases relating to the DEO and headmistress were "twisted" despite ACB submitting all evidence.

The ACB caught five officials of the TS education department in disproportionate assets (DA) cases. The officials were identified a Nagamani Goureneni, headmistress at ZPHS in Bhaswada; Jagadeesh. A., a district education officer (DEO) in Nalgonda; Bixapathi Bollaram,

■ It is found that most government department avoid giving details in RTI of ACB cases referred to them for prosecution approval, citing Section 8(1) (h) of the RTI Act, that exempts an information which would impede the process of investigation.

■ It is being observed that when ACB writes to the departments for prosecution, approval is stalled in certain cases by entrusting the case to the commissioner of inquiry.



■ In many cases, the commissioner of inquiry takes years together to complete the investigation and by then the officer is nearing to retire.

DEO in Peddapalli-Karimnagar; M. Bhaskar Rao, senior assistant of SSC board in Hyderabad and Waheeduddin, a senior assistant in Hyderabad district education office.

When the ACB sought prosecution approval from the government to nail the officers, the nod was given to two cases – those against Waheeduddin and M. Bhaskar Rao. In the case of Jagadeesh A., no sanction was needed as the officer had retired from the service by then. But in the case of headmistress Nagamani Goureneni and DEO Bixapathi, the matter was referred to Commissioner of Inquiry (COI) while the ACB was asked to file an Article of Charges (AOC).

Forum For Good Governance secretary M. Padmanabha Reddy, who

has been following up the case, said, "The two files have been entrusted to the COI despite the ACB director general's repeated requests for prosecution sanction. Despite strong evidence, the matter is still pending under inquiry. The ACB has also written to the government to reconsider its decision of keeping the case under inquiry."

School education vigilance department officials said the ACB was asked to file an article of charges in the cases relating to G. Nagamani and B. Bixapathi. Action is pending against both as the ACB office is yet to file the AOC. ACB has requested the government to re-examine the proposal of departmental action and instead prosecute the two officials.

## SECRETARIAT HOLDS KEY IN BABUS GRAFT CASES

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Special cases referred by the government to the Chief Minister's Office for approval for prosecution, are invariably referred back to the Secretariat for more references. It is said that the CMO goes by the report of the Secretariat mostly and seldom by the findings of the ACB.

The decision to prosecute or not to prosecute in cases where government servants are accused of graft is taken by the administrative department of the Secretariat after receiving the final report of the ACB in consultation with the Vigilance Commission. The VC will examine the record and forward the same to the concerned administrative departments of the Secretariat.

A majority of cases do not end in judicial punishment but in departmental disciplinary action like suspension from work for a certain period of time. In some cases suspended officers have returned to work though the departmental punishment of no promotion, salary hike or perks remains in place.

Apart from ACB cases, there are 300 reports filed by the Vigilance and Enforcement wing (V&E) since 2014.