



## Forum for Good Governance

Regd. No. 653/2009

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L. No. FGG/CS/REP/ 27 /2020

Hyderabad  
8<sup>th</sup> June, 2020

To  
H.E. the Governor  
Government of Telangana  
Hyderabad

Respected Madam,

**Sub :** Corruption in administrations – ACB reports pending for long time in Secretariat – Request for quick decision on ACB cases – Reg.

-: \$ :-

Forum for Good Governance, a civil society organization is working on Governance reforms. To prevent corruption in administration is one of our activities.

Whenever ACB registers a case of trap or disproportionate assets, after detailed enquiry the bureau sends its report through Vigilance Commission to concerned department in Secretariat. As a rule ACB in such corruption cases requests the Government for permission to prosecute the accused official. As per instructions issued by the Government in memo No. 700/SC-D/85-4, dated 13-2-89 (GAD) inquiry should be completed in (3) months in trap cases and where as in disproportionate assets cases inquiry (normally) to be completed in (6) months. Again once the report is received in Government, it should be disposed off in 45 days.

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ACB cases once reach the respective departments in Secretariat manipulations take place. Cases of low paid employees who cannot manage in Secretariat prosecution permission is given, in other cases for years together the file is tossed front one agency to other and finally settled for departmental enquiry / transferred to Commissioner of inquiries or action dropped. In this way Telangana Secretariat is acting like a God father to corrupt employees. Today in the state of Telangana no Government employee has any fear of punishment for wrong doing. Here are some examples :

**1. T.R.&B department :**

On 24-11-2009 ACB raided the house of Sri M. Sarat Babu Motor Vehicle Inspector and registered a case (Cr. No.20/ACB-HR/2009). In preliminary enquiry ACB found the accused is in possession of unaccounted assets worth Rs. 2 crores ((2009 rates). After 2 weeks of registering the case the A/o retired voluntarily from service. ACB after detailed inquiry submitted its final report requesting for permission to prosecute the A.O. Subsequently DG ACB sent another report stating that since the A.O. is already took voluntary retirement he is no more a Government servant as such there is no need of Government permission to prosecute the A.O. Government referred the matter to Law Department which gave its opinion "No sanction of prosecution is required from the Government or competent authority to prosecute a person who is no more a public servant".

Government did not agree with the proposal of ACB and directed the ACB to defer the prosecution till a decision is taken and decided to initiate departmental action (G.O. No. 11, TR&B, dated 8-12-2015) and directed DG ACB to furnish draft article of charges. The D.G. disagreeing with Government order again requested to allow him to launch prosecution against A.O. Government (almost) reprimanded DG ACB on 23-6-2016 and directed to furnish draft article of charges and till now no action has been taken. Since last 11 years a serious corruption related case is pending without any action.

**2. Tribal Welfare Department :**

ACB conducted searches on 20-5-2010 in the residential premises of Sri Ch. Rama Murthy Asst. Tribal Welfare Officer, Mahaboobabad, Warangal district. A case was registered for possessing disproportionate assets worth Rs. 70 lakhs (2010 rates). He was arrested and placed under suspension. Subsequently without consulting DG ACB or Vigilance Commission, vide G.O. Rt. No. 154, dated 24-2-2011 the suspension of A.O. was revoked. DGACB submitted his final report on 28-4-2014 requesting the Government for permission to prosecute the A.O. For last 6 years the report of DG ACB is pending in Government.



**3. Municipal Administration & Urban Development (MA&UD) Department :**

ACB has registered a case on 14-3-2008 against Sri Md. Younus Ali, Executive Engineer, GHMC. He was arrested and in judicial custody from 15-3-2008 to 23-3-2008. Later, before the ACB could submit its enquiry report the MA&UD department has taken a decision to initiate departmental action. The DG ACB has sent his final enquiry report (dated 9-7-2009) and requested permission for prosecution of A.O. which was not agreed and Sri Dhansingh, Chief Engineer, GHMC was appointed as enquiry officer (G.O. 87 dated 25-1-2011). No enquiry could be conducted and finally vide G.O. 267 dated 4-7-2015. Further action on A.O. is dropped. In this way after 7 years a serious corruption case was closed. Why M.A&U.D. did not wait for final enquiry report from ACB and took decision to go for departmental enquiry and later stage, why the case was closed before completion of departmental enquiry report is a big mystery.

**4. Industries and Commerce Department :**

On 24-1-2015 ACB has trapped Sri K. Panchala Krishna G.M. D.I.C. Adilabad and Sri B. Prithivi Raj I.P.O. D.I.C. Adilabad while taking a bribe of Rs.30,000 for showing an official favour. They were arrested and placed under suspension. DG ACB after completion of detailed enquiry submitted his report through Vigilance Commission on 31-3-2016 requesting the Government for permission to prosecute the A.O.s Government did not agree to the report of DG ACB and decided to transfer the case to Tribunal for Disciplinary Proceedings (TDP) vide Government memo No. 678 Vig. A2/2015-7, dated 24-7-2016. The D.G. took objection for transferring the case to TDP but the Government stuck to its stand and ordered to keep the file LIE-OVER. Since last 3 years there is no action in the file.

**5. I & CAD Department :**

Adverse press reports appeared in a section of the press that serious irregularities were committed in Nalgonda and other parts in execution of works in Minor irrigation department during 2009 and 2010. Vigilance & Enforcement department took up the enquiry and submitted report. In their report, V&E has stated that grave irregularities in execution of works with fake administrative sanctions have taken place in the office of C.E. Minor Irrigation Hyderabad and in certain other districts. The V&E department in their report further stated that there is a prima-facie evidence of criminal misconduct available in this case. Government have entrusted the case to C.B.C.I.D. (G.O. 355 dated 26-5-2014) for probe into the offence.

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While the C.B.C.I.D. took up the enquiry government vide G.O. 7, dated 9-1-2015 has appointed Chief Engineer, Minor Irrigation to conduct simultaneous departmental enquiry into the case. But then government vide G.O. 55 dated 21-1-2016 have took strange decision, it directed C.E. (M.I.) and Addl. D.G. C.B.C.I.D. to keep the orders issued in G.O. 355 and all other proceedings if any issued there on, in abeyance until further orders.

We understand that till now the abeyances orders are not revoked no enquire is conducted and the file is pending. The irregularities took place in 2009 and 2010. Inspite of detailed enquiry report from V&E department no action is being taken on tainted officials.

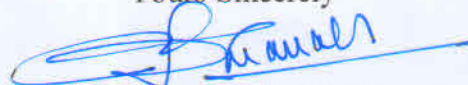
**6. Revenue Department :**

ACB registered a case (141/RCHARG/2011) against Sri E.B. Nagraj, Dy. Thasildar, Shameerpet Mandal R.R. district. After detailed enquiry the ACB submitted its report through V.C. for permission to prosecute the A.O. The V.C. also concurred with the opinion of ACB. In Revenue department of Secretariat the files took many turns and twists and finally vide G.O. Rt. No. 152, dated 18-2-2017 further action against A.O. is dropped. DG ACB took objection for dropping the case and requested to reconsider the decision. Till now no action is taken on the report of DG ACB.

Like this every department in Secretariat has a story to tell. Months of pains taking enquiry of ACB is simply negated by a twisted note of a section officer in Secretariat. The senior officers have neither patience nor time to go through the ACB report.

Forum for Good Governance requests her Excellency the Governor to kindly direct the Chief Secretary to stream line the procedure in dealing with ACB cases. We suggest that once the ACB final report is received orders as requested by ACB to be issued in two weeks time and Government should have confidence and trust on the institution of ACB.

Yours Sincerely



**M. Padmanabha Reddy**

Secretary

Forum for Good Governance

- Encl : 1. G.O. Rt. No. 267, dated 04-07-2015  
2. G.O. Rt. No. 11, dated 08-01-2015  
3. File No. 141 RCHARG 2011**