

FIRST INFORMATION REPORT

(Under Section 154 Cr.P.C.)

(प्रथम सूचना रिपोर्ट)

(धारा 154 दंड प्रक्रिया संहिता के तहत)

1. District (ज़िला): STATE VIGILANCE AND P.S.(थाना): SHIMLA Year(वर्ष): 2022
FIR No(प्र.सू.रि.सं.): 0002 Date & Time of FIR (एफआईआर की तिथि / समय): 02/07/2022 01:17 PM

2. S.No.(क्र.सं.)	Acts(अधिनियम)	Sections(धारा(एँ))
1	IPC 1860	420
2	IPC 1860	468
3	IPC 1860	471
4	IPC 1860	120-B
5	HP PREVENTION OF SPECIFIC CORRUPT PRACTICES ACT, 1983	5
6	HP PREVENTION OF SPECIFIC CORRUPT PRACTICES ACT, 1983	6
7	HP PREVENTION OF SPECIFIC CORRUPT PRACTICES ACT, 1983	13

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

1. Day(दिन): Intervening Day Date From(दिनांक से): 01/05/2017 Date To(दिनांक तक): 15/03/2019
Time Period (समय अवधि): Time From (समय से): 12:00 AM Time To (समय तक): 12:00 AM
(b) Information received at P.S.(थाना जहाँ सूचना प्राप्त हुई): Date(दिनांक): 02/07/2022 Time (समय): 11:00 AM
(c) General Diary Reference (रोजानामचा संदर्भ): Entry No.(प्रविष्टि सं.): 007 Time (समय): 02/07/2022 12:35 PM

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): NORTH, 3 Km(s) Beat No(बीट सं.):
(b) Address(पता): Natur park at Kanlog, Shimla, Kanlog, Shimla
(c) In case, outside the limit of this Police Station, then (यदि थाना सीमा के बाहर हैं तो)
Name of P.S(थाना का नाम): District(State)(ज़िला(राज्य)):

6. Complainant / Informant (शिकायतकर्ता/सूचनाकर्ता):

(a) Name(नाम): Inderlal
(b) Father's/Mother's/Husband's Name (पिता / माता / पति का नाम):
(c) Date/Year of Birth (जन्म तिथि / वर्ष): 31/05/1965 (d) Nationality (राष्ट्रियता): INDIA
(e) UID No (यूआईडी सं.):
(f) Passport No. (पासपोर्ट सं.):
Date of Issue (जारी करने की तिथि): Place of Issue (जारी करने का स्थान):
(g) Id details (Ration Card, Voter ID Card, Passport, UID No., Driving License, PAN)

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)
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2	Present Address	COLONY-E.O , VILLAGE-PS SVACB Shimla , TEHSIL-Shimla , PS-SHIMLA, DISTRICT-STATE VIGILANCE AND ANTI-CORRUPTION BUREAU (SV & ACB), STATE-HIMACHAL PRADESH, INDIA
3	Permanent Address	COLONY-Kunihar, VILLAGE-Chilyawali, TEHSIL-Arki, PS:ARKI, DISTRICT-SOLAN, STATE-HIMACHAL PRADESH, 173207, INDIA

(j) Phone number (दूरभाष न.):

Mobile (मोबाइल न.):91-9459543145

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

Accused More Than (अज्ञात आरोपी एक से अधिक हों तो संख्या):

S.No. (क्र.सं.)	Name (नाम)	Relative's Name (रिश्तेदार का नाम)	Present Address (वर्तमान पता)	Parmanent Address (स्थायी पता)
1	Inder Kumar		COLONY-Retd ,VILLAGE-The then D.F.O Urban Shimla , TEHSIL-Shimla ,PS-SHIMLA EAST,DISTRICT-SHIMLA, STATE-HIMACHAL PRADESH,INDIA	VILLAGE-The then D.F.O Urban Shimla ,TEHSIL-Shimla ,PS-SHIMLA EAST, DISTRICT-SHIMLA,STATE-HIMACHAL PRADESH,INDIA
2	Ranveer Singh		COLONY-Retd ,VILLAGE-The then Forest Ranger , TEHSIL-Range Choura Medhan Shimla ,PS-SHIMLA WEST, DISTRICT-SHIMLA,STATE-HIMACHAL PRADESH,INDIA	VILLAGE-The then Forest Ranger , TEHSIL-Range Choura Medhan Shimla , PS-SHIMLA WEST,DISTRICT-SHIMLA, STATE-HIMACHAL PRADESH,INDIA
3	Bahadur Singh		COLONY-Retd ,VILLAGE-The then Dy Ranger addl Charge,TEHSIL-of RFO Chaura Medhan Shimla ,PS-SHIMLA WEST,DISTRICT-SHIMLA,STATE-HIMACHAL PRADESH,INDIA	VILLAGE-The then Dy Ranger addl Charge,TEHSIL-of RFO Chaura Medhan Shimla ,PS-SHIMLA WEST,DISTRICT-SHIMLA,STATE-HIMACHAL PRADESH,INDIA
4	Anand Kishor		COLONY-Retd ,VILLAGE-The Then B.O Forest Urban ,TEHSIL-Shimla ,PS-NEW SHIMLA,DISTRICT-SHIMLA,STATE-HIMACHAL PRADESH,INDIA	VILLAGE-The Then B.O Forest Urban , TEHSIL-Shimla ,PS-NEW SHIMLA, DISTRICT-SHIMLA,STATE-HIMACHAL PRADESH,INDIA
5	Mohan Dass		VILLAGE-Forest Guard Forest Beat Fagli,TEHSIL-Shimla ,PS-SHIMLA WEST,DISTRICT-SHIMLA,STATE-HIMACHAL PRADESH,INDIA	VILLAGE-Forest Guard Forest Beat Fagli,TEHSIL-Shimla ,PS-SHIMLA WEST,DISTRICT-SHIMLA,STATE-HIMACHAL PRADESH,INDIA

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

9. Particulars of properties of interest (Attach separate sheet, if necessary) (संबन्धित सम्पत्ति का विवरण (यदि आवश्यक हो, तो अलग पृष्ठ नट्थी करें)):

S.No. (क्र.सं.)	Property Category (संपत्ति श्रेणी)	Property Type (सम्पत्ति के प्रकार)	Nature Property (प्रकृति संपत्ति)	Description (विवरण)	Value(In Rs/-) (मूल्य (रु में))
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10.Total value of property stolen (In Rs/-) (चोरी हुई सम्पत्ति का कुल मूल्य (रु में)):

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

S.No. (क्र.सं.)	UIDB Number (यू.आई.डी.बी.संख्या)
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12. First Information contents (Attach separate sheet, if necessary) (प्रथम सूचना तथ्य (यदि आवश्यक हो, तो अलग पृष्ठ नट्थी करें)):

That an enquiry into the complaint No 04/2020 dated 19-02-2020 regarding allegations of irregularities in the construction work of Nature Park at Kanlog, Shimla (Darni Ka Bagicha) was conducted by SI Inder Lal, E/O PS SV & ACB Shimla and enquiry report was submitted to VHQ for registration of a criminal case. The necessary approval has been received from the competent authority and conveyed vide VHQ letter no SV&ACB (R-SR/VHQ)-Comp(SML)04/2020-13477 Dated 29-6-2022 and SP,SV&ACB SR office letter endst. No 4838 Dated 29-6-2022 along with enquiry file and annexed record. A separate complaint has been submitted by enquiry officer which is reproduced below:- It is submitted that an enquiry into the complaint No. SV&ACB (R-SR- HQ) Comp. (SML) 04/2020 dated 19-02-2020 regarding allegations of irregularities in the construction work of Nature Park at Kanlog, Shimla (Darni Ka Bagicha) that, i) The construction material for civil works have been procured locally on piece meal bases and the work has been executed on labour rate by splitting up the work in numerous parts without going for press/e-tendering which is a violation of HPFR-2009 for contracting or outsourcing of services or works. ii) There appears to be lack of technical inputs during construction of civil works as there are neither aesthetic nor structurally strong and have started cracking/wearing out. The composite masonry executed is below specification. iii) A sum of Rs. 12,78,448/- has been spent on watering of the plants and the lawn (Korean Grass), whereas water is

available in the park through alkathaine pipes connected to the local perennial sources. The watering of plants/grass through contractors instead of departmental labour has resulted in wastage of the funds. iv) Plants amounting to Rs. 4,46,050/- and Korean Grass amounting to Rs. 1,62,500/- have been purchased on piece meal basis in violation of ACS (Forest) to the GoHP instructions issued vide number FFE-A (B) 2-16/2015 dated 12.06.2017. The complaint was received in this office with the direction to take necessary action into the matter and same has been entrusted to me for further enquiry. During the course of enquiry, it revealed that the construction work of Nature Park started in the May 2017 up to March 2019, in the supervision of DFO (U) Shimla. As per the DPR, total amount of Rs. 4,36,38,800/- has been estimated for the construction of Nature Park Kanlog under CAMPA. The administrative approval and expenditure sanction has been accorded for the development of Nature Park at Kanlog for Rs 436.30 lakhs by the Chairperson, Steering Committee of HP State CAMPA dated 30.08.2017. Further, provision of Rs 80 lakhs was made for the development of Nature Park, Kanlog by the Steering Committee of State CAMPA against which a sum of Rs. 72,28,867/- incurred up to 31.03.2018. subsequently, sum of Rs. 60 lakhs was allotted during year, 2018-19 for the said project dated 25.10.2018, out of which Rs. 19,35,202/- was spent and as the information of DFO Shimla (U) vide their office letter dated 25.03.2022, balance amount was surrendered. So, a total expenditure up to 31.03.2019 comes to Rs. 91,64,069/- (72,28,867 + 19,35,202). The works, which constructed in Nature Park were of Rs. 89,61,797/- under development of park area (part-A) and Rs. 45,525/- for landscaping in park area (part-B) with total cost of Rs. 89,87,322/-, whereas, rest of the amount has been shown spent against the fencing work of Jakhu beat. Enquiry further revealed that an expenditure amount of Rs. 91,64,069/- has been spent for the work of Retaining wall Road side, internal water supply and sanitation, electric poles with lights, Mali Hut-cum-store, Development of lawn with flowers & grass, Development of nursery, preparation of estimate & drawing, Fencing of Park Area, Landscaping in park area and the above works have been shown executed by the Forest Department in Nature Park Kanlog. As per the estimate of DPR, 270 mtr long and 2 mtr in height retaining wall to be constructed of stones was proposed for an estimated cost of Rs. 56,65,738/-, whereas retaining wall of length 180.85 mtrs along the road side and 51 mtr PCC wall with total length of 231.85 mtr found constructed on the spot. The said construction work of retaining/PCC wall was executed through the scheduled rates of the Forest Department from the different contractors. An amount of Rs. 19,48,238/- has been paid to different contractors against the labour wages and rest amount of Rs. 22,49,857/- has been spent against the purchase of material i.e cement, sand, gravel, aggregate etc. Total Rs. 41,98,095/- found expenditure against the said retaining/PCC wall. Further, the construction in respect of plinth level has been shown executed on the scheduled labour rates through 14 different contractors, whereas, the work above the plinth level i.e arch has been shown executed by calling E- tender. However the other civil works were executed through the contractors and their labour on the schedule rate of contract of the department and the purchase of sand, concrete and bricks etc. on the different quotations bifurcated in pieces. in order to check the quality of the concrete material of PCC wall constructed in the road side, six different samples were lifted through Geo Tech Engineers and Consultants, from different portions of the PCC wall. The samples were further sent to SFSL Junga for analysis and examination and further sent to E-In-C, Quality Control & Design, HPPWD, Shimla for opinion. As per the report of Quality Control & Design, HPPWD and test reports of Geo Tech Engineers and Consultants, the samples of one portion of the PCC wall found of average compressive strength as 5.6 N/mm square, which is less than that of the required strength of 7.5 N/mm Square, so failed as it does not satisfy the compressive strength criteria. So, false and fictitious entries have been made by the suspect forest officers/officials. An amount of Rs 27,144/- has been shown spent in respect of the Providing internal water supply and sanitation against an estimated amount of Rs. 3,00,000/- as per DPR, an amount of Rs. 1,50,618/- has been shown spent in respect of the providing electric pole with lights against an estimated amount of Rs. 3,50,000/-, an amount of Rs. 4,83,494/- has been shown spent in construction of Mali Hut cum store, against an estimated

amount of Rs. 8,00,000/-, an amount of Rs. 23,31,097/- has been shown spent in respect of the development of lawn with flowers & grass, against an estimated amount of Rs. 25,00,000/-, an amount of Rs. 12,14,028/- has been shown spent in respect of development of nursery, against an estimated amount of Rs. 25,00,000/-, an amount of Rs. 2,88,062/- has been shown spent in respect of preparation of estimate and drawing, against an estimated amount of Rs. 8,00,000/-, an amount of Rs. 2,01,281/- has been shown spent in respect of the fencing of the park area, against an estimated amount of Rs. 15,00,000/-, an amount of Rs. 2,70,250/- has been shown spent in respect of the landscaping in park area, against an estimated amount of Rs. 1,48,28,655/- as per DPR. Further, the expenditure shown against the said works can be verified during the course of investigation. As per the DFO (U) Shimla, office letter No 398 dated 20.05.2022 with regard to deployment of technical officers of the Engineering wing of the Forest Department for monitoring of civil works of said Nature Park at Kanlog, a committee of five officers of the Forest Department was constituted. As per the inspection report, it has been mentioned at Sr. No 9 to 13 about the poor quality of the retaining wall of said Park, at Sr. No 19 about the species-wise detail of plants raised in poly house and quality of potting mixture and also certain observations have been found raised by said committee. Enquiry has established that the shortcomings as observed by the inspection committee of Quality Control Cell of CM office and the facts disclosed during the course of enquiry, false and fictitious entries in MBs have been made against the substandard works. The samples of PCC examined by SFSL and the same were found to be substandard and in conformity with the report of Quality Wing of HPPWD. The said works have been executed through various contractors by Sh Mohan Dass, the then forest Guard Phagli beat, entries made in MBs by Sh. Anand Kishore, the then BO, verified by Sh Ranvir Singh, the then Forest Ranger, Range Chaura Maidan, and Sh Bahadur Singh, the then Dy. Ranger, Addl. charge of RFO Chaura Maidan by splitting into various parts, and finally, Govt. funds wrongfully disbursed by Sh. Inder Kumar, the then DFO Shimla (U) against the construction of Nature Park, Kanlog in connivance with each other. Further, the said officers/officials have also verified the bills with regard to construction of various works and sanctioned/dispensed the funds. The said officers/officials were responsible for the proper execution and supervision of the works. The act of these officers/officials also attract their lack of supervision in the construction works and further wrongful disbursement of Govt. funds, causing thereby wrongful loss to the state exchequer. Prima facie, the allegations attract commission of offences punishable u/s 420, 468, 471, 120-B IPC and Section 5, 6 and 13 of HP Specific Corrupt Practices Act, 1983 against the forest officers/officials and others. So, it is recommended to register a criminal case for the offences punishable u/s 420, 468, 471, 120-B IPC and Section 5, 6 and 13 of HP Specific Corrupt Practices Act, 1983 against Sh. Inder Kumar, the then DFO Shimla (U) (now retired), Sh Ranvir Singh, the then Forest Ranger, Range Chaura Maidan, (now retired), Sh Bahadur Singh, the then Dy. Ranger, Addl. charge of RFO Chaura Maidan, (now retired), Sh. Anand Kishore, the then BO, (now retired) and Sh. Mohan Dass, Forest Guard, forest beat, Phagli and others. Sd SI Inder Lal E/O PS,SV&ACB Shimla. Action taken:- From the contents of the complaint, a case for the offence punishable u/s 420, 468, 471, 120-B IPC and Section 5, 6 and 13 of HP Specific Corrupt Practices Act, 1983 is made out against Sh. Inder Kumar, the then DFO Shimla (U) (now retired), Sh Ranvir Singh, the then Forest Ranger, Range Chaura Maidan, (now retired), Sh Bahadur Singh, the then Dy. Ranger, Addl. charge of RFO Chaura Maidan, (now retired), Sh. Anand Kishore, the then BO, (now retired) and Sh. Mohan Dass, Forest Guard, forest beat, Phagli and others. A criminal case is registered in this police station and the investigation of the case is entrusted to Inspector Balwant Singh, I/O, PS,SV&ACB, Shimla. Copy of FIR is being sent to the Ld. Court of Chief Judicial Magistrate Shimla and also to the senior officers of SV&ACB, Shimla.

13. Action taken : Since the above information reveals commission of offence(s) u/s as mentioned at Item No. 2.

(की गयी कार्यवाही: चूंकि 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): Balwant Singh

Rank (पद): INSP. (Inspector)

No(सं.):

to take up the Investigation (को जांच आपने पास में लेने के लिए निर्देश दिया गया)

(3) Refused investigation due to (जांच के लिए):

or (के कारण इंकार किया या)

(4) Transferred to P.S.

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

(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.)

14. Signature/Thumb impression of the complainant / informant.

(शिकायतकर्ता / सूचनाकर्ता के हस्ताक्षर / अंगूठे का निशान):

Signature/हस्ताक्षर

Signature of Officer in charge, Police Station

(थाना प्रभारी के हस्ताक्षर)

Name(नाम): Kamal Kishore

Rank (पद): Dy. SP (Deputy Superintendent of Police)

No(सं.): N/A

15. Date and time of dispatch to the court

(अदालत में प्रेषण की दिनांक और समय):