

FORM NO. 21  
(See Rule 114)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, HYDERABAD BENCH : HYDERABAD

OA / ~~12/86~~ ..... 12.86 ..... of 1997

..... R. Sunder Vadar ..... Applicant(s)

versus

..... The Chief Secretary, G.A.D., A.P. State, Respondent(s)  
(As above)

INDEX SHEET

Serial No.	Description of Documents	Pages
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Certified that the file is complete  
in all respects.

Signature of  
Dealing Hand  
(In Record Section)

Signature of S.O.

Central Administrative Tribunal Hyderabad Bench: Hyderabad

D.A. No.

1286

of 1997.

R. Sundar Raman

Applicants(s).

VERSUS.

To Chief Secretary, GAD, AP, Hyderabad

(Respondents).

Date	Office Note	ORDER
	<u>30-9-97.</u>	<p>OA is ordered at the admission stage itself. Order vide separate sheet. No costs.</p> <p>2 HBSJP m (5)</p> <p>1 HRRD m (8)</p>

**CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH: BENCHHYDERABAD**

ORIG. 1/12/1997  
ORIGINAL APPLICATION NO. 1286 OF 1997.  
R. Sundari Vadarai

(Applicants(s))

State of A.L., Repd., By VERSUS

## VERSUS

Chief Secy: G.A.D.,

Hyderabad is another

Respondents (ss (s))

The Application has been Submitted to the Tribunal by Shri N Rama Rao Advocate/Per  
in ~~person~~ Under Section 19 of the Administrative Tribunal  
Act. 1985 and the same has been scrutinised with reference to  
the points mentioned in the check list in the light of the  
provisions in the administrative Tribunal (procedure) Rules  
1987.

The application is in order and may be listed for Admission  
No. \_\_\_\_\_

Scrutiny Ass't

DEPUTY REGISTRAR (JUDI)

Bruschi

10. Is the application accompanied I.P.O/DD, for Rs.50/-.

10. *8*

11. Have Legible copies of the annexure duly attested been filed.

11. *8*

12. Has the applicant exhausted all available remedies.

12. *8*

13. Has the Index of documents been filed and pagination done properly.

13. *8*

14. Has the declaration as a required by item No. 7 of Form, I been made.

14. *8*

15. Have required number of envelops (file six) bearing full addresses of the respondents been filed.

15. *8*

16. (a) Whether the relief sought form arise out of single cause of action.

16. *8*

(b) Whether any interim relief is prayed for.

16. *8*

17. In case an application for condonation of delay is filed, is it supported by an affidavit of the applicant.

17. *8*

18. Whether the cause is heard by a single bench.

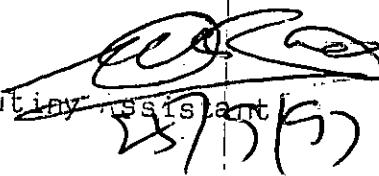
18. *No*

19. Any other points.

19. *8*

20. Result of the scrutiny with initial of the scrutiny clerk.

20. *say 48 numbered*

  
Scrutiny Assistant

Section Officer.

Deputy Registrar.

Registrar.

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH HYDERABAD.

Dairy No. 3114

Report in the Scrutiny of Application.

Presented by M.R.A. Rao Date of presentation.

Applicant(s) R.S. Venkatesh Date 25/9/97

Respondent(s) State of Andhra Pradesh as per

Nature of grievance Suspension

No. of Applicants 1 No. of Respondents 2

CLASSIFICATION.

Subject Suspension No. 3 Department T.F.S. (N)

1. Is the application in the proper form, (three complete sets in paper books form in the two compilations). ✓
2. Whether name description and address of all the parties been furnished in the cause title. ✓
3. (a) Has the application been fully signed and verified. ✓  
(b) Has the copies been duly signed. ✓  
(c) Have sufficient number of copies of the application been filed. ✓
4. Whether all the necessary parties are impleaded. ✓
5. Whether English translation of documents in a Language, other than English or Hindi been filed. ✓
6. Is the application on time, (see section 21) ✓
7. Has the Vakalatnama/Memo of appearance/Authorisation been filed. ✓
8. Is the application maintainability. (U/S 2, 14, 18, or U/R. 8 Etc.,) ✓
9. Is the application accompanied, duly attested legible copy been filed. ✓

CENTRAL ADMINISTRATIVE TRIBUNAL, YARD, BLD BENCH: HYDERABAD

I N D E X S

O.R. NO. 1286 of 1997

CAUSE TITLE R. Sundar Vadam

V A S U S

The State of AP, represented by its Chief Secretary,  
C.A.D, C.A.P. Secretary, Hyd and mohon

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3.	Vakalat	1
4.	Objection Sheet	1
5.	Spore copies 2 (Two).	
6.	Covers 2. A	

Reg:- To declare the prolonged suspension invalid, forays, dt. 13 & 96 issued by govt. as bad in law and direct the govt. to reinstate the applicant in the Central Adm. Tribunal, Hyderabad.

BETWEEN:

R.Sundar Vadan, S/o R.V.B. Gopala Rao, aged 40 years, Conservator of Forests, (Under Suspension), Resident of Hyderabad.

... APPLICANT

Bench

AND

(3) Suspension

1. The State of Andhra Pradesh rep. by its Chief Secretary, General Administration Department, A.P. Secretariat, Hyderabad-500 022.

2. The Union of India, rep. by its Secretary to Government of India, Ministry of Environment and Forests, Paryavaran Bhawan, New Delhi. 110 001.

... RESPONDENTS

General  
2 F.S. Petition

(3)

CHRONOLOGICAL EVENTS

प्राप्तारण/GENERAL

SL.NO.	DATE	DESCRIPTION	PAGE NOS.
1.	1981	U.P.P.S.C. Published Notification	- 2 -
2.	18.10.96	The Applicant submit representation	- 7 -
3.	27.11.96	- Do -	- 7 -
4.	30.12.96	- do -	- 7 -
5.	30.1.97	- do -	- 7 -
6.	13.3.97	- do -	- 7 -
7.	14.5.97	- do -	- 7 -
8.	14.3.97	The Applicant appeal disposed of.	- 11 -

Hyderabad,

Dated: 23.9.1997.

Counsel for the Applicant



O.A.NO.

1986

OF 1997

## BETWEEN:

R.Sundar Vadan, S/o R.V.B. Gopala Rao, aged 40 years,  
 Conservator of Forests, (Under Suspension),  
 Resident of Hyderabad. ... APPLICANT

## A N D

1. The State of Andhra predeesh rep. by its Chief Secretary, General Administration Department, A.P.Secretariat, Hyderabad-500 022.
2. The Union of India, rep. by its Secretary to Government of India, Ministry of Environment and Forests, Paryavaran Bhavan, New Delhi.110 001. ... RESPONDENTS

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Annexure-2	G.O.Rt.No.5103, Dt. 27.9.96.	15 to 26
Annexure-3	G.O.Rt.No.714, Dt. 7.2.1997.	27 to 28
Annexure-4	Representation of the Applicant, Dt. 2.9.1997.	29 to 41
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Hyderabad,

Dt. 23.9.1997.

Counsel for the Applicant.

O.A.NO.

OF 1997

DATE OF FILING:

OR

DATE OF REGISTRATION:

SIGNATURE OF REGISTRAR

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: ADDITIONAL BENCH: AT HYDERABAD

O.A.NO.

1286

OF 1997

BETWEEN:

R.Sundar Vadan, S/o, R.V.B. Gopala Rao, aged 40 years,  
 Conservator of Forests, (Under Suspension),  
 Resident of Hyderabad. ... APPLICANT

A N D

1. The State of Andhra predeesh rep. by its Chief Secretary, General Administration Department, A.P.Secretariat, Hyderabad-500 022.
2. The Union of India, rep. by its Secretary to Government of India, Ministry of Environment and Forests, Paryavaran Bhavan, New Delhi.110 001. ... RESPONDENTS

#### DETAILS OF APPLICATION

1. PARTICULARS OF THE APPLICANT: SAME AS ABOVE.

The address for service of all notices and processes on the above named applicant is that of his counsel M/s Naoty Rama Mohana Rao, Pannala Srinivas & Siva, Advocates, 204-A, Brindavan Apartments, Red Hills, Hyderabad-500 004.

2. PARTICULARS OF THE RESPONDENTS: SAME AS ABOVE

3. PARTICULARS OF THE ORDER AGAINST WHICH THE APPLICATION IS MADE:

Aggrieved by the orders passed by the first respondent in G.O., Rt.No.4501 General Admn.(SC.D) Dept., dt.13-8-96, the applicant above named begs to file this O.A.

Subject in brief:

Through the impugned proceedings, this applicant has been placed under suspension under Rule 3(1) of the All

India Services (Disciplinary and Appeal) Rules 1969. The appeal preferred to the 2nd respondent against the said orders has not been disposed of so far. Hence this Original Application.

**4. JURISDICTION:**

The applicant declare that the subject matter against which he wants redressal is well within the jurisdiction of the Administrative Tribunal Under Section 14 of the Administrative Tribunals Act, 1985.

**5. LIMITATION:**

The applicant declares that the subject matter against which he wants redressal is well within the limitation Under Section 21 of the Administrative Tribunals Act, 1985.

**6. FACTS OF THE CASE:**

i) The applicant while prosecuting for his Ph.D. programme in Botany with the Delhi University, in response to the Union Public Service Commission notification in 1981 for recruitment to the Indian Forest Service, has appeared for and topped the list of selected candidates and has been allotted to the Cadre of State of Andhra Pradesh. He belongs to 1982 batch of officers. After the initial training of two years with the Indian Forest College, Dehradun, he had received his field training between the years 1984 and 1985 at Adilabad. He started discharging the regular duties of the post commencing with the assignment as Sub Divisional Forest Officer, Sattupalli, Khammam district in the years 1985 and 1986. The applicant held the independant post of Divisional Forest Officer of Warangal North and Karimnagar East between the years 1986 and 1989. Subsequently, the

applicant worked as District Forest Officer, Guntur during the year 1989-90 and later worked as a Project Director, District Rural Development Agency (DRDA), Nalgonda for nearly two years between 1990 and 1992. Thereafter, he worked as a Project Director, DRDA, Chittoor between 1992 and 1994 and on 23-3-94, he took charge as the Project Director, Drought Prone Area Programme (DPAP), Anantapur. He worked in that capacity till 1-10-95 when he was relieved upon being posted as Conservator of Forests (FRI) and kept as incharge of the Joint Forests Management at the office of the Principal Chief Conservator of Forests, Hyderabad. While he was working as the Conservator of Forests at Hyderabad, he has been served with the impugned order passed by the State Government in their G.O., Rt.No.4501, Gen. Admin. (SC.D) Dept., dt. 13-8-96 placing him under suspension. These orders were served on the applicant on the 14th of Aug.1996.

ii) It may be relevant to point out that the DPAP, Anantapur was the first of its kind which has been created in the country for effective Water shed management and integrated resources development. The Project work of the DPAP, Anantapur was monitored by the Ministry of Rural Development of the Union Government and also that of the State Government. It is a closely coordinated project work of multi faceted dimension and the important activities undertaken by it can briefly be enumerated as under:

- a) A mass campaign for integrated Natural & Human resources development
- b) A mass campaign for integrated watershed development
- c) Prevention of desertification and promotion of Ecological reconstruction

- d) Improvement in the quality of life, self reliance and Gram Swaraj
- e) Long term integrated and sustainable development
- f) Taking up of an active integrated natural and human resources development campaign
- g) Networking the efforts of Government officials with voluntary organisations
- h) Taking up of a massive drive for soil and moisture conservation, afforestation, fire control measures and rain water harvesting
- i) Effective utilisation of Satellite data, PRA methodology etc. for integrated resources development
- j) Transparency and social Audit.

iii) The DPAP, Anantapur was headed by the District Collector, Anantapur and he was continuously monitoring the progress of the working of DPAP along with project Director as it is closely interlinked with the Rural Development work of the District. It is respectfully submitted that the policy decisions of the project were approved by the District Collector as its Chairman and the policy guidelines are formulated by the Project Director & team and overseen by Commissioner Rural Development.. The project itself is executed with a team of interdisciplinary sectoral officers drawn from Minor irrigation, Agriculture, Forest, Rural development, Departments etc. The important task assigned for execution by the DPAP include the Employment Assurance Scheme (EAS) sponsored by the Government of India to the extent of 80%. Drought prone area programme sponsored in equal measure by the Union of India and the State Government of Andhra Pradesh, Member of Parliament Local Area Development Scheme (MPLADS) sponsored by the Union of India. In the integrated approach that has been

undertaken for optimum utilisation of the man power and the resources, the project has also kept in view, the identified "thrust areas" so that the development work and the pace of development are carefully monitored. It is respectfully submitted that it is a common phenomenon amongst the project works of the dimension of the DPAP, Anantapur, for the Project Managers and Collectors to utilise the resources made available on specified areas of work by temporary reimbursable advances being made, available from other schemes. It is respectfully submitted, no sooner the funds become available for the identified scheme, the reimbursements are carried out so that there is appropriate accounting and auditing. But however without any serious consideration to all the relevant facts and circumstances, the State Government has jumped to conclusion that there were large scale irregularities committed in the execution of the work by the applicant as the Project Director of the DPAP, Anantapur. The applicant further respectfully submits that between 23-3-94 to 1-10-95, the funds received by him under the heads of various schemes have not only been properly accounted for but were also properly utilised. He had collected the Utilisation Certificates from the subordinate field staff and projected the same with approvals of collectors for consideration and acceptance by the State Government and the Union of India. The Schemes executed thus far were physically scrutinised and approved.

iv) It will be relevant in this context to point out that the Watershed and Waste Land Management works executed by the DPAP, Anantapur came to be inspected by a series of teams sponsored both by the Union of India and as well as by the State Government. High dignitaries like Hon'ble

(9)

Prime Minister and the Hon'ble Chief Minister of Andhra Pradesh have had occasions to see for themselves the Schemes grounded and reviewd the progress made and the targets achieved in the DPAP work at Anantapur. It is important to submit that senior level officers like the Secretaries to the Government of India and the Secretaries to the state of Andhra Pradesh in the Rural Deveelopment Department and Secretaries to Govt. of Andhra Pradesh in other related Departments have had occasion to visit, inspect and review the progress achieved. For a realistic assessment of the watershed development, the Chairman of the ISRO Prof.Kasturi Rangan, Member of Space Commision Prof. U.R.Rao, Dr.R.S.Rao, Director of A.P.State Remote Application Centre, Dr.N.Jasentulpyana, Depyty Director General of Outer Space Affairs of United States, Mr.B.B.Vohra, Vice-Chairman Waste Land Development Board, Mr. B.N.Yugandhar Secretary to Govt. of India Rural Development, Sri A.V.S.Reddy, Principal Secretary PR&RD of Government of Andhra Pradesh have all inspected for a first hand technical assessment and the project evaluation. It is respectfully submitted that all these dignitaries have approved the mode, method and pace of the execution of the various works and the integrated approach adopted for meeting the targets and the allround development achieved sofar, has come to be appreciated. It may not be an exaggeration if it is stated here that the ground water table, has recorded a substantial increase in levels in a hot arid terrain like Anantapur which will singularly speak to the enormous success of the policies formulated by the DPAP and their appropriate execution. But however merely on suspicions rather than on concrete material the State Govt. has feared that serious irregularities have crept in the execution of the work of

the DPAP by this applicant such as diversions of crores of Rupees for unauthorised works leading to misutilisation of and misappropriation of Govt. funds, and the State Govt. passed orders hurriedly in their G.O.Rt.No.4501, General Admn.(SC.D) Dept., dt. 13-8-96 placing the applicant under suspension. Stunned by this development, the applicant has submitted a detailed representation on 16-8-96 protesting against his suspension and pleaded that the suspicions entertained by the State Govt. are wholly unwarranted and requested for cancellation of the orders of suspension. But however, the State Govt. has not reacted by reinstating this applicant to duty. But however as is required under Rule 3(1) of the All India Services (Discipline and Appeal) Rules 1969, the State Govt. has drawn the disciplinary proceedings against this applicant by communicating a list of 11 charges against this applicant through G.O.Rt.No.5103 General Admn.Dept., dt.27-9-96. It will be relevant to submit that these charges were drawn out so as to beat the 45 days time limitation prescribed under Rule 3(1) of the Rules. Consequently, the charges were also not based upon any concrete material much less after appropriate and due verification and consideretion of the records. As it is not relevant, the applicant is not entering into a detailed discussion as to how the charges levelled against him through G.O.Rt.No.5103 GAD, Dt.27-9-96, are unsustainable at this stage. Suffice it to submit for appreciation of this Hon'ble Tribunal that this applicant has submitted exhaustive and detailed representations on 18.10.1996, 27.11.1996, 30-12-96, 30-1-97, 13-3-97 and 14-5-97 setting forth as to how the project work has been executed and his defence of the charges. It would be further relevant to point out at this stage that the funds

of the DPAP were fully audited for the years 1994-95 and 1995-96 and the audit reports together with the utilisation certificates were submitted by the DPAP to both the Govt. of Andhra Pradesh and Govt. of India. through these audits conducted, both of funds and the execution of the works, the entire monies received and spent have been fully accounted for and satisfactorily too. Since various works are executed by the temporary reimbursement, no serious irregularities or illegality is attributable to this applicant. In any view of the matter, the applicant was fully willing to extend the necessary cooperation and work his way out of the allegations levelled against him. The applicant has submitted detailed representations to the State Govt. bringing out the enormous success that the DPAP has achieved under the stewardship of himself as Project Director and the then District Collector as the Chairman of the DPAP. The applicant has also drawn to the attention of the State Government the reports drawn out after supervising his work by the Commissioner of Rural Development, Govt. of Andhra Pradesh. However, what the applicant is complaining in this O.A. is, the fact that no progress is made into the charges levelled against this applicant nearly even after 1 year's time has passed off. The appeal submitted by this applicant to the Union of India on 14-3-97 was unfortunately not answered so far. Consequently, the applicant is confined to suspension for a period longer than a year and the State Govt. is dragging its feet quite unnecessarily. When once the applicant has put his defence in respect of the charges drawn against him through G.O.,Rt.No.5103, dt. 27th Sept.96, there is no valid ground and tenable basis or reason for the state Govt not to have accomplished the

(12)

rest of the task of finalising the proceedings. The State Govt. cannot use the power available to them under Rule 3(1) of the All India Services (Discipline and Appeal) Rules 1969 for the purpose of giving vent to its feelings. After all the State Govt. should have exercised greater restraint before impulsively reacting and placing the applicant under suspension. In any view of the matter, the State Govt, ought to have exercised a far greater amount of restraint while initiating disciplinary proceedings against an All India Service Officer as the damage that visits the officer in the process becomes largely irretrievable. When this applicant has particularly pointed out that in a project work of the dimension of the DPAP, Anantapur, the temporarily reimbursable advances made from one scheme to the other is a very common phenomenon and therefore, DPAP is not exceptional in such diversion of funds and that the same concept is in vogue of the works executed in most of the other districts in the State and that the funds are being reimbursed back and forth and that the execution of the works are monitored and the pace of progress was kept up for a variety of reasons including the urgency to accomplish the task by falling back on the method of temporary reimburseable diversion of funds. So, therefore, the fears of the State Govt. that the large scale diversion of funds from one scheme to the other that took place in the DPAP, Anantapur are ill founded and that it need not necessarily result in either misutilisation or their misappropriation. These apprehensions of the State Govt. are illfounded and unsubstantiated and consequently there is no need necessity or purpose in confining the Applicant to suspension any longer.

v) The very purpose of building a time frame limit into Rule 3(1) of the Rules by the rule making authority was to ensure some sense of fairness and freedom from arbitrary exercise of power by the competent authorities against all India Service Officers. If the State Govt. has to reduce the service conditions of all India Service Officers, to such a level of any other ordinary grade civil servant, it will cause hindrance to the progress of various works liable to be attended and get executed by them free from pressures or precarious feelings of safety first, defeating the very purpose of creating the all India Services which was based upon the salient feature of allowing certain degree of freedom for them from interference of the political executive. It is, therefore, unfair for the State Govt. to have gone about the issuance of the impugned order in a most mechanical manner and to drag the disciplinary proceedings and later on forget about their obligation to accomplish the same with promptitude. There is no justification of whatsoever, behind firstly placing this applicant under suspension and secondly then in drawing the proceedings against him and then not making any progress thereafter. After nearly one year of drawing out the charges, the State Govt. is now taking steps to make the inspection of relevant documents possible. This itself would reveal the lack of seriousness of approach by the State Govt. to the subject. By the sheer delay attributable to the state Govt. in the matter of finalisation of the disciplinary proceedings against this applicant, particularly when this applicant has not contributed to such other delay, the prolonged suspension of this applicant is entirely unjust. It has acquired the dimension of harrasment and victimisation. It is neither fair nor proper for the

State Govt. not to have reinstated this applicant, inspite of his making clear and categoric statements of his defences. Equally unfair is the attitude of the Union of India in not having disposed of his appeal preferred as early as on 14-3-97. 6 months of time has elapsed by 14th Sept. 1997 and since this applicant has waited for a reasonable time, the respondents should have reinstated the Applicant to duty.

The applicant further respectfully submits that he is no longer kept incharge of the project work of the DPAF, Anantapur. He was relieved of his duties therein as of 1-10-95. Consequently, he has neither access to the records nor is he in a position to prevent the State from collecting any material against this applicant. Equally, the applicant has no source of preventing or influencing any person who may be willingly coming forward to depose against this applicant. Thus, the very objective of placing this applicant under suspension was fully accomplished by now. The State Govt. would have by now gathered all the necessary material that is liable to be pressed into service against this applicant and hence the question of continuing any further the applicant under suspension will not serve any useful or meaningful purpose. In these set of circumstances, it is only appropriate that this applicant should be reinstated into service and the disciplinary proceedings can be continued against him. Any further confinement of him to a period of suspension amounts to imposing a grave punishment than could possibly be inflicted upon him for a possible proven misconduct against him. Such action on the part of the respondents has no sanction of law. It ammounts to misuse of the power vested in them. Hence this O.A.

**7. REMEDIES EXHAUSTED:**

The applicant hereby declares that in the circumstances stated supra, he has no other alternative remedy except to approach this Hon'ble Tribunal.

**8. MATTERS NOT FILED/PENDING:**

The applicant further declares that he has not filed any O.A in this regard before this Hon'ble Tribunal.

**9. MAIN PRAYER:**

Hence it is prayed that this Hon'ble Tribunal in the interests of justice be pleased to

- (a) declare the prolonged Suspension from service of this Applicant without finalising the disciplinary proceedings as irrational arbitrary and unwarranted,
- (b) call for the records relating to and connected with the proceedings of the State Govt. in G.O.Rt.No.4501 General Admn.(SC.D) Dept., dated 13-8-96 and declare the same as bad in law
- (c) Also declare the action of the 2nd respondent in not having disposed of the appeal filed by this applicant on 14-3-97 against the orders in G.O.Rt.No.4501 GA(SC.D)Dept., dt.13-8-96, so far, as bad in law.
- (d) Consequently direct the respondents to reinstate the petitioner forthwith to duty as Conservator of Forests, and pass such other and further order or orders as are deemed fit and proper in the circumstances of the case.

**10. INTERIM RELIEF:**

Pending disposal of the above O.A., it is prayed that this Hon'ble Tribunal in the interests of justice, be pleased to suspend the operation of the orders of the State Govt. contained in G.O.Rt.No.4501, Gen.Admn.(SC.D)

Dept. dt.13-8-96 so as to enable the applicant to be reinstated to duty as a Conservator of Forests immediately as prolonged suspension of the applicant is wholly unwarranted and unjust, and pass such other and further order or orders as are deemed fit and proper in the circumstances of the case.

11. PARTICULARS OF THE POSTEL ORDER:

(i) Name of the Post Office: G.P.O  
(ii) Postel Order Number: 812 60/75 Date: 23/9/97

12. ENCLOSURES: VAKALAT, ANNEXURES, COVERS AND ACK.

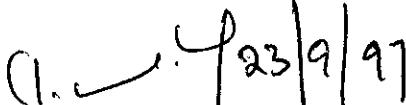
VERIFICATION

(P.O.B.C.B.C removed)  
B/9501

I, R.Sundar Vadan, s/o R.V.B.Gopala Rao, aged about 40 years, working as Conservator of Forests, resident of Hyderabad do hereby verify that the above facts are true to my personal knowledge and that I have not suppressed any material facts.

Hyderabad,  
Dated: 23.9.1997.

Counsel for the Applicant

 23/9/97  
Signature of the Applicant

(V) A/ H 14  
GOVERNMENT OF ANDHRA PRADESH

Abstract

Public Servants-All India Services-Sri R.Sundaravadan,I.F.S. (AP:82) formerly Project Director, Drought Prone Area Programme, Anantapur and presently Conservator of Forests, Forest Resources and Industries, Andhra Pradesh, Hyderabad-Suspension-Ordered.

GENERAL ADMINISTRATION (SC-D) DEPARTMENT

G.O.Rt.No.4501.

Dated: 13-8-1996.

O R D E R:-

Whereas, it has come to the notice of the Government of Andhra Pradesh, that Sri R.Sundaravadan,I.F.S.(AP:82), while functioning as Project Director, Drought Prone Area Programme, Anantapur, had committed serious irregularities like diversion of crores of rupees for unauthorised works leading to mis-utilisation and misappropriation of Government money.

2. And, whereas, an enquiry by the appropriate authority into the said irregularities and mis-appropriation of funds by Sri R.Sundaravadan,I.F.S.(AP:82), formerly Project Director, Drought Prone Area Programme, Anantapur, is contemplated.

3. And, whereas, the Government of Andhra Pradesh, after carefully considering the available material and having regard to the circumstances of the case, are satisfied that it is necessary, in public interest, to place Sri R.Sundaravadan,I.F.S., (AP:82) under suspension, pending an enquiry.

4. Now, therefore, in exercise of the powers conferred by rule 3(1) of the All India Services (Discipline and Appeal) Rules, 1969, the Government of Andhra Pradesh, hereby, place the said Sri R.Sundaravadan,I.F.S. (AP:82), under suspension from the date of communication of this order.

5. Sri R.Sundaravadan,I.F.S.(AP:82), shall during the period of suspension, be paid such subsistence allowance as is admissible under rule 4 of the said rules.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

(M.S. RAJAJEE)

CHIEF SECRETARY TO GOVERNMENT.

To  
Sri R.Sundaravadan,I.F.S., through Principal Chief Conservator of Forests, A.P., Hyderabad (in duplicate)  
The Principal Chief Conservator of Forests, A.P., Hyderabad.  
The Secretary to Government of India, Ministry of Environment and Forests, New Delhi.  
the Pay and Accounts Officer, Hyderabad.

Copy to:

The Accountant General, Andhra Pradesh, I, Hyderabad.  
The Secretary to Governor, Andhra Pradesh Raj Bhavan, Hyderabad.  
The Secretary to Chief Minister, Andhra Pradesh, Hyderabad.

Endt. No. 43383/96/Pl,  
Dated: 14-8-1996.

Office of the Prl. Chief Conservator of Forests, A.P., Hyderabad.

Sri M.Kamal Naidu, IFS.,  
Principal Chief Conservator of Forests.

Communicated.

To

Sri R.Sundaravadan, IFS.,  
Conservator of Forests(FRI) O/o.Prl.CCFE., A.P., Hyderabad.

14/8/96.  
(M. KAMAL NAIDU)

PRINCIPAL CHIEF CONSERVATOR OF FORESTS.

(94 dupli cate)

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GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

Public Servants - All India Services - Sri R. Sunderavaden, IFS  
Disciplinary action against - Charges framed - Statement of  
defence - Called for.

GENERAL ADMINISTRATION DEPARTMENT

G.O.Rt. No. 5103

Dated: 27-9-1996

Read:

G.O.Rt. No. 4531, General Administration (SC) Department, dated 13.8.1996.

ORDER:

The following charges are framed against Sri R. Sunderavaden, IFS., formerly Project Director, Drought Prone Area Programme, Anantapur:

ARTICLES OF CHARGES

CHARGE-I

Sri R. Sunderavaden, while working as Project Director, Drought Prone Area Programme, Anantapur during the period from 23.3.1994 to 30.9.1995, has diverted large scale of funds from one scheme to another to an extent of Rs. 15,40,16,545/- (Rupees Sixteen crores fifty-six lakhs, sixteen thousand, five hundred and forty five only) violating the rules, regulations and instructions in vogue.

CHARGE-II

Sri R. Sunderavaden, IFS., while working as Project Director, Drought Prone Area Programme, Anantapur during the period from 23.3.1994 to 30.9.1995, has committed grave financial irregularities by issuing several cheques for Rs. 50,000/- and less on a single day by splitting the programmes without bringing it to the notice of Collector, Anantapur who is supposed to be the joint signatory for spending the amounts for more than Rs. 50,000/- at a time. While he has the powers to issue cheques not exceeding Rs. 50,000/-, thus, he has exceeded the financial powers in sanctioning amounts in violation of financial powers vested in him, in violation of the instructions, procedures etc., in vogue.

CHARGE-III

Sri R. Sunderavaden, IFS., while working as Project Director, Drought Prone Area Programme, Anantapur during the period from 23.3.1994 to 30.9.1995, has spent Rs. 69.14 lakhs towards Administrative and Office expenditure against the provision of Rs. 47.30 lakhs without obtaining any Orders either from the Governing Body or Collector for administrative sanction/approval or for ratification of expenditure violating the prescribed procedures, rules and regulations in vogue.

CHARGE-IV

Sri Sunderavaden, IFS., while working as Project Director,

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Drought Prone Area Programme, Anantapur during the period from 23.3.1994 to 30.9.1995, had advanced money to the former Divisional Forest Officer, Drought Prone Area Programme, Sri S.V. Sudarshan under Employment Assurance Scheme, and Drought Prone Area Programme schemes and allowed the repairs of the Project Director's office and Residential quarters and purchase of electrical and sanitary and other equipments and furniture for both Project Director's office and residence, incurring an expenditure of Rs. 24,10,640/- utilising Employment Assurance Scheme and utilising District Rural Development Agency funds without any administrative sanction and approval of Governing Body without calling for tenders in violation of rules and regulations in vogue. He got executed many engineering works through Deputy Range Officer and Forest Range Officers instead of by Roads and Buildings Department, without following procedures in vogue. Further, the work done in residence and office were not check measured by any technical person, no administrative sanctions were obtained, nor stock entries were made for the purchases effected.

#### CHARGE-V:

Sri R. Sunderayadan, IFS., while working as Project Director, Drought Prone Area Programme, Anantapur during the period from 23.3.1994 to 30.9.1995, has purchased one wooden sofa set centre table, two suit cases and room cooler worth about Rs. 30,000/- which were not entered in the ledger of Drought Prone Area Programme. They are found missing from Project Director's office and residence.

#### CHARGE-VI:

Sri R. Sunderayadan, IFS., while working as Project Director, Drought Prone Area Programme, Anantapur during the period from 23.3.1994 to 30.9.1995, has advanced Rs. 3,44,21,201/- to Sri S.V. Sudarshan, former Divisional Forest Officer, Drought Prone Area Programme Rs. 2,00,65,150/- to Sri S.K. Salam, former Divisional Forest Officer, I.V.D.O. and Rs. 31,86,230/- to Sri Prabhu Prasad, former Divisional Forest Officer, E.I.D.O. under different schemes, but no proper monitoring of accounts rendered took place. There was delay in settlement ranging from 3 months to 1 1/2 year. The advance meant for some programmes were spent for other different programmes. Some advances made were still to account for Rs. 44.13 crores by the Divisional Forest Officers concerned, therefore, there was lack of supervision on the part of Sri R. Sunderayadan in violation of guidelines.

#### CHARGE-VII:

Sri R. Sunderayadan, IFS., while working as Project Director, Drought Prone Area Programme, Anantapur, during the period from 23.3.1994 to 30.9.1995, has drawn a total amount of Rs. 93,437/- as permanent advance during 1994-95 without the sanction of the competent authority in violation of guidelines in force.

#### CHARGE-VIII:

Sri R. Sunderayadan, IFS., while working as Project Director, Drought Prone Area Programme, Anantapur during the period from 23.3.1994 to 30.9.1995, has exceeded the ceiling for contingency expenditure like stationery, telephone etc., without sanction of the competent authority. When the admissible ceiling was only Rs. 4,35,330/- on various items he has spent more than

Rs. 14.30 lakhs without obtaining any administrative approval. No ratification was also obtained for excess expenditure nor justification made.

#### CHARGE-XI

~~TX~~ Sri R.Sundaravadan, IFS., while working as Project Director, Drought Prone Area Programme, Ananthapur during the period from 23.3.1994 to 30.9.1995, has advanced more than Rs. 3.43 crores to Sri S.V.Sudershan, Divisional Forest Officer and huge amounts were left unspent in the end of financial year. There was laxity in supervising the advances, expenditure and balances to be remitted resulting in a loss of Rs. 1.53 lakhs sustained to Drought Prone Area Programme towards interest amount.

#### CHARGE-XII

~~X~~ Sri R.Sundaravadan, IFS., while working as Project Director, Drought Prone Area Programme, Ananthapur during the period from 23.3.1994 to 30.9.1995, has given his approval for incurring an expenditure of Rs. 3.411 lakhs for purchase of Mango and sapota grafts despite the negative orders of Collector/Chairman on 2.1.1994 and bills are still pending for payment to Integrated Tribal Development Agency concerned.

#### CHARGE-XI

~~X~~ Sri R.Sundaravadan, IFS., while working as Project Director, Drought Prone Area Programme, Ananthapur during the period from 23.3.1994 to 30.9.1995, has advanced Rs. 3,41,21,20/- to Divisional Forest Officer, Drought Prone Area Programme Sri S.V.Sudershan, While Rs. 2,40,55,150/- to Sri S.K.Salem and Rs. 31,86,288/- to Sri H.Roshu Prasad, a former Divisional Forest Officer of I.T.D.A. But due to lack of proper implementation and supervision, the results achieved on the field are unsatisfactory and several irregularities and deficiencies were noticed in the field inspections.

2. Thus, Sri R.Sundaravadan, IFS., formerly Project Director, Drought Prone Area Programme, Ananthapur, by the above mentioned acts, has abused his powers and committed grave mis conduct and exhibited lack of integrity, devotion to duty and conduct unbecoming of a Member of Indian Forest Service and thereby contravened Rule 3(1) of the All India Services (Conduct) Rules, 1968.

3. A statement of imputations of mis conduct in support of the aforesaid charges (Annexure-I) together with a list of documents by which (Annexure-II) and a list of witnesses by whom (Annexure-III), the aforesaid charges are proposed to be sustained are, herewith, annexed.

4. Sri R.Sundaravadan, IFS., formerly Project Director, Drought Prone Area Programme, Ananthapur is, therefore, directed to show cause, as to why disciplinary action should not be taken against him on the above charges. He may put in a written statement of defence and state whether he desires to be heard in person within fifteen days from the date of receipt of this order. If no written statement of defence or a request for being heard in person is received within the time specified above, action will be taken on the material available under Rule 3 of the All India Services (Discipline & Appeal) Rules, 1969, on the basis that he has no defence to offer in the matter.

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This order is sent to Sri R. Sunderavadan, I.F.S., in duplicate and he is directed to acknowledge its receipt with date on the duplicate copy and return the same to Government.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M. S. RAJAJEE  
CHIEF SECRETARY TO GOVERNMENT.

To  
Sri R. Sunderavadan, I.F.S.,  
through Principal Chief Conservator of Forests, A.P., Hyderabad.  
(In duplicate)

Copy to the Secretary to Government of India,  
Ministry of Environment and Forests, Parivarjan Bhawan,  
C.G.O. Complex, Lodhi Road, New Delhi-110 003.  
Copy to the Principal Chief Conservator of Forests, A.P., Hyderabad.  
Copy to the Principal Secretary to Government, Environment,  
Forest, Science and Technology Department.  
Copy to the Secretary to Government, Panchayat Raj, Rural Development and Relief Department.

:-, FORWARDED: (BY ORDER: :

A. Rajajee  
SECTION OFFICER (S.C.).

Endt. No. 38145/95-M.3,

Date: 27 -9-1996.

Office of the Prl. Chief Conservator of  
Forests, Andhra Pradesh, Hyderabad.

Sri M. Kamal Naidu, I.F.S.,  
Prl. Chief Conservator of Forests.

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Communicated.

27.9.96.  
for Prl. Chief Conservator of Forests.

To  
Sri R. Sunderavadan, I.F.S., (under suspension)

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ANNEXURE-I

Statement of imputations of misconduct by which the charges are proposed to be sustained:-

CHARGE-I:

There are several bank accounts for each scheme. In each account, there are transactions relating to receipts or/and payments to other schemes. The funds were not operated properly. There were three types of diversion of funds from one programme to the other.

1. Amounts transferred from one programme/scheme to another programme/scheme.
2. Expenditure of one programme incurred from the funds of other programme.
3. Receipts relating to one programme credited in account of another programme.

Apart from this, there were transfer of funds from one bank account to another bank account of the same programme.

Due to the transfer of funds from one programme to the other, under the above 3 categories, the diversion of funds from one programme to the other during the years 1994-95 and 1995-96, is, under upto 2.10.95.

Transfer of Funds		Amount affected	Total	
From	To	1994-95	1995-96	5
1.	2.	3.	4.	5.
<b>1 (a) Amounts transferred from one programme to another</b>				
EAS	DPAP	5,62,44,390	15,00,000	5,77,44,390
DPAP	EAS	24,00,000	79,00,000	1,03,00,000
EAS	I/DP	15,00,000	--	15,00,000
I/DP	EAS	8,50,000	--	8,50,000
DPAP	I/DP	15,00,000	5,00,000	20,00,000
I/DP	DPAP	6,90,000	--	6,90,000
MPLADS	DPAP	40,00,000	--	40,00,000
DPAP	MPLADS	--	--	--
DDP	EAS	--	--	32,80,000
EAS	DDP	--	--	--
DDP	I/DP	--	6,00,000	6,00,000
I/DP	DDP	--	--	--
		6,72,84,390	1,37,80,000	8,10,64,390

1.	2.	3.	4.	5.
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I (b) Expenditure of one programme met from the funds of other programme:-

EAS	DPAP	50,85,797	2,11,060	52,97,757
DPAP	EAS	4,51,56,604	50,000	4,52,06,604
EAS	IWDP	22,00,000		22,00,000
IWDP	EAS	12,00,000	1,00,000	13,00,000
Total		5,46,42,401	3,61,960	5,50,04,361

I (c) Receipts relating to one programme credited to other Programme:-

EAS	DPAP	1,97,794		1,97,794
DPAP	EAS	2,36,50,000		2,36,50,000
IWDP	EAS	50,00,000		50,00,000
EAS	IWDP			
Total		2,88,47,794		2,88,47,794

GRAND TOTAL :	15,07,74,564	1,41,41,960	16,49,16,545
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After taking into account of the above transactions effected from one programme to another during the period from 1.4.1994 to 30.9.1995 an amount of Rs. 2,74,56,663 was still to be reimbursed by 2.10.1995 when the former Project Director handed over charge.

Thus, the funds still to be reimbursed from one programme to the other as on 2.10.1994 is as under:

	Rs.
1. EAS to DPAP	1,49,16,663.00
2. EAS to IWDP	33,50,000.00
3. IWDP to DPAP	13,10,000.00
4. DPAP to MPLADS	40,00,000.00
5. EAS to DDP	32,80,000.00
6. IWDP to DDP	6,00,000.00
TOTAL : Rs. 2,74,56,663.00	

These diversions have no sanction of the competent authority and there was no record to show that even Collector/Chairman of the Drought Prone Area Programme was consulted before effecting many of these diversions. Only for few diversions approval of the Collector was obtained. Hence the charge.

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Charge-II

The former Project Director Sri R.Sundaravadan issued more than one cheque on a single day to one official firm etc., for Rs. 50,000/- by splitting up of cheques above Rs. 50,000/- to avoid the second signature of Collector and Chairman, Drought Prone Area Programme, totally against the guidelines given in the Drought Prone Area Programme Manual and the instructions given by Commissioner for Rural Development, Andhra Pradesh, Hyderabad. Hence, the charge.

Charge-III

As per letter No.S-10013/1/94-DPAP(1) of Government of India, Ministry of Rural Development, New Delhi, total allocation under Drought Prone Area Programme for Anantapur District is 473 lakhs. As per Drought Prone Area Programme Manual and circular No.9560/RD-IAG/92, dated 21.6.93 of the Commissioner for Rural Development and para 6.9 of the IEDP Manual, the expenditure permitted on Administrative infrastructure is 10% of the annual allocation. Hence, under Drought Prone Area Programme, the amount that can be utilised for Administrative expenses works out to Rs. 47.3 lakhs.

Whereas as per the Audit report of Chartered Accountant on the accounts of Drought Prone Area Programme for 1994-95, in the statement of Receipts and Payments Account for 31st March, 1995 under "Payments" against the Administrative Expenses, an amount of Rs. 60,14,429-12 was shown.

Thus, an amount of Rs. 20.84 lakhs was spent towards administrative expenses by the former Project Director, Drought Prone Area Programme, without obtaining the orders of the competent authority. The Governing Body Meeting also was not held during his period, to ratify any additional expenditure of this type. Hence the charge.

Charges IV and V:-

The former Project Director has advanced huge amounts to the former Divisional Forest Officer, Drought Prone Area Programme, Sri S.V.Sudarshan, and allotted him to utilise the funds of Employment Assurance Scheme and Drought Prone Area Programme, both in the years 1994-95 and 1995-96(1) the Building works i.e., repairs of Project Director's Office and Official Quarter (2) for the purchase of electrical good, hardware and sanitary equipment (3) for the purchase of furniture and (4) for the purchase of other related equipment to an extent of Rs.24,00,640/- without any administrative sanction or the approval of the Governing Body.

Forest Range Officer Sri Eswaraiah even maintained a separate cash book under the head Employment Assurance Scheme for Project Director Bungalow in which he has reflected 1,10,000 for having incurred for the repairs of Project Director's Quarters.

The D.C.Bills both Employment Assurance Scheme and Drought Prone Area Programme heads, submitted by the former Divisional Forest Officer, Drought Prone Area Programme, Sri S.V.Sudarshan, the cash book of Forest Range Officer, Eswaraiah and Forest Range Officer Sri Eswaraiah's Statement to that effect, prove the above facts.

Many engineering works were executed for the Project

Director's Quarters by the Divisional Forest Officer and the Forest Range Officer of Drought Prone Area Programme, instead of entrusting the work to Executive Engineer, Roads and Buildings and without following the laid down procedures for such works. The works have also not been checked measured by the technical persons. The purchased items are not entered in the stock ledger of Drought Prone Area Programme. The following items are not available. They were also not handed over to the present Project Director when he occupied the quarters:-

1. Wooden Sofaset	Rs. 16,683/-
2. Wooden Sofaset	Rs. 12,800/-
3. Centre Table	Rs. 4,704/-
4. Suitcase (2)	Rs. 1,365/-
5. Usha Luxury Room Cooler	Rs. 6,850/-

The items were purchased indiscriminately, without calling for tenders though they were worth more than Rs. 5,000/- violating all the standard guidelines for making such purchases, as laid down in para 14 of Circular No. 9560/RE-IAC/92, dt:21.6.1993 of Commissioner for Rural Development. Some of the items were purchased even outside the state violating the guideline given in the Financial Code. Hence the charges, IV and V.

#### Charge No. VI

The Project Director has advanced such large funds to the tune of Rs. 3,44,21,201/- to the then Divisional Forest Officer, Drought Prone Area Programme, Sri S.V.Sudarsan, who did not monitor about accounts furnished by him for the amounts advanced. As against the total advance of Rs. 3,89,65,701/- including the advances, the said Divisional Forest Officer, Drought Prone Area Programme received for the preceding two years (1992-93 & 1993-94) he has submitted D.C.Bills only for Rs. 52,73,831/- till 2.10.95, when Sri R.Sundarvadan was Project Director, Drought Prone Area Programme, Sri S.N.Salam and Prabhu Prasad submitted D.C.Bills for Rs. 1,53,24,339/- till 2.10.1995 and D.C. Bills for Rs. 79,11,811/- were still due during the tenure of former Project Director, Sri R.Sundarvadan. Implementing agencies/ sectoral officers have not been submitting D.C. Bills towards the advances given under a particular programme. There is altogether a casual approach. The guidelines and work under each programme differ and using the funds of the one programme to a different programme, even at the field level only affects the implementation of the Rural Development Programmes, undertaken by the Central and State Governments.

No procedure is followed. There is no scrutiny of D.C. Bills and no action is taken to adjust the bills to the advances given. As a matter of fact when the former Project Director, Drought Prone Area Programme handover charge, the Divisional Forest Officer, Drought Prone Area Programme and I.W.D.P., alone were to account for Rs. 4,16,03,681/- crores which they have received as advances during 1992-93, 1993-94 and 1994-95 and 1995-96. The late submission has resulted in not checking properly, whether the amounts given under a particular scheme have been spent for the purpose for which they are given. While submitting belated D.C. Bills, with a delay ranging between 3 months and 1½ years, the Divisional Forest Officers have submitted accounts for excess under some programmes and are due to account for still a large amount even after the lapse of 1 to 1½ years. Hence the charge.

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Charge No. VII

No Governing Body meeting was held between 1.4.1994 and 2.10.1995, (though it is supposed to be convened once in 3 months as per I.R.P.P. Manual) during the tenure of former Project Director Drought Prone Area Programme Sri R.Sundarvan and there was no approval obtained from the Governing Body to hold permanent advance for the payment of the petty charges as laid down in Chapter 7(12) of Drought Prone Area Programme Manual. Hence the charge.

Charge No. VIII

Excess expenditure incurred over and above the limit/ceiling on the items fixed by Commissioner of Panchayat Raj and Rural Development, as per Audit report for 1994-95.

Sl. No.	Item	Ceiling fixed	Expenditure incurred	Excess Expenditure
1.	Stationery	50,000/-	2,33,430/-	1,93,430/-
2.	Telephone and Postage	75,000/-	3,18,851/-	2,43,851/-
3.	Maintenance of Vehicles (10)			
a)	Repair	2,00,000/-	4,65,971-59	2,65,971-59
b)	PCU charges	1,10,000/-	4,15,554-98	3,05,554-98
				9,98,807-57

Hence the charge.

Charge No. IX

He has advanced Rs. 3.43 crores to Sri Sudarshan, Divisional Forest Officer and huge amounts were left unspent at the end of financial year. There was laxity on the part of former Project Director, Drought Prone Area Programme, in supervising the advances, expenditure and balances to be remitted. Consequently, Drought Prone Area Programme office suffered a loss of Rs. 1.53 lakhs towards interest. Hence the charge.

Charge No. X:

Former Project Director, Drought Prone Area Programme, Sri R.Sundarvan, had put up a note to Collector/Chairman, Drought Prone Area Programme on 20.9.1994, for releasing Rs.3.40 lakhs for lifting the sapota and mango grafts, basing on the letter of Director of Horticulture, Hyderabad dt 13.7.1994. The Collector remarked as "Why" but not signed and on similar note dated 17.9.1994 from them for releasing of Rs. 2.4 lakhs in favour of Project Officer, Integrated Tribal Development Agency, Palvancha, the Collector again remarked as "Why" and signed on 7.10.1994. Subsequently, office note was put up for approval of draft proceedings and Divisional Forest Officer S.V.Sudarsan remarked "Yes" on 16.11.1995 and signed while former Project Director, Drought Prone Area Programme signed under the note on 24.10.1994. Both of them signed approving the draft proceedings on 17.11.1994, in which in the 2nd reference it was noted that there was no signature of D.P.O. Hence the charge.

mentioned as note orders of the District Collector/Chairman, Drought Prone Area Programme dated 7.10.1994, whereas there was no such approval seen in the file and fair copy of the proceedings dt.24.10.1994, was signed by the former Divisional Forest Officer, Drought Prone Area Programme and sent to Project Director, Integrated Tribal Development Agency, Palvancha. Hence, the charge.

Charge-III:-

Field inspection with reference to the work registers, plantation journals and nursery journals were made in respect of 45 forestry works such as green belt programme, Barren hill aforestation, agave plantation, avenue plantation and raising of nurseries etc., under water tied programmes. The execution of the works were found to be not satisfactory and none of the works have been check measured. The concerned work registers, nursery and plantation journals were not maintained properly and the details of estimates, sanction orders, total cost of the work and expenditure not mentioned, distribution registers were not maintained. No follow up measures were taken on nurseries and plantation to ensure its survival which resulted in poor implementation of schemes. Several works were not executed on grounds as per specifications but the Forest Range Officer claimed the amount in full as per specifications. Nurseries were raised during the plantation period and the plantation were taken up during the nursery raising period contrary to the forest guidelines, which resulted in poor survival of plants. Under barrenhill aforestation in a hillock at Bandlapalli, 1,00,000 gca agave plantation was shown on each side of the hillock while records are maintained only for one side and the survival is not even 1% per cent. On each side the hillock cannot take even ten thousand plants in view of the total boulders existing on the hillock. It was also seen that 5 societies regarding raising of nurseries on field which have been shown as implemented the works are actually not existing. Inspite of giving huge advances, for forestry work, there was no proper supervision for the implementation of the works resulting several irregularities and deficiencies and achievement of good results. Hence the charge.

R. Srinivasan  
SECTION OFFICER (SC).

ANNEXURE - II

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGES FRAMED AGAINST SRI B. SUNDARVADAN, IFS., FORMER PROJECT DIRECTOR, DROUGHT PRONE AREA PROGRAMME, ANANTHAPUR ARE PROPOSED TO BE SUSTAINED.

1. Cash books, / Ledgers, bank accounts of DPAP, EIS, IRDP, JRY, AP LADS, and DDP, Schemes at the Drought Prone Area Programme, Ananthapur, for the years, 1994-95, 1995-96 and upto 2.10.1995.
2. Chapter VII under Accounting procedure in para 7(3) of Manual for DPAP, and DDP.
3. Circular No. R-19012/2/93-IRD(1), dt. 12.7.1994, of Govt. of India.
4. Circular no. 9560/RD-IAC/92, dt. 21.6.1993 of Commissioner Rural Development regarding the maintenance of accounts and registers.
5. EAS Guidelines, 1993.
6. Manual for DPAP and DDP.
7. Govt. of India Lr. No. R-19015/4/88-IRD(1), dt. 11.2.1991.
8. 1) File No. 1826/94/G  
2) File No. 1721/D/94  
3) File No. 1894/94/G  
4) File No. 175/95/G  
5) File No. 1928/94/G  
6) File No. 1402/94/D/0.  
7) File No. 219/95/G  
8) File No. 172/95/G  
9) File No. 1855/94
9. Cheque issue register for 1994-95, and 1995-96 and upto 2.10.1995 relating to EIS, DPAP, DDP, IRDP and AP LADS.
10. Audit reports of the Chartered Accountant for the year 1994-95.
11. Govt. of India Lr. No. S-16013/1/94 - DPAP (1).
12. D.C. Bills submitted by the DFO, DPAP, Ananthapur, for building works and purchase of equipment and furniture during 1994-95 and 1995-96 and upto 2.10.1995.
13. Cash book of FRC, maintained for P.D. Bungalow.
14. Stock books of DFO, DPAP, Ananthapur.
15. Inventory report Sri Suresh Chandra, DFO, DPAP, regarding absence of some articles.
16. D.C. Bill receipt register.
17. Permanent advance register (Recoulement) of vouchers imprest maintained from 4/94 to 8/94.)
18. CRD Circular Memo No. 3543/RD-IAC/91-1, dt: 7.6.91.
19. CRD Lr. No. 7975/DPAP(1)/94, dt. 5.9.1994 and 12.9.1994.
20. Collector, Ananthapur Letter R.O. No. 546/96, dt. 6.6.1996.
21. Special Report of the Internal Audit Cell, dt. 29.2.1996 and 15.3.1996.

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R. Srinivas Rao  
SECTION OFFICER (SO)

ANNEXURE III

LIST OF WITNESSES BY WHOM THE CHARGES ARE PROPOSED TO BE SUSTAINED.

1. Sri L. Murali, Former Project Economist in the O/o. DPAP, Ananthapur.
2. Sri D.D. Devildson, Dy. Accounts Officer, as to. O/o. the DPAP, Ananthapur.
3. Sri S. Jeelani Pasha, Section Writer, (daily wages employee) O/o. the DPAP, Ananthapur.
4. Sri E.S. Deva Vara Prasad, Contingent Worker, O/o. DPAP, Ananthapur.
5. Sri Krishna Rao, Accounts Officer, O/o. CRD, Hyderabad.
6. Sri Viswam, Sr. Assistant O/o. the CRD, Hyderabad.
7. Sri Vijaya Rao, Jr. Assistant, O/o. CRD, Hyderabad.
8. Sri Eshwaraiah, Former FRO, O/o. DPAP, Ananthapur.
9. Sri Venugopal, Sr. Asst. Accounts Section, O/o. the DPAP, Ananthapur.
10. Sri L.G. Venugopal Reddy, C.m. of L.G.W. Reddy & Company, Chartered Accountant, Ananthapur.
11. Sri Suresh Chandra DFO, DDP, Ananthapur.
12. Sri B. Mallaiah, Inspector of Police, V.E.Z., Hyderabad.
13. Sri C. Venkata Seshappa, Spl. Tahsildar, V.E.Z., Kurnool.
14. Sri S. Hanumantha Rao, Asst. Director, Agriculture, Nandikotkur, Kurnool.
15. Sri P. Rajendra Nath, FRO, Task Force, V.E.Z., Hyderabad.
16. Sri G. Venugopal Reddy, Dy. E.E., V.E.Z., Kurnool.
17. Sri P.V. Goud, Asst. Director of Agriculture, soil conservation, Dhoni, Kurnool District.
18. Sri D. Nagappa, FRO, O/o. the Conservator of Forests, Kurnool.
19. Sri C.P. Srinivasulu, Asst. Engineer, V.E.Z., Kurnool.
20. Sri E. Sadasiva Reddy, Asst. Director of Soil Conservation, Badvel, Cuddapah District.
21. Sri S. Jangamiah, FRO, Inventory, O/o. the Conservator of Forests, Kurnool.
22. Sri J. Bhaskar, Inspector, V.E.Z., Kurnool.
23. Sri M. Sivasankar Reddy, Inspector, V.E.Z., Kurnool.
24. Sri P. Shyamsunder, Regional Vigilance and Enforcement Officer, Kurnool.

R. Srinivasa Rao

SECTION OFFICER (SG)

Public Servants-All India Services-Sri R.Sundaravadan,I.F.S. (AP;82), formerly Project Director, Drought Prone Area Programme, Anantapur-Continuance of Member of Service under suspension-Enhancement in subsistence allowance-Sanction-Orders-Issued.

## GENERAL ADMINISTRATION (SC-D) DEPARTMENT

G.O.Rt.No.714.

Dated: 7-2-1997.

Read the following:-

1. G.O.Rt.No.4501, General Administration (SC-D) Department, dated 13-8-1996.
2. From the Pay and Accounts Officer, Hyderabad, Letter No.PAO/PAG.III/U.V/96-97/1605, dated 7-10-1996.
3. From Sri R.Sundaravadan, IFS, Conservator of Forests, under suspension, Letter dated 13-11-1996, 15-11-1996 and several letters and the last letter dated 31-12-1996.

--;--

## ORDER:-

In the G.O.1st read above, Sri R.Sundaravadan, I.F.S., formerly Project Director, Drought Prone Area Programme, Anantapur and who was subsequently working as Conservator of Forests (F.R.& I), Office of the Principal Chief Conservator of Forests, A.P., Hyderabad was placed under suspension in public interest pending an enquiry by the appropriate authority. The suspension of the Member of Service became effective from 15-8-1996.

2. In the representations 3rd read above, the Member of Service has requested for enhancement of the subsistence allowance and also for his reinstatement into service.

3. The Government, after careful consideration of the matter and having regard to the circumstances under which the Member of Service was placed under suspension continue to exist, have decided that the Member of Service should be continued under suspension until further orders and that the quantum of subsistence allowance payable to the Member of Service however, be increased by 50% of the subsistence allowance already being paid to him.

4. Accordingly under Rule 4(1)(a)(i) of the All India Services (Discipline and Appeal) Rules, 1969, the amount of subsistence allowance payable to Sri R.Sundaravadan, I.F.S., formerly Project Director, Drought Prone Area Programme, Anantapur is increased by 50% of the subsistence allowance already being paid. The enhancement in the quantum of subsistence allowance will come into force with effect from 15-11-1996.

(BY ORDER AND IN THE NAME OF THE GOVERNMENT OF ANDHRA PRADESH)

M. S. RAJAJEE,  
CHIEF SECRETARY TO GOVERNMENT.

To  
✓ Sri R.Sundaravadan, I.F.S., through Principal Chief Conservator of Forests, A.P., Hyderabad.

p.t.o.

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:-/ 2 /:-

The Principal Chief Conservator of Forests, A.P., Hyderabad.  
The Pay and Accounts Officer, Hyderabad.  
The Principal Secretary to Government, Environment, Forest  
Science and Technology Department.  
The Director General (Vigilance and Enforcement) and  
Ex-officio Principal Secretary to Government, General  
Administration Department.  
The Secretary to Government of India, Ministry of Environ-  
ment and Forests, C.G.O.Complex, Lodhi Road, New Delhi-3  
The Accountant General, A.P., Hyderabad.

FORWARDED BY ORDER:

R. Siva Rao  
SECTION OFFICER (SC).

Encl No. 6/6014/36/113

Dr 31-2-1997

Commercial

(SVA)  
for Ad. Chief Conservator of Forests

To  
Sri R. Sundararajan, IFS.  
Plot no - 1155,

Plot no - 54  
Jubilee Hills,  
Hyderabad

10/2000  
20/2000  
20/2000

A-4

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From

R. Sundar Vadan,  
IFS  
Conservator of Forests,  
A.P. (82)

To

The Chief Secretary,  
Government of Andhra Pradesh,  
Secretariat,  
HYDERABAD.

Respected Sir,

Sub: All India Services - Sri R. Sundar Vadan IFS  
Disciplinary action - Charges framed -  
Statement of Defence submitted - Request  
for Reinstatement and dropping of all  
the charges and further action - Reg.

Ref: The List of Number of letters already  
submitted as enclosed in Annexure - I.

\* \* \*

- 1) With reference to all the above I submit that I belong to 1982 batch of Indian Forest Services and was working as Conservator of Forests (FRI) incharge of Joint Forest Management in the office of principal Chief Conservator of Forests, Forest Department of Government of A.P. at Hyderabad from 6-10-1995 to 14-08-1996.
- 2) I was shocked to receive suspension orders, served on me by PCCF of Forest Department of Government of A.P. on 14-08-1996, of GO RT No.4501 of GO AP dt.13-08-96, stated to have been issued for my functioning as PDDP AP Anantpur, the charge of the post of which I have handed over on 1-10-1995 nearly 11 months back then, during the period of which, or subsequently no issues or problems of programmes implementation arose.
- 3) I have already submitted that the suspension orders are suomoto, suddenly issued, without any proper enquiry and opportunity of being heard, in violation of All India Services (Discipline and Appeal) Rules 1969.

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- 4) I have already submitted that except functioning very effectively as PDOPAP Anantpur from 23-3-94 to 1-10-95, no serious irregularities as stated in GO RT No.4501 dt. 13-08-1996 of GO AP were committed, and they are untrue and far from reality.
- 5) I have already submitted by my letters dt. 30-12-96, 30-1-97, 13-03-97 & 14-05-97, that all the schemes of PD DPAP for 1994-95 & 1995-96 were already audited and audit reports with utilisation certificates were submitted by PD DPAP & District Collector to Govt. of A.P and Govt of India, and every pie has been accounted for and no amounts are outstanding to Govt. I further submitted the fact that the Agency is Continuing to get normal or even additional releases in the subsequent years is ample proof of proper implementation of programmes implementation of the agency in the previous years.
- 6) I have already submitted my letters dt. 18-10-96 & 13-5-97 that PD DPAP Agency Anantpur District accounts for nearly 15% of programme implementation of the entire state, which was time and again visited by several teams from Govt of A.P. & GOI as well as the approaches being appreciated, which is on record and replicated in other districts of A.P. and in India.
- 7) I have already submitted that all the aspects of implementation of my functioning as PD DPAP Anantpur, were reviewed by my head of the department i.e. Commissioner Rural Development from time to time, approved and no issues were raised, Even till the date of serving of suspension order even during nearly 11 months after handing over of charge of Anantpur, no issues were communicated, never any written or oral explanation sought, and the causative factors for suspension were mysterious and unknown.
- 8) It was already submitted that all the aspects of implementation at Anantpur were done with the approvals of the concerned District Collectors and Chairman of DPAP from time to time, and were also approved by state level sanction committee for two years for 1994-95 and 1995-96.

I had already submitted that I was working in a non focal post far away from Anantpur and my suspension was unwarranted, as I am in no way can influence the proceedings if at all there was any requirement of any enquiry, which was nothing but a created matter in violation of rules and relevant laws.

- 10) I had already submitted that I have every reason to believe that wantonly, a factually incorrect and false preliminary report was circulated by PR & RD Department of Government of A.P. directly to Chief Secretary, without any proper enquiry. Without any proper examination or enquiry of such report, suspension orders were issued by GAD in violation of all the rules and procedures, and opportunity of being heard or explained was never given.
- 11) I have already submitted that I have every reason to believe that based on the report of PR & RD department, GAD after issuing of suspension orders have submitted an absolutely incorrect report to Govt. of India, as all the points reported to GOI, seems to have been arrived, without any proper enquiry, and without drawing integrated and correct picture of programmes implementation, in violation of established procedures and rules.
- 12) I have already submitted that inspite of topping of IFS in 1981 exam and doing excellent work in seven other districts of A.P. as well as at Anantpur, I have to undergo this kind of punishment of targetting & victimisation.
- 13) I have already submitted that the deliberation of a developmental review meeting conducted on 14-7-96 by Honble Minister for PR & RD of Govt. of A.P., can not be construed as any enquiry in the matter.
- 14) I have already submitted that I am alone is targetted for suspension and expeditious serving of articles of charges, where as no such orders are issued to any of the four district Collectors or Commissioner Rural Development, under whose directions or approvals I had implemented the developmental programmes from time to time or to any other subordinate officers in violation of procedures.

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15) I have already submitted that Articles of Charges were hurriedly, framed and served on me vide GO RT No.5103 dt.27-09-1996 of GAD (SC-D) of Govt. of A.P. which are false, with the sole aim of serving the articles of charges before 45 days from serving of suspension orders, in which I was not at all involved in any enquiry, and opportunity of being heard which is a clear violation of AIS discipline and appeal rules. The basis of framing of charges is arbitrary, unjust and targeted only to justify the unwarranted and illegal suspension, and unfortunately without any proper and objective analysis of programme implementation which is indicative of lack of fairplay and justice in administrative matters.

16) I have already submitted vide my letter dt. 16-08-1996 to cancel the suspension orders.

17) I have already submitted vide my letter dt. 10-10-1996, for permission for perusal of records which was repeatedly requested in the letters dt. 16-11-1996, 12-12-96, 30-12-96 & 30-01-1997 which unfortunately was not yet given. While once again requesting for permission to pursue the records, the following records as per the list enclosed in Annexure II may kindly be permitted to be perused and to make notes in the matter.

18) I have already submitted statements of defence vide my letters dt. 12-12-1996, 30-12-1996, 30-01-1997, 14-03-1997 and 13-05-1997 even though the permission for perusal of records was yet to be accorded by Govt while reserving my right to submit the final statement of defence on perusal of records. While submitting elaborate defence to each article of charge, I have requested the defence to be correlated with the records, and the charges to be dropped which are already denied.

19) I have also submitted a very elaborate self account of my entire functioning as PD DPAP Anantpur including experiences sharing in campaign mode of development in my letters dt. 16-10-96 & 27-02-97 in volumes I, II and III with a submission to correlate the matter with the records to enable to arrive at a factual position for dropping of charges and all further proceedings in the matter.

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20) I have already requested for reinstatement vide my letters dt. 16-08-1996, 18-10-1996, 16-11-1996, 27-11-1996, 12-12-1996, 20-12-1996, 30-12-1996, 26-01-1997, 30-01-1997, 27-01-1997, 13-03-1997, 13-05-1997, 10-6-1997 & 08-08-1997.

21) I have already submitted my appeal to Govt. of India through Govt. of Andhra Pradesh by my letter dt. 14-03-1997 which seems to have been forwarded by Govt. of Andhra Pradesh in which while giving defence to each article of charges I have correlated the similar issues, with all the districts of A.P. as well as at state level, with a request for reinstatement, dropping of charges and further proceedings, and with a request for proper enquiry and proper proceedings in the matter, if need be, which unfortunately did not evoke any response from Govt. of Andhra Pradesh.

22) I have already submitted vide my letters dt. 13-05-97, 10-06-1997 and 08-08-1997 that the issues that are sought to be made as charges against me are the normal administrative issues occurring in all the districts of A.P. as well as at state level in Rural Development, and requested for reinstatement more so when there is no loss to Govt. misutilisation or misappropriation of funds, with excellent results of implementation of the programmes at Anantpur

23) I have already submitted vide the letters dt. 18-10-96, 12-12-96, 30-12-96, 14-3-97 & 13-5-97 that a very proactive integrated resources developmental campaign was implemented by us at Anantpur, and it is strange that without drawing an integrated and holistic picture of programmes implementation, even on the aspects concerning administrative or technical lapses of my subordinate officers such as delay in submission of accounts, articles of charges are served on me alone, even without any clear picture of responsibilities in the chain of command, drawn in the enquiry.

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24) I have already submitted by my letters dt. 30-12-96, 30-01-97, 13-03-1997, 14-05-97, 10-06-97 & 08-08-97 that the main charge of diversion of Rs.16,49,16,545/- from one scheme to the other is amply disproved by the mention in show cause notice itself "that the funds to be reimbursed on the date of handing over of charge were only Rs.2,74,56,663-00" which were also reimbursed subsequently. I had submitted that reimbursable advances are like any other advances which are to be reimbursed, and they are normal issues of programmes implementation in all the districts of A.P., and they are not diversion of funds.

25) I have already submitted vide my letters dt. 10-06-97, and 08-08-1997, that I was all the time representing only to Govt. for justice and did not approach any forum for judicial redressal inspite of inordinate delay of 12 months in reinstatement, suffering and loss to the career being caused by suspension. I will unfortunately be constrained to seek judicial redressal in case the reinstatement is endlessly being delayed, inspite of the fact that it is now nearing 13 months after suspension.

26) I have already submitted vide my letters dt. 18-10-96, 14-03-97, and 13-05-1997, that as project director of DPAP, I am definitely the over all guiding, overseeing monitoring, and coordinating officer, along with Dist. Collector while each of the sectoral officer is basically responsible for the processes of implementation of his sector.

27) I further submit that unfortunately my services are unnecessarily being wasted by endless delay in reinstatement, as well as by the delay in the enquiry itself, which may kindly be rectified with reinstatement and early conducting & completion of enquiry.

28) I further submit that what should have been a simple exercise of reconciliation and drawing of holistic picture of programme implementation, is unfortunately blown out of proportion, probably to tarnish my image with targeting and victimisation.

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29) Inspite of the fact that vide my letter dt. 14-03-1997, I have correlated the similar aspects of implementation of Anantpur with all other districts as well as at state level implementation in Rural Development, unfortunately neither I am reinstated nor any disciplinary action is taken on all other officers of the districts already quoted, which unfortunately proves the point of targetting, and victimisation of me alone in the matter. Similarly regarding the details of irregularities pointed out on my successor PD DPAP, who had diverted the whole attention of Govt. to cover his lapses the details of which were submitted vide my letter dt. 18-10-1996 of volume, I, so far no action seems to have been taken by the Govt., all the issues of which were unfortunately required to be brought in, to avoid discrimination, targetting and victimisation, and to kindly arrive at the root cause of the genesis of disinformation on me, inspite of excellent campaign which was carried out by us, with excellent results making the Anantpur to be a lead district in A.P. and in the country.

30) The time sequence date analysis, and impact analysis studies published by APSRAC is an ample proof of excellent results of programmes implementation at Anantpur, which may kindly be made use of.

31) I once again request that all the defence statements submitted by me as well the self contained account of functioning of volume I & II may kindly be correlated with the records toenable to draw an integrated picture of implementation for dropping of the charges. On giving permission for perusal of records and making the notes, as per the list enclosed in Annexure II, further specific and final defence will also be submitted in case of any, further need.

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32) The unfortunate, unjust and unwarranted suspension of me may kindly be rectified by drawing an integrated and holistic picture of programmes implementation duly appreciating the tremendous efforts that were put in for running such an integrated resources developmental campaign at Anantpur and immediate reinstatement.

33) Finally I request

(1) In view of abnormal delay of nearly 13 months after suspension, I may kindly be reinstated immediately.

(2) To drop all the charges and further action in view of elaborate statements of defence & self contained account of functioning already submitted or alternatively dropping of all the charges and further action by conducting & completion of proper and early enquiry if need be.

For the act of which I shall be ever grateful to you sir,

Yours faithfully,

Dt. 02-09-1997,  
HYDERABAD.

( R. SUNDAR VADAN )



37

Kindly Ref:

1. Govt. of A.P. Memo No.477/SC/AFS/96-1, dated 12-7-1996.
2. G.O.Rt.No. 4501, dt.13-8-1996 of General Administration (SCD) department of Govt of Andhra Pradesh.
3. End No.43383/96/PI.Dt. 14-8-1996 of PCCF forest department of Govt. A.P. of serving of suspension order on 14-08-1996.
4. My letter dt. 16-8-1996 addressed to Chief Secretary of G.O. A.P. with copy to GOI with a request to cancel suspension orders.
5. G.O. RT.No. 5103, dt.27-9-1996 of GAD (SC-D) of Govt. of A.P. of issuing of Articles of charges with a copy to GOI.
6. My letter dt. 10-10-1996 addressed to Chief Secretary of GO. A.P., with a request to grant permission for persual of records, with a copy submitted to GOI.
7. My letter dt.18-10-1996 addressed to Chief Secretary of Govt. of A.P. of submission of Volume I & Volume II of self contained account of functiong of me as PDDAP Anantpur as insights of operationalisation of compaign made of development, and certain other important issues, with a copy submitted to GOI.
8. My letter dt. 16-11-1996 addressed to Chief Secretary of Govt. of A.P. with a copy to GOI with a request for reinstatement.
9. A self contained account of Volume III on experiences sharing in campaign made of development submitted to Chief Secretary of G.O. A.P. on 27-11-1996 with copy to GOI.
10. My letter dt.20-12-1996 addressed to Chief Secretary with copy to GOI, of submission of interim statement of defence and with a request for reinstatement.
11. My letter dt.20-12-1996 addressed to Chief Secretary of G.O.A.P. with a request for reinstatement and dropping of all further proceedings, with a copy to GOI.

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12. My letter dt.30-12-1996 addressed to Chief Secretary of G.O.A.P. of submission of statement of Defence with a copy to GOI with a request for reinstatement.
13. My letter dt. 26-1-1997 addressed to Chief Secretary of G.O.A.P., with copy to GOI with a request for reinstatement and dropping of all further proceedings.
14. My letter dt.30-1-1997 addressed to Chief Secretary of A.O.A.P., of submission of statement of defence and dropping of all further proceedings with a copy to Govt. of India.
15. My letter dt.27\_2-1997 addressed to Chief Secretary of G.O.A.P., with a request for reinstatement and dropping of all further proceedings with copy to Govt. of India.
16. G.O. RT.No. 714, dt.7-2-1997 of GAD (SC-D) Department of Govt. of A.P. with a copy to Govt. of India.
17. My appeal dt.14-3-1997 submitted to Chief Secretary of G.O.A.P., with request for reinstatement and dropping of all further proceedings before forwarding to GOI.
18. My letter dt.13-5-1997 submitted to the Chief Secretary Govt. of A.P. with a request for reinstatement & dropping of all the charges and further proceedings with a copy to GOI.
19. My letters dt.10-06-1997 & 08-08-1997 with a request for reinstatement and dropping of all charges and further proceedings with a copy to GOI.

COPY TO:

1. Prl. CCF of Forest Department, for favour of information.
2. Prl. Secretary EFS & T for favour of information.
3. Secretary to C.M. Govt. of A.P. for favour of information and perusal with a request for early action in the matter.
4. Secretary to Govt. of India Environment & Forest for favour of kind perusal.

List of Records required for perusal and making notes

1. All the records as mentioned in Annexure II of G.O. RT. No. 5103 dt.27-09-1996 of GAD (SCD) Department.
2. 1994-95 & 1995-96 EAS sanctions general file.
3. 1994-95 & 1995-96 EAS sanctions Agriculture sector files.
4. 1994-95 & 1995-96 EAS sanctions Minor irrigations Roads and School Buildings sanctions files.
5. 1994-95 & 1995-96 EAS sanctions Forestry sector files.
6. 1994-95 & 1995-96 EAS sanctions other sectors files.
7. Note on developmental activities Anantpur submitted to Govt. from time to time.
8. DPAP & DDP sanctions files of 1994-95 & 1995-96.
9. EAS shelves of projects for 1994-95 & 1995-96 of all sectoral officers.
10. IWDP sanctions files for 1994-95 & 1995-96.
11. MPLADS sanctions files for 1994-95 & 1995-96.
12. DPAP & DDP Annual action plan files for 1994-95 & 1995-96.
13. Monthly progress reports of EAS, DPAP, IWDP, DDP, MPLADS for 1993-94, 1994-95 & 95-96.
14. Notes for project Directors Review meetings, and reviews issued of project Directors Conferences of middle of 93-94 to 95-96.
15. Notes on EAS submitted for collectors Conference and minutes issued 93-94 September to 95-96.
16. Reviews or notes issued by visiting terms of GOI & G.O.A.P. for 94-95 & 95-96.
17. Visits & Reviews issued by CRD & Secretary RD during the period.

18. Covering letters along with utilisation certificates scheme wise submitted by district Collectors from September 1993, 94-95 & 95-96.

19. Long term development plan of the district.

20. Time sequence date analysis of APSRAS & NRSA for 94-95 & 95-96.

21. Documentation of the developmental activities by SAC Ahmedabad.

22. Monthly progress reports by all the sectoral officers of EAS, DPAP, IWDP, MPLADS for 94-95 & 95-96.

23. An elaborate MIS date has available at Computer Centre for 93-94, 94-95 & 95-96.

24. C.A. Audit reports of EAS, DPAP, IWDP, MPLADS & DDP for 93-94, 94-95, & 95-96.

25. Success stories written on various watersheds.

26. Files of approval of building maintenance works by the District Collector of 94-95.

27. Details of cash accounts for 93-94, 94-95 & 95-96 for EAS, DPAP, DDP, MPLADS & IWDP.

28. Notes submitted for CM's meeting on 8-6-1995 and 30-9-1995 at Anantpur.

29. Evaluation studies of watershed programmes conducted by NIRD.

30. Forestry annual action plan approved by Mr. P. Sunder-Kumar District Collector for 95-96.

31. Decentralised watershed nurseries file approved by Sri B. Kripa nandam District Collector for 94-95.

32. Pass Books of all SB Accounts of EAS, DPAP, MPLADS, IWDP, DDP for 94-95, 95-96 & 93-94.

33. EAS, DPAP, DDP & IWDP files of District Forest Officer territorial & social forestering Anantpur & Penukonda.

34. EAS, DPAP & IWDP files of concerned sectoral officers of their offices.
35. Files of internal audit reports for 94-95 & 95-96 of PDDPAP agency.
36. Sanctions estimates of Agriculture, Minor irrigation, School buildings, Roads, Forests and other sectors of all the sectoral officers.
37. Monthly progress reports of all the sectoral officers for EAS, DPAP, DDP & IWDP for 1994-95 & 95-96.
38. Minutes of state level sanction committee for 1994-95 and 1995-96.

8

CONFIDENTIAL/  
PCT IMMEDIATE



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GENERAL ADMINISTRATION (SC. D)

DEPARTMENT

Memo. No. 1004/SC-D/96-18, dated 2-9-1997.

Sub:-Public Servants-All India Services-I.F.S.-  
Sri R.Sundaravadan, IFS, formerly Project  
Director, D.P.A.P., Ananthapur-Disciplinary  
action against-Charges framed-Statement of  
defence-Request for perusal of records-Regarding.

Ref:-1.G.O.Rt.No.5103, General Admn.(SC-D) Deptt.,  
dated 27-9-1996.

2.From Sri R.Sundaravadan, IFS,(Under suspension)  
Representation dated 10-10-1996.

...

The attention of Sri R.Sundaravadan, I.F.S., is  
invited to the references first and second cited. He is  
permitted to peruse the listed documents as in Annexure-II  
to the G.O. first cited in the Office of the Regional Vigilance  
and Enforcement Officer at Kurnool, in the presence of the  
Regional Vigilance and Enforcement Officer, Kurnool, on any  
working day during the office hours by giving prior intimation  
and submit his statement of defence within a period of one  
month after perusing the records.

K.MADHAVA RAO,  
CHIEF SECRETARY TO GOVERNMENT.

To  
Sri R.Sundaravadan, I.F.S.(Under suspension)  
through Principal Chief Conservator of Forests, AP, Hyderabad.  
Copy to:  
The General Administration (Vigilance & Enforcement) Department,  
w.r.to their U.O. Note No.436/V&E/NR-2/96-13, dt.7-5-1997.  
The Regional Vigilance and Enforcement Officer, Kurnool.

::FORWARDED::BY ORDER::

*R. S. Rao*  
SECTION OFFICER(SC)

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A.B - AB

From

R.SUNDAR VADAN, IFS  
Conservator of Forest,  
A.P. (82).

To

The Secretary,  
Government of India,  
Ministry of Environment & Forest,  
Paryavaran Bhavan,  
NEW DELHI.

(THROUGH PROPER CHANNEL)

Respected Sir,

Sub:- All India Services - SRI. R.SUNDAR VADAN, IFS -  
Disciplinary action - Charges framed -  
Statement of defence Submitted - Submission  
of Appeal with a request to advise Govt  
of A.P. for immediate reinstatement and  
dropping of all further proceedings - Reg.

\* \* \*

1. With reference to the above I submit that I belong to 1982 batch of India Forest Service. I was working as conservator of Forest (FRI) incharge of Joint Forest Management at the Office of Principal Chief Conservator of Forest Department of Govt. of A.P. since 6-10-1995.
2. On 14-08-1996. I was shocked to receive suspension orders, served on me by PCCF of Forest Dept., of G.O.A.P., of G.O.R.T.No.4501, of G.O.A.P., dt. 13-08-1996.
3. It is submitted that the Suspension Orders are suo motto, suddenly issued, without any proper enquiry and opportunity of being heard in the matter, in violation of All India Services (Discipline and Appeal) Rules 1969.

Contd...2....,

4. It is further submitted that except functioning very effectively and properly as PD DPAP, Anantpur from 23-3-94 to 1-10-1995, no serious irregularities as stated in G.O.Rt.No.4501, dt. 13-8-1996 of G.O.A.P., were committed, and they are untrue and far from reality.
5. It is also to bring to the kind notice, that all aspects of implementation of my functioning, as PD DPAP Anantpur, were reviewed by my head of the department (Commissioner Rural Development) from time to time & approved, and during the period of functioning no issues were raised. Till the date of serving of suspension orders. i.e. even during ten and half month after handing over of charge at Anantpur, no issues were communicated, never any written or oral explanation sought, and the causative factors for suspension were mysterious and unknown.
6. It is further submitted that all the aspects of implementation at Anantpur were done with the approvals of the concerned District Collectors & Chairman of DPAP from time to time, and were also approved by state level sanction committee for the years 1994-95 & 95-96.
7. I submit that I was working in a non focal post far away from Anantpur and my suspension was unwarranted, as I am in no way can influence the Proceedings, if at all there was any requirement of any enquiry, which was nothing but a created matter in violation of rules and relevant laws.

8. It is further submitted that I have every reason to believe that wantonly, a factually incorrect and false preliminary report was circulated by PR & RD, dept of G.O.A.P. directly to Chief Secretary without any proper enquiry, without any proper examination or enquiry of such report by GAD, suspension orders were issued, Violating all the rules and opportunity of being heard was never given.
9. I have every reason to believe that based on report of PR & RD dept., absolutely incorrect report was submitted by Govt. of A.P. to Govt. of India, as all the points reported to GOI, have been arrived, without any proper enquiry, and without drawing integrated and correct picture of programme implementation, violating established procedures and rules.
10. Further as per the instructions of GOAP issued vide GOAP Memo No.477/SC/IFS/96-1, dt. 12-7-1996, I had attended to a review meeting conducted by Hon'ble Minister for PR & RD on developmental activities at Anantpur on 14-7-1996, in which clarifications of facts were given as part of review meeting. However no minutes of review meeting were communicated nor any clarifications or explanations sought. Deliberations of a developmental review meeting cannot be construed as any enquiry in the matter.

11. Further it is very surprising that I am alone is targetted for suspension, and expeditious serving of Charges, whereas so far no such orders are issued to any of the four district collectors or Commissioner Rural Development with whom I had worked, under whose directions or approvals I had implemented the developmental programmes from time to time or to any other subordinate officers in violation of Procedures.
12. Further Articles of charges hurriedly were served on me vide G.O.R.T.No.5103, dt. 27-09-1996 of GAD (SC-D) of Govt. of A.P. without any proper enquiry, which are false, with the sole aim of serving the articles of charges before 45 days from serving of suspension orders, in which I was not at all involved in any enquiry, and opportunity of being heard, which is a clear violation of AIS Discipline & Appeal rules. The basis of framing of charges is arbitrary. Unjust and targetted only to justify unwarranted & illegal suspension, and unfortunately without any proper and objective analysis of Programme implementation, which is indicative & lack of fairplay and Justice in administrative matters.
13. I further submit that vide Rc.No.(6), I had requested for perusal of records to be able to submit detailed statement of defence, after perusal of records, but unfortunately so far permission for perusal of records was not given by Govt. of A.P., in violation of Discipline & Appeal rules of All India Services 1969.

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14. I had already submitted statement of Defence, even though perusal of the records is denied by Govt. of A.P., in which giving elaborate defence for each Article of Charges, all the charges are denied, the copies of which were already submitted to Secretary Environment & Forest of Govt. of India, In all sincerity, obeying the illegal and unjust punishment being given.
15. The request for conducting proper enquiry also unfortunately did not evoke any proper response of the Government of Andhra Pradesh, in violation of the rules.
16. Further I had requested Govt. of Andhra Pradesh vide the Ref Nos. 4, 6, 7, 8, 10, 11, 12, 13 and 14 for re-instatement and dropping of all further Proceedings in view of elaborate self contained account submitted, along with statement of defence, with a request to correlate with the records, to enable for dropping of all further proceedings.
17. All the copies of the reference of my letters were submitted to PCCF of Forest Dept., of GOAP., Principal Secretary Environment & Forest of Govt., of A.P., and Secretary to Chief Minister of Govt., of Andhra Pradesh and Secretary Environment & Forest of Govt., of India from time to time and were Acknowledged as received by all the Officials.
18. Secretary of Environment & Forest of Govt. of India was kind enough to acknowledge the receipt of Volume I & Volume II of self contained account Vide No. 4193/IR/Secy. (ESF)/96, dt. 19-11-1996, With information that they are being forwarded to the concerned (Govt. department) for action. Contd. 6...

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19. I humbly submit that for the last 15 years, I had very actively contributed for implementation of developmental activities of Government, and except campaigning for integrated development, of Anantpur, as elaborately submitted, I had not at all committed any grave irregularities, and it is unfortunate that after such a remarkable and invaluable contribution of giving Anantpur and Andhra Pradesh a lead district and state performance, I have to undergo this kind of suffering.

20. Further Govt., of A.P. Vide G.O.R.T.No.714, dt. 7-2-1997 of GAD (SC-D), While increasing subsistence allowance being paid by 50%, have mentioned in para 3. that Govt. "have decided that the Member of Service should be continued under suspension until further orders".

Which unfortunately is the indication of Govt. A.P. to continue me under suspension endlessly in gross Violation of all the rules & Relevant Law resulting in personal & Professional loss, mental agony and continuous suffering to me. Neither I was working as PD DPAP Anantpur at the time of suspension, nor in any post even remotely connected with PR & RD department, and the very purpose of suspension is defeated, in clear violation of All India Services (Discipline and Appeal) Rules, 1969.

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21. I submit that seven months are completed since serving of suspension orders on me on 14-08-1996. For the last seven months I was only representing to Govt., of A.P., hoping for Justice and fairplay in administrative actions, and unfortunately my reinstatement is endlessly getting delayed, Causing severemental agony, depression, with feelings to resign from service.

22. In view of all the above facts as mentioned I request the Chief Secretary of G.O.A.P., once again before forwarding my Appeal that:

- 1) I may kindly be reinstated.
- 2) All further proceedings in the matter may kindly be dropped.
- 3) I will fully assist for completion of proper enquiry and proper proceedings in the matter, if need be.

23. Hence I appeal to Secretary Ministry of Environment & Forest of GOI that:

1. Govt. of A.P. may kindly be advised for reinstatement.
2. Govt. of A.P. may kindly be advised to drop all further proceedings by conducting and completing proper enquiry.
3. The suspension orders issued by Govt. of A.P. may kindly be revoked in the interest of Justice and fairplay in administrative action, by early and suitable communication to Govt. of Andhra Pradesh for the act of which I shall be ever grateful to you Sir.

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Further I submit the following important Points as my further defence for each article of charge served so as to very clearly visualise that unfortunately, due to origin of this entire episode by creation of factually in correct and false information, an unwarranted suspension was done and unfortunately I am endlessly being victimised, inspite of very good performance at Anantapur, the facts of which were self explanatory and already were submitted.

I am to humbly submit that even the comparative analysis of implementation of the programmes of all the DRDAS & DPAP's as well as the issues of implementation at state level reveal that, unfortunately I am alone is being discriminated and targetted, with professional zealously to malign and tarnish my image, and I am unfortunately being harassed without any Justice and fairplay in administrative matters.

I submit my charge wise Defence as follows:

I.

C H A R G E I

Sri R. Sundervadan, while working as project Director, Drought Prone Area Programme, Anantapur during the period from 23-08-1994 to 30-09-1995, has diverted large scale of funds from one scheme to another an extent of Rs. 16,49,16,545/- (Rupees sixteen Creres forty nine lakhs, sixteen thousands, five hundred and forty five only) violating the rules, regulations and instructions in vogue.

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D E F E N C E

1. In addition to the points which I have already submitted through my letters dt: 12-12-1996 & 30-12-1996 I am submitting important facts as obtaining in Chartered Accountant Audit Reports of various schemes of PD DPAP Agency of Anantapur for 1994-95, 95-96 and 96-97. So as to perceive that the status of implementation is normal like any other district of A.P. India.
2. Further as I already submitted, I had worked with four district collectors during the period, and actively coordinated implementation of the developmental programmes, working in close coordination with them, and implementing the programmes with their approval from time to time.
3. Further all the programmes were reviewed from time to time by commissioner rural development and Secretary Rural development as well as Visiting GOI and GCAP Officials, and the regular entire picture of implementation was approved and available with them, and the processes of implementation was appreciated from time to time.
4. The status of implementation was always, coping up with gearing up of District administrative machinery by GCAP, for giving fillup to developmental efforts as well as

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coping with gearing up by GOI, and coping with felt needs, by operationalisation of an integrated and sustainable developmental campaign of & Hot arid district.

5. As per C.A. Audit Reports of EAS, DPAP, IWDP & MP LADS for 1994-95, 95-96 the receipts and payments are totally tallied and there are no diversions of any funds.

6. The Programme implementation as well as the financial progress was approved by SLSC for 1994-95 & 95-96, and as per the minutes there are no diversions of any funds.

7. The progress of implementation, Audits, UCS and financial progress being proper for 94-95 & 95-96, was very evident of the District continuing to get normal releases or even additional releases from G.O.I. & G.O.A.P. during 1995-96 & 96-97.

8. Further utilisation certificates were submitted by Joint signatures of PD DPAP for EAS, DPAP, DDP, IWDP & MPLADS for 94-95, 95-96 & 96-97 to government of A.P. & G.O.I. When Programme implementation being proper, certified, & U.C.'s are submitted & accepted where are diversions and where is any issue?

Though for each scheme, each release wise utilisation certificates are submitted by the successive District Collectors, and are certified by Government of A.P., accepted and forwarded to GOI, & GOI making normal subsequent releases totally a non existence factually incorrect, and false charge is being made of Diversions of funds.

9. COMPARATIVE TOTALLY TALLIED STATUS OF RECEIPTS AND PAYMENTS OF VARIOUS SCHEMES IS EVIDENT FROM AUDIT REPORTS FOR 1994-95, 1995-96 AND RECEIPTS & PAYMENTS

STATEMENT FOR 1996-97

I. (1) DDP 1995 - 1996

RECEIPTS

Rs. 5,47,95,328-85

PAYMENTS

Rs. 5,47,95,328-85

(Please see Annexure-I)

(2) D P A P 1994-95

RECEIPTS

Rs. 16,18,68,752-03

PAYMENTS

Rs. 16,18,68,752-03

(Please see Annexure-II)

(3) D P A P 1995-96

RECEIPTS

Rs. 4,74,22,872-19

PAYMENTS

Rs. 4,74,22,872-19

(Please see Annexure-III)

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(4) D P A P 1996-97

R E C E I P T S

Rs. 1,27,08,517-89

P A Y M E N T S

Rs. 1,27,08,517-89

(Annexure - IV)

(5) D D P 1996-97

R E C E I P T S

Rs. 5,65,84,550-65

P A Y M E N T S

Rs. 5,65,84,550-65

(Annexure - V)

II (1) I W D P 1994-95

R E C E I P T S

Rs. 11,11,70,462-50

P A Y M E N T S

Rs. 1,11,70,462-50

(Annexure - VI)

(2) I W D P 1995-96

R E C E I P T S

Rs. 41,85,013-50

P A Y M E N T S

Rs. 41,85,013-50

(Annexure - VII)

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(3) I W D P 1996-97

R E C E I P T S

P A Y M E N T S

Rs. 30,41,240-50

Rs. 30,41,240-50

(Annexure - VIII)

III (1) M P L A D S 1994-95

R E C E I P T S

P A Y M E N T S

Rs. 3,00,00,000-00

Rs. 3,00,00,000-00

(Annexure-IX)

(2) M P L A D S 1996-97

R E C E I P T S

P A Y M E N T S

Rs. 36,95,293-00

Rs. 36,95,293-00

(Annexure-XI)

IV (1) E A S 1994 - 95

R E C E I P T S

P A Y M E N T S

Rs. 44,36,95,350-60

Rs. 44,36,95,350-60

(Annexure - XII)

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(2) E A S 1995-96

R E C E I P T S

Rs. 21,13,17,927-88

P A Y M E N T S

Rs. 21,13,17,927-88

(Annexure-XIII)

(3) E A S 1996-97

R E C E I P T S

Rs. 9,09,43,093-85

P A Y M E N T S

Rs. 9,09,43,093-85

(Annexure-XIV)

10. Further as already submitted through my letter dated 30-01-1996 vide RCNo.(14) Quoted, even scheme wise reconciled final picture for 94-95 95-96 & 96-97 of the schemes of DPAP, DDP, EAS, IWDP & MPLADS, also amply proves the point, of total tallying of receipts & Payments.
11. As seen from C.A. audit reports it is very evident that the process of obtaining reimbursable advances and reimbursement is a continuous process at Anantapur as well as any other districts of A.P. and many districts of India which are part and parcel of established norms of implementation, and is not of a strange phenomenon of any district or any body's tenure.

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12. As already submitted in myself contained account of Volume-I, the successive District Collectors have approved drawing of reimbursable advances and submitted progress reports and UCS, to G.O. A.P. & G.O.I. from time to time including reporting of reimbursable advances drawn from time to time.

Further the reimbursable advances, are advances like any other advances, which are reimbursable, and they are not diversion of funds. As clearly seen in Audit reports of PD DPAP Anantapur there are no diversion of funds. Such advances are obtaining in all the districts of A.P., like any other advances. At Anantapur no permanent apportion, appropriation, or diversion of funds done. Hence the charge of diversion of funds is baseless.

13. The figures of advances mentioned from different scheme, of an audit report of a particular scheme are of:-

a) Reimbursable advances given which are reimbursed later.

b) Simple Routing and through Advance Account.

14. At DF AF Anantapur my tenure was from 23-03-1994 to 01-10-1995 during which the following Audits were carried out.

a) DPAP Audit for 1992-93 and 1993-94.

b) EAS Audit for 1993-94.

c) I W D P Audit for 1992-93, & 1993-94.

15. During my tenure an elaborate exercise of

- Obtaining accounts from sectoral officers, watershed teams and NCC's for the above mentioned schemes for 1992-93, 1993-94 was done.
- Reconciliation of 1992-93, 1993-94, accounts and proper auditing after reconciliation done.
- Obtaining accounts of 1994-95 & 1995-96 to the extent programmes are implemented, and accounts were possible to be submitted, after programme implementation by sectoral officers, and implementing Agencies done.
- Approving of DC Bills and adjustments for 1993-94 1992-93 and 1994-95, to the extent received and possible to be reconciled and adjusted was done.

16. In any organisation the office and official functioning is a continuous matter, and proper reconciliation and audits should continuously be done as proper official functioning. We have done total reconciliation and proper Audit for 1992-93, 1993-94 & part of 1994-95.

Hence in a new established Agency with regular monitoring of implementation, with lot of hard work, all care was taken and very effective implementation of programmes was done.

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17. WHY REIMBURSABLE ADVANCES WERE REQUIRED TO BE DRAWN

1. For example during 1994-95 from DPAP Rs. 20,00,000-00 reimbursable advances were given to SE Panchayat Raj in May of 1994, when drinking water shortage was very severe with intense draught, and funds were required for drilling/Repair of Borewells as the normal funds for drinking water were in negative balances.
2. Reimbursable advances from DPAP & DDP were drawn into EAS to tide over the demand for wage employment in summer as well as upto July where the unspent releases of March adjusted in April, will come handy for coping up with wage employment demand under EAS.
3. 1) Similarly in several districts depending on the demand for certain scheme, temporary reimbursable advances are being drawn from one scheme to the other of the same Agency, or from one Agency to the other depending on the need to cope up with implementation of programmes in the field. In each district on an average there are Rs.4 - Rs.5 crores of temporary reimbursable advances from one scheme to the other each year of various developmental Agencies and departments, of a total of about Rs.100 crores each year. At state Government level it may be of about Rs. 300 - Rs. 400 crores each year which is a reality. Similarly work transfers, programme transfers and composite schemes are also common more so in

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several Engineering departments, and several schemes  
now being implemented are composite schemes.

If what is being charged is even by distant stretch of imagination is any where near truth how is that the concerned four District Collectors, CRD & Secretary RD not suspended?

19. WHAT DOES REIMBURSABLE ADVANCES SIGNIFY:-

1. Better and early utilisation of funds.
2. Gearing up of machinery on a campaign mode and effective implementation of Demand driven programmes.
3. Coping up with demands of felt needs of people, seasonality, and sustainable developmental programmes with sustained efforts on a continuous basis.
4. Non sleeping over funds, and non adherence to the standard practice of long Dormancy of development with limited effort.
5. Improved delivery mechanisms and responsive administrative machinery.

20. WHAT DOES HEAVY CASH BALANCES AND NON UTILISATION OF FUNDS ON QUARTERLY TARGETS SIGNIFY

1. Non gearing up of machinery, non utilisation of funds, and non performance.
2. Lack of efforts coping with felt needs, or demand driven wage employment and non achievement resulting in inability to submit UCS, and claim for funds in time.
3. Lack of proactive developmental efforts.

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21. Moreover as per the study conducted by PRADHAN of the status of implementation of RD Programmes through out the country in 1993 that the semi Autonomous Agencies are required to totally view the total funds in an integrated manner, of all the funds of DRDA, and depending on the seasonality, felt needs and demands, programmes are being implemented, and G.O.I. also is in active knowledge of such implementation through out the country.

22. REALISM OF FINANCIAL MANAGEMENT :-

At the National Level Project Directors Annual (1993) Conference the following issues were identified as crucial issues influencing developmental programmes of a district.

1. Mismatch between workseason and financial year as well as releases by G.O.D.
2. Long gap of releases by State Governments to Districts, even after releases of finances to State Government by G.O.I.
3. Temporary utilisation of G.O.I. funds, of centrally sponsored schemes, at State Government level, and releasing of finances of one particular financial year, in the next financial year.

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4. State Governments gearing up district administrations for speedy utilisation of funds and early submission of UC's to claim more funds from G.O.I.
5. G.O.I. gearing up State Governments for speedy and effective utilisation of funds to be able to release the quota or more funds to State Government.

With reference to the Points made in Annexure-I of GORT No.5103, dt. 27-9-1996 the specific defence is as follows:

CHARGE - I

Each Scheme having several bank accounts is very normal in DRDAS. When reimbursable advances are taken and reimbursed later, it is normal that in each account, there are transactions relating to receipts and Payments to other schemes & is not an irregularity at all. It is not at all true to say that the funds were not operated properly. It may clearly be understood, without proper operating of funds, Anantpur district would not have got the name of alead district in A.P. & India in rural development activities and one district ingly without such an excellent team work would not have achieved 15%-20% performance of the state.

First of all it is not true to say, that there were three types of diversions of funds, from one Programme to the other.

1. Amounts Transferred from one Programme/Scheme to another programme scheme.

As explained above in case of reimbursable advances which are like any other advances, when advancing and reimbursing are there such transfers exist and they are not diversion of funds at all.

2. Expenditure of one Programme incurred from funds of other Programmes.

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As clearly reconciled through audit reports, in case of work transfers the above situation arose which is clearly mentioned as well as reconciled in audit reports and hence is a non issue and not at all an irregularity.

3. Receipts relating to one Programme credited in account of other Programme.

In a major development Agency with several schemes, and several bank accounts, however much care is taken, when DD's of a scheme with covering letters are given to Bankers, at Bankers level such situations arises. In the instant case, by monthly reconciliations, as well as final reconciliation, a totally reconciled and final & proper picture is available and hence the point mentioned is not at all any irregularity of any consequence in programme implementation.

With regard to the figures Quoted in tables of Annexure-I, the figures are factually incorrect, which is very evident of totally not correlating with any figure in audit reports of all schemes enclosed, they are fictitious, non reconciled figures, and far from truth of reconciled figures as clearly depicted in audit reports.

As can clearly be seen though the figures are factually incorrect the mutually cancelling and reimbursable nature is very evident in the table itself.

Contd..2...

EAS → DPAP  
 DPAP ← EAS  
 EAS → IWDP  
 IWDP ← EAS  
 DPAP → IWDP  
 IWDP ← DPAP  
 MPLADS → DPAP  
 DPAP ←-- MPLAPS  
 DDP → EAS  
 EAS ← DDP  
 DDP → IWDP  
 IWDP ← DDP

Once a total and finally reconciled position as evident in audit reports available, the non reconciled, factually incorrect position is not basis for any conclusion of diversion, which is totally incorrect, baseless and far from truth.

1.(b) With regard to point of expenditure of one Programme met from the funds of other Programme.  
 The figures are factually incorrect, and as submitted already, wherever transfer of works from one scheme to another is made such situation arose, and also is depicted in audit reports, reconciled, and it was proper implementation with all approvals and not all any irregularity.

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From table (1) (a) of Rs.8,10,64,390 though factually incorrect, are reimbursable advances, which are reimbursed, reconciled and final & Proper Picture available, in audit reports, and the charge of Rs.8,10,64,390 as diversion is baseless, false, incorrect and very evident of lack of fairplay in administrative matters.

From table 1(b) the figure of Rs.5,50,04,361 as diversion also is baseless, incorrect and false,

From table 1(c) the figure of Rs.2,88,47,794 which is again factually incorrect, as there is no such situation as obtaining from totally reconciled picture in audit reports and to present as diversion is baseless, incorrect, false and ill conceived.

Further as is evident though a very fictitious, false, incorrect Planned to be glaringly high figure of <sup>16</sup> Rs.16,49,545 as diversion of funds sought to be made as a charge, the confession by the authorities as "Thus the funds still to be reimbursed from one Programme to the other as on 2-10-1994 (1995). as Rs.2,74,56,663.00 is an ample proof that the above charge of Rs.16,49,16,545 as incorrect and baseless.

Further as seen in reconciled picture of audit reports of all schemes for 94-95-95-96 & 96-97 the diversions are not at all there and proper, reconciled and financial picture is available and hence the charge is totally baseless, incorrect and doe not correlate with true picture as obtaining in audit reports as the authentic records in the matter.

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Further for all the schemes of DPAP, DDP, EAS, IWDP & MPLADS Utilisation certificates are submitted, by the District Collectors to Govt of A.P., who in turn submitted them to GOI. When every Pie is accounted for each year of each scheme as utilised and approved, the issue of diversion of funds does not arise and is false & incorrect.

If what is being charged even by a distant stretch of imagination is any where near truth, concerned four district collectors, CRD & Secretary RD should also be suspended ?

Why targetting me alone ? Why target me only as if any project director can do such large scale diversions, without being checked by DC & C, CRD, public representations and various other concerned officials.

How & on what basis this illegal & unwarranted Targetting & suspension of me alone is done, and a report submitted to GOI that the MOS is responsible for Rs.30.60 crores Diversion. Then why in the same file all concerned collectors, CRD & Secretary RD not suspended? They all should also be suspended.

Then how 16.00 crores as diversion in charge I arrived? Does not the truth that neither 30.00 crores nor Rs.16.00 crores being correct not known to all of you. Then why this false & illegal action?

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Further the following table of district wise, scheme wise, year wise comparsion of Reimbursable advances/ Transfer of funds/ Diversions of funds apply prove that in all the districts such aspects of implementation is common and occurring.

S.No.	Name of the Scheme District	Year	Reimbursable Amount in Rs. advance/Trans- fer of funds/ Diversions of funds
1)	Srikakulam DPAP	95-96	Diversion of 3,37,500-00 funds to IRDP
2)	Srikakulam DPAP	95-96	50% Ear marked funds from EAS 3,12,50,000- 00
3)	Mahaboob- nagar DPAP	95-96	DueBy Account (Receipts) 15,00,000 DRDA, EAS 31,57,000
4)	"	"	DueBy Account (Payments) 15,00,000 DRDA, EAS 31,57,000
5)	Adilabad DPAP	95-96	Reimbursable advance given IRDP, NREP EAS, MP Funds 16,71,022.24 NREP, Jeevan- dhara pamm
6)	Kurnool DPAP	95-96	Reimbursable advances 1,89,51,855. Receipts 00

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7)	Kurnool	DPAP	95-96	Reimbursable advances payments	Rs. 1,91,88,363.00
8)	Mahboob-nagar	DPAP	94-95	To due <sup>ly</sup> account EAS, IRDP	86,80,160.00 50,00,000.00
9)	"	"	"	By due <sup>ly</sup> account IRDP, EAS	50,00,000.00 86,80,160.00
10)	Kurnool	DPAP	94-95	Reimbursable advances	12,00,000.00
11)	"	"	"	Reimbursable advances Payments	12,00,000.00
12)	Prakasam	DPAP	95-96	To Transfer of funds, IRDP, IWDP	20,00,000.00 15,00,000.00
13)	"	"	94-95	IWDP (Receipts)	5,00,00
14)	Chittor	IRDP	95-96	Reimbursable advances Receipts	39,20,225-00
15)	Chittor	IRDP	95-96	Reimbursable advances	
16)	Srikakulam	IRDP	94-95	payments Transfer of funds DWCRB Trsem infrastruct <sup>ure</sup> payment.	15,12,439-99 36,00,000.00 1,00,000
17)	Vizianag-ram	IRDP	94-95	Receipts from EGS	21,00,000

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				Advance reimbursed to JRY 10,00,000
				Advance reimbursed to 86society Receipts 5,00,000
18.	Viziana- gram	IRDP	94-95	Advance to JRY 10,00,000-00
19.	Chittor	IRDP	94-95	Reimbursable advances 72,83,764-00
				DWCRA Sev living fund 1,29,10,407-00 (Payments)
20.	Chittor	IRDP	94-95	Reimbursable advances Receipts 48,63,000-00
21.		IRDP		MP ADS 2,00,00,000-00 JRY 1,60,14,000-00 EAS 1,50,00,000-00 Payments
22.		IRDP		MPLADS 2,00,00,000-00 JRY 1,60,14,000-00 EAS 1,50,00,000-00 Receipts

Contd. 29...,

23.	Krishna	IRDP	94-95	EGS	1,65,00,000-00
				MLA	2,54,539-00
				funds	
				MDIADS	3,14,65,000-00
				funds	
				SDA	
				funds	88,88,50,200-00
				Maternity	
				existance	45,44,000-00
				DWCRA	26,82,500-00
				(Receipts)	
24.	Krishna	TRDP	94-95	To TDS	53,04,743-00
				JRY	6,67,21,340-00
				EAS	1,05,00,000-00
				MDIADS	1,57,98,500-00
				JL(A)	88,50,200-00
				Maternity	
				existance	45,45,000-00
				DWCRA	26,60,000-00
				SF/MF	42,98,000-00
				(Payments)	
25.	Adilabad	IRDP	94-95	To DWCRA	45,00,000-00
26.	Ranga Reddy	IRDP	94-95	Funds	
				transfer	60,04,411-00
				to EAS	
				Funds	50,00,000-00
				transfer to	
				wastelands	
				development	
				(Payments)	
				To DPAP	22,00,000-00
				Try sem	21,65,476-95
27.	Cuddapah	IRDP	94-95	To DWCRP	2,42,50,000-00
28.	Kurnool	IRDP	94-95	To Reimbursable	
				advance	74,47,611-85

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29.	Kurnool	IRDP	94-95	From	Reimbursable advances	36,57,310-00
30.	Kurnool	IRDP	95-96	To	Reimbursable advances	14,25,292-00
31.	Kurnool	TRDP	95-96	From	Reimbursable Advance	85,75,066-00
32.	West Godavari	IRDP	94-95	Advances	5,00,00,000-00	
				MP Govt	1,68,53,000-00	
				JRY	20,00,000-00	
				EAS	1,75,99,500000	
			DWCRA	DWCRA		
33.	Mahaboondnagar	IRDP	95-96	Purchase of mikesets	4,16,000-00	
				to	4,16,000-00	
				From	4,16,000-00	

It is very evident that in all the 33 above mentioned cases also similar action on all the concerned project directors & District Collectors should have also been taken. The concerned 33 collectors & FDS should also be suspended? when in just two years of only a few districts if that be the picture, will any district Collector or project director remain at the helm of the affairs. Why is that unfortunately discrimination against me and targetting of me alone is being done.

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Why can't similar action be taken on all the concerned PDS and Collectors?

Further during 94-95 & 95-96 at Commissioner Rural Development (State level) Rs.30.00 crores are diverted from IRDP to DWCRA without prior approval of Govt of Andhra Pradesh, Govt. of India state level Sanction committee was never convened for the purpose, and prior approval of SLSC was not obtained. Huge diversion of Rs.30.00 crores by all the districts done with oral or written directions of commissioner Rural Development.

Commissioner Rural Development & Secretary Rural Development should also be suspended for unauthorised diversion of Rs.30 crores by all the districts from IRDP to DWCRA. All the funds are outright diversions and not reimbursable advances. Similarly during 1994-95 & 95-96 all the districts have purchased ineligible items such as Auto Carts,

Chinese power tillers, & cinema Projectors worth Rs.5 crores, without any proper procedures. Why no action against the concerned commissioner Rural Development & All the project Director was taken. They should be suspended.

During 94-95 & 95-96 tool kits were purchased of a single firm on instructions of commissioner Rural Development for Rs.4.00 crores without calling for tenders. Why no disciplinary action for such violation of procedures. All PDS & CRD should be suspended.

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As per audit reports itself irregularities are pointed out in the following districts for 92-93, 93-94, 94-95 & 95-96 Warangal, Adilabad, Ranga Reddy, Guntur, East Godavari, Chittor, Mahboobnagar, Vizag, Khammam & Prakasam. Why was action not taken on all the Project Directors and District Collectors. Why were they not suspended?

The following are the amounts diverted from IRDP to other schemes during 96-97,

1.	Visakhapatnam	District	Rs. 429.32 Lakhs
2.	Karimnagar	"	Rs 147-45 Lakhs
3.	Chittor	"	Rs 35-95 Lakhs
4.	East Godavari	"	Rs 10-00 Lakhs
5.	Kurnool	"	Rs 20-00 Lakhs
6.	Anantpur	"	Rs 41-67 Lakhs

Long pending reimbursable advances, which are not yet reimbursed at 96-97 begining. In Guntur Rs.48.61 lakhs, in Kurnool Rs.37-96 lakhs, Chittor Rs.28-26 lakhs, Prakasam Rs.8.97 Lakhs, Vizianagaram Rs.9.95 lakhs and in all other districts nearly Rs.100 Lakhs.

From April 1996 - August 1996 Diversion of Trysem are Chittor Rs.22.74 lakhs, Guntur Rs.22-75 lakhs, Adilabad 19-85 lakhs, Nizamabad 5-93 lakhs, Totally Rs.72-29 lakhs

From April 96 - August 96 Diversions are Mahboobnagar Rs.46-57 lakhs, Khammam Rs.10-00 Lakhs, Chittor Rs.12-35 lakhs Adilabad, 98-02 lakhs Nellore 102-90 lakhs, Karimnagar, 15-00 lakhs Khammam (SFPP) 23-00 lakhs.

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Collector & PDS should be suspended. PDDPAP my successor Srinivas Raju & Sunder Kumar District Collector from 2-10-95 to 30-11-95 have drawn Rs.5.00 crores reimbursable advances as seen from audit reports. Why were they not suspended?

### CHARGE - II

Sri R. Sundervadan, IFS., while working as Project Director, Drought Prone Area Programme, Anantpur during the period from 23-03-1994 to 20-09-1995 has committed grave financial irregularities by issuing several cheques for Rs.50,000/- and less on a single day by splitting the programmes without bringing into the notice of Collector, Anantpur who is supposed to be the Joint signatory for spending the amounts for more than Rs.50,000/- at a time while he has the powers to issue cheques not exceeding Rs.50,000/- Thus, he has exceeded the financial powers in sanctioning amounts.

in violation of financial powers vested in him, in violation of the instructions, procedures etc., in vogue.

### DEFENCE

It is not true to say that I have committed grave financial irregularities by issuing several cheques for Rs.50,000/- It is also not true to say that by splitting the programmes without bringing it to the notice of the Collector Cheques are issued. It is also not true to say that I have exceeded the financial powers in sanctioning amounts in violation of the instructions, procedures etc., in vogue.

In an elaborate programme implementation for giving fillup to implementation of the programmes coping with seasonality, for timely followup and effective implementation of the programmes as a way of implementation cheques of Rs.50,000/- are issued against the overall programme approval of district collector & Chairman or programmes as implemented of Annual Actions Plan or programmes that were required to be implemented.

All the details are very clearly available, including the details of programmes implementation and the charge is baseless, incorrect and hence denied.

Further a comparsion of all the districts for 93-94, 94-95, 95-96 will give a very clear picture of exercising of such powers by the project directors, and hence discrimination and targetting me alone may kindly not be done.

As per the points mentioned in Annexure I of GORT No.5103 dt. 27-9-96 it is not true to say that splitting of cheques above Rs.50,000/- to avoid the signature of DC&C was done. All the programmes were always implemented with administrative approvals or approvals of Collectors. A good team work with excellent coordination with District collectors done. Hence charge is baseless & denied.

### CHARGE - III

Sri R.Sundarvadan, IFS, while working as Project Director, Drought Prone Area Programme, Anantpur during the period from 23-3-94 to 30-9-95, has spent Rs.69.14 lakhs towards Administrative and office

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expenditure as against the provision of Rs.47.30 lakhs without obtaining any orders either from the Governing Body or Collector for administrative sanction/approval or for ratification of expenditure violating the prescribed procedures, rules and regulations in vogue.

The total of Rs.59-14 lakhs is not factually correct as several reimbursable advances to various departments such as District Revenue Officer, Assistant Director Physically Handicapped, also have been included, which is incorrect.

Further the total release for 1994-95 are Rs.473 lakhs <sup>+104 lakhs</sup> and not Rs.470 lakhs. Further it was the initial year of establishment of new Agency where all the infrastructure was required to be developed. Moreover SLSC had already approved the entire programme implementation for 1994-95 & 1995-96.

Further a holistic picture of mass mobilisation, operationalisation of an integrated resources development campaign, effective touring by all the staff members and giving fillip for implementation of the programmes that are required to be taken into consideration, and an objective assessment of gearing up of the machinery, training, and operationalisation of speedy and effective programme implementation, is required to be done.

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With regards to points mentioned in Annexure-I of GORT No.5103 dt, 27-9-96 only one release of Rs.473 lakhs mentioned was taken in to consideration. The total releases of 94-95 under DFAP were Rs. 473 + Rs. Lakhs 194 lakhs. Where as 10% is stipulated on an average as a general prescription, when the full contingent of staff is there and when initial Agency establishment infrastructure is created, added to the costs of implementing a very heavy programme of EAS, including motivation & Mobilisation of Communities for <sup>action</sup> implementation of campaign for watershed development, with good results the costs are not really any major deviation. Moreover these aspects were reviewed & approved by commissioner rural development, as well as approved by SLSC. Hence it is not true to say that administrative costs are exceeded. Hence charge is totally not logical, unfounded & denied.

Further in the following districts the costs on administration charges are exceeded by more than 10%. Details are as follows:-

S.No.	Name of the District	Year	Percentage Prescribed	Percentage incurred
1.	Srikakulam	95-96	10%	13%
2.	Rangareddy	95-96	10%	20%
3.	Visakhapatnam	95-96	10%	12%
4.	Nalgonda	95-96	10%	14%
5.	Karumrnagar	95-96	10%	14%
6.	Srikakulam	96-97	10%	14%
7.	Nizamabad	96-97	10%	13%
8.	Mahboobnagar	96-97	10%	12%
9.	Adilabad	96-97	10%	14%

Even in 94-93 there are 10 districts whose exceeded 10% in administration. Contd... 17...  
Costs of staff, infrastructure, mobilisation, etc.

Similarly for 93-94 & 94-95 each year 5-6 districts far exceeded the administration costs.

How is that in care of the above mentioned districts no action was taken and concerned PDS & <sup>not</sup> Collectors, Suspended. Unfortunately discrimination and targetting of me alone being done. Does mobilisation of communities, creation of awarness, campaigning for integrated resources development as concide ed in the watershed development guidelines when done in a sincere manner is liable for punishment?

#### CHARGE - IV

Sri Sundervadan, I.T.S., while working project Director, Drought Prone Area Programme, Anantpur during the period from 23-3-94 to 30-9-95, had advanced money to the former Divisional Forest officer, drought prone area programme. Sri S.V. Sudershan under Employment Assurance Scheme, and Drought prone area programme schemes and allowed the repairs of the Project Directors office and residential Quarters and purchase of electrical and sanitary and other equipments and furniture for both Project Director's Office and residence, incurring an expenditure of Rs.24,88,640/- utilising Employment Assurance scheme and District Rural Development Agency funds without any administrative sanction and approval of Governing Body without calling for tenders in violation of rules and regulations in vogue. He got executed many engineering works through Deputy Range Officer and Forest Range Officers instead of by Roads and Buildings department, without following procedures in vogue. Further, the work done in residence and office were not check measured by any technical person, no administrative sanctions were obtained, nor stock entires were made for the purchases effected.

DEFENCE

PD DPAP Agency of Anantapur was the first Agency in Andhra Pradesh as well as in the country established, for the purpose of giving fillup to watershed development and prevention of desertification in a hot and arid district. I was the first officer posted to head such an important agency and we have very successfully operationalised the campaign mode of integrated and sustainable development of the district with excellent results.

In an Agency where nearly 70 staff were working altogether a new office premises were created from the godowns of the old DRDA and a very professional, proactive, campaign headquarters were established.

All the office and residential infrastructural facilities were taken up with the approval of Mr. S.P. Tucker as the then District Collector.

As per A.P. Forest Code and guidelines Divisional Forest Officers are competent Civil Engineering officials for activities such as construction, repairs, maintenance and creation of infrastructure including sanction of estimates implementation and check measurement of works. In fact commencement of creation of new office infrastructure was commenced by District Collector and I had only continued further creation of infrastructure by entering the job to Divisional Forest Officer. In case of Gaps in documentation of procedures. It is the responsibility of D.F.O. of the office to fill the gaps. In the absence of proper correlative details the figures are denied.

Charge is totally denied.

With reference to the point made in Annexure I. It was not true to say that heavy amounts are advanced for the purpose of (1) the Building works (2) for the purchase of electrical goods (3) for the purchase of furniture and (4) for the purchase of other related equipment.

For the above items as part of infrastructural facilities creation for a new organisation, about Rs. 12-00 lakhs were only advanced from DPAP administration cost, which is an eligible item. Over and above the amounts advanced in DPAP interest amount from EAS of about Rs.10 lakhs was utilised by DFO, as he was entrusted the works initially and was carrying out the works from time to time.

The DC Bills by DFO were subsequently submitted to the successor PD DPAP. It was for the successor to correlate with approvals, works carried out on the ground, verification of maintenance of registers, as well <sup>as it is</sup> the responsibility of DFO to totally account for every item of execution & physical availability of the items executed. No programme amounts of EAS were ~~applied~~ to be utilised and it is the responsibility of DFO to explain the item wise factual position.

In a larger Agency with very heavy programmes implementation the above infrastructure creation items were only be a very small part of multifarious programmes implementation, which were being mainly aimed at a very productive mass campaign of eradication of small pox disease.

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Along with District Collector, we were overall supervising & monitoring and overseeing officials, specific explanation has to come from implementing ~~sectoral~~ officer. Hence the charge is baseless and denied.

Further as comparative account of administration costs in creation of infrastructure items in several districts reveal that many a variety of methods are being followed in several districts.

1. In Warangal district during 1990-91 & 1991-92 DRDA Office was constructed by the Project Director DRDA himself with about Rs.35 lakhs and the then Commissioner on a point, had permitted a forest official for taking up infrastructure creation, on the point of forest official being a civil Engineering official.
2. In the same districts a number of artisan complexes worth Rs. 100 Lakhs were executed during the same period, on the same point.
3. At Mabsoob Nager and a few more Districts the Agency itself executed constructions, removals & purchases of equipments etc., as per the demands of work, as a semi Autonomous Agencies. from 92-93 to 95-96.
4. At Adilabad during 94-95 & 95-96, purchase of car, Air conditioners, heavy equipments etc., were done by the Project Director & District Collector, which were even pointed out as major deviations in internal Audit report of Adilabad District.

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5. In Rangareddy District in 95-96 for purchase, Electrical equipment & shifting of office premises Rs. 5-00 Lakhs were incurred.
6. In Warangal District during 94-95 & 95-96 for purchase and repair of two old and condemned jeeps Rs.4.00 lakhs were incurred.
7. As per audit report of DPAP 94-95 at Mahaboobnagar district Fixed assets worth Rs.5,48,904 was incurred including a car for Rs.2,50,704.00 violating the procedures & instructions in vogue.
8. At Chittor district during 95-96 as per IRDP CA Audit report utilisation direct (IRDP inf<sup>th</sup>av) by agency is Rs.4,13,117-00 & advances as project office advances Rs.12,82,251.00 mostly for infrastructure creation violating the instructions.
9. As per audit report of IRDP 94-95 of Ranga Reddy district Rs.17,15,132-00 are paid out of interest component. Why were all the concerned PDS & Collectors not suspended ?

It is very clear that since 90-91 every year in 5-6 districts by non adherence to the procedures and guiding infrastructure creation, purchase of equipments etc., were done.

But unfortunately though ours was a new Agency established and a very proactive developmental campaign taken up unfortunately our district and me alone is targetted with total discrimination.

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CHARGE - V

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Sri. R. Sundarwada, IFS, While working as Project Director, Brought Prone Programme, Ananthapur during the period from 23.3.1994 to 30.9.95, has purchased one wooden sofa set centre table, two suit cases and room cooler worth about Rs. 38,000/- which were not entered in the ledger of Drought Prone Area Programme. They are found missing from DEFENCE Project Director's Office and residence. It is not at all true to say that I had purchased the items that are mentioned. As explained for points of Annexure I of encr IV, it was the DPO DPAP as sectoral officer, who had implemented the creation of infrastructure items. It was for him to explain the whereabouts of the articles. It is also required to properly verify and locate the articles, as the office is located in two separate places, as well as rest house and meeting hall. It was also a practice to transport the furniture to various functions at district land. A proper exercise of locating is to be done. The charge is denied.

CHARGE - VI

Sri. R. Sundarwada IFS., while working as Project Director, Drought Prone Area Programme, Ananthapur, during the period from 23-03-1994 to 30-09-1995, has advance Rs. 3,44,21,201/- to Sri. S. V. Sudarshan, former Divisional Forest Officer, Drought Prone Area Programme Rs. 2,00,65,150/- to Sri. S. K. Salam, former Divisional Forest Officer, I.W.D. and Rs. 31,86,288/- to Sri. Prabhu Prasad former Divisional Forest Officer, W D P under different scheme, but no proper monitoring of accounts rendered took place. There was delay in settlement ranging from 3 months to 1-1/2 year. The advance meant for some programme

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were spent for other different programmes. Some advances made were still to account for Rs.44.16 crores by the Divisional Forest Officers concerned, therefore, there was lack of supervision on the part of Sri. R. Sundarvadan in violation of guidelines.

#### D E F E N C E

It is not at all true to say that there was lack of supervision on my part.

First of all the years 1992-93 & 93-94 mentioned do not pertain to my tenure at all. The figures of advances mentioned against Mr. S.V. Sudharshan former Divisional Forest Officer, Drought Prone area programme and Sri. S.K. Salam former DFO IWDP were advances under various schemes released for programme implementation by successive District Collector for 1992-93 1993-94, 1994-95, and 1995-96. Moreover under different schemes, there are various programmes for which advances are released.

In a larger Agency of implementation of several schemes, the process of administrative approvals, releases of advances and submission of accounts is an on going continuous process.

DRDAs operate by biannual reconciliation of figures, and annual final reconciliation of figures with six months of time permitted in the subsequent financial year for final reconciliation and audit etc. In several districts in DRDA's & IMDAs for 2-3-years figures never got reconciled, and accounts get received.

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where as in our Agency it is a continuous on going activity. There were regular review meetings and letters and memo addressed to the concerned officers for expediting the submission of accounts. In a larger Agency all efforts were made for regular scrutiny and adjustment of accounts. Limitations such as limited staff in Accounts Branch definitely contributed to the slow process of reconciliation. Moreover at the time of our departure more than 80% Accounts of my tenure, and more than 50% of 92-93 & 93-94 were also obtained, scrutinised and adjusted. I had always worked like an internal concurrent audit cell and always monitored programme implementation regularly.

It is not true to say that advances meant for same programme were spent for other different programme, where in it is required to be examined in a holistic manner including transfer of programmes, from one scheme to the other. There is a grave typographical error in mentioning Rs.44.13 crore which is ridiculous. The figure of advance mentioned against Sri. Prabhu Prasad do not pertain to my tenure at all. A proper picture will emerge with proper correlation of programme implementation details. Hence the charge is denied.

With regard to points mentioned in Annexure-I, it is not at all true to say that as on 2-10-95 DYC DPAP had submitted DC bills for only Rs.52,73,831/-. It was also not true to say that S.K.Salam & Prabhu Prasad submitted DC Bills for 1,53,24,339.

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First of all the above figures are totally incorrect.

Further when we have 150 implementing sectoral officers, why discrimination and targetting with totally false and factually incorrect figures.

In any DROA & DPAP no District Collector or Project Director on transfer & relief will be able to totally receive all accounts, reconcile and adjust the bills. Are not the offices & Agencies continuous Agencies?

Did I not obtain 80% of the accounts of EAS, DPAP, IWDP & MPLADS of my predecessors for 92-93 & 93-94, scrutinised and adjusted DC bills.

Why not the same disciplinary action on my predecessors for not obtaining the 80% of accounts worth nearly <sup>IFAI</sup> Rs.10.00 crores at the end of tenure?

Similarly during my successor period of Srinivas Raju and District Collector P. Sunder Kumar from 2-10-95 to 4-1-1998 for EAS, DPAP, MPLADS, & IWDP out of the total funds of Rs.45 crores accounts, DC bills are not submitted not even for Rs.5.00 crores. As seen in Receipts & Payments of 96-97

1. Out of total payments of Rs.5,65,84,550 of DDP 96-97 accounts received only were Rs.46,800.
2. Out of Rs.9,09,43,093.85 payments of EAS 96-97 expenditure as accounts received was only Rs. 68,729.00. Are not Srinivas Raju ED DPAP Anantapur & Sunder Kumar District Collector not liable for suspension for not obtaining accounts & DC bills for Rs. 40. crores in time?

Rural development programmes have <sup>Contd 45//</sup> inherent delays of project formulation, documentation, implementation, preparation of accounts & submission of accounts as the programmes are very broad lines of implementation & quarterly targets are defined to be achieved, which is to be understood in its entirety.

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Similarly in 96-97 in all the districts advances pending against sectorial officers, is Rs.1943.03 lakhs? Why not action on all the Districts?

From April 1996- August 1996 alone the following district wise advances are pending against sectorial officers.

1. Mahaboolnagar	Rs. 383.36 lakhs
2. Ranga Reddy	Rs. 92.36 lakhs
3. Kurnool	Rs. 296.51 lakhs
4. Srikakulam	Rs. 392.84 lakhs
5. Cuddapah	Rs. 167.52 lakhs
6. Adilabad	Rs. 75.00 lakhs
7. Chittoor	Rs. 48.15 lakhs
8. Khammam	Rs. 29.45 lakhs
9. Nellore	Rs. 164.61 lakhs
10. Vizanagaram	Rs. 73.33 lakhs

Why not action on all the above project directors, and District Collectors?

As of now in nearly 10 districts the CA Audit reports of 94-95 & 95-96<sup>for EAS</sup> were not finalised & not received. In all these 10 districts even after 1/2 years not even 25% of the DC Bills of 94-95 were received and adjusted why not action on those 10 districts?

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At present for obtaining second instalment of funds under EAS for 96-97 Utilisation Certificates are collected in a review meeting at Hyderabad on blank papers. Except a lady Project Director from Warangal all the Districts have signed on blank UC's inspite of the facts that funds are not yet utilised of Government of India, first instalment, inspite of the fact of state release not received by districts, of 1st instalment.

Totally for Rs. 125 crores on Blank Papers signatures with figures filled at Hyderabad were taken. Without districts utilising false UC's are submitted.  
Is it not a grave irregularity?

#### C H A R G E - VII

Sri. R. Sundaravada, IFS, While working as Project Director, Drough Prone Area Programme, Anantapur, during the period from 23.3.1994 to 30.9.1995, has drawn a total amount of Rs. 93,437/- as permanent advance during 1994-95 without the sanction of the competent authority in violation of guidelines in force.

#### D E F E N C E

In the absence of any specific & proper details The charge is denied.

All the programmes of DPAP were regularly reviewed by Commissioner Rural Development. Various review forms at District level, and were approved by state level sanction committee. There were several review meetings conducted by the visiting state level and central teams. All efforts were put in for regular and proper monitoring of schemes. The charge is denied.

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As far the points in Annexure I the District Collector and Chairman DPAP regularly reviewed the implementations and approved. No specific guidelines were framed & issued by CRD regarding the composition or constitution of governing bodies for DPAP. Does not the bimonthly meeting reviews done by Zilla Prgs Parishad, monthly meeting by standing committee of ZPP which is a much wider and larger body not a review by the apex local body of the district?

Does not reviews conducted by District level Review committee on quarterly basis not a review?

Does not quarterly reviews by CRD, not a reviews & approved?

virtually all programmes got reviewed very elaborately every fortnight?

With NGO's participations in all the programme there was a total social audit in the district. With all programmes reviewed at even general bodies of MPP close reviews and monitoring were there. Except harassment, victimisation and targetting is there any kind of recognition for the good work.

#### C H A R G E - VIII

Sri.R.Sundaravadan, IFS., while working as Project Director, Drought Prone Areas Programme, Ananthapur during the period from 23.8.1994 to 30.9.1995,= has exceeded the ceiling for contingency expenditure like stationery, telephone etc., without sanction of the competent authority.

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When the admissible ceiling was only Rs.4,35,000/- on various items he has spent more than Rs.14.00 lakhs without obtaining any administrative approval. No ratification was also obtained for excess expenditure nor justification made.

#### D E F E N C E

A major integrated and sustainable development campaign was operationalised. Several hundreds of meetings, workshops, training conducted. Several teams from all over the country visited. G.O.I. and state Government officials were regularly visiting. A massive mobilisation, training and resources development campaign was taken up. For all the above administrative and training expenditure were required. The details were regularly submitted as administration cost and programme details to Commissioner Rural Development. The DC&C regularly reviewed and approved the implementation. Commissioner Rural Development conducted regular review regarding programme implementation, and approved. All aspects of implementation were approved by SISC for 94-95 & 95-96. All the details are required to be correlated with a major campaign implemented and appreciated.

Hence the charge is denied.

The figure as mentioned in the Annexure I, and in the charge do not tally and the figures are factually incorrect.

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When we work, mobilise implementing machinery, make people run to field visits, communicate with people, and run a very productive, integrated development campaign then only, exceeding of expenditure of ceilings arose.

It working hard, mobilising and doing active work by entire team a curse? Is it not a boon to the district.

Was it not appreciated by umpteen number of visiting team. How much proof, and how many thousands people deposition is required with regard to active contribution? Was not approval of expenditure by commissioner rural development in a review meeting, not an approval?

Was not DC&CS approvals of Programme approval not an approval?

Was not SLCs approval not an approval?

In the same Autonomous Agencies, it is the proactive development administration that is required to be taken into consideration and not killing of all initiatives by all negative tactics of negative, unwarranted post mortem.

Why not independent evaluation of the total results? benefit of HRD, NRD? training, and social change, improvement in quality of life, resources be monitored and evaluated. Should the country be endless by the victim of destructive capacities of the system.

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What will all the concerned fellow bureaucrats gain by killing a performing, knowledge and resource full, compassin ~~and~~ and colleague?

What will come out of tarnishing the image of a good performed district?

As all this aimed to even out a very good performance with all non performing and average districts?

For god sake let us do something good and contribute for positive developmental interventions and not went on and self destruction of ours selves.

#### C H A R G E - IX

Sri.R.Sundarvadan, IFS., while working as Project Director, Drought Prone Area Programme, Amanthapur during the period from 23.3.1994 to 30.9.1995, has advanced more than Rs.3.43 crores to Sri.S.V.Sudershan, Divisional Forest Officer, and huge amounts were left unspent at the end of financial year.

There was laxity in supervising the advances, of Rs.1.50 lakhs sustained to Drough Prone Area Programme towards interest amogn.

#### D E F E N C E

The charge denied. The objective of DPAP Agency is to prevent desertification and promote integrated resources development and not earning of interest.

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It is not true to say that huge amounts are left unspent with Divisional Forest Officer out of advances released to him. On any release the picture of scheme wise, work wise, month wise picture of releases, implementation and submission of accounts are required to be correlated. The dues of Accounts submission cannot be construed as unspent advances. The Reconciliation of accounts and Audit of DRDA's DPAP's are required to be done by September of a succeeding financial year with Biannual and Annual reconciliations. The charge is baseless and hence denied. The points mentioned in Annexure-I are totally baseless. If the objective of any development Agency is earning of interest out of programme amounts, there are any number of developmental Agencies earning interest by not spending the money at all for years together on programme implementation. Several districts are earning interest by locking the crucial programme implementation money in fixed deposits.

After successful & good performance of utility of programme to people, recognition is now being given by way of charging not to earn interest? All the points are totally baseless and denied.

C H A R G E - X

Sri. R. Sundarvan, IFS while working as Project Director, Drough Prone Area Programme, Ananthapur during the period from 23.3.1994 to 30.9.1995, has given his approval for incurring an expenditure of Rs. 3.41 lakhs for purchase of Mango andappots

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grafts despite the negative orders of Collector/Chairman on 02.10.1994 and bills are still pending for payments to integrated Tribal Development Agency concerned.

#### DEFENCE

It was not at all true to say that I have given approval despite negative orders of DC&C. While approving the proposal DC&C wanted clarification, which was subsequently given, and hence it was done with the approval of DC&C only. The charge is baseless, untrue and denied.

#### CHARGE - XI

Sri. R. Sundaravaden, IFS., while working as Project Director, Drought Prone Area, Programme, Anantapur during the period from 23.3.1994 to 30.9.1995, has advanced Rs. 3,44,21,201/- to Divisional Forest Officer, Drought Prone Area Programme Sri. S. V. Sudarshan while Rs. 2,00,65,150/- to Sri. S. K. Salam and Rs. 31,86,288/- to Sri. P. Prabhu Prasad a former Divisional Forest Officer of I.W.D.B. But due to lack of proper implementation and supervision, the results achieved on the field are unsatisfactory and several irregularities and decencies were noticed in the field inspections.

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DEFENCE

One should understand that Ananthapur is a hot arid district and any analysis of Ecological reconstruction is required to based on sound technical knowledge as well as, analysis of the entire operationalisation of the campaign for integrated and sustainable development of Anatapur district in a holistic manner but not in bits and pieces that too in the absence of proper technical knowledge is totally not correct and unwarranted. The visiting officials should also see the total impact of the campaign mode of integrated and sustainable development of the entire district. Further for any officer the programme implementation is required to be viewed scheme wise, programme wise and with full and integrated details of programme implementation. Further appreciation of programme implementation is possible, with proper exposure to processes of implementation in a drought district.

The charge based on limited visit and examination, without scientific or technical basis of arriving at a picture is not sustainable. Smearing and general comments based on improper and limited examination is also improper, incorrect and does not speak of any objectivity in analysis of important programme at a Hot Arid District.

Hence the charge is totally denied. With regard to point 2 of page No.3 of G.O.R. No.5103, it is unfortunate that without any proper appreciation

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of the programme implementation and proper knowledge of implementation of programmes, totally false and baseless comments are made.

Without any proper understanding of the value and impact of integrated & sustainable development campaign operationalised for the entire district, an exercise of looking for 'hole' is unfortunately being done without looking for 'Whole'.

If in any district in India a major integration on a sustainable basis and convergence that had happened having long lasting impact it was only in Anantapur district.

It is very humbly submitted that it is very difficult to implement area developmental programmes with effective participating approaches by people.

Definitely at Anantapur as already submitted in my self contained account of volume I & II as per RC No. (7) a very long lasting integrated development campaign operationalised.

It is submitted to kindly understand in its entirety of the whole integrated development campaign and appreciate the efforts and processes of implementation.

The results were enormous, long lasting and brought in a new era of resource development in the district as clearly depicted in volume I and volume II. In the light of all the above submissions, I request for immediate revoking of suspension orders and dropping all further matter for the act of which I will be ever grateful to you sir.

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I beg and pray for early action in the matter.

HYDERABAD,

14.3.1997.

Yours faithfully,

(R. SUNDAR VADAN)

Submitted &

24. ENCL: List of References already available with GOI.

Ref:-

1. Govt. of A.P. Memo No.477/SC/IFS/96-1.  
dated 12.7.1996
2. G.O. Rt. No.4501, dt. 13.8.1996 of General Administration (SC-D) Department of Govt.
3. And No.43383/96/PI. dt. 14.8.1996 of PCCF forest Department of Govt. of A.P. of serving of Suspension Orders on 14.8.1996.
4. My letter dt. 16.8.1996 addressed to Chief Secretary of G.O.A.P., with copy to GOI with a request to cancel suspension Orders.
5. G.O. Rt. No.5103 dt. 27.9.1996 of GAD (SC-D) of Govt. of A.P. of issuing of Articles of charges with a copy to GOI.
6. My letter dt. 10.10.1996 addressed to Chief Secretary of GoAP, with a request to grant permission for perusal of records, with a copy submitted to GOI.
7. My letter dt. 18.10.1996 addressed to Chief Secretary of Govt. of A.P. of submission of Volume I & Volume II of self contained account of functioning of me as F D D A P Ananthapur as insights of operation-isation of campaign mode of Development, and certain other important issues, with a copy submitted to G.O.I.

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8. My letter dt. 16.11.96 addressed to Chief Secretary of Govt. of A.P. with a copy to GOI, with a request for reinstatement.
9. A self contained account of Volume II on experiences sharing in campagn mode of development submitted to Chief Secretary of G.O.A.P. on 27.11.1996 with a copy to GOI.
10. My letter dt. 12.12.1996 addressed to Chief Secretary with copy to GOI, of submission of interim statement of defencr and with a request for reinstatement.
11. My letter dt. 20.12.1996 addressed to Chief Secretary of G.O.A.P. with a request for reinstatement and dropping of all further proceedings, with a copy to GOI.
12. My letter dt. 30.12.1996 addressed to Chief Secretary of G.O.A.P. of submission of statement of Defence with a copy to GOI with a request for reinstatement.
13. My letter dt. 26.01.1996 addressed to Chief secretary of G.O.A.P., with copy to G.O.I. with a request for rensstament and dropping of all further proceedings.
14. My letter dt. 30.1.1996 addressed to Chief Secretary of G.O.A.P. of submission of statement of Defence, with a request for reinstatement and dropping of all further Proceedings with a copy to Govt. of India.

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15. My Letter dt. 27-02-1997 addressed to Chief Secretary of G.O.A.P. with a request for reinstatement and dropping of all further proceedings with a copy to Govt. of India.

16. G.O.Rt. No. 714 dt. 7.2.1997, of CAD (SC-D) Department of Govt. of A.P. with a copy to GOVT of India.

17. Audit Report of Department of Environment enclosed as Annexure I - III

COPY SUBMITTED TO:-

1. The Chief Secretary of Govt. of A.P for kind perusal, with a request for reinstatement and also to kindly forward the appeal to Secretary Environment and Forest of GOI.
2. Principal CCF of Forest Dept. of G.O.A.P. with a request to address Chief Secretary of G.O.A.P. for reinstatement.
3. Copy of Principal Secretary Environment and Forest with a request to address chief secretary of G.O.A.P. for reinstatement.
4. Secretary to C.M. Govt. A.P. for kind perusal.
5. Advance copy submitted to secretary environment & Forest of G.O.I to save delay.



104  
IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

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C.A. 1286/97.

Dt. of Decision : 30-09-97

R. Sundar Vadan

... Applicant.

vs

1. The State of Andhra Pradesh Rep. by  
its Chief Secretary, General  
Administration Department,  
A.P. Secretariat, Hyderabad-22.

2. The Union of India rep. by its  
Secretary to Govt. of India,  
Min. of Environment and Forests,  
Paryavaran Bhavan, New Delhi-1.

... Respondents.

Counsel for the applicant : Mr. N. Rama Mohana Rao

Counsel for the respondents : Mr. N. R. Devaraj, Sr. CGSC for R-2

P. Naveen Rao for R-1.  
(Spl. Counsel for the State of A.P.)

CORAM:-

THE HON'BLE SHRI R. RANGARAJAN : MEMBER (ADMN.)

THE HON'BLE SHRI B. S. JAI PARAMESHWAR : MEMBER (JUDL.)

ORDER

ORAL ORDER (PER HON'BLE SHRI R.RANGARAJAN : MEMBER (ADMN.)

Heard Mr.N.Rama Mohana Rao, learned counsel for the applicant, Mr.Phaneraj for Mr.P.Naveen Rao, learned counsel for R-1 and Mr.N.R.Devaraj, learned counsel for R-2.

2. The applicant in this OA is a direct recruit to the Indian Forest Service in the year 1981. He was placed under suspension by order No.G.O., Rt.No.4501, Gen.Admn. (SC.D) Dept., dated 13-08-96. The order was served on the applicant on 14-08-96. The applicant thereafter filed representations dated 30-12-96 and 30-01-97 for revocation of the suspension order. He was replied by the order No.G.O.Rt.No.714 dated 7-2-97 (Annexure-3) that he would <sup>under</sup> be continued in suspension and his subsistence allowance was enhanced by that letter. The applicant was charge-sheeted by the order No.G.O.Rt.No.5103 dated 27-09-96 (Annexure-2). The applicant filed another representation dated 2-9-97 (Annexure-4) addressed to R-1 for revocation of suspension and also to drop all the charges against him. That representation as well as his earlier representation dated 13-3-97 and 14-5-97 are still pending with R-1.

3. This OA is filed praying for suspension of the suspension order issued by G.O.Rt.No.4501 General Admn. (SC.D) Dept., dated 13-08-96 by <sup>d</sup> declaring it as bad in law and also for a consequential direction to reinstate the applicant <sup>f</sup> worthwith to duty as Conservator of Forests.

4. In this case a decision was taken by the competent authority by order No.G.O.Rt.No.714 dated 7-2-97 (Annexure-3) for continuing him in suspension and increasing the subsistence allowance. That order was after the issue of the chargesheet dated 27-9-96. As per the CCS(CCA) Rules, the suspension has to be reviewed periodically, so that in case, the suspension is not necessary after the issue of

*for*

*D*

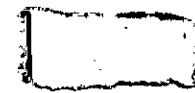
chargesheet, though the chargesheet may be processed, the concerned authority may be put back for duty. The applicant submitted his representation for revocation of suspension by his representations dated 13-3-97, ~~and~~ 14-5-97 and the last one on 2-9-97 addressed to R-1. In view of that it is essential for R-1 to examine the feasibility of revoking of the ~~suspension order~~ chargesheet. However the revocation of the ~~suspension~~ suspension will not stand in the way of the respondents to continue with the chargesheet already issued to him by charge memo dated 27-09-96.

5. In the result, R-1 is directed to dispose of his appeal dated 13-3-97 ~~and 14-5-97~~ <sup>and 2-9-97</sup> in regard to the revocation of the suspension order in accordance with law within a period of one month from the date of receipt of a copy of this order.

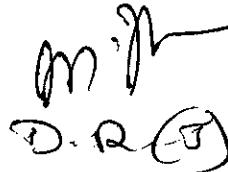
6. The OA is ordered accordingly at the admission stage itself. No costs.

  
(B.S.JAI PARAMESHWAR)  
MEMBER (JUDL.)

  
(R. RANGARAJAN)  
MEMBER (ADMN.)

  
30 a-2  
Dated : The 30th Sept. 1997.  
(Dictated in the Open Court)

spr

  
D. R. (S)

Copy to:

1. The Chief Secretary, General Administration Dept., A.P. Secretariat, Hyderabad.
2. The Secretary to Govt. of India, Min. of Environment and Forests, Paryavaran Bhavan, New Delhi.
3. One copy to Mr. N. Rama Mohan Rao, Advocate, CAT, Hyderabad.
4. One copy to Mr. P. Naveen Rao, Addl. CGSC, CAT, Hyderabad.
5. One copy to Mr. N. R. Devraj, Sr. CGSC, CAT, Hyderabad.
6. One copy to D.R(A), CAT, Hyderabad.
7. One duplicate copy.

YLKR

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TYPED BY  
COMPARED BY

CHECKED BY  
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD

THE HON'BLE SHRI R.RANGARAJAN : M(A)

AND

THE HON'BLE SHRI B.S.JAI PARAMESHWAR :  
M (J)

Dated: 30/9/92

ORDER/JUDGMENT

M.A/R.A/C.A.NO.

in  
D.A.NO. 1286/92

Admitted and Interim Directions  
Issued.

Allowed

Disposed of with Directions

Dismissed

Dismissed as withdrawn

Dismissed for Default

Ordered/Rejected

No order as to costs.

YLR

II Court

केन्द्रीय प्रशासनिक अधिकारण  
Central Administrative Tribunal  
प्रेषण/DESPATCH

13 OCT 1992

हैदराबाद व्यायामीठ  
HYDERABAD BENCH