

By Registered Post

File No. 14039/36/2013-UTS.I
Government of India
Ministry of Home Affairs
UTS-I Desk

North Block, New Delhi-110001
Dated the 20th June, 2012

To

Shri Sukmal Jain,
D-I/D-2, Flat No. LG-12
Ashirvad Apartment
Dilshad Colony, Delhi-110095
House No. 272, Naharpur,
Rohini (Sector-7, Rohini), Delhi-110085.

Sub: Application under RTI Act, 2005-Regarding

Sir,

With reference to your RTI application dated 01.05.2013 (received through RTI Cell, MHA vide OM dated 14.05.2013), It is informed that no such complaint dated 22.04.2013 has been received in UTS-I desk of MHA.

2. The designated 1st Appellate Authority against this decision is as follows

Shri K. K. Pathak
Joint Secretary (UT)
Ministry of Home Affairs
North Block, New Delhi-110001

Yours faithfully,



(S. K. Jain)
Director (S) and CPIO



o/c

RTI MATTER/TIME BOUND

Ministry of Home Affairs

RTI Section

Subject: Application of Shri/Smt./Ms.....Sukmal.....Jain.....
..... under the RTI Act, 2005- movement of
letter regarding.

The RTI Section has received a letter/an application dated
...1.../5.../2013 under the RTI Act, 2005 from Shri/Smt./Ms...Sukmal.....Jain.....
..... wherein he/she has requested
for details of action taken on his/her letter/petition dated ...22.../4.../2013. sent to
this Ministry/addressed to ...Home.....Secretary..... and endorsed to
this Ministry.

2. As RTI Section is not aware of the movement of the above-referred
letter/petition, CR Section is requested to kindly check the movement of the
letter/petition, if received by them and indicate to whom it was sent.

3. The assistance of CR Section is being sought in terms of sub-sections (4)
& (5) of Section 5 of the RTI Act, 2005 which is as under :

(4) The Central Public Information officer or State Public Information
officer as the case may be, may seek the assistance of any other officer
as he or she considers it necessary for the proper discharge of his or her
duties.

(5) Any officer, whose assistance has been sought under sub-section (4),
shall render all assistance to the CPIO or State PIO, as the case may be,
seeking his or her assistance and for the purpose of any contravention of
the provisions of this Act, such other officer shall be treated as a CPIO
or State PIO, as the case may be.

4. This may be treated as Urgent.

Encl: As above.


(Section Officer)

CR Section, MHA, North Block.

MHA U.O. No.A.43020/ 01 /2013-RTI dated ...8.../5.../2013.

CR. Section received this letter and sent to
Dy No-95646 CH. 25/4/2013 of JS (UT).

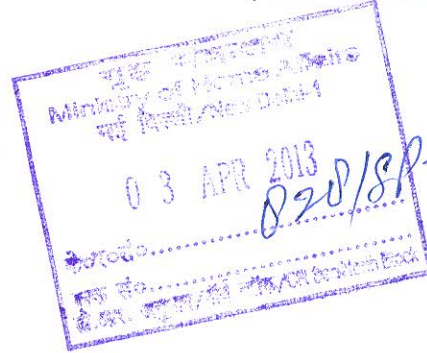
RTI

FORM OF APPLICATION FOR SEEKING INFORMATION UNDER RIGHT TO INFORMATION ACT 2005

2895/271/2013
7-5-13

I.D No _____
(For official use)

To,
Public information officer,
Ministry of Home Affairs,
North Block ,Delhi-110001



- RTI
- 1 Name of Applicant : Sukmal Jain
- 2 Address : D-1/D-2, Flat no LG-12,
Ashirvadh Apartment,
Dilshad Colony, Delhi-95
- 3 Particular of information
- (A) concerned department : Office of Secretary, MOHA

(B) Detail of information required :

HS
ce

a) Please provide the information from your record the action taken report for my Complaint dated 22/04/13 (Copy enclosed).

b) Please provide the information from your record the official noting after receiving my complaint.

c) Please provide the information from your record the name of I.O. and his/her contact details including mobile number, land line number and email address.

4. I state that the information sought does not fall within the restrictions contained in section 8 of the Act and to the best of my knowledge it pertains to your office.
5. I am enclosing of Rs.10 postal order No. 06F 639409 as requisite fees under R.T.I. Act 2005.

Date- 1/5/13


Signature of Applicant

22/4/13.

1. Shri Tajender Khanna
Lt. Governor of Delhi,
Raj Niwas Bhawan,
Civil Line, Delhi-110054.
2. The Govt. of India
Through its Secretary
Ministry of Home Affair,
North Block, New Delhi-110001.
3. The Govt. of India
Through its Secretary
Ministry of Personnel & Training
North Block, New Delhi-110001.
4. Chief Vigilance Officer/Chief Secretary
Govt. of N.C.T. Delhi.
I.P. Estate, Delhi Secretariat, Delhi-110002.
5. Directorate of Vigilance
Through its Director
4th Level Delhi Secretariat,
New Delhi-110002.

COMPLAINT FOR SUSPENDING, INITIATING DEPARTMENTAL AND VIGILANCE ENQUIRY AGAINST SHRI G.C. DWEVEDI, ADDL. COMMISSIONER OF POLICE, ANTI CORRUPTION AND SHRI RAJENDER KUMAR TYAGI, S.H.O. OF P.S. ANTI CORRUPTION FOR ABUSING THEIR OFFICIAL POSITION AND CORRUPTLY DISCHARGING THEIR OFFICIAL DUTY TO SAVE THE ACCUSED PERSONS FROM LEGAL PUNISHMENT AND TO PROVIDE THE PECUNIARY BENEFIT TO THEM AND DISOBEY THE DIRECTION OF LAW TO SAVE THE ACCUSED PERSONS FROM LEGAL PUNISHMENT.

Respected Sir,

It is most respectfully submitted as under :

1. That M/s D.A.V. College Trust and management is a society, registered and incorporated under society registration act and it is pertinent to mention here that any society registered under society registration act can work only for charitable purpose and cannot work for profit making purpose.
2. That the management of the said society with having fraudulent and dishonest intention succeeded to get the land on concessional rate where right now a School in the name of D.A.V. School Srestha Vihar is running. As per the term and condition of land allotment letter , it was imperative upon the management of such society to run such school on such land under the provision of Delhi School Education act and rules and only when the management of any society accept to obey the terms and conditions, the land to such society are allotted. In this

regard , the land allotment letter of DDA to the secretary of DAV college trust and management committee is more clear . Beside this the D.A.V. School, Srestha Vihar Branch is recognized from education department, Delhi Government and due to such reason also, the management of the said school is bound to run the school as per the provision of Delhi School Education act and rules 1973 and also guidelines/notification/office order of directorate of education as well as judgment/guidelines framed by the Hon'ble High Court of Delhi and Hon'ble Supreme Court of India which they framed time to time relating to the governance, management and function of unaided recognized private school in Delhi. It is submitted here that as per rule 50 (iv) of Delhi School Education rules 1973, a school cannot be run for profit of any individual, group of association of individuals or any other persons and rule 50 (vi) speaks as under "the managing committee observes the provision of the act and the rules made there under " .

It is submitted here that when the management of any school gives the undertaking for duly complying with the condition of recognition as prescribed in rule 50 of Delhi School Education rules 1973, the recognition are given to such school only then.

3. That the D.D.A. had allotted the land to the management of D.A.V. College Trust and Management society to run a senior secondary school at Srestha Vihar, Delhi-110092 on concessional rates and similarly the education department of Delhi government had granted the recognition to the management of such school for running a school at Srestha Vihar and due to such reasons, the management of above named society as well as management of such school as constituted under the rule 59 of Delhi School Education Rules 1973 are those persons who holds the office by virtue of which they are authorized or require to perform any public duties and it is needless to mention here that departing education to the public is amount to performing the public duty. Hence all such persons are public servant in view of section 2C (viii) of the prevention of corruption act.
4. That the management of D.A.V. School at Srestha Vihar Delhi-110092 as constituted under rule 59 of Delhi School Education Rules 1973 are also the public servant in term of section 2C (xii) of the prevention of corruption act as first of all the land where the D.A.V. School at Srestha Vihar is running, was allotted by the D.D.A. on concessional rates and after recognition, the management of such school regularly get the financial assistance in different manner from education department and others.
5. That the management of such society to whom the land was allotted at Sarestha Vihar for running school with having fraudulent and dishonest intention induced the government authority i.e. DDA herein to allot the land for running a school at Sarestha Vihar and accepted the condition that they shall run the school as per Delhi School Education act and rules but they were predetermined from the day of beginning that they will not run the school at Srestha Vihar Branch in term of Delhi School Education act and rules and shall obtain the ulterior goal / benefits therefrom which is more clear on giving a little glance to the report

dated 19-05-2008 which is signed by Sh. M.S. Rathee ADE (Act), Directorate of Education (Government of NCT Delhi). Similarly the management of D.A.V. School, Sarestha Vihar Branch as constituted under rule 59 of Delhi School Education Rules 1973 at the time of recognition are bound to give their undertaking that the school shall be run as per Delhi School Education act and rules and further they need to give the undertaking that they shall strictly obey all the office order/guidelines/notification etc. which are issued time to time but from the day of beginning they knew that they shall not run the school as per Delhi School Education act and rules which is more clear on giving a little glance to the report dated 19-05-2008 signed by Sh. M. S. Rathee ADE (ACT), Directorate of Education (Government of NCT Delhi).

6. That the para no. 1 of report dated 19-05-2008 signed by Sh. M.S. Rathee ADE (Act), Directorate of Education (Government of NCT Delhi), is reproduced as under.

“The school has transferred an amount of Rs. 1,18,27,960/- in the current bank account no. 1264 of the D.A.V. Management Committee as per the balance sheet 2004-2005”

It is submitted here that as per rule 176 of Delhi School Education rules 1973 the income derived from collections for specific purposes shall be spend only for such purpose and similarly section 8(4) of Delhi School Education act 1973 give the similar opinion in this regard. It means, the amount of Rs. 1,18,27,960/- which was collected by the management of D.A.V. School Sarestha Vihar Branch, Delhi-110092 from the parents of the students as Tuition fee, could be used or spend only to meet out the expenses of such running school like salary of the teacher, electricity bill, water bill, taxes of the government arises therefrom etc but they were not legally empower to divert such money from the account of school in the account of D.A.V. Management committee. In view of law lay down by Hon;ble Supreme Court of India in Partibha Rani Case a person is guilty for committing the offence of criminal breach of trust in the occasion of diversion of fund also. Beside this, the managing committee constituted under rule 59 of Delhi School Education rules 1973, abused their official position as public servant by diverting such money from the account of school to obtain the pecuniary advantage to the management of D.A.V. College Trust and Management Society. Hence the managing committee constituted under rule 59 of Delhi School Education rules 1973 is jointly and severally liable for committing the offence under section 13(1) (C) & (D) of prevention of corruption act.

7. That the para no. 2 of report dated 19-05-2008 signed by Sh. M.S. Rathee ADE (Act), Directorate of Education (Government of NCT Delhi), is reproduced as under.

“The school has raised tuition fee every year in spite of having huge surplus of Rs. 3,28,51,656/- (as per balance sheet of FY 2006 - 07) and surplus of Rs. 73,15,143/- (in the boys fund)”

It is submitted here that if a person illegally retain any money which was collected by such person for specific purpose but do not spend or use such money and retain with him illegally than also such person is guilty for committing the offence of criminal breach of trust. In the present case Rs. 3,28,51,656/- and Rs. 73,15,143/- was collected by the

management of the D.A.V. School Srestha Vihar Branch, Delhi – 92 for specific purpose but without utilizing such money for such purpose, the management of the D.A.V. School Sarestha Vihar Branch, Delhi – 92 as constituted under rule 59 of Delhi School Education rules 1973 illegally retained such money with them without utilizing it reserves and again raised the tuition fee every year which itself constitute and offence under section 13(1) (C) of Prevention of corruption act and under section 409 IPC 1860 and beside this , clause no 17 of Land allotment letter postulate as under

“ The school shall not increase rates of tuition fee without the prior sanction of the Dte. Of education , Delhi Admn. And shall follow the provision of Delhi school education Act / rules, 1973 and other instructions time to time.”

and further the clause no 23 postulate as under

“ If the above terms and conditions are acceptable to you , the acceptance thereof with attested under taking be sent to the undersigned alongwith the bank challan in favour of DDA for 1,01,85,753/- Damages, _____”

Now it is apparently clear that only after giving the under taking , the land to such society was given . It mean , the management of such society and school as well with having fraudulent and dishonest intention accepted such terms and condition but they were pre - determined from the day of beginning that they shall not obey the same for obtaining ulterior goals which is more clear on mere giving a little glance to the para no 2 of report dt 19-5-2008 signed by M S Rathee, ADE (ACT) , Directorate of education . Hence the management of such society and such school as constituted under rule 59 of Delhi school education rules are liable to be punished for committing the offence under section 420 IPC 1860 .

8. That the para no. 3 of report dated 19-05-2008 signed by Sh. M.S. Rathee ADE (Act), Directorate of Education (Government of NCT Delhi), is reproduced as under.

“Up to 2006-07, a sum of Rs. 1,43,51,656/- has been charged by the school as depreciation without maintaining depreciation reserved fund of an equal amount in a nationalized bank”.

This point require detail investigation to ascertain that if this amount was not deposited in nationalized bank then whether such amount was given to some one else or this money was diverted to some else. In all such circumstances the person who is illegally and dishonestly using such money in collusion with the management of the D.A.V. School Sarestha Vihar Branch, Delhi – 92 as constituted under rule 59 of Delhi School Education rules 1973 are guilty for committing the offence under section 409 IPC 1860 and under section 13(1) (C) of prevention of corruption act .

9. That the para no. 5 of report dated 19-05-2008 signed by Sh. M.S. Rathee ADE (Act), Directorate of Education (Government of NCT Delhi), is reproduced as under.

“During 2006-07, a sum of Rs. 89,60,913/- has been spent by the school on construction of the blocks in the school which is not as per the provision of the act since creation of infrastructure is the responsibility of the society/trust running the school”.

As I have already disclosed in forgoing para that the money collected for specific purpose can be used only for such purpose as per Delhi School Education act and rules 1973. In the present case if the money so collected on account of tuition fee spent on the construction of School itself constitute an offence being the money was diverted for some other purpose for which it was not collected and in term of observation given by Mr. M.S. Rathee, a prima facie offence under section 409 IPC and under section 13(1) (C) of prevention of corruption act appears to have been committed. The money collected from the parent on account of tuition fee was an entrusted of property and once such money was received by them , they got the dominion over the same but they dishonestly used the same by diverting such money in violation of direction of law prescribing the mode on which such trust was to be discharged . Hence the management of the D.A.V. School Saretha Vihar Branch, Delhi – 92 as constituted under rule 59 of Delhi School Education rules 1973 are guilty for committing the offence under section 409 IPC 1860 and u/s 13 (1) (C) of prevention of corruption act.

10. That the para no. 6 of report dated 19-05-2008 signed by Sh. M.S. Rathee ADE (Act), Directorate of Education (Government of NCT Delhi), is reproduced as under.

“During 2004-05 as per annexure-5 of the balance sheet, a sum of Rs. 58,22,522/- has been shown as other investment which needs clarification from the school”.

It is submitted here that as per rule 176 of Delhi School Education rules 1973 the income derived from collections for specific purposes shall be spend only for such purpose and similarly section 8(4) of Delhi School Education act 1973 give the similar opinion in this regard. It means, the amount of Rs. 58,22,522/- which was collected by the management of D.A.V. School Saretha Vihar Branch, Delhi-110092 from the parents of the students as Tuition fee, could be used or spend only to meet out the expenses of such running school like salary of the teacher, electricity bill, water bill, taxes of the government arises therefrom etc but they were not legally empower to divert such money from the account of school and beside this, a school cannot be run for profit making purpose by which they are not allowed to invest their money. Thus this diversion of fund is an illegal transaction. In view of law lay down by Hon;ble Supreme Court of India in Partibha Rani Case a person is guilty for committing the offence of criminal breach of trust in the occasion of diversion of fund also. The money collected from the parent on account of tuition fee was an entrusted of property and once such money was received by them , they got the dominion over the same but they dishonestly used the same by diverting such money in violation of direction of law prescribing the mode on which such trust was to be discharged . Hence the management committee constituted under rule 59 of Delhi School Education act and rules 1973 is jointly

and severally liable for committing the offence of criminal breach of trust and criminal misconduct for which they are liable to be punished for committing the offence under section 409 IPC 1860 and u/s 13(1) (C) & (D) of prevention of corruption act.

11. That the para no. 8 of report dated 19-05-2008 signed by Sh. M.S. Rathee ADE (Act), Directorate of Education (Government of NCT Delhi), is reproduced as under.

“ The school was found to have given admission under EWS quota to two students whose parent income were more than one lacs per annum . In two other cases , the admission under EWS quota were granted without mandatory income certificate which is violation of Hon'ble Supreme courts directions .”

Now it is clear that the condition of land allotment was violated on which they had given their under taking that they shall run the school as per the provision of Delhi school education act and rules and even the recognition from education department was also given on such condition . Now it is more clear that the fraudulent and dishonest intention was there from the day of beginning . Hence the management of such society and such school as constituted under rule 59 of Delhi school education rules are liable to be punished for committing the offence under section 420 IPC 1860. Beside this the management of such school being public servant abuse their official position and corruptly discharge their official duty to obtain the pecuniary advantage for all such four parents and provided fee exemption to them under category of EWS however they were not entitled for such benefits. Hence the management of D.A.V. School, Srestha Vihar are liable to be punished for committing the offence under section 13(1) (D) of prevention of corruption act.

12. That I want to state here that if detail and thorough investigation will be done , then only other records can be deeply scrutinized . It is submitted here that if one report is exposing the working to such an extend , than prima facie this matter require regular detail investigation to ascertain and trace to actual amount .

13. That I had given a complaint dated 28-02-2013 through speed post dated 01-03-2013 to Shri Rajender Kumar Tyagi, S.H.O. of P.S. Anti Corruption for registration of F.I.R. but despite receiving the same, Shri Rajender Kumar Tyagi, S.H.O. of P.S. Anti Corruption did not register the F.I.R. on my complaint, however, it was the statutory and official duty of Shri Rajender Kumar Tyagi S.H.O. of P.S. Anti Corruption to register the F.I.R. and start investigating the matter. I had given the complaint to Shri Rajender Kumar Tyagi for offence relating to prevention of corruption act and I.P.C. and it is relevant to mention here that all the section of the prevention of corruption act are cognizable offence. As per Section 154 (1) of Cr.P.C. it is the statutory duty of the S.H.O. concerned to register the F.I.R. immediately after receiving information of cognizable offence but in the present case, Shri Rajender Kumar Tyagi with intend to save the accused persons form legal punishment disobey the direction of law and he intentionally and deliberately violated the statutory provision to save the accused

persons from legal punishment. Shri Rajender Kumar Tyagi knew that if he shall register the F.I.R. and shall start investigating the matter then no scope shall be left to him except to arrest the accused persons. In the present case the accused person are very influencing person and it appears from the record that Shri Rajender Kumar Tyagi under the influence of such high profile persons who are accused in my complaint, did not register the F.I.R. against them to save them from legal punishment. The report of Education Department apparently reveals that gross financial irregularity and mismanagement is going on in the management of D.A.V. Shreshtha Vihar Branch, Delhi-110092 and being SHO of P.S. Anti Corruption, Shri Rajender Kumar Tyagi knew that if he shall register the F.I.R. as per provision of law, then the pecuniary advantage which the accused persons are availing, shall be curbed, hence Shri Rajender Kumar Tyagi abused his official position and corruptly discharge his official duty thereby did not register the F.I.R. on my complaint with sole intend to obtain the pecuniary advantage and other valuables to the management of D.A.V. School Shreshtha Vihar Branch, Delhi-110092. In term of law lay down by the Hon'ble Supreme Court in case titled Ramesh Kumari, a police authority can check the genuineness, reasonableness and correctness of information only after registration of F.I.R. and the Hon'ble Supreme Court of India, in the said judgment further make it clear that section 154 of Cr.P.C. is mandatory provision. All such act and conduct make a prima facie view that Shri Rajender Kumar Tyagi SHO of P.S. Anti Corruption is liable to be punished for committing the offence U/S 13 (1) (d) of prevention of corruption act and U/S 217 I.P.C.

14. That when Rajender kumar Tyagi SHO of P.S. Anti Corruption did not turn up my complaint into FIR, then I had given a complaint through speed post dated 02-03-2013, 04-03-2013, 06-03-2013 and 08-03-2013 to Shri G.C. Dwevedi, Addl. Commissioner of Police, Anti Corruption for registration of F.I.R. but despite receiving the same, Shri G.C. Dwevedi, Addl. Commissioner of Police, Anti Corruption did not register the F.I.R. on my complaint, however, it was the statutory and official duty of Shri G.C. Dwevedi, Addl. Commissioner of Police, Anti Corruption to register the F.I.R. and start investigating the matter. I had given the complaint to Shri G.C. Dwevedi, Addl. Commissioner of Police, Anti Corruption for offence relating to prevention of corruption act and I.P.C. and it is relevant to mention here that all the section of the prevention of corruption act are cognizable offence. As per Section 154 (3) of Cr.P.C. it is the statutory duty of D.C.P. concerned to register the F.I.R. immediately after receiving information of cognizable offence and in the present case Shri G.C. Dwevedi, Addl. Commissioner of Police, Anti Corruption is also looking after the charge of D.C.P. concerned. In the present case, Shri G.C. Dwevedi, Addl. Commissioner of Police, Anti Corruption with intend to save the accused persons from legal punishment disobey the direction of law and he intentionally and deliberately violated the statutory provision to save the accused persons from legal punishment. Shri G.C. Dwevedi, Addl. Commissioner of Police, Anti Corruption knew that if he shall register the F.I.R. and shall start investigating the matter then no scope shall be left to him except to arrest the accused persons. In the present case the accused person are very influencing person and it appears from the record that Shri G.C. Dwevedi, Addl. Commissioner of Police, Anti

Corruption under the influence of such high profile persons who are accused in my complaint, did not register the F.I.R. against them to save them from legal punishment. The report of Education Department apparently reveals that gross financial irregularity and mismanagement is going on in the management of D.A.V. Shreshtha Vihar Branch, Delhi-110092 and being Addl. Commissioner of Police, Anti Corruption, Shri G.C. Dwevedi knew that if he shall register the F.I.R. as per provision of law, then the pecuniary advantage which the accused persons are availing, shall be curbed, hence Shri G.C. Dwevedi, Addl. Commissioner of Police, Anti Corruption abused his official position and corruptly discharge his official duty thereby did not register the F.I.R. on my complaint with sole intend to obtain the pecuniary advantage and other valuables to the management of D.A.V. School Shreshtha Vihar Branch, Delhi-110092. In term of law lay down by the Hon'ble Supreme Court in case titled Ramesh Kumari, a police authority can check the genuineness, reasonableness and correctness of information only after registration of F.I.R. and the Hon'ble Supreme Court of India, in the said judgment further make it clear that section 154 of Cr.P.C. is mandatory provision. All such act and conduct make a prima facie view that Shri G.C. Dwevedi, Addl. Commissioner of Police, Anti Corruption is liable to be punished for committing the offence U/S 13 (1) (d) of prevention of corruption act and U/S 217 I.P.C.

15. That the complaint dated 28-02-2013 given to Shri Rajender Kumar Tyagi SHO of P.S. Anti Corruption and the complaint dated 02-03-2013, 04-03-2013, 06-03-2013 and 08-03-2013 given to Shri G.C. Dwevedi, Addl. Commissioner of Police, Anti Corruption was an entrustment of property in their hand and they got the dominion over the same, once such complaint were received to them but they dishonestly used the same in violation of direction of law prescribing the mode on which such trust was to be discharged, hence they are also guilty for committing the offence U/S 409 I.P.C.
16. That I have received a letter from Shri G.C. Dwevedi, Addl. Commissioner of Police, Anti Corruption in which A.C.P. Admin. Has given the signature on his behalf wherein the said officer has disclosed to me that my complaint dated 28-02-2013 has been sent to Education Department for action taken report. It is submitted here that sending a letter to the education department is nothing but is an preparation of incorrect document to save the accused persons from legal punishment as the education department is not an investigating agency and neither the education department can register the FIR nor can investigate the matter. It is further pertinent to mention here that Education Department can neither arrest the accused persons nor can take the custodial interrogation of the accused persons nor can recover the misappropriated funds from the accused persons and even cannot file the chargesheet in the court of law. Now it is more clear that the step taken on the part of Shri G.C. Dwevedi, Addl. Commissioner of Police, Anti Corruption is nothing but is preparation of incorrect document to save the accused persons from legal punishment for which he is liable to be punished for committing the offence U/S 218 I.P.C.
17. That the above noted act and conduct of Sh G C Divedi , additional commissioner of Police, Anti corruption and Sh Rajender Kumar Tyagi SHO of P.S. Anti Corruption are not the part of their colour of duty and

it amount to grave misconduct under service rules for which they are liable to face the departmental enquiry and are ultimately liable to be dismissed from service.

18. That as per Service Rules if the vigilance enquiry is likely to initiate against any public servant then he should generally be suspended to avoid the tempering with record and for avoiding to use of his influence upon the enquiry officer. In the instant case both above named officer are holding very influencing position in their department and if they shall not be suspended prior to initiate departmental enquiry against them then they can easily influence the enquiry officer and can remove the evidence against them.
19. That as per vigilance manuals and Central Vigilance Commission Act, 2003, it is the statutory duty of the Vigilance Agency to set up vigilance enquiry immediately after receiving a complaint of corruption and dereliction of duty. The contents of my complaint reflect the commission of offence under POC Act, IPC and also prima facie prove the offence of dereliction of duty hence immediately set up high level vigilance enquiry against Shri G.C. Dwevedi, Addl. Commissioner of Police, Anti Corruption and Shri Rajender Kumar SHO of P.S. Anti Corruption and ultimately dismissed them from service.

It is, therefore, under the facts and circumstances as stated above kindly suspend initiate departmental and vigilance enquiry against Shri G.C. Dwevedi, Addl. Commissioner of Police, Anti Corruption and Shri Rajender Kumar SHO of P.S. Anti Corruption and ultimately dismissed them from service.

Delhi
Dated



Sh Sukmal Jain
S/o Late Sh Sita Ram Jain
R/o D-1/D-2 , Flat No LG- 12 ,
Ashirvadh Apartment , Dilshad
Colony , Delhi – 95