

No.107/11/2015-AVD.I
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel & Training

New Delhi 4th July 2016

ORDER

WHEREAS Government of Chhatisgarh vide letter dated 18.07.2015 had sought sanction for prosecution under Prevention of Corruption Act, 1988 against Dr. Alok Shukla (CG :86), the then Principal Secretary, Department of Food in Crime No.09/2015 dated 12.02.2015 registered by Anti Corruption Bureau, Chhatisgarh under section 409, 420, 109 and 120-B of IPC, section 11 & 13 (1) (d) of PC Act, 1988.

2. AND WHEREAS, Chattisgarh State Civil Supplies Corporation Limited, Raipur which is known as Nagrik Aapurti Nigam (NAN) is a unit of the State Government and is controlled and supervised by a board headed by Chairman with Managing Director (MD) as head of the NAN. Dr Alok Shukla, IAS Principal Secretary, Department of Food was ex-officio Chairman from 1st July 2014 and was holding the post till 12.02.2015.

3. AND WHEREAS, Anti Corruption Bureau, Chhatisgarh received information of large scale corruption in Nagrik Aapurti Nigam in which huge amounts of money were being illegally extracted from the rice millers and other agencies in an organized and manner and it involved senior officers including MD and Chairman. A special mention was made of organized corruption in custom milled rice procurement by the NAN throughout the state in which large illegal monies were being extorted in the pretext of smooth and hassle free procurement process and it included procurement of rice of lesser specification than the Government norms.

4. AND WHEREAS, information was received on 12.02.2015 that a sum of Rs.20 lacs is being arranged at the behest of MD, Anil Tuteja by Manager, NAN Headquarter Shiv Shankar Bhatt through his Steno Arvind Dhruv. This money was arranged in response to the demand of Rs 10 Lacs put forward by Dr. Alok Shukla, IAS, Chairman, NAN through Girish Sharma, steno of the MD Mr Anil Tuteja and an equal amount of the share of MD, NAN amounting to an additional Rs.10 Lacs. Thus, a sum of Rs.20 Lacs was arranged by Mr Bhatt which reached up to Girish Sharma as per the directions of the MD. Girish Sharma in turn was to immediately deliver Rs.10 Lacs as per the direction given by Alok Shukla to his friend Dr. Anand Dubey, Shankar Nagar, Raipur and another Rs.10 Lacs to Anil Tuteja's son at his residence at Katora Talab, Raipur.

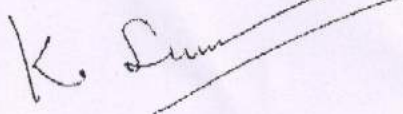
5. AND THEREFORE, exercising the powers of the investigating officer an FIR was registered and the place of purported exchange i.e NAN headquarters was raided immediately. Rs 20 lacs were seized from the possession of Girish Sharma, PA to MD, Rs.1,62,97,500/- were seized from the possession of Shiv Shankar Bhatt, Manager, NAN along with paper and electronic documents which exposed the details of corruption and its distribution. The total illegal amount seized in the raid on 12/2/2015 is Rs. 3,43,96,965/- from various employees.

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6. AND WHEREAS, investigations have proved conspiracy and continuance of an established system of large scale corruption and money extraction, collection and distribution of various officers of NAN Department posted in the field and the Headquarters. Further, the investigations have proved that Shiv Shankar Bhatt, the Manager NAN who was the kingpin in extraction and collection of money from the field to the Headquarter was being supported & protected in this corrupt practice by the MD & Chairman, NAN.
7. AND WHEREAS, Investigations established that large scale movement of rice was ordered by the MD against Government orders. This was done to create space in the godowns for rice millers of Dhamtari by ordering large scale rice movement like the movement ordered from Dhamtari to Raigarh, Dhamtari to Akaltara(Janjghir), Dhamtari to Bijapur and Dantewada. Similarly, movement order from Gariyaband to Baloda Bazaar (Tilda) was also against Government directions. While this was done to favor the transporters and rice millers a loss of Government money amounting to Rs.3,97,6355/- was incurred and it is also established that monetary favors were taken by the MD from the transporters and the rice millers for his own self.
8. AND WHEREAS, investigations have revealed to favor a salt supplier while accepting and distributing poor quality salt, poor standard packing and in one case accepting and distributing salt consignment of lesser standard weight, at Bhatapara, Railway Rake Point and favoring the salt supplier by accepting this consignment which was rejected earlier on testing, by taking cover of order of segregation while the bill documents prove that the rejected material has been accepted and the payments worth Rs.92,46,865/- as claimed by the salt supplier were released to favor him and also from the possible losses in taking the rejected consignment back thus saving his transportation and other handling costs, etc. It was also proved that no segregation exercise ever took place. The transportation cost of this salt to the districts was also borne by NAN which amounted to Rs 97,891/- which was also against the 'agreement' of the Department.
9. AND WHEREAS, investigations have established that the salt supplier has been given favors in various consignment of transportation of salt to the districts while purposefully creating situations and issuing orders so that the transportation cost was borne by the NAN Department instead of the supplier and thus a loss of Rs.27,56,994/- incurred to the State Exchequer while monetary favors received by the MD has also been established.
10. AND WHEREAS, total loss caused to the Government during the tenure of MD Shri Anil Tuteja owing to the transportation of rice and losses owing to the salt amounts to Rs.5,18,65255/- i.e. Rupees Five Crores eighteen lakhs sixty five thousand two hundred fifty five.
11. AND WHEREAS, Investigations have established Dr. Alok Shukla received 'illegal' money from corruption to the tune of Rs.1,51,43,000 and his personal expenses from the same corruption source to be amounting to Rs.11,43,000 from July 2014 to February 2015.



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12. AND WHEREAS, Independent quality checks were made of stored custom milled rice of the period under investigation in various NAN godowns of the state. It was established that of the 252 samples of various lots tested 111 were found to be sub-standard. It is established in the investigation that the reports created by the Quality Control Section of the Headquarters and also the concerned District Managers and Quality Inspectors were wrong and were fabricated to accept the sub-standard rice in their godowns in contravention of the prescribed norms and in turn extracting 'illegal' money in this process.

13. AND WHEREAS, it is prima facie established that Shri Alok Shukla, IAS, the then ex-officio Chairman NAN and Shri Anil Tuteja, IAS the then Managing Director, NAN along with Shiv Shankar Bhatt, Manager, & others have all conspired in promoting and perpetuating corruption by misuse of their official positions to favor other parties and take pecuniary advantage for themselves. Also, Breach of trust by causing huge losses to the Government by their willful and illegal decisions in respect of the expenditures of Government monies and of quality of the supplies of rice and salt which are distributed through the Public Distribution Systems (PDS) to the economically weak.

14. AND WHEREAS, State Law Department has dwelt about the way of appointment and powers of the chairman and the MD of NAN. They have stated that from the documents and evidences collected during the investigation of the said offence it has established, that as per the work distribution order of the NAN, the duty of procurement of rice was officially allocated to Shri M.N. Prasadrao, General Manager. But it was allocated to Shiv Shankar Bhatt, Manager PDS, by the Chairman, Dr. Alok Shukla and MD Anil Tuteja under a criminal conspiracy for illegal collection of money in an organized and planned corrupt way. It was done against the authorised work allocation, so that the corruption racket should not come to surface and the bribe money should continue to reach to the head office.

15. *AND WHEREAS, it has been found on investigation on the basis of oral evidences, documentary evidences and transcriptions of telephonic conversations recorded during the interception that* Dr. Shukla was getting a share from the amount being collected illegally from the organized corruption and field offices on demand through the PA of Managing Director, Nagrik Aapurti Nigam. The said illegal amount was being collected through Girish Sharma and used to be kept with his confidant, Dr. Anand Dubey.

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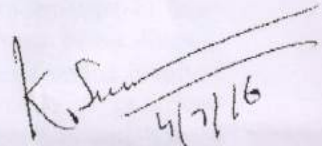
16. AND WHEREAS, State Government of Chhatisgarh has accorded sanction for prosecution against Dr Alok Shukla, IAS (CG:86) , in accordance with the powers granted under section 197 of Cr.PC for the offences under section of 109, 120 B, 420 & 409 of Indian Penal Code.

17. AND WHEREAS, in view of the facts of the case, Central Vigilance Commission has advised sanction for prosecution against Dr.Alok Shukla, IAS (CG:86), the then Principal Secretary, Department of Food, Government of Chhatisgarh

18. AND WHEREAS, the Central Government after fully and carefully examining the material facts brought out in the case has come to the conclusion that the requirement of section 11 & 13 (1) (d) is satisfied in the case of Dr Alok Shukla, the then Principal Secretary, Department of Food, Government of Chhatisgarh to constitute an offence of criminal misconduct under the Prevention of Corruption Act, 1988.

19. Now therefore, in exercise of the powers conferred u/s 19 (1) of the Prevention of Corruption Act, 1988 the Central Government hereby accords sanction for the prosecution of Dr Alok Shukla, IAS (CG:86) for the said offences under section 11, Sec. 13 (1) (d) and Sec. 13 (2) of Prevention of Corruption Act .

By order and in the name of the President.


(K.Srinivasan)

Under Secretary to the Government of India

4th July 2016

The Secretary
Government of Chhatisgarh
General Administration Department
Mantralaya, Mahanadi Bhawan, Naya Raipur

Copy to :

- (1) Secretary, Central Vigilance Commission, Satarkta Bhawan, INA, New Delhi
- (2) Vigilance Desk, AVD.I, DoPT
- (3) Order Folder