

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Servants – Sri K.V.Subba Rao, the then Joint Director of Agriculture, Nellore, SPSR Nellore District and 4 others – Initiation of departmental Common /Joint enquiry proceedings u/r 20 of APCS (CC&A) Rules, 1991 read with Rule- 24 of A.P.C.S. (CC&A) Rules, 1991 - Articles of charge – Issued.

AGRICULTURE AND COOPERATION (VIG I) DEPARTMENT

G.O.RT.No. 780

Dated: 30-10-2018
Read the following:-

Ref: 1. From the C&DA, A.P,Hyderabad, Lr.No.VIg.II(2)47/2015,
Dated:15.04.2015 and 25.9.2018.

2.Govt.Memo No. AGC01-30021/63/2018, dated: 29 .10.2018.

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ORDER :-

It is proposed to hold an enquiry against the said Sri K.V.Subba Rao, the then Joint Director of Agriculture, Nellore, SPSR Nellore District in accordance with procedure laid down in Rule- 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of Articles of Charge (Annexure-I). Statement of imputation of misconduct or misbehavior on which action is proposed to be taken against him as Annexure-II, a list of documents by which and a list of witnesses by whom the Article of Charge is proposed to be sustained are also enclosed as Annexure-III and IV.

3. Sri K.V.Subba Rao, the then Joint Director of Agriculture, Nellore, SPSR Nellore District is directed to submit a written statement of his defence within 15 days from the date of receipt of this G.O. and also to state whether he desires to be heard in person.

4. Sri K.V.Subba Rao, the then Joint Director of Agriculture, Nellore, SPSR Nellore District is further informed that an Inquiry will be held only in respect of those articles of charge as are not admitted. He should therefore, specifically admit or deny the article of charge.

5. Sri K.V.Subba Rao, the then Joint Director of Agriculture, Nellore, SPSR Nellore District is further informed that if he does not submit his written statement of defense on or before the date specified in para-3 above, further action will be processed based on the material available.

6. Attention of Sri K.V.Subba Rao, the then Joint Director of Agriculture, Nellore, SPSR Nellore District is invited to Rule -24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government servant shall bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to him under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings, it will be presumed that Sri K.V.Subba Rao, the then Joint Director of Agriculture, Nellore, SPSR Nellore District is aware of such a representation and that it has been made at his instance and action will be

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taken against him for violation of rule -24 of the A. P. Civil Service (Conduct) Rules, 1964.

7. The receipt of this G.O. shall be acknowledged.

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

**B.RAJSEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT(FAC)**

To

Sri K.V.Subba Rao, the then Joint Director of Agriculture, Nellore, SPSR Nellore District
through the Special Commissioner of Agriculture ,
A.P, Guntur

Copy to:

The Special Commissioner of Agriculture ,A.P, Guntur (with a request to serve the order on the charged officer and return the served copy with dated ack.,)
SC/Sf.

//FORWARDED BY ORDER//

SECTION OFFICER

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Annexure-I

Statement of Article of Charge framed against Sri K.V.Subba Rao, former Joint Director of Agriculture, Nellore, SPSR Nellore District.

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Article of Charge: I

"That Sri K.V.Subba Rao, the then Joint Director of Agriculture, Nellore, SPSR Nellore District has failed to comply with the operational guidelines issued with a view to secure smooth supplies, movement & distribution of fertilizers which is major part on violation by him. Thus he failed to implementation of provisions of FCO 1985. Thus, he was not devoted to duty and negligent in the discharge of his legitimate duties, which attracts violation of Rule-3 of APCS (Conduct) Rules, 1964".

Annexure-II

Statement of imputations of misconduct or misbehaviour in support of the articles of charge framed against Sri K.V.Subba Rao, the then Joint Director of Agriculture, Nellore, SPSR Nellore District

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Smt T.Sujatha, Dy. Director of Agriculture, O/o. C&DA., A.P., Hyderabad have proceeded to SPSR Nellore on 8th and 9th of December, 2014 for conduct of inspections of fertilizer dealer outlets. Sri Murali, ADA(PP), O/o JDA, Nellore and Smt Satyavani, ADA(R), Nellore have accompanied to the DDA, O/o. C&DA., A.P., Hyderabad during the visit, as per the orders of the Commissioner & Director of Agriculture, A.P., Hyd.

The following dealer premises and connected godowns were inspected along with the MAO's and ADA's concerned.

S.No.	Division	Mandal	Name of the dealer outlet
1	Naidupet	Naidupet	1.M/s Nalluru seeds and pesticides
			2.M/s Srinivasa Fertilizers (Retailer outlet)
			3. M/s Sri Lakshmi Fertlizers (Whole saler & Retailer)
2	Kovuru	Buchchireddypalem	1.M/s The Vavveru Co-operative Rural Bank Ltd. (Whole saler & retailer)
			2.M/s Sri Venkata Sai Depot.

The following lapses has been noticed during the inspection:

- Sale of fertilizers, specially Urea at over and above MRPs which ranged from Rs.340/- to Rs.350/- per bag of 50 Kgs. (Ex: M/s Nalluru seeds and pesticides, Naidupet);
- The dealer has not maintained the records properly;
- The dealer was selling the fertilizers issuing some cash/ credit memo to the farmers without obtaining the signatures of the farmers;
- The dealer was purchasing fertilizers from unauthorized sources i.e. without inclusion of "O" forms of supply firms in the license;
- The dealer was selling the fertilizers 20-25 bags of urea to 2-3 customers for 2-3 times within a month;(Ex: M/s Sri Lakshmi Fertlizers, Naidupet)

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- Sale of fertilizers, i.e Formula 7 (Micro Nutrient) without obtaining license (Ex: M/s Sri Venkata Sai Depot., Buchchireddypalem). The concerned MAO seized the stock qty. 1 M. Tonne. under 6A of the E.C.Act.1955.
- Failure to conduct 100% inspections of all the fertilizers outlets during kharif 2014 & Rabi 2014-2015
- The fertilizer inspectors have failed to check maintenance of registers by the dealers.

Therefore, it is evident that Sri K.V.Subba Rao, the then Joint Director of Agriculture, Nellore, SPSR Nellore District, has shown gross negligence in his duties which attracts violation of Rule-3 of APCS (Conduct) Rules, 1964. Hence, charge.

Annexure-III

List of documents by which article of charge against Sri K.V.Subba Rao, the then Joint Director Agriculture, Nellore, SPSR Nellore District are proposed to be sustained:

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1. Inspection report dt. 24-12-2014 of Smt T.Sujatha, DDA(FCO) , O/o. C&DA., A.P., Hyderabad

Annexure-IV

List of witness by which article of charge Sri K.V.Subba Rao, the then Joint Director of Agriculture, Nellore, SPSR_ Nellore District are proposed to be sustained:

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—Nil—

**B.RAJSEKHAR
SPECIAL CHEIF SECRETARY TO GOVERNMENT (FAC)**

SECTION OFFICER