

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Sri. K. Hema Maheswara Rao, (Retd) JDA, Nellore – Initiation of departmental proceedings u/r 20 of APCS (CC&A) Rules, 1991 read with rule -24 of the A. P. Civil Service (Conduct) Rules, 1964 - Articles of charge – Issued.

AGRICULTURE AND COOPERATION (VIG I) DEPARTMENT

G.O.RT.No. 57

Dated: 25-01-2019
Read the following:-

1. Letter from Special Commissioner of Agriculture, A.P., Guntur, Lr.No.Vig.II(2) 552017, Dt: 12.07.2018 and 21.12.2018.
2. G.O.Ms.No.5, Agriculture & Cooperation (Vig.I) Deptt., dt.25-01-2019 .
3. Govt.Memo No.AGCO1-30021/30/2018, A&C (Vig.I) Deptt., dt.25-01-2019.

ORDER :-

It is proposed to hold an enquiry against the said Sri. K. Hema Maheswara Rao, (Retd) JDA, Nellore in accordance with procedure laid down under Rule proceedings u/r 20 of APCS (CC&A) Rules, 1991 read with rule -24 of the A. P. Civil Service (Conduct) Rules, 1964

2. The substance of the imputations of misconduct or misbehaviour 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 misbehaviour 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. Hema Maheswara Rao, (Retd) JDA, Nellore 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. Hema Maheswara Rao, (Retd) JDA, Nellore 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. Hema Maheswara Rao, (Retd) JDA, Nellore 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. Sri. K. Hema Maheswara Rao, (Retd) JDA, Nellore 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. Hema Maheswara Rao, (Retd) JDA, Nellore is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of rule -24 of the A. P. Civil Service (Conduct) Rules, 1964.

P.T.O

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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. Hema Maheswara Rao, (Retd) JDA, Nellore **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

Contd.3/-

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ANNEXURE-I

Statement of Draft Article of charge Framed against Sri. K. Hema Maheswara Rao, (Retd) JDA, Nellore Proposed to be sustained

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Article of Charge:-

"That the said Sri. K. Hema Maheswara Rao, (Retd) JDA, Nellore has not followed the instructions of higher authorities and not followed the Office procedure and he has issued 5 cheques worth of Rs.1294500/- to M/s Coromandal Agro & Marine Agencies(Supplier) Nellore towards pending subsidy portion under Farm Mechanization Scheme during the year 2012-13 even though the O/o. C&DA, A.P., Hyderabad has issued specific instructions to stop the payment to M/S Rekha Agriplus (manufacturer) for the year 2012-13 vide Memo No.FM(1)243/13, dated:19.07.2013. Further, when misplacement of Cheques, RKVY Cash book Volume-II and other record occurred he did not file FIR in the concerned police station, instead approached the bank authorities for other cheques with mala fide intention, even though the then Sr.Asst Sri A.V.Ramanaiah reminded him constantly through the representations to lodge complaint in SHO, which attracts violation of Rule 3 of APCS conduct rules 1964."

Annexure- II

Statement of imputations of misconduct or misbehaviour in support of the article of charge framed against Sri. K. HemaMaheswaraRao, (Retd) JDA, Nellore

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Basis of Charge:-

Representation of Sri A.V. Ramanaiah dated: 07.11.2016, 14.11.2016, 21.11.2016 and 01.03.2017 , where in the individual has requested the JDA, Nellore to file FIR in concerned Police Station on misplacement of Cheques, RKVY cashbook vol-II and counterfoils etc. But the JDA did not follow the procedure and not filed any complaint.

Later the JDA, Nellore sent bond papers to SBI Nellore on 23.12.2016 indicating the misplaced cheque Numbers and amounts for a total amount of Rs. 12,94,500/- and got other cheques from bank on 14.03.2017. Further these cheques were revalidated several times and vide Lr. No. Extn. II/510/ 2016, dated:26.07.2017 an amount of Rs.12,94,500/- was paid to M/s Coromandal Agro & Marine Agencies(Supplier) Nellore, even though stoppage of payment orders to M/S Rekha Agriplus (Manufacturer) was issued by the O/o. C&DA, AP, Hyderabad vide their Memo No.FM(1)243/13, dated:19.07.2013.

ANNEXURE-III

List of documents by which Draft article of charge framed against Sri. K. Hema Maheswara Rao, (Retd) JDA, Nellore Proposed to be sustained :

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1. Enquiry report submitted by Smt. V. V. Vijayalakshmi, Addl. DA& Enquiry Officer dated: 13.06.2018

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2. Lr.No. Extn-II/510/2016, dated:26.07.2017 of the JDA, Nellore
3. Representation of Sri A.V. Ramanaiah, Sr. Assistant (Retd.), O/o.JDA, Nellore dated:7.11.2016, 14.11.2016, 21.11.2016 and 01.03.2017
4. Lr. TIN NO. 37209458884 of the Coromandal Agro Marine Agencies.
5. Memo No.FM (1)243/13, dated:19.07.2013 of O/o. C&DA, A.P, Hyderabad.

ANNEXURE-IV

List of witnesses by whom Draft article of charge framed against Sri. K. Hema MaheswaraRao, (Retd) JDA, Nellore Proposed to be sustained

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1. Smt. V.V. Vijaya Lakshmi, Addl. Director of Agriculture & Enquiry Officer
2. Sri A.V. Ramanaiah, Sr. Assistant (Retd.), O/o.JDA, Nellore

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

SECTION OFFICER