

# Case investigated in 2006



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SN.	CASE DETAILS	PERIOD OF INVESTIGATION /FORWARDED TO OAG or AGENCY /REGISTRY IN COURT/ VERDICT DATE	COURT VERDICT/AGENCY'S ACTION/STATUS	APPEALS/ EXECUTION OF VERDICT/RE-MARKS
1	<b>NRTI:</b> Payment of Nu.19,200/- to Yeshey Engg. workshop without replacement of vehicle parts by Laxman Bhujel, Adm. Officer & Pem Dorji, Driver.	<b>Period of investigation:</b> 22/06 - 27/08/06 (effectively a week).	Laxman Bhujel - increment withheld for 5 years; Pem Dorji – increment withheld for 3 years; Yeshi Engineering Workshop – to refund Nu.19200.00 & for breach of trust, NRTI to cease business with it.	ACC investigated after delay by agency; report forwarded to NRTI for action.
2	<b>Gelephu:</b> Illegal transfer of 45.50 acres of land. Implicated ex-Drangpoen Thinley Wangdi (TW), ex-Court Clerk Tshegang Norbu alias Tsegay-la (TN), ex-Gup CB Tiwari (CB) & Dhanpati Khandal (DK).	<b>Period of investigation:</b> 25/08-18/09/06. <b>Case forwarded to OAG:</b> 06/09/06. <b>Case registered in Court:</b> 22/11/06. <b>Judgment passed by:</b> <b>Dungkhag Court:</b> 18/09/07. <b>Dzongkhag Court:</b> 20/02/08. <b>High Court:</b> 20/05/08.	TN imprisoned for 9.5 years; DK – imprisoned for 8 years; CB imprisoned for 6 years and 10 months & TW imprisoned for 5 years. <b>Dzongkhag Court</b> upheld <b>Dungkhag Court's</b> verdict & <b>High Court</b> upheld Dzongkhag Court's verdict.	Investigated with MOA's assistance. During investigation, found a government building unregistered. <b>Appealed</b> by DK, CB & TW to Dzongkhag Court. <b>Appealed by</b> TW to High Court. Land restitution yet to be confirmed from National Land Commission.

<p>3</p>	<p><b>Thimphu City Corporation:</b> Forgery, illegal transaction &amp; criminal misappropriation of 1.3853 acre of land &amp; of-ficial misconduct. Implicated former Thrompoen Phuntsho Wangdi (PW), Dasho Pas-ang Dorji (PD), Proprietor of Karma Steel, Sangay Penjor (SP), Head of Land Manage-ment Div., Tshering Phuntsho (TP), Chief Town Planner, Sonam Tobgay (ST), Legal Officer, Karma Tshering (KT), Surveyor &amp; Nim Dorji (ND), VIP Store-in-charge, MOF.</p>	<p><b>Period of investigation:</b> 25/08-10/11/06.  <b>Case forwarded to OAG:</b> 15/11/06.  <b>Case registered in Court:</b> 01/12/06.  <b>Judgment passed by:</b>  <b>Dzongkhag Court:</b> 31/08/07 &amp; 08/09/07.                  High Court: 25/04/08.</p>	<p><b>Dzongkhag Court (1)</b> acquitted PW of illegal transfer (dou-ble regularization of 2.24 dc of his land &amp; official miscon-duct; <b>(2)</b> ST sentenced for 6 years imprisonment for illegally transferring governemnt land (includes regularisation of 9.32 dc of Lyonpo Lekis land); restitution of land to govern-ment, repayment of sales money &amp; Hilux to Dophu, buyer of land; PD to pay in lieu of one year's imprisonment for facilitating ST to sell land to Dophu; PW, TP &amp; SP sentenced to 3 years imprisonment although they were not charged by OAG/ACC; <b>(3)</b> TP sentenced to 1.5 years imprison-ment for illegally transfering 6.95 dc of government land to former Speaker Dasho Ugen Dorji's thram, land to be reinstated; <b>(4)</b> SP sentenced to 3.3 years imprisonment for illegal transaction of government &amp; private land (35.35 dc), deletion of 19 dc from Dago Beda's, 1.6 dc from Yangdon's, 3 dc from Sonam Dorji's &amp; 7 dc from Pema Choden's thram &amp; reinstatement of 4.75 dc to Dhendup's thram; <b>(5)</b> KT sen-tenced to 4 yrs &amp; 1 month imprisonment for illegal regula-risation of private land (deletion of 49.48 dc of land from Lhaden Pem &amp; 12.8 dc from late Sangay Tenzin's thrams; &amp; <b>(6)</b> ND sentenced to 6 years imprisonment &amp; refund of Nu. 300,000/- to the government for illegally regularizing excess land of the owner from whom he bought the land with ST's assistance &amp; selling to innocent buyers. <b>High Court :</b><b>(1)</b> Upheld; <b>(2)</b> PW, SP &amp; TP - deferred (what next?); <b>(3)</b> acquitted of 1.5 years imprisonment on grounds that beneficiary, former Thrompoen Lhaden Pema &amp; Committee members were not charged. However, High Court ordered concerned agency to take administrative action against TP &amp; report within 3 months; land to be reinstated; <b>(4)</b> land to be reinstated; <b>(5)</b> Dzongkhag Court verdict upheld; &amp; <b>(6)</b> reduced sentence to 1.5 years &amp; ordered administra-tive action against him as per BCSR; SP sentenced to 2.75 years of imprisonment although not charged by OAG or ACC.</p>	<p>Case transferred from RBP. SP, KT &amp; ST were detained, so suspended by de-fault. ND suspended but MWHS did not suspend PW &amp; TP. Vehicle bearing no BP-1-5944 seized -part of illegal transac-tion land deal. <b>Appealed by: (1)</b> OAG; <b>(2)</b> PW, SP &amp; TP; <b>(3)</b> TP; <b>(4)</b> OAG since land from some people were not ordered to be deleted from their thram; <b>(5)</b> Lhaden Pem; &amp; <b>(6)</b> ND.                  High Court issued orders to concerned authorities to make necessary correc-tions in the thrams. OAG yet to hear from agencies. SP, ST &amp; KT terminated after the court verdict. TP's promotion withheld for 2 years &amp; reprimanded. OAG has written to MOF to terminate ND. Judgment execu-tion with regard to land reinstatement under progress.</p>
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4	<p><b>RICBL:</b> Forgery, deception &amp; official misconduct involving total amount of Nu.2,385,762.08/- (medical &amp; travel claims). Implicated 72 employees including 4 former employees removed by management (<b>details at annexure I</b>). Dago Tshering (DT), Executive Director, M/s Yuendrung Construction was charged for forgery of RICBL's letter pad, seal and signature of Head of Credit Division).</p>	<p><b>Period of investigation:</b> 04/09/06 -07/12/06  <b>Case forwarded to OAG:</b> 29/12/06  <b>Case registered in Court:</b> 05/03/07  <b>Judgment passed by:</b>  <b>Dzongkhag Court:</b> 23/10/07.  <b>Dzongkhag Court:</b> 25/06/08</p>	<p>Dzongkhag Court acquitted all employees on grounds that prosecution was unable to prove beyond reasonable doubt that original bills were required to claim reimbursement for lodge, travel and medical expenses under the service rules and regulations of RICBL. DT acquitted since RICBL had issued a warning (only after ACC's investigation). Dzongkhag Court upheld Dzongkhag Court's verdict on ground that charges could not be proven because company's service rules was not specific when it came to producing original bills.</p>	<p>OAG appealed to Chhukha Court. Charge against 5 managers withdrawn but wrote to Chairman, RICBL Board, to take administrative action against Nado Gyeltshen, General Manager, &amp; Gyam Dhendup, General Manager for breach of loan agreement and Lamkey Tshering, CEO for management failure on 13/02/08. RICBL responded on 14/05/ 08 seeking legal clarifications. ACC replied on 28/04/ 08. Yet to hear from RICBL on its action.</p>
5	<p><b>Bumthang Dzongkhag:</b> Bribery of Nu. 65, 000, alteration of evaluation document by inserting 7% rebate amounting to Nu.1,59,673.29 making 3rd lowest bidder to lowest bidder &amp; issuance of work completion certificate to a contractor who was not awarded the work (sublet) by Tempa Gyeltshen (TG), former DE.</p>	<p><b>Period of investigation:</b> 13 - 27 /10/06.  <b>Case forwarded to OAG :</b> 08/12/06.  <b>Case in Court:</b> 25/01/07  <b>Judgment passed by:</b>  <b>Dzongkhag Court:</b> 15/08/07.  <b>High Court :</b> 25/04/08.</p>	<p><b>Dzongkhag Court:</b> Thrimthue of Nu. 36,000.00 in lieu of one year imprisonment and additional Nu. 3,000.00. for issuing a work certificate to contractor who was not awarded the work.  <b>High Court</b> acquitted TG on grounds that administrative action taken by RCSC was adequate.</p>	<p>RCSC had reprimanded &amp; transferred TG from Bumthang to Monitoring Division, Department of National Budget on July 12, 06 for "procedural lapses." MWHS dissatisfied with RCSC's decision; forwarded case to ACC.  MOF suspended TG.  <b>Appealed by</b> TG to High Court. TG reinstated by MoF following court verdict.</p>
6	<p><b>Phojikha, Wangdue:</b> Illegal transaction of 4.5 acres government land. Implicated former Wangdue Drangpon Kuenzang Tobgay (KT), Dasho Pema L. Dorji (PLD), former Wangdue Dzongdag, former Chimi Pasang Dorji (PD) &amp; former Gup Wangchuk, Phojikha</p>	<p><b>Period of investigation:</b> 15/09/ - 30/11/06.  <b>Case forwarded to OAG :</b> 21/12/06.  <b>Case registered in Court:</b> 05/ 03/ 07.  <b>Dzongkhag Court's judgment passed:</b> 05/09/07.</p>	<p><b>Dzongkhag Court</b> acquitted the accused on grounds that investigating agency could not prove that accused had gained material benefit from their alleged conduct. Also questioned validity of application of Penal Code &amp; AC Act.  <b>High Court</b> judgment awaited.</p>	<p>Chimi PD and Gup PD suspended but High Court &amp; RCSC did not suspend KT &amp; PLD. Wrote to High Court on May 22, 07 seeking its guidance &amp; legal interpretation of relevant provisions of AC Act 2006. No response received.  <b>Appealed by</b> OAG to High Court.</p>

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7	<p><b>Gyensa farm road construction, Haa</b> : Misuse of Nu.83,773/- by GYT Tshogpas. 8 Tshogpa, viz. Gyem Dorji, Lhapchu, Kipchu, Dechen Wangmo, Nima, Karchen, Rinchen Dorji &amp; Kaka.                  Period of investigation: 15 -20/11/06.                  Case prosecuted by Haa Dzongkhag Administration.                  Dzongkhag Court’s judgment passed: 31/08/07.</p>	<p><b>Dzongkhag Court</b> sentenced 8 Tshogpas to one month imprisonment paid Nu.3000/-each in lieu of the sentence).</p>	<p>Investigation report forwarded to Dzongdakhag Administration for action. 8 Tshogpas terminated by Dzongkhag Administration.</p>
8	<p><b>Nyisho, Wangdue:</b> Embezzlement of Geog fund of Nu. 439,143.50. by Nyisho Gup Phub Dorji.                  Period of investigation: 28/11/06 - 3/01/07.                  Case forwarded to OAG: 10/01/07 &amp; again on 02/04/07 with additional information.  <b>Case registered in Court:</b> 29/05/07.  <b>Dzongkhag Court’s judgment:</b> 21/01/08.</p>	<p><b>Dzongkhag Court</b> acquitted PD on ground that ACC &amp; OAG applied law retroactively.  <b>High Court’s</b> judgment awaited.</p>	<p>MHCA suspended PD. Case had also reached Zimpoen’s office. Zimpoen’s office ordered court to expedite court proceedings.  <b>Appealed by</b> OAG to High Court.</p>
9	<p><b>Drujeygang, Dagana:</b> Encroachment &amp; illegal occupation of government land &amp; conversion of sogshing to kamzhing by Karma Samdrup, former Drujeygang Chim. Land in Thram 2.4 acres but on ground more than 14.04 acres.  <b>Period of investigation:</b> 16/01/07 - 30/01/07.  <b>Case forwarded to OAG:</b> 23/07/07.  <b>Case registered in Court:</b> 10/08/07.</p>	<p>Judgment awaited.</p>	

## Annexure I

Details of case No. ACC/ID/2006-04					
SN	List of RICBL Officials Charged	Designation	Medical Claims	Loge Claims	Total Nu.
1	Gyem Tshering	General Manager		21000.00	21000.00
2	Gyem Dhendup	General Manager	17800	163244.00	181044.50
3	Tandin Wangchuk	Asst.GM (Former)	331119.400	70075.00	401.194.00
4	Fala Wangchuk	Asst.GM	0	10550.00	10550.00
5	Santosh Kumar Paul	Asst.GM	0	8330.00	8330.00
6	Phurba Dorji	Asst.GM	0	24095.00	24095.00
7	Thinlay Dorji	Manager	0	56700.00	56700.00
8	Dhendup Tshering	Manager	0	35,160.00	35160.00
9	Kencho Yeshe	Manager	0	33095.00	33095.00
10	Dhendup Norbu	Manager	0	21081.00	21081.00
11	Dramdi Dorji	Manager	0	15440.00	15440.00
12	Sangay Wangdi	Manager(Engineer)	0	88710.00	88710.00
13	Dhana Pati Adhikhari	Manager	0	4350.00	4350.00
14	Karma Namgyel	Dy. Manager	0	110222.00	110222.00
15	Pema Chhewang	Dy. Manager	135533	0.00	135533.00
16	Tshering Phuntsho	Dy. Manager	130890	0.00	130890.00
17	Sangay Dorji	Dy. Manager	0	12960.00	12960.00
18	R.B Ghalley	Dy. Manager	0	1860.00	1860.00
19	Parsu Ram Tirwa	Dy. Manager	0	27900.00	27900.00
20	Bhanu B Rai	Internal Auditor	0	15225.00	15225.00
21	Karma Nidup	Asst.Manager	0	31620.00	31620.00
22	Ugyen Dorji	Asst.Manager	0	7440.00	7440.00

SN	List of RICBL Officials Charged	Designation	Medical Claims	Loge Claims	Total Nu.
23	Tashi Wangchuk	Asst.Manager	0	9895.00	9895.00
24	Karma Sonam Tshering	Asst.Manager	0	3720.00	3720.00
25	Sonam Dorji	Asst.Manager	0	4890.00	4890.00
26	Dorji Namgyel Rinchen	Asst.Manager	0	31620.00	31620.00
27	Kalyan Humaigai	Asst.Manager	14421	8975.00	23396.800.00
28	Karma Yonten (former)	Asst.Manager	20000	37680.00	57680.400.00
29	Sonam Choki	Development Officer	0	31620.00	31620.00
30	Lungten	Development Officer	0	7440.00	7440.00
31	Sonam Wangda	Development Officer	0	98050.00	98050.00
32	Namgayla	Development Officer	0	54820.00	54820.00
33	Depash Subha	Development Officer	0	54820.00	54820.00
34	Phuntsho Wangmo	Development Officer	0	54820.00	54820.00
35	Dorji Phuntsho	Development Officer	0	6170.00	6170.00
36	Sonam Tobgye	Development Officer	0	40,205.00	40,205.00
37	Sabita Lama	Development Officer	0	3,425.00	3,425.00
38	Deepankar Sharma	Development Officer	0	600	600.00
39	Yeshey Lotay	Development Officer	0	3,980.00	3,980.00
40	Wangdi	Development Officer	0	3,980.00	3,980.00
41	Sonam Kezang	Development Officer	0	600.00	600.00
42	Namgay Drukpa	Development Officer	0	880.00	880.00
43	Ugyen Wangdi	Development Officer	0	17,400.00	17,400.00
44	Chencho Wangdi	Development Officer	0	4,490.00	4,490.00
45	Kezang Tshering	Asst.Development Officer	0	4,490.00	4,490.00
46	Tandin Tshewang	Former Employee	0	75,670.00	75,670.00
47	Tshering Eden	Asst.Development Officer	0	2,740.00	2,740.00

Compilation of Cases Investigated by Anti Corruption Commission

SN	List of RICBL Officials Charged	Designation	Medical Claims	Loge Claims	Total Nu.
48	Sangay Dorji	Asst.Development Officer	0	16,775.00	16,775.00
49	Tshering Wangdi	ADO (former)	166,554.50	9,555.00	176,109.00
50	Rin Dorji	Asst.Development Officer	10,500.00	5,855.00	16,335.00
51	Tshering Lhamu	ADO (former)	77,016.00	0.00	77,016.00
52	Ugyen Phuntsho	ADO	0.00	3,610.00	3,610.00
53	Wangdi	ADO	0.00	20,375.00	20,375.00
54	Kinley Dorji	Supervisor	0.00	33,395.00	33,395.00
55	Tshering Yuden	Former Employee	0.00	6,795.00	6,795.00
56	Karma Phuntsho	Supervisor	0	7,875.00	7,875.00
57	Kelzang Wangchuk	Branch Asst.	0.00	7,875.00	7,875.00
58	Karma	Supervisor	0.00	6,551.00	6,551.00
59	Yeshey Tshering	Former Employee	0.00	1,365.00	1,365.00
60	Yeshey Needup	Former Employee	0.00	4,490.00	4,490.00
61	Tshomo	Supervisor	0.00	2,730.00	2,730.00
62	Kinley Dem	Supervisor	0.00	4,090.00	4,090.00
63	Neten Sherub	Supervisor	0.00	20,375.00	20,375.00
64	Tashi Chophel	ADO	0.00	32,683.00	32,683.00
65	Jambay	Supervisor	0.00	17,400.00	17,400.00
66	Lhaden	ADO	0.00	2,740.00	2,740.00
67	Jandu Drukpa	Sub-staff	3,250.00	0.00	3,250.00
68	Chogyel Wangdi	Sub-staff	3,250.00	0.00	3,250.00
69	Wangchuk Namgyel	Dy.Manager	0.00	33,095.00	33,095.00
70	Lamkey Tshering	CEO- Official misconduct,prejudicial management decision.			
71	Nado Gyeltshen	General Manager- Official misconduct, prejudicial management decision.			
72	Surajit Dutta	General Manager- Official misconduct, prejudicial management decision.			

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# 2 Case investigated in 2007



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SN	CASE DETAILS	PERIOD OF INVESTIGATION/ FORWARDED TO OAG or AGENCY/ REGISTRY IN COURT/VERDICT DATE	VERDICT/ ACTION/ STATUS	APPEALS/EXECUTION OF VERDICT/ REMARKS
1	<b>Buli-Tsaidang farm road, Zhemgang:</b> Forgery, tampering of bid document & official misconduct; collusion between Sonam Wangchuk, Dzongkhag JE, Tshering Dorji (TD), Proprietor of M/s Asiatic T.W Construction for Nawang Dorji (ND), Proprietor, M/s. Nawang Builders (project contractor). Rates of two items changed in BOQ of M/s. Nawang Builders (from 9.652 million to 9.085 million) making it the lowest bidder.	<b>Period of investigation:</b> 15/02/-06/03/07. <b>Case forwarded to OAG:</b> 28/03/07. <b>Case registered in Court:</b> 27/04/07. <b>Judgment passed on:</b> 21/08/07.	<b>(1)</b> JE - 2 years imprisonment (paid Nu.72,000/- in lieu of it) (lower sentence since ACC plea bargained with him). <b>(2)</b> TD - 2 years 330 days imprisonment (paid Nu.105,000/- in lieu of it); <b>(3)</b> ND - 6 months imprisonment (paid Nu.18,000/- in lieu of it) & contract license suspended for one year, 16/05/- 25/12/07.	JE suspended by Zhemgang Dzongkhag. Based on ACC's report- <b>(A)</b> administrative action taken by MWHS against: <b>(1)</b> Kezang Penjor, DE: promotion withheld for 3 years for deleberately withholding information; <b>(2)</b> Mr. Sangay Dakpa, AE : promotion withheld for 2 years for deleberately withholding information & <b>(3)</b> Bhudhiman Pradhan, AE : promotion withheld for 2 years for not appraising Dzongkhag Tender Committee (DTC) on the over writing; <b>(B)</b> CDB suspended M/s Asiatic T.W Construction's license from 16/05/07-03/10/07; <b>(C)</b> MHCA recommended withholding DTC Chairman, Dzongdag's promotion for three years to RCSC but was dismissed & DTC Chairman only reprimanded. Action against other tender committee members awaited from RCSC, MOA & MOF's till date. JE terminated without benefits.
2	<b>Construction Association of Bhutan (CAB):</b> Embezzlement of Nu. 679,887.00 from CAB's imprest account & abuse of authority by Gyem Tshering (GT), General Secretary.	<b>Period of investigation:</b> 10/01 - 12/03/07. <b>Case forwarded to OAG:</b> 15/03/07. <b>Case registered in Court:</b> 08/06/07. <b>Judgment passed on:</b> 15/01/08.	2 years imprisonment (paid Nu.72,000/- in lieu of it); GT to refund Nu. 5,11,668/-	Investigation based on RAA report. GT appealed to High Court but withdrew later. Refund to be made on 31/10/08; however no mention made of Nu.100,000/- though prosecution had petitioned in the charge sheet and also proved the evidence. Has to be recovered from GT. Suspension of GT initially refused based on administrative decision taken against GT by CAB's management. Later suspended.



3	<p><b>Bajo, Wangdue:</b> Unfair allotment of plots in Bajo town. Nepotism by the Town Tshogpas &amp; ambiguity in set criteria.</p>	<p><b>Period of investigation:</b> 20/04-02/05/07.  <b>Case forwarded to MWHS:</b> 07/05/07.</p>	<p>5 applicants who were given plots were disqualified by ACC.</p>	<p>Report also highlighted systemic flaws -failure on the part of ministry &amp; Dzongkhag Administration poor planning &amp; criteria setting. Clear policy on allotting plots to Dratshang required. Influence peddling in "Tshogpa" meetings to be stopped. Ministry has redefined criteria and plots re-allotted. Few individuals have again complained to ministry of unfair allotment.</p>
4	<p><b>Youth Development Fund (YDF):</b> Singye Dorji (SD), Accountant, embezzled Nu. 2,621,108.00 through forgery of signatures, double booking, non-deposit of funds &amp; expenditure without supporting documents. BNB charged of negligence; damage claim.</p>	<p><b>Period of investigation:</b> 18/04 - 16/08/07.  <b>Case forwarded to OAG:</b> 17/08/07.  <b>Case registered in Court:</b> 22/10/07.  <b>Judgment passed on:</b> 11/07/08.</p>	<p>SD - 3 years imprisonment &amp; BNB acquitted since court could not establish material facts.</p>	<p>Investigation based on RAA report. If SD fails to repay the amount, sentence to enhance accordingly.</p>
5	<p><b>Haa:</b> Illegal timber extraction &amp; commercialization of rural timber. Forging of thumb prints of thram holders &amp; criminal misappropriation of timber belonging to government. Implicated Dargo Changlo, Sangay- contractor &amp; sawmiller, Chundu, Dechen Wangmo, Lamala, Bji Gup Sonam Dorji, &amp; Katsho Gup Tshering Penjor.</p>	<p><b>Period of investigation:</b> 06/06 -30/10/07.  <b>Case forwarded to OAG:</b> 03/09/07.  <b>Case registered in Court:</b> 27/11/07.</p>	<p>Under Trial</p>	<p>Report on systemic flaws forwarded to MOA for corrections. Also wrote to MOA to check conduct of some officials; response awaited. 750 cft of timber handed over to MOA.</p>

6	<p><b>Thimphu, Doebum Lam:</b> BECPL claimed Nu. 1,680,391.20. without materials at site; bills from Druk Steel; double claim of mobilization fund of Nu. 15,799,976.00; excess claim of Nu. 3,442,744.80 for earthwork in formation cutting &amp; transportation. Bid evaluation considered cost of only one under pass (actually 2) @ Nu. 3,965,255.60. Also implicated Chuku Dukpa (CD), Project Engineer, Tshering Dorji, former Secretary &amp; tender evaluation committee.</p>	<p><b>Period of investigation:</b> 05/07 -15/08/07. <b>Case forwarded to MWHS:</b> 12/10/07.</p>	<p>Levied 24% interest on inadmissible claims amounting to Nu.25,413.00 &amp; Nu. 7,89,998.75; deducted Nu. 3,442,744.80 from excess claim against volume of soil to be transported. CD's promotion withheld for 3 years. Tender evaluation team reprimanded. CDB suspended BECPL's registration for 6 months, 25/03 - 24/09/08; action against Druk Steel by MEA still awaited.</p>	<p>Accepted 18449.27 m<sup>3</sup> of soil for transportation against 31477 m<sup>3</sup> contractor's claim. Issue of bulking factor featured for the first time in addition to the bid rate that would logically consider transportation of bulked (loose) soil.</p>
7	<p><b>Babythang-Tshangkha farm road, Dagana:</b> Tampering of BOQ &amp; soil classification entailing in excess payment of Nu.1,767,807.43. Implicated JN Pardhan, DE &amp; Zeko Dukpa, M/s Lamnekha Construction, Contractor.</p>	<p><b>Period of investigation:</b> 02/07 - 29/09/07. <b>Case forwarded to OAG:</b> 10/10/07. <b>Case registered in the Court:</b> 25/12/2007.</p>	<p>Under Trial</p>	<p>Investigation based on RAA report. Lobzang Dawa's, Site Engineer, promotion withheld for one year. Tsechu's, Accountant increment withheld for one year. J.N suspended.</p>
8	<p>Misuse of authority and conflict of interest (lifting of marble off-cuts from hospital construction site to his personal construction site) using government pool vehicle</p>	<p>23/11/07 (investigated while offence in progress)</p>	<p>Letter sent to Dasho Dr. Gado Tshering informing him of the offence.</p>	<p>He wrote back conveying his concern, event having taken place in his absence &amp; having informed his staff not to repeat such things in future.</p>

9	<p><b>Mendegang MS school, Tsirang:</b> Sub-let (breach of contract) &amp; submission of forged bills for material secured advance of Nu.7,354,348.00 by Sonam Tobgay, M/s ST construction &amp; Kunal Chhetri, Manager of M/s ST Construction. Phub Dorji, JE &amp; Lhapchu, DE also implicated. Work was awarded to M/s Andu Builders.</p>	<p><b>Period of investigation:</b> 11/08 - 09/09/07.  <b>Case forwarded to OAG:</b> 31/10/07.  <b>Case registered in Court:</b> 08/01/2008.</p>	<p>Judgment awaited.</p>	<p>JE &amp; DE suspended. MHCA briefed on urgent resumption of works.</p>
10	<p><b>Tashiyangtse:</b> Embezzlement of Nu. 9,28094.79 of government revenue by Tshewang Tenzin (TT), former Off. DE, Dorji Wangchuk (DW), former Building Inspector &amp; Tandin Dorji (TD), former Revenue Asst. of T/yangtse Dzongkhag</p>	<p><b>Period of investigation:</b> 26/10/07 - 11/01/08.  <b>Case forwarded to OAG:</b> 18/01/07.  <b>Case registered in Court:</b> 28/03/08 &amp; 13/06/08 .  <b>Judgment passed by:</b> 09/05/08 &amp; 26/06/08.</p>	<p><b>1.</b> TT - refund Nu.61424.71 &amp; 3 months imprisonment (paid <i>Thrimthue</i>); <b>2.</b> DW - refund Nu. 667,206.07 &amp; 3 years imprisonment (paid <i>Thrimthue</i>) &amp; <b>3.</b> TD- refund Nu.1,99464.01 &amp; 6 months imprisonment (paid <i>Thrimthue</i>).</p>	<p>Investigation based on RAA report. During the trial it was discovered that TD had also embexxled funds. Case filed against him separately &amp; charged. TT, TD and DW were suspended. Ministry terminated DW with post retirement benefits. Administrative action against TT to be confirmed &amp; against TD awaited.</p>
11	<p><b>Bumthang:</b> Fabrication of transportation bills of Nu.30610.00 from funds of Kujey Dupchen by Bhim Raj Yogi (BR), Asst. Budget Officer, Subash Biswa (SB), Acct. Asst. &amp; Thinley, JE.</p>	<p><b>Period of investigation:</b> 26/10/07 - 25/12/08 (effectively 7 days; other cases included) .  <b>Case forwarded to MHCA:</b> 03/01/08.</p>	<p>NA</p>	<p>Investigation desired by Dupchen's patron. Intention of embezzling funds not found but means adopted was absolutely inadmissible &amp; unethical. BR warned by Dzonkhag Administration; action against SB (now in Tongsa) &amp; JE (in T/gang) awaited.</p>

12	<b>Tashiyangtse:</b> Encroachment of private land, misuse of authority & prejudiced decision.	<b>Period of investigation:</b> 26/10 -30/11/07.	NA	Case closed since complainant was ignorant of her land record & of government's excess land regularization procedure & policy, warned her.
13	<b>FCB, Samdrup Jongkhar:</b> Non accountable of sale proceeds, fictitious claims of transportation charges & irregular cash purchases. Implicated Gangchuk Dukpa (GD), former Regional Manager & Yeshey Dorji (YD) & Daza, Depot Managers of Khangma & Mongar.	<b>Period of investigation:</b> 20/10/07 -05/03/08.	NA	Investigation based on RAA report. Case closed due to: non-availability of documentary records due to time lapse & besides probe by RAA & FCB management had highly alerted concerned people; possibility of validating deflection of wheat was not possible; consulted RAA. FCB management compulsorily retired GD with post benefits & Depot Managers' one year's bonus forfeited. Recovered Nu.139128.27 from M/s Tshering Wangdi Transport. Wrote to FCB Board to address systemic correction & policy review of operations of FCB.
14	<b>Gelephu:</b> Sale of 3 acres of land without knowledge of person in whose name it is registered. Implicated are : Chimi Wangmo (CW), Tenzin (Chimmi's husband), Phup Tenzin (PT), former Chimi, Bhur Gup L.B Ghalley, & former Gelephu Drangpoen Wangchuk Drukpa (WD).	<b>Period of investigation:</b> 12/12/07 -18/12/07. <b>Case forwarded to OAG:</b> 15/01/08. <b>Case registered in Court:</b> 11/04/08.	Under Trial	Complainant charged for knowingly & persuasively reporting false information with the intention to deceive the authority. LB suspended but High Court did not suspend WD; reminder sent.

15	<p><b>Widening of Chunzom-Isuna road:</b> Total excess claim of Nu. 4,802,990/- &amp; Nu.5,072,448.15 due to bulking by M/s Bhutan Engineering , M/s Nima Construction, M/s Welfare Construction &amp; M/s Singye Construction.</p>	<p><b>Period of investigation:</b> 18/12/07 - 04/02/08.  <b>Case forwarded to MWHS:</b> 07/02/08.</p>	NA	<p>After RAA's audit, investigated on the request of ministry. MWHS responded to ACC's findings. Joint sitting awaited. Excess claim recovered from contractors.</p>
16	<p><b>Thimphu:</b> Breach of contract &amp; overpayment of Nu. 10.314 million for works not executed on the Dense Bituminous Macadam and Asphalt Concrete on Tashichhodzong -Babesa expressway by M/s Singye Construction. Also implicated project management.</p>	<p><b>Period of investigation:</b> 15/02/08 - 24/06/08.</p>	NA	<p>Investigation based on RAA report. Sampling done jointly by ACC, RAA, MWHS &amp; contractors. Report ready for further action. MWHS also cautioned over cracks in Ngabirongchu bridge. Ministry satisfied with corrections made by contractors. It will be held responsible for any public risks.</p>
17	<p><b>Ministry of Education:</b> Fictitious claims on behalf of teachers who did not attend workshops conducted by coordinators amounting to Nu.1,158,901/-. <b>Details at annexure II.</b></p>	<p><b>Period of investigation:</b> 11/10/07 - 12/01/08.  <b>Case forwarded to OAG:</b> 22/01/08 (17 persons) &amp; 19/02/08 (6 persons)  <b>Case registered in Court:</b> (details at annexure II)  <b>Dzongkhag judgment passed:</b> 26/06/68</p>	<p><b>Tashigang Dzongkhag Court</b> cleared charges against ADEO Ugyen Tshomo on ground that prosecutor could not prove misuse of money sanctioned so charge declared irrelevant. Administrative action taken by MOE upheld.</p>	<p>Investigation based on RAA report. Initially MOE forwarded case to OAG for prosecution; case withdrawn following RCSC's intervention. MOE &amp; RCSC jointly reviewed cases &amp; forwarded JD Dorji Wangchuk's case for prosecution &amp; took administrative action against other officials. ACC intervened on grounds of non-uniform application of law. RAA, MOE &amp; ACC jointly reviewed Audit Reports. Six people implicated in reports were dropped by OAG as charge did not fulfill evidential test &amp; had no malafide intention. All suspended &amp; DW retired.</p>

18	<p><b>Political corruption, Pemagatshel:</b> Bribery; implicated Dasho Zangley Dukpa, DPT candidate &amp; Jigme Dukpa, PDP candidate.</p>	<p><b>Period of Investigation:</b> 14/01/ 08 -20/01/08.  <b>Case presented &amp; forwarded to ECB:</b> 01/02/07</p>	<p>ECB confirmed that money Dasho Zangley Dukpa had given to an aggrieved family was viewed as semso and not bribe. However, he was morally held responsible for the objectionable remarks made by party workers &amp; cautioned that such thing did not repeat. Regarding Jigme Dukpa's case, ECB forfeited the amount &amp; warned Jigme Dukpa against commission of such acts in future.</p>	
19	<p><b>Non-compliance to CDB rule:</b> Contract awards contrary to CDB rule of 5 works in hand for Class A contractors &amp; under-declaration of works in hand by M/s. Nima Construction in 3 instances (obtained work order worth Nu. 30 cores )</p>	<p><b>Period of investigation:</b> 17/01-10/03/08.  <b>Case forwarded to MOH, MEA &amp; MWHS:</b> 13/04/08.</p>	<p>NA</p>	<p>(1) M/s Nima Construction did not declare medical gas installation work at JDWNRH and Changlingmethang package 1 &amp; 2 (two works) were declared as one work while bidding for Gelephu - Trongsa highway and access road of Dagachhu Hydro Power Project. (2) Joint Venture works also have to fulfill CDB rules of five works. On 13/04/2008, forwarded case to MOH (award of gas installation works at JWNRH); MEA (Dagachu Project) &amp; MWHS (award of Tongsa-Sarpang road), to take action against tender committee members, CDB for failing to maintain correct records &amp; Nima Construction for deception within one and half month of the date of issuance of the letter. No action taken by agencies (DGPC/MEA received on July 15).</p>
20	<p><b>Political corruption, Gelephu:</b> Circulation of paper titled "Bhutan a Kingdom Besieged" (select text) to Damber Bahadur Kafley and Dil Bahadur Gurung by Garab Dorji, PDP candidate.</p>	<p><b>Period of investigation:</b> 06/02 - 10/02/08.  <b>Case forwarded to ECB:</b> 15/02/08.</p>	<p>NA</p>	<p>ECB cancelled Garab Dorji's nomination. Information recieved by ACC alluded to larger circulation of the paper but by the time it intervened concerned people had already been alerted.</p>

## Annexure II

SN	Name	Designation	Amount	Date of case registration in court
1	Ugyen Tshomo	ADO, Trashigang.	20,520.00	28/03/2007 vide letter no OAG/PLD/510
2	Rinchen Dorji	Chief Programme Officer, Non-Formal and Continuing Education Division	151,772.00	11/04/2008 vide letter no OAG/PLD/567
3	Namgay Tshering	DEO, Wangdue	156,850.00	11/04/2008 vide letter no OAG/PLD/566
4	Tshering Dorji	ADEO, Wangdue		11/04/2008 vide letter no OAG/PLD/566
5	Ugyen Dema	Office Assistant, Wangdue		11/04/2008 vide letter no OAG/PLD/566
6	Kesang D. Yeshey	Lecturer, Paro College of Education	122,710.00	30/05/2008 vide letter no OAG/PLD/715
7	Karma Dendup	DEO, Samtse	116,050.00	04/04/2008 vide letter no OAG/PLD/550
8	Sonam Jamtsho	ADEO, Samtse		04/04/2008 vide letter no OAG/PLD/551
9	Phurpa	Lecturer, Paro College of Education	137,180.00	03/04/2008 vide letter no OAG/PLD/533
10	Passang Norbu	Former DEO of Zhemgang, Incumbent Principal of Tashitse Middle Secondary school	21,900.00	11/04/2008 vide letter no OAG/PLD/566
11	Rajmang Tamang	Education Monitoring Officer, MoE	26,180.00	11/04/2008 vide letter no OAG/PLD/568
12	Dorji Wangchuk	Former Programme Officer, Non-Formal and Continuing Education Division	25,000.00	30/05/2008 vide letter no OAG/PLD/715
13	Rinzin Pam	Head, Special Education, MoE	21,900.00	06/06/2008 vide letter no OAG/PLD/734
14	Dorji Wangchuk "B"	Cirriculum Officer, Cirriculum and Professional Support Division	20,100.00	06/06/2008 vide letter no OAG/PLD/734
15	Karchung	Education Monitoring Officer, MoE	94,704.00	30/05/2008 vide letter no OAG/PLD/714
16	Thinley Wangmo	Programme Coordinator, Scouts Counseling and Education Division	213,235.00	30/05/2008 vide letter no OAG/PLD/715
17	Dorji Sangay	Former ADEO of Mongar, Present Dzongrab of Tsirang	30,800.00	28/03/2007 vide letter no OAG/PLD/509
		<b>Total Amount</b>	<b>1,158,901.00</b>	

# 2 Case investigated in 2008



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SN	CASE DETAILS	PERIOD OF INVESTIGATION/ FORWARDED TO OAG or AGENCY	REMARKS
1	<b>Surveillance on political corruption:</b> Report on coercion & deception, bribery, other breach of rules & asset tracing in Chhukha, Samtse, Lhuentse, Mongar, T/gang, T/yangtse, S/Jongkhar, P/gatshel, Tsirang, S/pang Dzongkhag.	<b>Surveillance period:</b> 13/01-15/02/08 <b>Report forwarded to ECB:</b> 12/03/08	
2	<b>Ministry of Foreign Affairs:</b> RAA Report AIN 7161, 23/10/07 (amount involved Nu. 1,11,89,600.)	<b>Investigation period:</b> 14/03/08 - 12/05/08. <b>Forwarded to OAG:</b> 23/06/08	On December 20, 2007, MFA transferred concerned individual from passport to protocol section; training & posting to embassies withheld for 2 years.
3	<b>RBE, Delhi, MFA:</b> RAA Report AIN 6953, 07/06/07 (amount involved Nu.8,47,620.36 & US\$135/-)	<b>Investigation period:</b> 25/04/08 -25/05/08. <b>Forwarded to OAG:</b> 27/05/08	Measures taken by RBE to address systemic flaws (June 18, 2008).
4	<b>Department of Geology &amp; Mines (Dagaphu Project):</b> RAA Report AIN. 6715, 09/07/07 (amount involved Nu.3,59,800/-) .	<b>Investigation period:</b> 18/03/08 - 29/04/08. <b>Forwarded to OAG:</b> 30/04/07	On February 15, 2008, MEA withheld concerned individuals' training for one year; transferred to a post without financial responsibility.
5	<b>Office of Division Forest, Sarpang Dzongkhag:</b> RAA Report. AIN No. 7197, 29/11/07 (amount involved Nu. 1,076,870/-)	<b>Investigation period:</b> 18/03/08 - 20/05/08. <b>Forwarded to OAG:</b> 21/05/08	On May 28, 2008, MOA fixed supervisory accountability to concerned individual & transferred him from division to section head.

NOTE: (1) Details have not been provided since the cases are under review by the OAG & (2) 17 cases under investigation.