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ಪತ್ರಿಕೆಯ ಹೆಸರು : NAME OF THE NEWS PAPER: Times of India ದಿನಾಂಕ : DATE: 18/4/21

APRIL 30, 2021

Govt gets 3 months to decide on attaching Baig's properties

TIMES NEWS NETWORK ^{18/4/21}

Bengaluru: The high court on Saturday directed the government to reconsider its stand and take a decision in three months regarding attachment of former minister R Roshan Baig's properties in connection with the multi-crore IMA scam.

A division bench headed by chief justice Abhay Shreeniwas Oka gave this direction after pointing out the government is not so helpless that it

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needs to wait till the final report of Central Bureau of Investigation.

The bench noted the government has ignored the power vested with it under section 3(2) of Karnataka Protection of Interest of Depositors in Financial Establishments (KPID) Act, 2004 vis-a-vis attachment of properties and under section 4, wherein it can enter the premises and inspect documents. It considered only one aspect as to whether

Baig had taken any financial benefits from IMA group.

"If we accept the state's submission that attachment of properties will be considered only after the submission of CBI's final report, in every case like this such a stand can be taken by the government. It will defeat the very objective of enactment, in particular section 3 (2) of KPID Act," the bench added.

CBI to challenge verdict

P Prasanna Kumar, special public prosecutor for CBI, informed the court that the agency will challenge the recent high court verdict where in supplementary chargesheets filed against IPS officer Hemant Nimbalkar were quashed.

He further submitted that five chargesheets have been filed in three cases and agency will complete the investigation by April 30, as per the assurance given to the court. The next hearing on the batch of petitions relating to the scam has been fixed for June 11.

HC: What about money spent on school?

The bench directed the government to take a decision in two months in relation to a request for reimbursement of Rs 12.8 crore spent on construction and development of VK Obaidulla Government School by IMA group.

The competent authority in its letter dated April 9 to the government had enclosed the March 5 letter addressed by the multi-disciplinary investigation team (MDIT) of CBI, stating that an amount of Rs 10 crore was spent on construction of a four-storey building and the remaining amount on maintenance by the IMA group. The authority was of the view that if the money is refunded, it can be used for repaying some more depositors.

In the authority's letter, it was

mentioned that Baig was minister for infrastructure, IT and Haj when IMA group head Mohammed Mansoor Khan sent a request proposal for adopting the said government Urdu school. An MoU was signed between IMA and BEO, North Range-3 on January 12, 2016 and a field visit was also undertaken by the said BEO.

Considering these aspects, the bench directed both the government and CBI to place on record the said MoU as well as the field-visit report.

"We are sure that the state will seriously consider this issue as prima facie, we are of the opinion that investors' money deposited with IMA group cannot be used for construction of a government school building," the bench said.