

DEPOSITION OF WITNESS

(Chapter XXIII code of Criminal Procedure)

In the Court of XI Additional Special Judge for CBI Cases

(CBI Cases Relating to Banks and Financial Institutions)

Chennai - 600 001.

Calendar Case : C.C. No. 46/2015
Deposition of witness for : PW 1
Name : Mr. Rajkumar Goyal
Father's / Husband's Name :
Address for Communication :
Village :
Taluk :
Calling :
Religion & Caste :
Age : years Mobile:

Solemnly affirmed in accordance with the provisions of Act X of 1873 on this the 13th day of May, 2019.

I retired as Executive Director, Central Bank of India , Head Office, Mumbai in the year 31.12.2016. I was the E.D. of the bank from January 2013 till December 2016. As Executive Director of the bank, I was the competent authority to take disciplinary action including removal of service of the officers of the bank upto Scale-V. In this case I received request from CBI through our Vigilance Department seeking sanction for prosecution against Mr.K.Devanathan, (A4) the then Branch head and Asst.General Manager of Central Bank of India, Mylapore Branch.A4 Devanathan was a Scale -V Officer in the bank and as such I was the competent to take disciplinary action including removal of service, I issued a sanction for prosecution against him on 26/11/2015. The sanction order issued by me dated 26/11/2015. It is now marked as Ex.P1 (2 sheets) Ex.P1 was issued by me on perusal of the records sent to me such as the copy of FIR, the statement of witnesses and copies of documents sent by CBI along with other documents of the

bank. On perusal of the records, and fully examining the papers and on application of my mind I came to the conclusion that and I was satisfied that it was a fit case for prosecuting the said K.Devanathan (A4) for the offences alleged and thereby I issued Ex.P1.

Cross examination. A1 No cross.

Cross examination by A2.

January 2013 to December 2016 I was the Executive Director of the bank placed at Mumbai. Our bank having head office at Mumbai and we are having vigilance department headed by the Chief Vigilance officer. The details relating to a CBI case will be routed through Vigilance Department. They have one vigilance officer in Chennai Zonal office through him they will interact and get the details. The CBI request sanction for prosecution of the bank officers will be routed through Chief Vigilance Officer to me. I dont remember the name of the Vigilance Officer who was there at the time of giving the sanction in this case. It is correct to say that in my sanction order Ex.P1 I have not mentioned the date of request made by CBI and the designation officer in CBI who made the request. It is correct to say that the account of M/s.Exim Focus the proprietor concern of Mr.S.Venkatraman was taken over from Indus Ind Bank ,Chennai. I dont remember which one was the primary security for this credit limit account. I do not know what was the primary security for the limit given in this account. In my sanction order in para-4 only I have discussed the details of the case. I know that this account was having Packing Credit Limit. This limits which were given on the basis of export orders and stock statement of the concern. Our bank branches at Chennai are having approved Panel valuers, Lawyers and the Chartered Accountants. The valuation report of the valuer is made by him only after the request by the Branch Manager or any other officer from the branch. The valuation report will be given by the Panel valuer to the branch manager or the officer directly. Because it is matter between the bank and the valuer.

Question . In Ex.P1Para No.4 Page-2 you have stated the valuation certificate produced Mr.Venkatraman to the bank, K.Devanathan(A4) sanctioned the enhancement of limit on 29/6/2012 I put it to you this observation of you is not true?

Answer. I denied . It is true.

Question. I put it to you that this denial of you, is not based on any record?

Answer. I deny.

Question. I put it to you that you perused all the records the regional level credit committee the request for credit limit from time to time and the same were considered and enhanced by the Regional level Credit Committee at Chennai?

Answer. I dont remember.

Question. I put it to you, as you have stated in Ex.P1 there was no collusion between Mr.Venkatraman and Mr.K.Devanathan (A4) for getting the overdrawn in this account of Rs.90 lakhs against the Cash Credit Limit of Rs.75 lakhs for the reason this enhancement was approved and ratified by the regional level credit committee?

Answer. These based upon the papers put up before me I could conclude there was some collusion between Mr.Venkatramana and Mr.K.Devanathan (A4) .

Question. I put it to you your assumption about this collusion is baseless and erroneous not supported by any records?

Answer. I deny.

Question . This Ex.P1 you have stated that Mr.Venkatraman (A2) entered criminal conspiracy with Branch Manager to cheat the Mylapore Branch and this allegation is baseless and any customer having a taken over account from one bank to another bank is normally done at the instance of the branch inviting the borrower to switch over the account for better credit facilities promised by the bank officials?

Answer. I deny.

Question . In Ex.P1 the details averments made in in para-4 are the exact averments made by the CBI in their letter of request for according sanction for prosecution of the bank officer (A4) and it is not of your own?

Answer . I deny.

Question. This account of M/s.Exim Focus is a normal performing account of your branch at Chennai?

Answer. It is not correct. It was Non performing account.

Question. Do you know the account was made NPA only on 15/6/2014 and for the debt amount the bank has taken proceeding under the SARFAESI Act. Do you know that?

Answer. I dont remember now.

Question. These facts are not known to you at the time of issuing Ex.P1 and without proper satisfaction and application to the relevant facts of the case related to this account at request of CBI you have mechanically granted sanction.

Answer. I deny.

Cross examination by A3,A4,A6. No cross.