

FIRST INFORMATION REPORT

முதல் தகவல் அறிக்கை

(Under Section 154 Cr.P.C.)

(கு.ந.வி.தொ.பிரிவு 154 இன் கீழ்)

TAMIL NADU POLICE
INTEGRATED INVESTIGATION FORM-I

C

8030885

1. District : CHENNAI மாவட்டம் PS: V & AC, காவல்நிலையம், Chennai City-I Dist., ஆண்டு Year: 2018 FIR No.: 01/AC/2018/CC-I மு.த.அ. எண் மு.த.அ. எண் Date: நாள் 22-03-2018
2. (i) Act சட்டம்: IPC Sections பிரிவுகள்: 120-B, 420, 467, 468
(ii) Act சட்டம்: Prevention of Corruption Act, 1988 Sections பிரிவுகள்: 13(2) 1/13(1)(d)
(iii) Act சட்டம்: - Sections பிரிவுகள்: -
(iv) Other Acts & Sections பிற சட்டங்களும், பிரிவுகளும்: -
3. (a) Occurrence of Offence Day : Date from : 11-12-2013 Date to : 30-06-2017
குற்ற நிகழ்வு நாள் நாள் முதல் நாள் வரை
Time Period : Time from : - Time to : -
நேர அளவு நேரம் முதல் நேரம் வரை
(b) Information Received at PS. Date : 02-01-2017 Time : 18-00 hrs.
காவல் நிலையத்திற்கு தகவல் கிடைத்த நாள் நேரம்
(c) General Diary Reference : Entry No(s) 02-01-2017 Time : 18-00 hrs.
பொது நாட்குறிப்பில் பதிவு விவரம். எண் நேரம்
4. Type of Information : Written/ Oral : Typed
தகவலின் வகை : எழுத்து மூலம் / வாய் மொழியாக
5. Place of Occurrence (a) Direction and Distance from PS: (i) About 11 kms East &
குற்ற நிகழ்விடம் (அ) காவல்நிலையத்திலிருந்து எவ்வளவு தூரமும், எத்திசையும் (ii) About 8 kms South East.
Beat Number : - (b) Address : (i) The Tamil Nadu Dr. Ambedkar Law University,
முறைக் காவல் எண் முகவரி No. 5, Dr. D.G. S. Dirakathan Salai, Chennai-68
(ii) The Tamil Nadu Dr. Ambedkar Law University
new Campus at MGR Salai, near [MRS.] Kowmani Railway Station, Besungudi, Chennai-113
(c) In case outside limit of this Police Station, then the Name of P.S : - District : -
இக்காவல் நிலைய எல்லைக்கப்பால் நடந்து இருக்குமாயின், அந்நிலையில் அந்த கா.நி.பெயர் மாவட்டம்
6. Complainant / Informant (a) Name : Tr. X. Giscard (b) Father's/ Husband's Name : J. F. Xavier
குற்றமுறையிட்டாளர்/ தகவல் தந்தவர் பெயர் தந்தை / கணவர் பெயர்
(c) Date / Year of Birth : 47 Yrs (d) Nationality : Indian (e) Passport No. : -
நாள் / பிறந்த ஆண்டு நாட்டினம் வெளிநாட்டு கடவுச்சீட்டு எண்
Date of Issue : - Place of Issue : -
வழங்கப்பட்ட நாள் வழங்கப்பட்ட இடம்
(f) Occupation : Advocate (g) Address : old No. 107, New No. 152, Kavyas Kansion,
தொழில் முகவரி 2 rd Floor, Shree Narayana Street,
Chintadripet, Chennai-600 002.
7. Details of Known/Suspected/Unknown accused with full particulars. (Attach separate sheet if necessary)
தெரிந்த / ஐயப்பாட்டிற்குரிய / தெரியாத குற்றஞ்சாட்டப்பட்டவரின் முழுமையான விவரங்கள்
(தேவையெனில் தனித்தான் இணைக்கவும்)
Separate sheet attached - In Page No. 3.
8. Reasons for delay in reporting by the complainant / Informant:
குற்றமுறையிட்டாளரால் / தகவல் கொடுப்பவரால் முறையிட்டதில் தகவல் கொடுப்பதில் தாமதம்
Conducted Preliminary Enquiry

9. Particulars of properties stolen / involved (Attach separate sheet if necessary)
கனவாடப்பட்ட / களவிற்குள்ளான சொத்துக்களின் விவரம் (தேவையெனில் தனித் தாளில் இணைக்கவும்)
10. Total value of properties stolen / involved :
கனவாடப்பட்ட / களவிற்குள்ளான சொத்துக்களின் மொத்த மதிப்பு
11. Inquest Report / Un-natural death Case No. if any:
பிண விசாரணை அறிக்கை / இயற்கைக்கு மாறான இறப்பு எண் ஏதேனும் இருந்தால்
12. FIR Contents (Attach separate sheet, if required) :
முதல் தகவல் அறிக்கையின் சுருக்கம். (தேவையெனில் தனித்தாளில் இணைக்கவும்)

Separate sheet attached - Page 3 to 7

13. Action taken : Since the above report reveals commission of offence(s) u/s as mentioned at item No.2 registered the case and took up the investigation / directed Rank to take up the Investigation / Refused Investigation / transferred to PS.....on point of jurisdiction.

எடுக்கப்பட்ட நடவடிக்கை : மேலே குற்ற முறையீட்டில் உள்ளவை பிரிவு 2ல் கூறப்பட்ட சட்ட பிரிவுப்படியான குற்றமாக வழக்கு பதிவு செய்து புலனாய்வுக்கு எடுத்துக்கொள்ளப்பட்டது / பணிக்கப்படுதல் பதவி நிலை பணியாளரின் புலனாய்வுக்கு எடுத்துக்கொள்ள பணிக்கப்பட்டது / மறுக்கப்பட்டு எல்லையைக் கருதி புலனாய்வுக்கு காவல் நிலையத்திற்கு மாற்றப்படுகிறது.

FIR read over to the Complainant / Informant, admitted to be correctly recorded and a copy given to the Complainant / Informant free of cost.

மு.த.அ. குற்றமுறையீட்டாளருக்கு / தகவல் தந்தவருக்கு படித்துக்காட்டி, அது சரியாக எழுதப்பட்டு இருப்பதாக ஏற்றுக் கொள்ளப்பட்டு, அதன் படி நகல் ஒன்று இலவசமாகக் கொடுக்கப்பட்டது.

14. Signature / Thumb Impression of the Complainant / Informant
குற்றமுறையீட்டாளர் / தகவல் கொடுப்பவரின் ஒப்பம் / பெருவிரல் இரேகைப் பதிவு

Signature of the Officer in-charge, Police Station
காவல் நிலைய பொறுப்பு அலுவலரின் ஒப்பம்

15. Date & Time of despatch to the court:

நீதிமன்றத்திற்கு அனுப்பப்பட்ட நாடும், நேரமும்

22.03.2018/18 00hrs.

Name: பெயர்
Rank: நிலை No எண்

J. UDAYASANKAR
Vigilance And Anti-Corruption
Chennai City-V,
Chennai-600 010.

Sl.No.7. Details of known / Suspected / unknown accused with full particulars (Attach separate sheet if necessary). தெரிந்த/ ஐயப்பாட்டிற்குரிய /தெரியாத குற்றம் சாட்டப்பட்டவரின் முழுமையான விவரங்கள் (தேவையெனில் தனித்தாள் இணைக்கவும்),

1. Dr.P.Vanangamudi, M/61, S/o K.C.Palanichamy, Former Vice – Chancellor, Tamil Nadu Dr.Ambedkar Law University, Chennai-28 Residing at No.B.37, TNHB, Tower Block No.9, Tailors Road, Kilpauk, Chennai-10.
2. Dr.K.S.Sarwani, F/51, D/o K.Suryanarayana, Professor and HOD, Department of Inter Disciplinary Studies and Director, Department of Distance Education. Tamil Nadu Dr.Ambedkar Law University, Perungudi campus, Chennai-113. Residing at: No.35/17, Guruvappa Street, Behind Fish Market, Chinthatharipet, Chennai-2
3. Tr.V.Balaji, M/47, S/o. K.Venugopal Raju, in charge Registrar, the Tamil Nadu Dr.Ambedkar Law University, Chennai-28 residing at No.H-90, F.4, Sea View Apartments, TNHB Flats, Valmiki Nagar, Thiruvanmiyur, Chennai-41
4. Dr.S.K.Ashok Kumar, M/41, S/o S.K.Loganathan, Dy. Registrar in charge, the Tamil Nadu Dr.Ambedkar Law University, Chennai-28 residing at No.568, Santhapet, Manellor, Gummidipoondi Taluk, Thiruvallur District-601202
5. Tr.D.Jaisankar M/51, S/o Late.C.Duraisamy, Associate Professor, Department of Inter Disciplinary Studies, Tamil Nadu Dr.Ambedkar Law University and Deputy Registrar, (i/c) Finance, Chennai-28. Residing at: No.D-3, Jawahar Flats, No.10, Karneeswarar koil Street, Santhome, Chennai -04
6. Tr.K.Rajesh M/39, S/o R.Kannan, Administrative Officer, O/o the Controller of Examination, Tamil Nadu Dr.Ambedkar Law University, Chennai-28. Residing at: No:2C, VGN Nest, VGN Mahalakshmi Nagar, Thiruverkadu, Tiruvallur District, Chennai -77

Sl.No.12. FIR contents (Attach separate sheet if required). முதல் தகவல் அறிக்கையின் சுருக்கம் (தேவையெனில் தனித்தாளில் இணைக்கவும்),

Submitted

I am serving as the Deputy Superintendent of Police, Chennai City-V, Vigilance and Anti-Corruption, Alandur, Chennai-16. Based on the 3 petitions dated 06.11.2016 & 21.11.2016 from the complainant, Preliminary Enquiry was conducted and based upon the result of such Preliminary Enquiry this Regular Case is registered against the above noted accused.

The Following Allegations found in the petitions were taken up for the Preliminary Enquiry :-

- 1) A-1 amassed huge wealth by corrupt and fraudulent manner disproportionate to known source of income.
- 2) In 15% quota in NRI students' admission in Tamil Nadu Dr.Ambedkar Law University, Taramaini, AO-1 with the co ordination of.AO-2 collected nearly 25 to 30 Lakhs per applicant and arranged false visa from foreign countries through his middle man in East Asian Countries. Most of the students are not NRI.

FIR in Cr.No.01/AC/2018/CC-V Dt.22.03.2018 continue:-

- 3) A-1 received enormous amount as illegal gratification by inducing the students who wants to stay abroad is permitted to stay away by forging the attendance in University as if attending the classes.
- 4) A-1 with the assistance of A-2 to 5, misappropriated building funds and other construction and made expenditure beyond sealing limit.
- 5) A-1 with the assistance A-2 to 5, for the appointment of 30 Assistant Professor and 30 appointments in non – law subjects planned to collect Rs.20 to 30 lakhs for each post by stating that the amount is to be paid to the Garden as well as to the Hon'ble Law Minister.
- 6) Huge amount have been realized by A-1,3,4 and A-6 one Tr.Rajesh in paper chasing and in examination by passing failed candidates and un qualified examiners have also been utilized for this purpose.
- 7) Huge amount were diverted and paid for esthetic wood work , beautification, landscaping, furniture, large number of Computers and un wanted books for the university by A-1 with the assistance of AO-2 to 5 without obtaining prior sanction of Finance Committee, Purchase committee, Senate and Syndicate.

During the Preliminary Enquiry, suspicion of commission of cognizable offence appeared in the allegation-2 and hence this information is registered forthwith without delay leaving the other allegations for investigation after registration of this case.

A1. Dr.P.Vanangamudi, M/61, S/o K.C.Palanichamy, Former Vice – Chancellor, Tamil Nadu Dr.Ambedkar Law University, Chennai-28 was a Public Servant during the relevant period of allegation.

A2. Dr.K.S.Sarwani, F/51, D/o K.Suryanarayana, Professor and HOD, Department of Inter Disciplinary Studies and Director, Department of Distance Education. Tamil Nadu Dr.Ambedkar Law University, Perungudi campus, Chennai-113 was a Public Servant during the relevant period of allegation.

A3. Tr.V.Balaji, M/47, S/o. K.Venugopal Raju, in charge Registrar, the Tamil Nadu Dr.Ambedkar Law University, Chennai-28 was a Public Servant during the relevant period of allegation.

A4. Dr.S.K.Ashok Kumar, M/41, S/o S.K.Loganathan, Dy. Registrar in charge, the Tamil Nadu Dr.Ambedkar Law University, Chennai-28 was a Public Servant during the relevant period of allegation.

A5. Tr.D.Jaisankar M/51, S/o Late.C.Duraisamy, Associate Professor, Department of Inter Disciplinary Studies, Tamil Nadu Dr.Ambedkar Law University and Deputy Registrar, (i/c) Finance, Chennai-28 was a Public Servant during the relevant period of allegation.

A6. Tr.K.Rajesh M/39, S/o R.Kannan, Administrative Officer, O/o the Controller of Examination, Tamil Nadu Dr.Ambedkar Law University, Chennai-28 was a Public Servant during the relevant period of allegation.

Pertaining to allegation–2, the enquiry reveals as follows:

During the Enquiry it was ascertained that, rules and procedures were violated and floated in respect of admissions in NRI quota during the tenure of A-1 as Vice Chancellor, and in particular during the academic year 2016-2017, out of 93 students

... 5.

FIR in Cr.No.01/AC/2018/CC-V Dt.22.03.2018 continue:-

admitted in NRI quota, only 18 applications were in order, remaining 75 applications, several certificates and documents which are essentially required to be enclosed along with the application for admission under NRI quota have not been enclosed. Likewise, one Tr.Vivek Jayaraman, S/o V.Jayaraman, 31/1, Mannai Nagar, Thiruvarur was admitted under NRI quota without certificates which are mandatory for admission. Though the A-1, Dr.P.Vanangamudi was retired on Superannuation on 31.10.2016, the Registrar i/c A-3 Dr.V.Balaji who is sub ordinate to A-1 issued Re employment to A-1 vide his Proceedings No.5220/Regr/Estt[T]/A2/2016 Dt.15.10.2016 till the end of academic year i.e., up to 30.06.2017 by wrongly quoting the Proviso VIII (1) in chapter IX of the Statutes of the Law University which is applicable only for teaching staff and both abused their official position.

Out of total number of seats 15 % has been earmarked for NRI. There are 3 categories in NRI admissions.

Category-I-NRI parent: The NRI should be a Parent (Father or Mother)

Category-II-NRI Guardian: If the candidate has no Parent where he has been taken as a ward by a near relative or someone and such NRI Guardian has been legally declared as the Guardian of the candidate by the court as per the provision of the Guardians and Wards Act, 1890.

Category-III-NRI Sponsor: the sponsor under this category has to submit a certificate indicating the relationship with the candidate so sponsored. If sufficient number of NRI candidates are not available under category I or II, then category III candidates shall be considered for admissions.

The candidates must furnish photo copies of the following documents along with the filled application:

- 1) NRI status certificate issued by the Indian Embassy of the respective country with seal.
- 2) Copy of the NRE (Non Resident External) or NRO Bank Account Pass Book of the NRI.
- 3) Copy of the valid passport of the NRI.
- 4) Certificate of Relationship (between the NRI and the candidate issued by the competent Authority).
- 5) Employment Certificate of the NRI [In case of self employment , nature of the business, annual income and required proof of Income Tax payment (for the last 3 years)
- 6) Qualifying Mark / Grade list of the candidate.
- 7) Certificate showing that the candidate has proficiency in English Language.
- 8) School/College Transfer Certificate or (Migration certificate wherever necessary)
- 9) Eligibility Certificate: Candidates with qualifying degree from Deemed University/DDE of Tamil Nadu state Universities should obtain an Eligibility Certificate by submitting an Indian Bank Challan in the prescribed form for a sum of Rs.500/- whereas Rs.600/- for the other state Universities along with a requisition letter to the Registrar.

FIR in Cr.No.01/AC/2018/CC-V Dt.22.03.2018 continue:-

- 10) Joint Declaration by the parent and student (Annexure – X in the prospectus)
- 11) Affidavit by the student (Annexure – XI) and parent/Guardian in 20/- Rupees stamp paper (Annexure – XII in prospectus).

But, on perusal of the enclosures with the application submitted by the NRI in respect of admission of one Tr.Vivek Jayaraman under category III – NRI sponsor in 3 year LL.B (Hons) course vide Provisional Admission No.959/Regr/Law Admns/2015 Dt.19.10.2015 the following essential copies of the documents were not available.

- 1) NRI status certificate issued by the Indian Embassy of the respective country with seal.
- 2) Copy of the NRE (Non Resident External) or NRO Bank Account Pass Book of the NRI.
- 3) Certificate of Relationship (between the NRI and the candidate issued by the competent Authority).
- 4) Eligibility Certificate : Candidates with qualifying degree from Deemed University/DDE of Tamil Nadu state Universities should obtain an Eligibility Certificate by submitting an Indian Bank challan in the prescribed form for a sum of Rs.500/- whereas Rs.600/- for the other state Universities along with a requisition letter to the Registrar.
- 5) Joint Declaration by the parent and student (Annexure – X in the prospectus – Doc.4)
- 6) Affidavit by the student (Annexure – XI) and parent/Guardian in 20/- Rupees stamp paper (Annexure – XII in prospectus)

The A-3 also during the course of enquiry admitted that, the above documents were not available with the application. As per Section 6 of the Income Tax Act, 1961 the status of a person as a resident or non-resident (NRI) depends on his period of stay in India. The period of stay is counted in number of days for each financial year beginning from 1st April to 31st March. An individual will be treated as a resident in India in any previous year (April to March) if he/she is in India for at least 182 days in that year or at least 365 days during 4 years presiding that year and at least 60 days in that year. An individual who does not satisfy both the conditions as mentioned above will be treated as non-resident in the previous year. The 2nd condition i.e. 365 days is relaxed for an Indian Citizen who leaves India in any year for the purpose of employment out-side India or as a crew member of an Indian ship and an Indian Citizen or a person of Indian Origin who resides out-side India and who comes on a visit to India. That a person shall be deemed to be a Indian Origin if he or either of his parents or any of his grandparents, was born in undivided India.

During the tenure of A-1 as Vice Chancellor, the rules and procedures for the admissions under NRI quota were floated and violated, and admissions were made without essential certificates and Documents. This may be due to pecuniary advantages. For law admissions during the academic year 2013 - 2014, A-1 is the one of the co-ordinator. In the year 2014–2015 , A-3 , A-4 were Chief Co-ordinators & A-2 & A-5 were one of the Coordinators. In the Year 2015 -2016 , A-2, A-3 & A-4 were one of the Co-ordinator.


Re - employment was given to A-1 former Vice Chancellor Dr.P.Vanangamudi as Professor after his retirement, violating the rules and procedures.

Hence, from the enquiry it appears that the accused conspired together, forged the documents as though the students were NRI and cheated the University and by abusing their office as Public Servants and while holding their office as Public Servants at the campus of Tamil Nadu Dr.Ambedkar Law University, Chennai-28 during April 2014 and 2015, obtained the pecuniary advantage.

Hence, as there is prima facie on the complaint and a reasonable suspicion for the commission of cognizable offence, I register a case in Vigilance and Anti Corruption, Chennai City-V Detachment, Cr.No.01/AC/2018 U/s 120-B, 420, 468 IPC and u/s 13 (2) r/w 13 (1) (d) PC Act 1988 against the accused today on 22.03.2018 at 16.00 hours. The original FIR along with following encloses-

1. Complaint dated 20.11.2016. (Pages-1 to 3)
2. Copy of Letter vide No.C6/CA/2016/756/2999 dated 30.11.2016 of Superintendent of Police, SPE: CBI: ACB: Chennai along with 2 petitions dated 6.11.2016. (Pages 1 to 8)
3. Xerox copy of G.O.(Ms) No.162 Higher Education (J1) Department, Dated 2.6.2009. (2 sheets)
4. Xerox copy of website; suresh.kumar3 @ timesgroup.com regarding "NOW, NRI quota admissions only for children, siblings" (1Page)

Submitted to Hon'ble Special Judge for cases under PC Act, Chennai and other copies to the authorities concerned.


M. Rajamohan 22/03/2018
**Deputy Superintendent of Police,
Vigilance And Anti-Corruption,
Chennai City-V,
Chennai-600 016.**

