

FIRST INFORMATION REPORT

TAMIL NADU POLICE
INTEGRATED INVESTIGATION FORM-I

முதல் தகவல் அறிக்கை
(Under Section 154 Cr.P.C.)
(கு.ந.வி.தொ.பிரிவு 154 இன் கீழ்)

C 8102098

- District : CHENNAI
மாவட்டம்
- (i) Act சட்டம்: IPC
(ii) Act சட்டம்: Prevention of Corruption Act 1988
(iii) Act சட்டம்:
(iv) Other Acts & Sections பிற சட்டங்களும், பிரிவுகளும் :
- (a) Occurrence of Offence Day :
குற்ற நிகழ்வு நாள்
Time Period :
நேர அளவு
(b) Information Received at PS. Date :
காவல் நிலையத்திற்கு தகவல் கிடைத்த நாள்
(c) General Diary Reference : Entry No(s)
பொது நாட்குறிப்பில் பதிவு விவரம் எண்
- Type of information : Written/ Oral :
தகவலின் வகை : எழுத்து மூலம் / வாய் மொழியாக
- Place of Occurrence (a) Direction and Distance from PS:
குற்ற நிகழ்விடம் (அ) காவல்நிலையத்திலிருந்து எவ்வளவு தூரமும், எத்திசையும்
Beat Number :
முறைக் காவல் எண்
(b) Address :
முகவரி
- (c) In case outside limit of this Police Station, then the Name of P.S :
இக்காவல் நிலைய எல்லைக்கப்பால் நடந்து இருக்குமாயின், அந்நிலையில் அந்த கா.நி.பெயர் மாவட்டம்
- Complainant /Informant (a) Name :
குற்றமுறையிட்டாளர்/ தகவல் தந்தவர் பெயர்
(b) Father's/ Husband's Name :
தந்தை / கணவர் பெயர்
(c) Date / Year of Birth :
நாள் / பிறந்த ஆண்டு
(d) Nationality :
நாட்டினம்
(e) Passport No. :
வெளிநாட்டு கடவுச்சீட்டு எண்
(f) Occupation :
தொழில்
(g) Address :
முகவரி
- Details of Known/Suspected/Unknown accused with full particulars. (Attach separate sheet if necessary)
தெரிந்த / ஐயப்பாட்டிற்குரிய / தெரியாத குற்றஞ்சாட்டப்பட்டவரின் முழுமையான விவரங்கள்
(தேவையெனில் தனித்தான் இணைக்கவும்)
- Reasons for delay in reporting by the complainant / Informant:
குற்றமுறையிட்டாளரால் / தகவல் கொடுப்பவரால் முறையிட்டதில் தகவல் கொடுப்பதில் தாமதம்

Between 2008-09 and 2012-13

Date from :
நாள் முதல்

Date to :
நாள் வரை

Time : 10.30 hrs
நேரம்

Time : 17.00 hrs
நேரம்

Reliable Information

Annamalai University,
Chidambaram, Cuddalore District
Approximately 200 kms south

Singaravelu (late)

Indian

special investigation cell, vigilance & Anticorruption,
No. 293, MKN Road, Alandur, Chennai-16.

(1) Dr. M. Ramanathan, Formerly Vice Chancellors, Annamalai University, Chidambaram.
(2) Dr. M. Rathinasabapathy, Formerly Registrar, Annamalai University, Chidambaram.

Conducted Detailed Enquiry

9. Particulars of properties stolen / involved (Attach separate sheet if necessary)
கனவாடப்பட்ட / களவிற்றுகள்ள சொத்துக்களின் விவரம் (தேவையெனில் தனித் தாளில் இணைக்கவும்)

Does not arise.

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

Contents of the FIR is attached in separate sheets herewith.

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 முறையிட்ட உள்சைவ 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. குற்றமுறையிட்டானருக்கு / தகவல் தந்தவருக்கு படித்துக்கொட்டி, அது சரியாக எழுதப்பட்டு இருப்பதாக ஏற்றுக் கொள்ளப்பட்டு, அதன் படி நகல் ஒன்று இலவசமாக கொடுக்கப்பட்டது.

14. Signature / Thumb Impression of the Complainant / Informant
குற்றமுறையிட்டாளர் / 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 நாளும், நேரமும்

17.10.2018 at 06.00 hrs.

Name: பெயர் S. SANKAR
Rank: நிலை No. என
Deputy Superintendent of Police.

Continuation of contents (Column: 12) in FIR in Vigilance and Anti-Corruption, Headquarters, Cr.No. 9/2018/AC/HQ u/s 409 IPC. 13 (2) r/w 13 (1) (c) and (d) of Prevention of Corruption Act, 1988.

Based on a credible source of information, a Detailed Enquiry vide DE.51/2013/EDN/HQ was conducted into the allegations against the marginally noted accused 1.Dr.M.Ramanathan, formerly Vice Chancellor, Annamalai University, Chidambaram and 2. Dr.M.Rathinasabapathy, formerly Registrar, Annamalai University, Chidambaram that (1) they have failed to remit the contributory Pension Scheme Fund of the employees to their respective accounts and illegally diverted the same to pay salary and other University expenses (2) that the University General funds to which Major Grants received from the State Government have been grossly mismanaged by way of diverting to the accounts of the self-financing courses which ultimately resulted in wrongful loss to the university and the State Government (3) that the appointments of teaching and non-teaching staff are being normally done taking into consideration, the teacher-student ratio, the recurrent salary expenditure, pensionary commitments and other relevant norms prescribed by the UGC and the Tamil Nadu Government. Large numbers of teaching and non-teaching staff were recruited in excess and in violation of University Grant Commissions and State Government's norms during the last fifteen years in the University, for the Regular courses, self-financing courses and the Directorate of Distance Education without getting approval from the University Finance Committee. This resulted in excess expenditure and caused substantial financial loss to the University and to the Tamil Nadu government, which provides grants towards the pay and Allowance for the University's staff. (4) And the pay scales are fixed and promotions are given to the university employees based on the Tamil Nadu Government Servants Fundamental Rules and as per the provisions of Annamalai University statue. There is large scale violation of university statue and State Government norms while fixing the pay of the employees and in promoting them. This caused wrongful loss to the University and the State Government.

The Detailed Enquiry revealed the following facts:

That the A1 Dr.M.Ramanathan who was formerly working as Vice Chancellor of the Annamalai University from 29.1.2008 to 6.4.2013 is a public servant as defined under section 2 (c) (xi) of the Prevention of Corruption Act 1988, during the relevant period of occurrence.

That the A2 Dr.M.Rathinasabapathy who was formerly working as the Registrar of Annamalai University from 12.4.1999 to 30.6.2012 and Advisor from 9.7.2012 to 31.8.2012 is a public servant as defined under section 2 (c) (xi) of the Prevention Corruption Act 1988 during the relevant period of occurrence.

It is revealed that Annamalai University is situated in Chidambaram, Cuddalore District and it was established by the Annamalai University Act 1928 (Madras Act No.1 of 1929) and started functioning from the year 1929. The University has been receiving generous grants from the Government of Tamil Nadu. The Government of Tamil Nadu introduced the Contributory pension Scheme to Tamil Nadu Government employees who were recruited on or after 01-04-2003 and in continuation of the same the Government has ordered that it is mandatory for all the employees who were recruited on or after 1-4-2003 to become member of the Contributory Pension Scheme and each employee would pay a monthly contribution of 10% of Basic Pay and Dearness Allowance from his/her salary to the Contributory Pension Scheme and matching contribution will be made by the State Government for each employee, who contribute to the scheme and further ordered that in respect Settlement of accumulation under Contributory Pension Scheme in respect of CPS subscribers retired/resigned, died and terminated from service.

It is revealed that the Annamalai University adopted the CPS to its employees as such and for transactions of CPF of employees, it maintains a separate savings bank accounts in SB Account No.511379924 at Indian Bank. It is further revealed that during the financial year between 2008-09 and 2012-13 as per the records maintained at the University it is clear that the subscription amounts deducted from the staff, contribution amounts made by the University, the subscription of CPS was made only in papers and at the end of every month the departments were asked to prepare and issued cheques in favour of CPF account, but had not actually issued the cheques and they treated the

cheques as "uncashedcheques" in their account. Correspondingly, the J-1 Section which is maintaining the CPF account would show these cheques as received but not sent for realization and they have shown it has unrealized cheques in the reconciliation statements and thus the CPS subscription detected from the staff salary and the management contributions towards CPS were actually not credited into CPF account and the cheques were not presented in the bank to avoid transfer of funds from these account to CPS head of account which caused loss to the University.

It is further revealed that as per the Statues of Annamalai University the rate of pension contribution by the management to the pension fund is 20% of maximum of the time scales of pay of each post. The management contribution has been made on the above percentage till 31.12.2005 and subsequently reduced into 10% of the maximum of time scales with effect from 01.01.2006. A common pension fund for the staff who were in service prior to 01.04.2003 is maintained by the University and pension payment is made to the retiring staff of the University including the pensioners in Regular, Distance Education and Self Finance Courses. It is further revealed that the pension section raises a demand for pension contribution from each establishment on 31st March of every year. Each establishment would prepare and issue cheques in favour of the pension account, and display the same as un-cashed cheques in their accounts. And in the pension account these cheques would be shown as received the balance but shown as unrealized cheques in the reconciliation statements without sending them for realization. The statement showing the unrealized cheques pending to be realized as on 31.07.2013 in pension fund is Rs.40,59,97,470/-. It is ascertained that the amount of pension contribution Rs.68,98,29,576 received, which exceed the amount to be paid to the pensioners therefore they opted for loan of Rs.43,26,01,303 to meet out the excess expenditure and the A1 and A2 have violated the guidelines framed and Government Orders issued in connection with administration of the institution have not remitted the Contributory Pension Scheme Funds of the employees, which were entrusted with them and on which they were having dominion and control, to their respective accounts and committed criminal breach of trust by illegally diverting the same to pay salary and other University expenses and caused

erratic financial blow to the University and subsequently the burden shifted to the State Government.

It is revealed that the Annamalai University is receiving grants from Tamil Nadu Government and they have maintained 34 Bank Accounts and the power to handle the entire funds of the University is vested with the A1. During the financial year between 2008-2009 and 2012-2013 the funds such as Block grants, Interim Arrears, advance grants etc., are being sanctioned by the State Government through G.Os and those amounts were credited in the General Account of the Annamalai University.

It is revealed that the major Grant is called the Block Grant pertaining to the salary and other allowances for the staff strength of the University as on 01.01.1996 and the loan / fund transfer of all the departments of the University pertaining to the period between 2008-2009 and 2012-2013 discloses that even though the self-financing courses have separate bank accounts, funds were frequently transferred between the self-finance fund and the other accounts of the University and all were done only on the concurrence or direct supervision of the Registrar and the Vice Chancellor.

It is further revealed that during the period between 11.04.2008 to 09.07.2012 a sum of Rs.11,25,00,000/- was transferred from General Account to the Self Financing courses Accounts and vice-versa and it is further revealed that the act transferring University General fund to which major Grants from the State Government caused wrongful loss to the University

It is further revealed that UGC formulated norms for teacher student ratio, the University Grants Commission (UGC), constituted a committee under Prof. J.A.K. Tareen on the norms for teachers to student ratio for various programmes and teaching and non-teaching in Central Universities and UGC-maintained institutions deemed to be universities and the UGC considered the recommendation made by Prof. J.A.K. Tareen. It is further revealed that every year the appointment of teaching staff has been increased and further the Government as instructed that the expenditure incurred on the establishment as on 01.01.96 alone will qualify for Grant purpose and it was also instructed that prior approval of the Government should be obtained for new appointments in future but the accused have obtained no such approval for those

appointments those appointments where made without reference to employment exchange and the procedures of communal rotations.

It is revealed that the sanctioned strength of non-teaching staff of Annamalai University in the year 1996 was 1110. Whereas, in the year 2012 the existing strength was 9135. Hence, newly appointed strength of Non-Teaching staff is 8025. It is further revealed that the appointments of teaching staff as per UGC norms are measured with the number of programs. The appointment of teaching staff has been increased year by year even though enrolment of students was decreased and it is further revealed that the appointment of teaching and non-teaching staff during the year between 2008-09 and 2012-13 has been increased irrationally and the student-Teacher ratio was not followed in the appointment of teachers. It is further revealed that in the Study Centres and Information Centres of DDE there were postings of staff without adhering to any norms. The enrolment of student strength in the study centres were declining annually whereas the appointment of staff was increased rationally. In particular during the year 2009-10 there was nil student enrolment in the information centres with 206 staff available in the centres and they have not followed the norms in posting staffs in study centres and information centres. It is further revealed that there was abnormal appointment of teaching and non-teaching staffs as against the actual sanctions / requirement and this has led to the deep financial crisis, which in turn had led to the borrowing of money from other earmarked funds, pre-closing of FD's and non-payment of regular dues to the earmarked funds.

It is further revealed that the scales of pay, promotion rules and pay fixation should be in accordance with the provision of fundamental rules and other rules framed by a local Government for their ministerial establishment but, in Annamalai University, Selection Grade and promotions were awarded to the University staff in violation of the fundamental rules by fixing the Scale of pay and they revised the scale of pay once in 7 years which resulted in huge loss to the University.


It is further revealed that the accused abruptly violated the provisions of Annamalai University Act and Government orders and appointed Teaching Staff and Non-Teaching staff and thereby caused wrongful loss to the University and to the State Government fund and wrongful gain to others.

It is revealed that both the accused A-1 and A-2 being public servants who were entrusted with the funds of the university and were having dominion and control over the funds and administration of Annamalai University have committed criminal breach of trust by abusing their official position as public servants by violating the direction of law prescribing the mode in which the accused have to discharge their public duties and dishonestly and fraudulently allowed the other private individuals to gain undue pecuniary advantages which caused huge expenditure and financial loss to the University.

The information collected during Detailed Enquiry discloses the commission of cognizable offence by the above said accused u/s 409 of IPC and 13 (2) r/w 13 (1) (c) and (d) of the Prevention of Corruption Act 1988.

Hence, I am registering a case in V&AC, HQrs Cr.No. 9/2018/AC/HQ u/s 409 IPC and 13 (2) r/w 13 (1) (c) and (d) of the Prevention Corruption Act 1988 against the above accused.

The original FIR is submitted to the Chief Judicial Magistrate cum Special Judge, Cuddalore, and forwarded the copies of FIR to the superior officers for further action, and for information.


(S. Sankar) 12/01/18
Deputy Superintendent of Police,
Special Investigation Cell-I,
Vigilance and Anti-Corruption,
Chennai-16.