

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 8097113

1. District : சேலம் PS: அ.த.க.பிரிவு Year: 2018 FIR No.: 7/AC/2018 Date: 01.02.2018
மாவட்டம் காவல்நிலையம் ஆண்டு மு.த.அ. எண் நாள்
2. (i) Act சட்டம்: உண்டி சலுகி சட்டம் 1958. Sections பிரிவுகள்: U/s 13(a) r/w 13(1)(c)&(d)
(ii) Act சட்டம்: இந்திய தண்டனை சட்டம். Sections பிரிவுகள்: of P.C. Act 1988 r/w 109 IPC
(iii) Act சட்டம்: Sections பிரிவுகள்: U/s. 120 B, r/w 167, 406, 409, 400 etc
- (iv) Other Acts & Sections பிற சட்டங்களும், பிரிவுகளும் :
3. (a) Occurrence of Offence Day : Date from : 2008-09 Date to :
குற்ற நிகழ்வு நாள் நாள் முதல் 2010-11 நாள் வரை 2011-12
Time Period : Time from : Time to :
நேர அளவு நேரம் முதல் நேரம் வரை
- (b) Information Received at PS. Date : Time : 11.00 hrs.
காவல் நிலையத்திற்கு தகவல் கிடைத்த நாள் 01.02.2018 நேரம்
- (c) General Diary Reference : Entry No(s) Time : 11.00 hrs.
பொது நாட்குறிப்பில் பதிவு விவரம் எண் Vol. 2 நேரம்
4. Type of Information : Written/ Oral :
தகவலின் வகை : எழுத்து மூலம் / வாய் மொழியாக Sub-mitto
5. Place of Occurrence (a) Direction and Distance from PS: about 8 kms west.
குற்ற நிகழ்விடம் (அ) காவல்நிலையத்திலிருந்து எவ்வளவு தூரமும், எத்திசையும்
(b) Address : Periyar Institute of Distance Education (PRIDE)
முறைக் காவல் எண் முகவரி Periyar University, Salem.
- (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 : P. Thangamani (b) Father's/ Husband's Name : Dr. K. Pennusamy.
குற்றமுறையிட்டாளர்/ தகவல் தந்தவர் பெயர் தந்தை / கணவர் பெயர்
(c) Date / Year of Birth : (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 : Inspector of Police, (g) Address : vigilance and Anti-corruption,
தொழில் முகவரி Salem.
7. Details of Known/Suspected/Unknown accused with full particulars. (Attach separate sheet if necessary)
தெரிந்த / ஐயப்பாட்டிற்குரிய / தெரியாத குற்றஞ்சாட்டப்பட்டவரின் முழுமையான விவரங்கள்
(தேவையெனில் தனித்தாள் இணைக்கவும்) 1) Dr. G. Kundacharan, formerly professor cum Director, Periyar Institute of Distance Education (PRIDE) Periyar University, Salem.
2) A & Dr. P. Mathanigan formerly Professor & Ho (Tamil) Ye. controller of Examinations, Periyar University, Salem. 3) Dr. P. Prince Dharmaraj formerly controller of Examinations, Periyar University, Salem. 4) Dr. Jayanthi Mukherjee, Jyoti Kendra, No. 117, Southern Avenue, Kalakatta, T-00029, (Private individual)
8. Reasons for delay in reporting by the complainant / Informant: Due to detailed Enquiry conducted.
குற்றமுறையிட்டாளரால் / தகவல் கொடுப்பவரால் முறையிட்டதில் தகவல் கொடுப்பதில் தாமதம்

9. Particulars of properties stolen / involved (Attach separate sheet if necessary)
களவாடப்பட்ட / களவிற்குள்ளான சொத்துக்களின் விவரம் (தேவையெனில் தனித் தாளில் இணைக்கவும்)
10. Total value of properties stolen / involved :
களவாடப்பட்ட / 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)

A separate enclosure is enclosed 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 Mr. C.R. Beethaiah, Inspector of Police 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 இலவசமாக கொடுக்கப்பட்டது.

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

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

15. Date & Time of despatch to the court:
நீதிமன்றத்திற்கு அனுப்பப்பட்ட நாள், நேரமும்

01.08.2018
12.00 hrs.

Name: பெயர் P. Thangamani
Rank: நிலை Inspector of Police,
Vigilance and Anti corruption
Salem.

**ATTACHMENT TO COLUMN No.12 OF FIRST INFORMATION REPORT IN
VIGILANCE AND ANTI-CORRUPTION, SALEM DETACHMENT
Cr. No.07/AC/2018**

1. A Detailed Enquiry was taken up on the orders of the Director, V&AC, Chennai, for the allegation of Cheating, framing of incorrect documents and Misappropriation of University funds, during various financial years, while conducting the University Examinations under Distance mode in Periyar Institute of Distance Education (PRIDE), Periyar University, Salem. During the course of Detailed Enquiry the following facts came to light.

2. A-1 Dr.G.Kunasekaran was formerly working as Professor Cum Director of Periyar Institute of Distance Education (PRIDE), Periyar University, Salem during the relevant period from 25.6.2005 to 31.05.2012 and he retired from service on superannuation on 31.05.2012.

3. A-2 Dr.P.Madhaiyan, was formerly Controller of Examination (i/c) / Professor & Head of the Department of Tamil, Periyar University, Salem during the relevant period from 02.01.2008 to 08.08.2010 and he retired from service on superannuation on 31.05.2012.

4. A-3 Dr.P.Prince Dhanaraj, was formerly Controller of Examinations, Periyar University, Salem during the relevant period from 17.09.2011 to 31.07.2013. Subsequently, he was working as Professor & Head of the Department of Economics, Cardamom Planters Association Arts & Science College Bodinaickanur, Theni District and retired from service on superannuation on 31.12.2016.

5. A-4 Tr.Jayanth Mukherjee, was running a study center at Jyoti Kendra, No.117, Southern Avenue, Kolkotta-700 029 in the name and style Indian Institute of Professionals (center code 1434) which was approved by A-1 and subsequently it was shifted to Door No.FE-498, Salt Lake, Sector-III, Kolkata 700 106. He is a Private individual.

P. C. M. /
01/02/18

6. Periyar University was started in the year 1997 and it came to function with effect from 01.01.1998. The Periyar Institute of Distance Education (PRIDE) was established during the year 2001-2002 to serve the student population and offers Under-Graduate, Post-Graduate, Post-Graduate Diploma and Certificate Courses approved by Distance Education Council (DEC). PRIDE given approval to the study centers all over India and abroad during the relevant period.

7. It is found that one Tr.Jayanth Mukherjee of Jyoti Kendra, No.117, Southern Avenue, Kolkata came to Periyar University, Salem in person and submitted his application on 12.12.2006 before A-1 Dr.Kunasekaran to open a new study centre, in the name and style, "Indian Institute of Professionals" at Jyoti Kendra, No.117, Southern Avenue, Kolkata - 700 029 along with the relevant documents and necessary fee. After that, on the basis of the note file sent by the Assistant Registrar Tr.R.A.Priyasamy and A-1 Dr.Kunasekaran, the then Vice - Chancellor Dr.T.Balakrishnan approved the note file on 24.01.2007 and nominated Prof.Dr.K.Kamalanathan, Syndicate Member and A-1 Dr.G.Kunasekaran, Director, PRIDE as the members of Inspection Commission to inspect two study centers viz., (1) Indian Institute of Professionals" at Jyoti Kendra, No.117, Southern Avenue, Kolkata - 700 029 and (2) Holy Child Secondary School, 50-K.S. Path, Khardah (PO), Titagarh, Kolkata - 700 119.

8. Subsequently A-1 created false inspection reports as if he went to Kolkata and inspected the above said two study centers on 17.02.2007 without making any inspection there and recommended both the applicant to run the study centers, in the above said name viz. Indian Institute of Professionals (IIP), Kolkata, with ID Number 1434 and also Holy Child Secondary School, Kolkata, with ID Number 1433 and the said report was not signed by another committee member Prof. Tr.K.Kamalanathan (since deceased), since no such inspection was done. Then A-1 prepared a note and sent to the Registrar for placing the above subjects before the Sub-Committee (PRIDE Committee) and syndicate for recommendation and the same was approved on 17.04.2007 and 18.04.2007

P.C. *[Signature]*
01/02/18

respectively. After that, A-1 got the copies of minutes of the above said committee from the O/o the Registrar and issued new study center approval orders on 19.04.2007 to Tr.Jayanth Mukherjee, Coordinator of IIP 1434 and also Tr.C.L.Tiwari Coordinator of IIP 1433 vide Ref. No. PU/PRIDE/P5/SCCNo. 1434/2007 dated.19.04.2007 and Ref.No.PU /PRIDE/ P5/SCCNo.1433/2007 dated 19.04.2007 respectively for opening two new study centers and the same was acknowledged by them on 20.04.2007. But there was no Memorandum of Understanding (MOU), signed between the coordinator of IIP 1434 and the PRIDE Director.

9. Further, A-4 Tr.Jayanth Mukherjee, Coordinator of IIP 1434 has submitted a letter dated 01.06.2010 before the A-1 stating that he has shifted his existing study center from Jyoti Kendra, No.117, Southern Avenue, Kolkata - 700 029 to FE-498, Salt Lake, Sector-III, Kolkata 700 106 along with three DDs bearing Nos 1) 040195 for Rs.3712/- 2) 040212 for Rs.3215/- and 3) 040214 for Rs.3110/- totally a sum of Rs.10,037/- as inspection fees and requested to make necessary arrangements for further communication. The then Vice-Chancellor Tr.Muthuchezhian approved the same on 16.12.2010 and nominated Prof. Tmt.Manimekalai, formerly Syndicate Member to inspect the new building of Indian Institute of Professionals located at FE-498, Salt Lake, Sector-III, Kolkata 700 106 and accordingly, the A-1 had issued orders vide reference No.PU/PRIDE/P5/SC/C.C.1434/2010, Dated 24.12.2010 with a request to inspect the above said study center and she inspected the study center on 03.02.2011 and submitted her inspection report to A-1 only on 22.07.2011 wherein she "recommended to change the place to new campus" and accordingly, the A-1 Dr.Kunasekaran had issued orders to the coordinator of the above said study center on 03.10.2011 vide Ref.No.PU/PRIDE/P5/SC/C.Code.1434/2011 dated 03.10.2011.

10. It is found that there are 538 Students have been admitted by A-4 Tr.Jayanth Mukherjee through his study center IIP 1434, Kolkatta in various PG and UG courses during the year between 2006-07 and 2011-12 out of

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01/02/18

which 146 Students had remitted their entire tuition fees Rs.13,47,582/- in the office of the IIP 1434 and the same was remitted in the O/o the Director, PRIDE by A-4 Tr.Jayanth Mukherjee then and there and the fee from remaining 392 students to the tune of Rs.28,22,678/- were collected by A-4 Tr.Jayanth Mukherjee, but the entire amount was not remitted to the PRIDE. A-1 to A-3 who was working as Director, PRIDE and Controller of Examinations during the relevant period respectively colluded with each other with the connivance of A-4, A-1 to A-3 did not take any action to collect the pending fee from A-4 Tr.Jayanth Mukherjee. But, all the students admitted in the above said study center were allowed to write the examination by A-1 to A-3, even then certificates were not issued to them on account of their pendency of tuition fees to the University.

11. It is found that A-4 Tr.Jayanth Mukherjee Coordinator of IIP 1434, Kolkata had deliberately violated the instructions given in the prospectus and collected fees from the students through cash payment instead of two DDs from each student (one DD for 60% of total fees to the University and another DD for 40% to the study center) and took common DD in the name of Director, PRIDE and the same was sent to A-1 Dr.G.Kunasekaran without enclosing the list of students those who remitted the tuition fees for their respective courses. A-1 knowing very well about the mode of payment of tuition fees by the study centers had accepted the common DD which was sent by the Coordinator of IIP 1434, Kolkata with ulterior motive of misappropriating the fees amount in collusion with A-4 Tr.Jayanth Mukherjee.

12. Further it is found that, A-2 Dr.P.Madhaiyan and A-3 Dr.P.Prince Dhanaraj who were working as Controller of Examinations, Periyar University, Salem during the relevant period had sent the examinations applications to A-4 Tr.Jayanth Mukherjee Coordinator of IIP 1434 study center, Kolkata during the year 2008-09 and 2010-11 to 2011-12 without verifying the pendency of tuition fees to be collected from each student / study centre with PRIDE before sending application to the above said study center and A-1 Dr.G.Kunasekaran,

P. C. M. P. /
21/02/18

Director, PRIDE has not informed the pendency of fee particulars students-wise/centre-wise to A-2 and A-3 Controller of Examinations during the relevant period before sending the examination applications to the above said study center.

13. It is found that eventhough the students paid the whole payment as course fee excess than the prescribed fee, A-4 Tr.Jayanth Mukherjee did not paid the amount to the university and however, the students were allowed to write the examinations by A-1 to A-3, but the certificates were not issued to them. Some of the students came from Kolkata to Periyar University, Salem directly and again remitted fee as due in the O/o the A-1 and then got their certificates. Further, it is found that during the month of August 2012, the study center IIP-1434 was closed by A-4 Tr.Jayanth Mukherjee without any information to the Director, PRIDE.

14. It is found that Tr.Sarajkumar Majumdar and Tr.Arindam Ghosh, admitted to M.Sc., Physics, during the calendar year 2010 and 2011 at the PRIDE, through the IIP 1434 study center, Kolkata and they were allotted Enrollment Nos.C10PPH14340001 and C10PPH14340013 by the PRIDE respectively. Further, as per prospectus of PRIDE, the total sum of fee for M.Sc. Physics is Rs.17,800/- (1st year fee Rs.9,310/- and 2nd year fee Rs.8,490/-) has to be collected from the students by the study centers. But, A-4 Tr.Jayanth Mukherjee collected Rs.26,620/- and Rs.26,920/- (more than the prescribed fee) from Tr.Sarajkumar Majumdar and Tr.Arindam Ghosh respectively as course fees for two years and he had remitted only a sum of Rs.5,065/- each on behalf of the said students on 16.3.2010, 9.8.2010 and 6.8.2010 and the balance amount of Rs.21,555/- and Rs.21,855/- totally a sum of Rs.43,410/- was misappropriated by him.

15. It is further found that Tr.N.Rajat Biswas, admitted to M.A., English, during the Calendar year 2010, at the PRIDE, through the IIP 1434, Kolkata study center and he was allotted Enrollment No.C10PEN14340002 by the PRIDE. Further, as per prospectus of PRIDE, the total sum of fee for M.A.

P. C. Anjan
01/02/18

English is Rs.4,560/- (1st year fee Rs.2,690/- and 2nd year fee Rs.1,870/-) has to be collected from the students by the study centers. But, A-4 Tr.Jayanth Mukherjee collected a sum of Rs.9,200/- (more than the prescribed fee) from Tr.N.Rajat Biswas as course fees for two years and he had remitted only a sum of Rs.1,755/- on behalf of the above said student and the balance amount of Rs.4,640/- was misappropriated by him.

16. It is likely that in all the 3 instances similar offences have been committed by A-1 to A-4 in collusion with each other. Apart from the 3 instances, several other instances are also likely to come to light during the whole of relevant period. The officials, A-1 Dr.G.Kunasekaran, A-2 Dr.P.Madhaiyan, A-3 Dr.P.Prince Dhanaraj and A-4 Tr.Jayanth Mukherjee, have committed malpractices such as, framing of incorrect documents, for the purpose of defrauding the University and misappropriation of University funds.

17. It is found that, there were totally 524 Study Centers functioning during the relevant period in Tamilnadu and other states and out of which, 194 Study Centers and 139 Study Centers (totally 333) functioning in Tamilnadu and other states respectively were closed in two phases as per the orders of the Vice Chancellor vide பெ.ப/பெ.தொ.க.நி/பி5/2013 நாள் 13.3.2013 and பெ.ப/பெ.தொ.க.நி/பி5/2016 நாள் 02.2.2016 respectively as there was no admissions made for the continuous period of three years and now 191 study centers are functioning only in Tamilnadu. Further, it is found that, there was a pendency of tuition fees which were collected already from the students by the 333 closed study centers to the tune of Rs.7,75,16,054/- during the relevant period have not been remitted in the O/o the Director, PRIDE till date.

18. It is found that A-1 to A-3 colluded with each other and with the connivance of A-4, allowed the students of IIP-1434 to write their examinations, without remitting the fee amount of Rs.28,22,678/- in the university account, eventhough the fee amount was already collected by A-4 (IIP1434 study centre). Further, the amount of Rs.7,75,16,054/ in respect of


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01/02/18

ther 333 closed study centers was also not remitted to the university account by the concerned study centers and thus totally a sum of Rs.8,03,38,732/- was loss to the university account.

19. The above said information clearly discloses that there are prima facie materials available for commission of cognizable offences punishable under section u/s 120-B r/w 167, 406, 409, 420 IPC and u/s 13(2) r/w 13(1) (c) & (d) of the Prevention of Corruption Act, 1988 r/w 109 IPC .

20. Hence, based upon the outcome of the detailed enquiry, I registered a case in Salem V&AC Cr.No.7/AC/2018 u/s 120-B r/w 167, 406, 409, 420 IPC and u/s 13(2) r/w 13(1) (c) & (d) of the Prevention of Corruption Act, 1988 r/w 109 IPC on 01.02.2018 at 11.00 hrs.

Original FIR is submitted to the Hon'ble Special Judge, Special Court for Trail of cases under Prevention of Corruption Act, Salem and a copy of FIR is submitted to the Director, Vigilance and Anti-Corruption, Chennai.


(P. CHANGAMANI)
Inspector of Police,
V&AC., Salem-4.