

NATIONAL SCIENCE FOUNDATION
 OFFICE OF INSPECTOR GENERAL
 OFFICE OF INVESTIGATIONS

CLOSEOUT MEMORANDUM

TO: AIGI	File Number: I96120063	Date: 16 May 2002
Subject: Closeout Memo		Page 1 of 1

There was no closeout written at the time this case was closed. The following information was extracted from the file in conformance with standard closeout documents.

Our office was informed that the subject¹ was alleged to have misused state endowment and federal grant and contract funds for running his personal business. The subject was indicted in February 1998 based on OIG referral. The subject pleaded² guilty in state court to a felony charge³ and paid \$42,000.00 in fines and restitution. USAO in the subject's state declined federal prosecution. A federal agency suspended the subject after indictment and debarred the subject and three companies based on their guilty plea. The subject's university and NSF removed the subject from all NSF grants. In March of 1999 the university moved to remove the subject. The university returned \$160,931 to NSF for misuse of grant funds on two NSF grants.

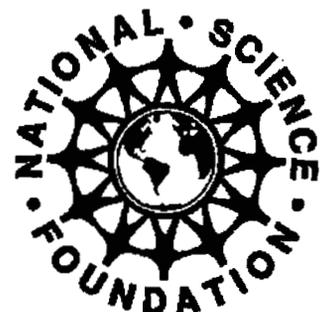
The attached documents constitute the closeout for this case.

¹ Dhiraj Pradhan, Texas A&M University

² 11/24/98

³ Abuse of Official Capacity

Name:	Prepared by:	Cleared by:		
	Agent:	Attorney:	Supervisor:	AIGI
Signature & date:				



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Prof gets 3-month term for abusing position

Aseem Chhabra



A former computer sciences professor who held an endowed chair at the Texas A&M University in Bryan-College Station, TX, is scheduled to start a three month jail term next week for a crime he claims he did not commit.

Professor Dhiraj Pradhan told *rediff.com* that he accepted the jail term in a plea bargain agreement with the district attorney office, since he did not expect a fair trial in the small southern Texan town with a "puritanical view of the world".

"My lawyers advised me that I would be convicted if I went on trial," Professor Pradhan said from his home at College Station. "I was told that I would end up being in jail for a year or so and then go through a lengthy appeals process in Houston. Or I could admit that I did wrong. They would throw me in jail for a couple of months, but after that I would be out free."

Lawyers representing Professor Pradhan and the university were not available for comment.

The university brought its charges against Professor Pradhan, who had unsuccessfully tried to start a labor union at the university, based on a fairly recent law, 'Abuse of Official Capacity,' that was instituted in 1996 by Governor George W Bush.

The university charged that last summer Professor Pradhan used the school's photocopying machine to make 2,000 copies of an award-winning article he had written at a time when his employment had been terminated. It was also said that after he was terminated, Professor Pradhan used a calling card earlier assigned him by the university.

Professor Pradhan who is 51, stated he was still drawing a salary from the school at that time and that he was going to use his research money to pay for the copies. He added he sought the advice of the head of the computer science department, Professor Wei Zhao, to make the photocopies.

In a May 4, 1999 memorandum, Professor Wei sought to clarify from Professor Pradhan as to why the latter wanted to make 2,000 copies of the particular article.

"I replied to his (Wei's) questions. I told him that if I don't hear from you, then I am assuming everything is OK," Professor Pradhan said.

"Two months went by and nothing happened. They didn't come back to me and say no."

Professor Pradhan says he took that as a sign that he could use the university's equipment to make copies. On the evening of December 15, two officers of Bryan's local sheriff's office turned up at his home, handcuffed him in his son's presence and then drove him in a state government car to the county jail.

"I had no hint they were going to arrest me or else I could have arranged for my lawyer to be present," Professor Pradhan said.

"They didn't have to do this. They could have asked me to surrender at the courthouse. That would have been the civilized way to do it. But that was not their intention."

He spent three days in jail until a bond was posted for his release. The court seized his passport. In a plea bargaining arrangement later, he agreed to the jail sentence that starts next week.

Professor Pradhan feels the university rushed in to get him arrested because they feared he was about to flee the country. The professor, who is originally from Cuttack, had made arrangements to take up a temporary job assignment at the Indian Institute of Technology in Kanpur. He was set to leave for India on December 26, 1999.

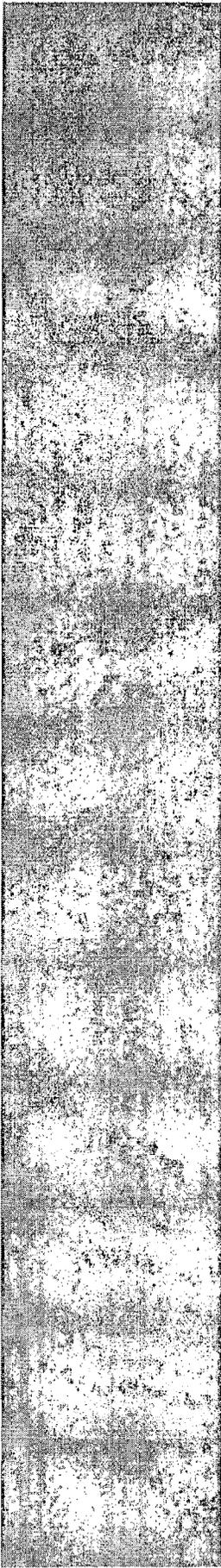
He has lived in the US for 31 years. He was hired in 1992 by the Texas A&M University. In all the years that he worked at TAMU, he was consistently the highest paid professor. At the time of his termination last year, he was drawing a salary of approximately \$ 185,000.

His troubles with the university started in 1996. At that time, in an incident well-covered by the press, he sent an e-mail to 600 faculty members rallying them to form a union. ("I didn't realize that the law in Texas prohibits state employees from forming a union," he said.) His unsuccessful attempt was to counter the university's new ruling that called upon tenured professors to go through a post-tenure review process.

He claims that soon after the university started to harass him. His computer was seized from his office while he was away on a conference in Washington DC.

University officials have denied his charges in press reports.

The university in turn charged him with misusing approximately \$ 100,000 of official funds that were released in association with a course that the professor was conducting in California in 1996. In the fall of 1997, the university suspended him. Later, a federal judge ordered TAMU to reinstate him. In the spring of 1998, indictments were brought against him.



Eventually, in 1999, he was terminated from the university.

He still has a civil case pending in a federal court. He said he brought the case against the university on grounds of wrongful termination. That case is set to start in May.

Reflecting on his career, especially prior to his appointment at TAMU, he said: "Things were good for most of the time.

"Ultimately, I should have looked at the deal here (*TAMU*) a lot more carefully," he said. "When the deal is so good, so sweet, one should be careful. They gave me everything, they gave me the highest salary. I should have known there were potential problems here."

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