



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 13TH DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE ASHOK S.KINAGI

WRIT PETITION NO. 16664 OF 2026 (S-RES)

BETWEEN:

DR. T.G SITHARAM
SON OF LATE T.S GUNDURAO
AGED ABOUT 65 YEARS,
RESIDING AT NO. 28,
I MAIN, VHCS LAYOUT,
BASAVESHWARANAGAR,
III STAGE, IV BLOCK,
BENGALURU-560 079.

...PETITIONER

(BY SRI. VENKATESH S ARABATTI, ADVOCATE FOR;
SRI. K S HARISH., ADVOCATE)

AND:

1. INDIAN INSTITUTE OF SCIENCE (IISC)
C.V RAMAN AVENUE,
BENGALURU 560 012,
REPRESENTED BY ITS CHAIRMAN.
2. DIRECTOR
INDIAN INSTITUTE OF SCIENCE,
C.V RAMAN AVENUE, BENGALURU 560 012.
3. REGISTRAR
INDIAN INSTITUTE OF SCIENCE,
C.V RAMAN AVENUE, BENGALURU 560 012.

Digitally
signed by
SHILPABAI S
Location:
HIGH
COURT OF
KARNATAKA





4. THE ENQUIRY COMMITTEE
A COMMITTEE CONSTITUTED TO INVESTIGATE,
COMPLAINT OF WORKPLACE HARASSMENT,
INDIAN INSTITUTE OF SCIENCE,
C.V RAMAN AVENUE,
BENGALURU- 560 012,
REPRESENTED BY ITS CHAIRMAN,
MR. KAUSHAL VERMA.
5. PROF. KAUSHAL VERMA
CHAIRMAN,
ENQUIRY COMMITTEE,
DEPARTMENT OF MATHEMATICS,
INDIAN INSTITUTE OF SCIENCE,
C.V RAMAN AVENUE,
BENGALURU- 560 012.
6. PROF. JOY KURI
DEPARTMENT OF ELECTRONICS
SYSTEMS ENGINEERING,
MEMBER,
ENQUIRY COMMITTEE,
INDIAN INSTITUTE OF SCIENCE,
C.V RAMAN AVENUE,
BENGALURU- 560 012.
7. PROF. KAVITA ISVARAN
DEPARTMENT OF ECOLOGICAL SCIENCE,
MEMBER,
ENQUIRY COMMITTEE,
INDIAN INSTITUTE OF SCIENCE,
C.V RAMAN AVENUE,
BENGALURU-560 012.
8. PROF. MADHAVI LATHA G.
DEPARTMENT OF CIVIL ENGINEERING,
INDIAN INSTITUTE OF SCIENCE,
C.V RAMAN AVENUE,
BENGALURU- 560 012.

...RESPONDENTS



(BY SRI. PRADEEP S SAWKAR ,ADVOCATE FOR R1 TO R7;
SRI. ANANDARAMA K., ADVOCATE FOR R8;)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH BY WRIT OF CERTIORARI OR ANY OTHER APPROPRIATE WRIT OR ORDER DIRECTION IN THE NATURE OF WRIT, THE MEMORANDUM DATED 08.05.2026 ISSUED BY THE RESPONDENTS NO. 3, PER ANNEXURE-E-3 BEARING NO. Regr(RO)/62/2026/11; B) DECLARE THAT THE PROCEDURE ADOPTED BY THE RESPONDENT No4 ENQUIRY COMMITTEE IN SEEKING CONFIDENTIAL DECLARATION FROM THE PETITIONER AS A PRE-CONDITION FOR PROVIDING COPY OF COMPLAINT IS WITHOUT ANY LEGAL BASIS AND ILLEGAL. C) AWARD THE COSTS OF THIS PETITION; AND D) SUCH OTHER AND FURTHER RELIEF AS MAY BE JUST AND NECESSARY IN THE INTEREST OF JUSTICE.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE ASHOK S.KINAGI

ORAL ORDER

The petitioner filed this writ petition seeking the following reliefs:

- "a. *Quash by writ of Certiorari or any other appropriate writ or order direction in the nature of writ, the Memorandum dated 08.05.2026 issued by the Respondent No. 3, per Annexure-'E-3' bearing No. Regr(RO)/62/2026/11;*
- b. *declare that the procedure adopted by the Respondent No. 4 Enquiry Committee in seeking*



Confidential Declaration from the Petitioner as a pre-condition for providing copy of Complaint is without any legal basis and illegal.

- c. Award the costs of this petition; and*
- d. Such other and further relief as may be just and necessary in the interest of justice."*

2. Brief facts leading rise to the filing of this petition are as follows:

2.1. On 17.11.2022, the petitioner was deputed and posted as the Chairman of All India Council of Technical Education ('**AICTE**' for short). The post of Chairman of AICTE is a Level-17 rank corresponding to the rank of the Secretaries to the Government of India and the petitioner served in the said post till December 2025, and thereafter he was repatriated to the services at the Institute as a Senior Professor. On the same day, the petitioner while in service as the Chairman of AICTE, came to know about the illegal actions of respondent No.8 and immediately thereafter, filed a complaint against respondent No.8 on



19.11.2025 alleging serious academic misconduct and breach of trust and seeking immediate institutional action against respondent No.8. Acting on the said complaint and after an inordinate delay of over 6 months, the Director of Indian Institute of Science ('**IISc**' for short) constituted an Ethics Committee to examine the complaint of the petitioner against respondent No.8 for ethical violations including the publication in a geotechnical journal by clearly misrepresenting her role Chenab Bridge Project. During the pendency of the said proceedings before the Ethics Committee, respondent No.8, as a counter-blast, appears to have filed a complaint with the Director of IISc i.e., respondent No.2 against the petitioner alleging libel, defamation, online/cyber harassment, etc. Acting on the said complaint, respondent No.1 constituted the Committee i.e., respondent No.4-Committee comprising of respondent No.5 as its Chairman and respondent Nos.6 and 7 as its members to hold an internal enquiry to ascertain the allegations in the purported complaint. On



11.05.2026, the petitioner received an e-mail from respondent No.4-Committee providing a copy of the notice to the petitioner, confidentiality declaration and memorandum constituting the Enquiry Committee vide Annexures-E, E1, E2 and E3. Immediately upon the receipt of the e-mail along with the aforesaid annexures, the petitioner replied stating that an Ethics Committee was already seized off the issue and that the present complaint can be considered later, as examining the counter-complaint through a different Committee is not appropriate. Hence, the petitioner, aggrieved by the formation of the respondent No.4-Committee, filed this petition contending that the Committee constituted is incompetent to hold an enquiry against the petitioner.

3. Respondent Nos.1 to 7 filed a statement of objections contending that, the writ petition filed by the petitioner is not maintainable and premature. It is contended that, no Enquiry Committee has issued a notice informing the petitioner about the complaint received and



has commenced a preliminary fact finding exercise. Admittedly, no findings have been recorded against the petitioner, no report has been submitted by the Committee, no recommendation has been made to the competent authority and no adverse civil consequences have ensued to the petitioner till date. The impugned memorandum dated 08.05.2026 merely constitutes an Enquiry Committee for examining the allegations contained in the complaint and does not determine any right, liability or status of the petitioner. It is also contended that, constitutional Courts should not normally interfere with the notices, charge sheets, show-cause notices or preliminary enquiries or fact finding proceedings, unless the authority concerned demonstrably lacks jurisdiction or the proceedings are *ex-facie* without authority of law. The Enquiry Committee has merely initiated a preliminary enquiry pursuant to the complaint received and no findings, recommendations or adverse



orders have been passed. Hence, pray to dismiss the writ petition.

4. The petitioner filed a rejoinder to the statement of objections filed by respondent Nos.1 to 7 contending that, the petitioner filed this petition challenging the constitution of respondent No.4-Committee by respondent No.1 to investigate the alleged complaint purported to have been filed by respondent No.8 against the petitioner. Failure of respondent No.4-Committee in not providing the copy of the alleged complaint to the petitioner is in gross violation of the principles of natural justice. The constitution of respondent No.4-Committee to enquire about the petitioner is improper and illegal for the reason that the petitioner has held the post of the Chairman of AICTE, which is of rank of Level-17 corresponding to the post of Secretaries to the Government of India, however the Committee constituted by IISc comprises of officers i.e., respondent Nos.5 to 7, who are all lower in the rank compared to the petitioner. It is contended that, the very



constitution of the Enquiry Committee of this nature is without any legal basis, as the present mechanism adopted by IISc for handling complaints is neither provided in any policy or bye-laws of IISc nor in any rules or statute. It is contended that, bye-laws of IISc provide that, the teaching staff will be regulated by the Central Civil Services (Conduct) Rules, 1964 and Central Civil Services (Classification, Control and Appeal) Rules, 1965 (**'CCS (CCA) Rules'** for short) on the matter of conduct and disciplinary matter, thereby indicating that only service matters are to be regulated by Central Civil Services Rules. The scheme, regulations and bye-laws of IISc has not provided any separate mechanism on the complaint handling. Respondent Nos.1 to 7 have not produced any enabling policy document/bye-law/rules that empower them to constitute the present Committee. Hence, looked from any angle, the entire proceedings are without legal basis or authority of law and the Enquiry Committee has no jurisdiction or authority to investigate



the standalone complaints of the alleged defamation, libel or cyber harassment, etc. It is also contended that, the Enquiry Committee did not furnish a copy of the complaint alleged to have been filed against the petitioner by respondent No.8 alleging harassment, the respondent-Enquiry Committee did not provide a copy of the complaint along with their statement of objections. It is also contended that, the interest of the petitioner has to be safeguarded as per Guideline 7.2 of the IISc Policy for Academic Integrity in Research and also as per office memorandum dated 09.10.2024 issued by the Government of India, Ministry of Personnel, Public Grievances and Pensions, Department of Personnel and Training. Hence, prays to allow the writ petition.

5. Heard the arguments of the learned counsel for the petitioner, learned counsel for respondent Nos.1 to 7 and learned counsel for respondent No.8.

6. Learned counsel for the petitioner submits that, the very constitution of Enquiry Committee is arbitrary and



erroneous. When the petitioner was the Chairman of AICTE, he has lodged a complaint against respondent No.8. Respondent No.8, as a counter-blast to the complaint lodged by the petitioner, lodged a complaint against the petitioner. Upon the basis of the complaint lodged by respondent No.8, respondent No.2 has constituted an Ethics Committee to hold an enquiry against the petitioner. He submits that, before constituting a Committee, respondent No.2 is required to follow the revised guidelines regarding the handling of complaints in the ministries/departments/organizations of the Government of India as per paragraph Nos.10 and 11 of the Office Memorandum dated 09.10.2024. He further submits that, the impugned memorandum does not indicate under which provision a Committee has been constituted. Hence, the impugned Committee constituted by respondent No.2 is not in accordance with the office memorandum dated 09.10.2024 and also respondent No.2



has failed to provide the protection as per Guideline 7.2 of the IISc Policy for Academic Integrity in Research.

6.1. He further submits that, if the Court comes to a conclusion that the writ petition is liable to be dismissed, then a direction may be issued to respondent No.2 to provide sufficient opportunity to the petitioner to submit reply to the complaint and thereafter, by giving the opportunity of personal hearing, they can pass appropriate order in accordance with law. Hence, on these grounds, he prays to allow the writ petition.

7. *Per contra*, learned counsel for respondent Nos.1 to 7 submits that, the allegations made by respondent No.8 against the petitioner pertain to when the petitioner was the Chairman of AICTE. The office memorandum issued by the Government of India, Ministry of Personnel, Public Grievances and Pensions, Department of Personnel and Training dated 09.10.2024 is not applicable to the case on hand. He submits that, the said office memorandum applies to the officers/officials in the



ministries/departments/organizations of Government of India. He submits that, respondent No.8 has lodged a complaint against the petitioner when the petitioner was repatriated as a Senior Professor and not when he was a Chairman of AICTE. The said office memorandum is not applicable to the case on hand. He further submits that, respondent No.2 has constituted a Committee to hold a preliminary enquiry on the basis of a complaint/intimation received. A preliminary enquiry has to be conducted, not necessarily by the appropriate disciplinary authority. This is held for the purpose of collection of facts in regard to the conduct and work of the petitioner concerned in which the petitioner may or may not be associated. Such a preliminary enquiry may even be held *ex-parte*. He further submits that, as far as whether the complaint filed by respondent No.8 is a counter-blast to the complaint filed by the petitioner is concerned, that is a matter to be decided after the reports are received from the Enquiry Officers. He further submits that, as per the Scheme,



Regulations and Bye-laws of IISc, the disciplinary authority is the Council for major penalties in respect of teaching and Group-A non-teaching staff appointed by the Council. Charge sheet may be issued by the Director under his/her own signature, conduct enquiry himself/herself or appoint Enquiring Authority and forward the report of the Enquiring Authority to the Council for decision on the penalty. He submits that, the Council is the disciplinary authority and pursuant to bye-law 22.1, the Director has constituted a Committee. The Committee constituted by the Director is in accordance with bye-law 22.1. He also submits that, the petitioner has not raised grounds in the writ petition in regard to office memorandum dated 09.10.2024 and also non-applicability of the bye-laws of IISc applicable to the case on hand. He submits that, IISc is not a Government of India undertaking. It is only an autonomous and deemed University. Office memorandum dated 09.10.2024 is not applicable. Hence, the writ petition filed by the petitioner is premature. The



proceedings are at the initial stage. Hence, on these grounds, he prays to dismiss the writ petition. He also submits that, respondent No.2 undertakes to provide all e-mails and complaints to the petitioner.

8. Perused the records and considered the submissions of the learned counsel for the parties.

9. It is an undisputed fact that, the petitioner was appointed as the Chairman of AICTE. When he was the Chairman of AICTE, he lodged a complaint against respondent No.8. Respondent No.2 formed an Ethics Committee to enquire into the complaint submitted by the petitioner against respondent No.8. The petitioner was repatriated to the post of Senior Professor after completion of the term as a Chairman of AICTE. The petitioner was repatriated as a Senior Professor in IISc and he was on paid leave for the months of January and February 2026. Meanwhile, respondent No.8 has submitted a complaint against the petitioner alleging certain irregularities on the part of the petitioner. On the basis of the complaint



submitted by respondent No.8, respondent No.2 has constituted a Committee to enquire into the allegations made by respondent No.8 against the petitioner.

10. Policy No.6 of the IISc Policy for Academic Integrity in Research clearly reads as follows:

"6 INQUIRY

An Inquiry into a complaint shall consist of three phases:

- a. **Preliminary Inquiry** (conducted by CAIR):
gathering of preliminary information and fact-finding to assess whether such Complaint has substance and if so, whether an inquiry is warranted. The preliminary inquiry should be conducted as expeditiously as possible and should normally be concluded within 45 days from the date of receipt of the complaint along with all details by CAIR.
- b. **Inquiry:** *This phase would start when the Inquiry Authority receives the report of preliminary inquiry conducted by CAIR along with recommendations, from the Director. The procedure to be adopted for inquiring into the complaint is provided as Annexure-I, appended to this Policy.*
- c. **Decision and Corrective Action:** *the formal procedure for reviewing and evaluating the Inquiry*



Report and taking next suitable steps including furnishing of the Report to the Respondent and reviewing the response of the Respondent and finally imposing penalty.”

From the bare reading of Policy No.6, it clearly discloses that an enquiry into a complaint shall consist of three phases. The first one is, preliminary enquiry (conducted by CAIR): gathering of preliminary information and fact finding to assess whether such a complaint has substance and if so, whether an enquiry is warranted. The preliminary enquiry should be conducted as expeditiously as possible and should normally be concluded within 45 days from the date of receipt of the complaint along with all details by CAIR. In the instant case, the Enquiry Committee was constituted to conduct an enquiry in regard to the allegations made by respondent No.8. Learned counsel for the petitioner submits that, the said policies are not applicable to the case on hand, as the petitioner was working as a Chairman of AICTE and he has placed reliance on the office memorandum dated



09.10.2024. From the perusal of the Office Memorandum, it clearly discloses that the guidelines are applicable for handling the complaints against the officers/officials in the ministries/departments/organizations of the Government of India. Admittedly, as of the date of lodging the complaint by respondent No.8 against the petitioner, the petitioner was not the Chairman of AICTE. The complaint was lodged against the petitioner when he was repatriated as a Senior Professor. The official memorandum dated 09.10.2024 relied upon by the petitioner is not applicable to the case on hand. Admittedly, the provisions of CCS (CCA) Rules are applicable to respondent No.2-Institute. The proposed Enquiry Committee has not conducted any enquiry nor submitted any report. The petitioner has challenged the constitution of the Enquiry Committee. The grievance of the petitioner regarding constitution of the Enquiry Committee is premature.

11. Learned counsel for the petitioner submits that, the Enquiry Committee has not furnished a copy of the



complaint submitted by respondent No.8 on the ground that the petitioner has to submit confidentiality. Learned counsel for respondent Nos.1 to 7 has furnished a photocopy of the complaint during the pendency of this writ petition. The grievance of the petitioner has been re-addressed by learned counsel for respondent Nos.1 to 7 by furnishing a copy of the complaint filed by respondent No.8.

12. Learned counsel for respondent Nos.1 to 7 submits that, respondent Nos.1 to 7 will furnish a copy of the complaint submitted by respondent No.8 along with the e-mails referred therein to the petitioner by tomorrow (14.07.2026).

13. In view of the above discussion, I proceed to pass the following:

ORDER

- i. The writ petition is ***dismissed***;
- ii. The petitioner is at liberty to submit his reply to the complaint submitted by respondent No.8



within three weeks from the date of receipt of a copy of the complaint along with e-mails from respondent Nos.1 to 7;

- iii. All the contentions of the parties are kept open including jurisdiction;
- iv. Pending IA(s), if any, shall stand disposed of.

Sd/-
(ASHOK S.KINAGI)
JUDGE

PA
List No.: 1 Sl No.: 18