

LOKPAL OF INDIA
Plot No.6, Institutional Area, Phase-II
Vasant Kunj, New Delhi - 110070

Complaint No. : 104/2024 (arising out of Dy.No.042024)

Date : 10 May, 2024.

Coram : **Shri Justice A. M. Khanwilkar**
Chairperson

Shri Justice L. Narayana Swamy
Judicial Member

Shri Justice Sanjay Yadav
Judicial Member

Shri Sushil Chandra
Member

Shri Justice Ritu Raj Awasthi
Judicial Member

Shri Pankaj Kumar
Member

Shri Ajay Tirkey
Member

ORDER

The complaint has been listed today before the Full Bench along with the Scrutiny Report.

Although the complainant has not enclosed a letter addressed to the Lokpal, however, based on Annexure-'A' of the complaint, the complaint appears to be against (i) Executive Engineer, Rural Engineering Department, (ii) Retired Superintending Engineer, Rural Engineering Department and (iii) public representative (Member of Legislative Assembly), Uttar Pradesh.



The complaint highlights the irregularities in the Accelerated Economic Development, a scheme where the funds are allotted by the Chief Minister of Uttar Pradesh to the Rural Engineering Department for development work in rural and urban areas. It is alleged that the public representative take 15% commission in advance due to which the departmental officers are said to be arbitrarily allotting tenders to their favoured contractors by manipulating the online tender process. The complainant participated in tenders which were initially successful but later cancelled on the basis of recommendations from the public representative and officers. It is further alleged that the Govt. officials and public representative continue to engage in corruption, including the illicit acquisition of properties despite the Chief Minister of Uttar Pradesh's initiative to address such mischief. The complainant requests an investigation into these matters and assistance in obtaining re-approval of his four approved tenders.

It has been requested by the complainant that the prescribed offence may be considered under Section 7(A) of the Prevention of Corruption Act, 1988.

The complaint was initially placed before the Scrutiny Bench which had directed the complainant to provide proof of identity/residence and names/designations of the public servants against whom the complaint is being made. Accordingly, the letter dated 24.7.2023 was sent to the complainant apprising him to remove the deficiencies. The complainant has vide email dated 28.02.2024 provided his Aadhar Card as his identity proof.

From the perusal of the complaint, we find that the names of the Respondent Public Servants are given in Part-C of the complaint form. However, it is to be noted that the complaint is basically against the public servants working under a Department of the State Government and a public representative/Member of Legislative Assembly, as such, it does not fall within the ambit of Section 14 of the Lokpal & Lokayuktas Act, 2013 which defines the jurisdiction of the Lokpal of India.

We, therefore, desist from entertaining this complaint and as such dispose it of with liberty to the complainant to raise his grievance before the appropriate forum.



Accordingly, the complaint stands disposed of.


(Court Master)