

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

Complaint No. : 107/2024 (arising out of Dy.No.892024)

Date : 14.05.2024.

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

1. We have perused the complaint and the documents annexed along with the complaint. The office has submitted the scrutiny report. As per the scrutiny report, there are certain defects in the complaint as the complainant has not mentioned the name of the respondent public servants against whom the complaint has been made. He



has left the column blank where he had to give the details of the post held by the respondent public servants. The complainant has ticked 'society' in the prescribed column of the complaint, whereas from the documents annexed with the complaint, the complaint is made by an individual.

2. We condone the objections made in the scrutiny report and proceed with the matter.
3. The complaint has been made against (i) Divisional Railway Manager (DRM), South Central Railway, Nanded Division (Maharashtra), (ii) DRM (Personnel), Hyderabad Division, South Central Railway, Secunderabad, Telangana, and (iii) Chief Personnel Officer, Head Office, South Central Railway, Secunderabad, Telangana.
4. The complainant alleges the accused public servants of "Administrative corruption and bribery in the Indian Railways". However, he has not given specific details of corruption except for mentioning the above words. It is alleged that he has not been given the PF, LAP, MACP and Group Insurance although he is entitled for the same. It is said that he has informed all the concerned authorities including the respondent public servants about the same but has not received any reply or information. The complainant has filed a complaint under the RTI Act, 2005 and also filed a first appeal therein. It is also alleged that he had done the extra work in Census 2021 for 45 days during summer vacation but neither he got the benefit of this nor his work has been mentioned in his service book.



5. It is pertinent to mention that the complainant had earlier filed three more complaints with similar allegations against the same public servants which have been registered as Complaint No.116/2021, 117/2021 and 156/2023. The same have been disposed of by the Full Bench of Lokpal of India by separate orders dated 30.11.2021, again 30.11.2021 and 29.08.2023, respectively. It is also pertinent to mention that the complainant had filed an application to reconsider the order dated 30.11.2021 in complaint No.116/2021 and 117/2021 of the Full Bench of Lokpal of India. The same was also disposed of vide Order dated 07.03.2022 with the observation that the Lokpal of India does not have jurisdiction to review the judgement/order passed by them.
6. The earlier complaint filed by the complainant, as noted above, were, in fact, disposed of on same terms with the observation that:
- “...the complaint is more of an administrative nature and there is no specific allegation of corruption. The matter does not appear to fall under the domain of the Lokpal of India, hence, no intervention appears to be necessary as per the Lokpal & Lokayuktas Act, 2023. Accordingly, the complaint is disposed of. However, the complainant is at liberty to approach the appropriate forum for redressal of his grievance.”*
7. In the Order dated 29.08.2023 passed in complaint No.156/2023 while disposing of the complaint, the Full Bench of Lokpal had issued a direction to the complainant to desist from sending

complaints relating to service matters repeatedly to the office of Lokpal.

8. However, the complainant has again approached the office of the Lokpal relating to his grievance, which is also a service matter - as it is alleged in the complaint that he has not been given the benefit of PF, LAP, MACP and Group Insurance as well as the remuneration for the extra work done for 45 days during summer vacation with regard to Census 2021.
9. We are of the considered view that the complaint made by the complainant is of administrative nature and it does not fall in the domain of the Lokpal of India, hence, no intervention is necessary by invoking the process under the Lokpal & Lokayuktas Act, 2013.
10. Before parting with this order, we may like to observe that under Section 46(1) of the Lokpal & Lokayuktas Act, 2013 whoever makes any false, frivolous or vexatious complaint under this Act shall, on conviction, be punished with imprisonment for a term which may extend to one year and with fine which may extend to rupees one lakh.
11. The complainant should be careful in future while filing any complaint before the Lokpal of India and make himself aware about the grievances which can be legitimately raised before the Lokpal of India.



12. Accordingly, the complaint is disposed of. However, the complainant is at liberty to approach the appropriate forum for redressal of his grievance.

Sd/-
(Justice A.M. Khanwilkar)
Chairperson

Sd/-
(Justice L Narayana Swamy)
Judicial Member

Sd/-
(Justice Sanjay Yadav)
Judicial Member

Sd/-
(Sushil Chandra)
Member

Sd/-
(Justice Ritu Raj Awasthi)
Judicial Member

Sd/-
(Pankaj Kumar)
Member

Sd/-
(Ajay Tirkey)
Member


(Court Master)