

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

Complaint No. : 114/2024

Date : 19.09.2024

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

Shri Justice L. Narayana Swamy
Judicial Member

Shri Sushil Chandra
Member

Shri Justice Ritu Raj Awasthi
Judicial Member

Shri Pankaj Kumar
Member

Shri Ajay Tirkey
Member

ORDER

1. Vide letter dated 19.07.2024, the Full Bench directed the CVC to conduct the Preliminary Inquiry and submit the Report on or before 21.08.2024.
2. Vide letter dated 21.08.2024, the Director, CVC submitted the Preliminary Inquiry Report but without the comments of the Competent Authority and the concerned Public Servants.



3. Vide letter dated 17.09.2024, the CVC has forwarded the comments of the Competent Authority dated 13.09.2024 in compliance of order dated 28.08.2024. In continuation of the aforesaid comments, CVC vide e-mail dated 17.09.2024 and letter dated 19.09.2024, has informed that the allegation nos. 3, 13 & 15 of the complaint have been made after the expiry of seven years from the date on which the offence mentioned in the complaint is alleged to have been committed.

4. We have perused the Preliminary Inquiry Report as well as the comments of the Competent Authority. As per the Preliminary Inquiry Report, the IO has informed that only allegation nos. 3, 13 & 15 appear to be *prima facie* substantiated. However, the Competent Authority has commented that these allegations are not substantiated as these are related to administrative lapses or irregularity for which corrective actions have already been taken. On the report of Competent Authority, the Inquiry Officer has observed that all the allegations are not substantiated. The CVC has also submitted that these allegations nos. 3, 13 & 15 have been made after the expiry of seven years from the date on which the offence mentioned in the complaint is alleged to have been committed.



5. As per the provisions of Section 53 of the Lokpal and Lokayuktas Act, 2013, "*The Lokpal shall not inquire or investigate into any complaint, if the complaint is made after the expiry of a period of seven years from the date on which the offence mentioned in such complaint is alleged to have been committed.*" Therefore, considering the rigour of Section 53 of the Act, no further action is required in this case as the alleged offences pertain to the period beyond seven years.

6. Accordingly, the complaint is disposed of.

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

Sd/-
(Justice L Narayana Swamy)
Judicial Member

Sd/-
(Sushil Chandra)
Member

Sd/-
(Justice Ritu Raj Awasthi)
Judicial Member

Sd/-
(Pankaj Kumar)
Member

Sd/-
(Ajay Tirkey)
Member


(Court Master)

(SK)