

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

Complaint No. : 120/2024 (arising out of Dy.No.1102024)

Date : 24.05.2024

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

Shri L. Narayana Swamy
Judicial Member

Shri Sushil Chandra
Member

Shri Pankaj Kumar
Member

Shri Ajay Tirkey
Member

ORDER

The Registry has put up the complaint for the consideration of the Full Bench. Some deficiencies have been pointed out by the Scrutiny Branch, Lokpal of India which are being condoned.

2. This complaint is against a Safai Karmi, Panchayati Raj Vibhag, Government of Uttar Pradesh. It has been alleged by the complainant that the said public servant has been employed in Panchayati Raj Vibhag,



Government of Uttar Pradesh on the basis of fake caste certificate. Though the concerned Respondent Public Servant belongs to Scheduled Caste but he was employed on the said post on the basis of fake Scheduled Tribe Caste Certificate in the year 2008. It has also been mentioned by the complainant that in the Inquiry also, it has been adversely commented upon but no further action has been taken in this regard by the department against the said Public Servant.

3. We have considered the contents of the complaint. The allegation is regarding the employment of the said Public Servant in the year 2008 on the basis of fake scheduled tribe caste certificate. As per Section 53 of the Lokpal and Lokayuktas Act, 2013 inquiry can not be conducted after the expiry of a period of seven years from the date of alleged offence.

4. It is also to be mentioned that the said Public Servant is the employee of Government of Uttar Pradesh and not connected with the affairs of the Union. Therefore, he does not come under the jurisdiction of Lokpal within the meaning of Section 14 of the Lokpal and Lokayuktas Act, 2013, and the cause of action is also beyond the time-limit prescribed under the Act. Therefore, no further action can be taken and the complaint is disposed of accordingly.

5. However, the complainant is at liberty to approach the appropriate forum for redressal of his grievance.


(Court Master)