

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

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Complaint No. : 147/2023

Date : 30.04.2024

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

**Shri 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**

In this case, the Full Bench of Lokpal of India vide order dated 17<sup>th</sup> July, 2023, directed for a Preliminary Inquiry to the CVC under section 20(1)(a) of the Lokpal and Lokayuktas Act, 2013 to be conducted by the CBI and was asked to submit the Preliminary Inquiry Report by 31<sup>st</sup> August, 2023.



2. After multiple extensions of time, the CVC forwarded the Preliminary Inquiry Report along with documents without comments of the Competent Authority on 29<sup>th</sup> February, 2024. It was also submitted that sufficient efforts have been made for obtaining the comments of the Competent Authority but were not submitted by CBDT. The comments of the Competent Authority were received on 22<sup>nd</sup> April, 2024 vide CVC's letter dated 19<sup>th</sup> April, 2024 in response to order of Lokpal dated 5<sup>th</sup> April, 2024.

3. The Full Bench has examined the Preliminary Inquiry Report as well as the comments of the Competent Authority. The CBI has mentioned in the report that none of the allegations as mentioned in the complaint, regarding offence under Section 13(1)(d)(iii) of the Prevention of Corruption Act, 1988 (PC Act) are found substantiated against the RPS 1 and RPS 2. It was also mentioned that during Inquiry, no such incident or misuse of power had come to light which comes under the ambit of the stated provisions of the PC Act. As per the comments of the Competent Authority, it has been concluded:

*"Therefore, in the light of facts and circumstances stated by the public servants in their comments and factual findings by the CBI, allegations levelled against these two officers do not hold good."*

4. In light of the opinion-cum-finding, recorded in the Preliminary Inquiry Report, we agree with the same to the extent that no such incident or misuse of power had come to light, which amounts to an act of corruption, as stipulated in

Section 13(1)(d)(iii) of the PC Act. As a result, this complaint need not proceed further. But at the same time, it is placed on record that the allegations of benami transactions, which are under active investigation may continue and be taken to its logical end by the concerned Investigation Agency. In other words, the disposal of this complaint will have no bearing on the stated pending investigation, referred to earlier.

5. Accordingly, the complaint is disposed of.

  
(Court Master)