

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

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Complaint No. : 15/2024

Date : 20.03.2024

**Coaram** :

- Shri Justice A.M. Khanwilkar**  
**Chairperson**
- Smt. Justice Abhilasha Kumari**  
**Judicial Member**
- Smt. Archana Ramasundaram**  
**Member**
- Shri Mahender Singh**  
**Member**
- Shri Justice L. Narayana Swamy**  
**Judicial Member**
- Shri Justice Sanjay Yadav**  
**Judicial Member**
- Shri Sushil Chandra**  
**Member**

**ORDER**

Present complaint is directed against the Managing Director, officers and the Contractors of the Uttarakhand Power Corporation Limited and Power Transmission Corporation of Uttarakhand, seeking action for alleged corrupt practice and irregularities by manipulating the tender process to favour certain contractors in exchange for illegal gratifications.

It is alleged that Respondent No.1 received illegal gratifications in a

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joint account held by his son, Respondent No.4. Allegations are also against Respondent No.2 and 3 and the contractors Respondents No. 6 to 8 and against firms Respondents No. 9 to 13.

The complainant has filed set of documents, Annexures A-2 to A-15.

To substantiate the allegations, reliance is placed on a communication No.74/3/Dir(F)/PTCUL dated 16.03.2022 (Annexure-2) addressed to Additional Chief Secretary (Energy) and the Chairperson, Power Transmission Corporation of Uttarakhand, by Director (Finance), Power Transmission Corporation of Uttarakhand. The report as evident is in respect of alleged irregularities committed by Respondent No.3.

The complainant has further placed reliance on the document Annexure-7 which is a report by the Committee constituted vide Memo No.298/HR & Admin/PTCUL/EO-11 dated 21.02.2023 under the Chairmanship of General Manager(Finance) and SE(PMU-ADB), DGM(F), Co-Secy, CE(O&M) and GM(HR) and its Member to enquire into the alleged irregularities committed by Respondent No.1 and the Contractors arrayed as co-respondents.

Besides above, the complainant has relied upon various documents to bring home the allegations of corrupt practice by the respondents.

Perused the record and considered the allegations made in complaint.

The foremost question which arises for consideration is as to whether it will be within the jurisdiction of the Lokpal to have the cognizance in respect of alleged corrupt practice qua the officers, employees and contractors working in connection with the affairs of the State of Uttarakhand.

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Clause (f) of Sub-Section(1) of Section 14 of the Lokpal and Lokayuktas Act, 2013 mandates “14(1) subject to the other provisions of this Act, the Lokpal shall inquire or cause an inquiry to be conducted into any matter involved in, or arising from, or connected with, any allegation of corruption made in a complaint in respect of the following :

- (f) any person who is or has been a chairperson or member or officer or employee in any body or Board or corporation or authority or company or society or trust or autonomous body (by whatever name called) established by an Act of Parliament or wholly or partly financed by the Central Government or controlled by it :

Provided that in respect of such officers referred to in clause (d) who have served in connection with the affairs of the Union or in any body or Board or corporation or authority or company or society or trust or autonomous body referred to in cause (e) but are working in connection with the affairs of the State or in any body or Board or corporation or authority or company or society or trust or autonomous body (by whatever name called) established by an Act or the State Legislature or wholly or partly financed by the State Government or controlled by it, the Lokpal and the officers of its Inquiry Wing or Prosecution Wing shall have jurisdiction under this Act in respect of such officers only after obtaining the consent of the concerned State Government.”

There is no cogent material on record to establish that the Power Transmission Corporation of Uttarakhand Limited and the Uttarakhand Power Corporation Limited have been constituted by an Act of Parliament and that these Corporations are wholly or partly financed by the Central Government and controlled by it.

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In view whereof we are of the considered opinion that the complaint deserves to be filed and is disposed of accordingly.

Needless to say that complainant would be at liberty to take recourse to before appropriate Authority/ Forum for redressal of his grievance.



**Court Master, Lokpal of India**