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

Complaint Nos.	:	155/2023
Date	:	29th August, 2023.
Coram	**:**	**Justice Pradip Kumar Mohanty** **Hon'ble Acting Chairperson** **Justice Abhilasha Kumari** **Judicial Member** **Shri Dinesh Kumar Jain** **Member** **Smt. Archana Ramasundaram** **Member** **Shri Mahender Singh,** **Member.**

ORDER

Perused the complaint.

2. This complaint dated 25.07.2023 in the prescribed format has been made by the complainant against the Chief Commissioner, Central Board of Indirect Taxes (CBIC), Meerut Zone, in continuation of his earlier complaint (also in format) dated 11.09.2022, registered as Complaint No. 4498/2022.

3. It may be noted that the earlier complaint of the complainant [Complaint No. 4498/2022], was made against the same public servant, levelling allegations of corrupt practices, misuse of position, demand of money, involvement in tax-evasion, fraud and

tax-refund fraud. After consideration of the said complaint, the Full Bench of the Lokpal of India had referred it to the Central Vigilance Commission (CVC), for causing a Preliminary Inquiry under Section 20(1) of the Lokpal and Lokayuktas Act and to submit a report by 17.01.2023. After conducting a Preliminary Inquiry, the Report was submitted to the Lokpal of India. None of the allegations levelled by the complainant were found to be substantiated in the Preliminary Inquiry.

4. The complaint was placed before a Division Bench of the Lokpal of India which, after perusing the Report of the Preliminary Inquiry, noted that the complainant had not produced any material on record in support of the allegations of corruption against the concerned public servant. As the allegations were general in nature and nothing incriminating had emerged from the Report of the Preliminary Inquiry, the complaint was closed and disposed of, by an order dated 14.02.2023 of the Division Bench.

5. Insofar as the present complaint is concerned, the complainant is the same, as in the earlier complaint and so is the public servant concerned. In the present complaint, the complainant has stated that the public servant concerned boasts that he is well-connected and nobody can harm him. That, recently a complaint was made alleging a scam of Rs. 500 crores against the public servant. However, as the Head of Vigilance is close of the public servant, no action is taken. It is further stated that the family of the public servant had come from the USA to visit him in India and during their month long stay, the personal expenses of the public servant were borne by "protocol officers"

working under him. A vehicle was illegally provided for their use. It is also alleged that the public servant uses a private car, which is driven by a government driver.

6. The complainant further states that when the second season of transfers will begin from April, 2023, the public servant will become a "crorepati", as earlier he was demanding Rs. 10 lakhs for each transfer.

7. The general refrain and narrative of the present complaint is the same as was found in the earlier complaint, which has been disposed of, after a Preliminary Inquiry. In the said complaint, the Preliminary Inquiry had looked into the allegation regarding the alleged demand of money for transfer. It is stated in the Preliminary Inquiry Report in complaint No. 4498/2022, that postings and transfers were done on the basis of the recommendations of a Committee constituted for the purpose.

8. After perusal of the present complaint and the material on record, we do not find any verifiable evidence of corruption in the allegations made by the complaint, which are, at most, general in nature. In fact, the allegation regarding taking money for transfers has been made in anticipation of the "second season" of transfers, and the language used is in the future tense. Nothing had, therefore, transpired when the complaint was made.

9. In view of the above discussion, we are not inclined to take any action on this complaint, which appears to be a sequel to the earlier one filed by the complainant, despite knowledge of the fact

that the earlier complaint has been duly disposed of, after a Preliminary Inquiry, before the filing of the present one.

10. Accordingly, the complaint stands disposed of.

COURT MASTER,
LOKPAL OF INDIA.