

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

Complaint No. : 164/2024 (arising out of Dy.No.1632024)

Date : 19.07.2024

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

Shri Justice 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

1. The complaint is against the Cabinet Ministers of India regarding non-implementation of NRC (National Register of Citizens) in whole of India. The complainant has stated that he is filing this application to the Lokpal for issue of directions to the Cabinet Ministers for implementing NRC in the whole of India.



2. The complainant has not provided any name(s) of the accused public servant(s), but has generally mentioned that the Cabinet Ministers of India are responsible for the non-implementation of NRC in the whole of India. The Registry of the Lokpal has additionally pointed out that the complainant has not enclosed any letter addressed to the Lokpal of India. Even if the defects pointed out by the Registry were to be disregarded, which we hereby do, the allegation in no way constitute an offence of corruption within the meaning of corruption under the Prevention of Corruption Act, 1988 (PC Act).

3. In the first place, the allegation is about the non-implementation of NRC in the whole of India. That allegation cannot pass the test of allegation regarding acts of commission and omission constituting an offence of corruption as such. Indubitably, the decision to implement NRC in the whole of India is a policy matter. Only after such a decision is taken and is backed by law, grievance about its non-implementation can be entertained. Even in such a case, however, the complainant may have to further allege and substantiate that the non-implementation of the decision taken is mala fide and for some extraneous consideration, so as to constitute an offence of corruption.



4. Suffice it to observe that in absence of an allegation of corruption, the complaint is untenable and is thus disposed of at the threshold.
5. Registry may assign Complaint Number to this case, in terms of this order.



(Court Master)