

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

Complaint No. : 174/2023
Date : 11th January, 2024
Coram : **Shri Justice Pradip Kumar Mohanty**
Acting Chairperson

Shri Dinesh Kumar Jain
Member

Shri Mahender Singh
Member

ORDER

Perused the Office Memorandum dated 14.12.2023 from the Central Vigilance Commission (CVC) enclosing a Preliminary Inquiry Report received from CVO, Bank of India (BoI) along with the comments of the Competent Authority in compliance with the Order of the Full Bench of the Lokpal of India dated 27.09.2023 in respect of the Complaint No.174/2023.

2. The complainant had alleged gross irregularities in the processing, appraisal, recommendations, sanction and disbursement of a loan advanced by the officials of the Bank of India (BoI) to a hospital in Vijayawada for setting up an Oxygen Plant. The complainant alleging a criminal conspiracy among the bank officials, the borrower and the supplier, has mentioned that the project cost was also inflated to enable siphoning off public funds. In addition, the complainant had furnished names and designations of staff/officials of the bank and had also listed out alleged lapses by these 9 officials

3. Vide the Order referred above the matter was referred to CVC for making a Preliminary Inquiry under Section 20(1) of the Lokpal and Lokayuktas Act, 2013 and in compliance thereof, the Preliminary Inquiry Report from CVO, BoI duly forwarded by CVC has been received.

4. The Division Bench has carefully perused the Preliminary Inquiry Report which also contains the findings of the CVO, BoI and the comments of the Competent Authority. From the documents available it is seen issues arose



mainly because of the make of the machine delivered by the supplier to the borrower which as per the borrower's version was different from what was agreed upon by the borrower and supplier. On this issue, the borrower has also filed a complaint with the local police. It also appears that the borrower has also filed a Writ Petition before the Hon'ble High Court of Andhra Pradesh against the bank and the supplier.

5. From the observations of the CVO, BoI and those of the Competent Authority, we are of the view that the allegations levelled in the complaint are not substantiated. From the Preliminary Inquiry Report, it is seen that there is nothing to suggest that the concerned bank officials have not followed due processes including due diligence. There is no evidence provided by the complainant that supports allegations relating to the offence of corruption by any public authority.

6. The Bench having perused the complaint, documents attached with the complaint and the Preliminary Inquiry Report submitted by CVO, BoI together with the comments of the Competent Authority is of the view that the subject matter of the complaint is not covered by the mandate provided to the Lokpal of India under the Lokpal and Lokayuktas Act, 2013. Hence, we are not inclined to proceed further in this case. Therefore, there is no need to pass any order in this complaint. The complainant is at liberty to pursue his grievance with the appropriate authority.

7. With these observations, the complaint is disposed of.



Court Master
Lokpal of India