

Lokpal of India
Plot No.6, Vasant Kunj Institutional Area – Phase-II
New Delhi – 110070

Complaint No. : 200/2024(arising out of Dy.No.2192024)

Date : 27.09.2024

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 scrutiny branch has placed the complaint dated 23.09.2024 at the diary stage before the Full Bench for consideration.

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2. We have gone through the complaint.

3. The complainant has alleged maladministration, misconduct, and fraud against the Board of Directors and officials of Sir M. Visvesvaraya Co-operative Bank Ltd., Bangalore, by misusing the SARFAESI Act. It is further alleged that the Bank has wrongly invoked the SARFAESI Act.

4. While examining the complaint, we have noticed that the allegations are against the officials of the co-operative bank, which is registered under the Karnataka Co-operative Societies Act 1960 (State Act), and its officials are governed by the said Act.

5. The Lokpal gets jurisdiction to entertain the complaint only when the public servant falls under Section 14 of the Lokpal and Lokayuktas Act, 2013 (Act). Merely, because the co-operative society (bank) has invoked the provisions of SARFAESI Act which is a central Act, for recovery, the employees of the bank do not come within the purview of Section 14 of the Act and thus are not amenable to the jurisdiction of the Lokpal.



6. In view of the above reasons, the Full Bench deems it appropriate to close the complaint. Hence, the complaint is disposed of.

Sd/-
(Justice A.M. Khanwilkar)
Chairperson

Sd/-
(Justice L Narayana Swamy)
Judicial Member

Sd/-
(Justice Sanjay Yadav)
Judicial Member

Sd/-
(Sushil Chandra)
Member

Sd/-
(Justice Ritu Raj Awasthi)
Judicial Member

Sd/-
(Pankaj Kumar)
Member

Sd/-
(Ajay Tirkey)
Member


(Court Master)

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