

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

Complaint No. : 210/2024 (arising out of Dy.No.2242024)

Date : 25.10.2024

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

Shri Justice L. Narayana Swamy
Judicial Member

Shri Justice Sanjay Yadav
Judicial Member

Shri Justice Ritu Raj Awasthi
Judicial Member

Shri Pankaj Kumar
Member

Shri Ajay Tirkey
Member

ORDER

1. As the Registry of the Lokpal had noted defects in the Scrutiny Report, vide Order dated 04.10.2024, the complainant was given time to do the needful in that regard. The complainant then took steps to remove the defects. He has sent a communication dated 15.10.2024, purportedly replying to the defects noted in the Scrutiny Report.



2. The matter is now posted for our consideration after the complaint is duly registered.
3. The complaint is against ten officials of the Department of Higher Education, Ministry of Education, Government of India at the level of Secretary, Additional Secretary, Joint Secretary, Director and Deputy Secretary. The complainant has alleged that the aforementioned officials have failed to implement and monitor consultancy and research activities in accordance with the national and international policies. It is alleged that despite multiple representations and complaints, no action has been taken by the concerned officials resulting in significant economic losses to the Government of India and hindering global research and development efforts. Further, he has stated that said inaction on the part of these officials qualifies as an economic offence under Section 13(1)(c) and 13(1)(d) of the Prevention of Corruption Act, 1988.
4. On close scrutiny of the complaint received, we are unable to decipher the allegation of corruption against any public servant, within the meaning of the Prevention of Corruption Act, 1988 (PC Act). Whereas, the grievance of the complainant is essentially with regard to the alleged failure and inaction of the officials to properly implement and monitor government policy and programme. Such failure or inaction by itself, cannot be a basis to infer any vigilance angle. We have not noted any substantive material or evidence in the documents enclosed to indicate indulgence of the officials in corrupt practices. Suffice it to observe that the Lokpal can cause inquiry or investigation, only in respect of allegations of corruption

within the meaning of the offence prescribed in the PC Act. That is lacking in this complaint.

5. Accordingly, we dispose of this complaint with liberty to the complainant to pursue such other remedies, as may be permissible in law.

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

Sd/-
(Justice L Narayana Swamy)
Judicial Member

Sd/-
(Justice Sanjay Yadav)
Judicial Member

Sd/-
(Justice Ritu Raj Awasthi)
Judicial Member

Sd/-
(Pankaj Kumar)
Member

Sd/-
(Ajay Tirkey)
Member

(Court Master)

/RRV