

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

Complaint No. : 219/2023

Date : 10th April, 2024

Coram : Shri Justice A.M. Khanwilkar
Chairperson

Shri Justice L. Narayana Swamy
Judicial Member

Shri Sushil Chandra
Member

Shri Justice Ritu Raj Awasthi
Judicial Member

Shri Pankaj Kumar
Member

Shri Ajay Tirkey
Member

ORDER

Perused the Office Memorandum No. 2024/RLY/CR/Lokpal/1/23133 dated 28.03.2024 from Central Vigilance Commission (CVC) enclosing therewith the Status Report dated 22.03.2024 received from the Ministry of Railways (Railway Board) in compliance with the Order dated 26th February, 2024 of the Full Bench of the Lokpal of India in respect of Complaint No.219/2023.

2. The subject matter in brief is with regard to the poor design and construction of the Taloja Subway in Navi Mumbai. The complainant had alleged that the poor



quality of the construction had increased accidents due to leakage from all sides of the subway including the slab resulting in water logging during the rainy season.

3. The Full Bench had considered the allegations made in the complaint and also perused the documents, videos and photos filed therewith and vide Order dated 26.02.2024, directed the Ministry of Railways to submit a Status Report through CVC within four (04) weeks time.

4. In compliance with the directions, the Status Report dated 22.03.2024 of the Ministry of Railways (Railway Board) has been received through CVC vide their Office Memorandum dated 28.03.2024.

5. The complaint pertains to the construction of Road Under Bridge (RUB) at Railway's km 57/10-11 between Diwa-Panvel section of the Mumbai Division of Central Railway.

6. The first allegation pertains to waterlogging in the Subway and the Status Report mentions various dewatering measures undertaken including deployment of requisite machinery (pumps, DG, etc.), and personnel through annual maintenance contracts along with emergency arrangement of pumps during monsoon. Seepage treatment of approach road & Box was done before commissioning of the subway and subsequently, waterproofing of all surfaces and vertical joints was carried out as well as provision of pre-painted GI shed along with approach roads to prevent entry of direct rainwater has been done vide different contracts. Thus, the Status Report terms allegation of inaction of the Railway administration in dealing with the water logging of said subway factually incorrect and unsubstantiated.



7. With regard to the other allegation related to poor quality of work, the Status Report mentions it to be vague and devoid of any verifiable facts and rules out any need for further investigation into the matter.

8. The Assurance Memo has been issued by the Principal Executive Director (Vigilance) and CVO, Ministry of Railways (Railway Board) providing reasonable assurance that all necessary facts and relevant evidence have been gathered, duly verified and contested evidence, if any, has been conclusively handled.

9. The final recommendation of the CVO is to close the case. The analysis done by the CVO and all the relevant facts and contemporary documents, including the conclusion arrived at for closure of the case, commends us.

10. In view of the findings in the Status Report, the Full Bench is of the view that no further action is required to be taken in this complaint. Hence, no order is required to be passed in the matter.

11. Accordingly, the complaint is disposed of.


(Court Master)