

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

Complaint No. : **30/2025**

Date : **28.03.2025**

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

Shri Justice L. Narayana Swamy
Member

Shri Justice Sanjay Yadav
Member

Shri Pankaj Kumar
Member

Shri Ajay Tirkey
Member

ORDER

1. Vide order dated 07.03.2025, the complainant was called upon to furnish the description of the properties allegedly held by and belonging to the named Public Servant and disproportionate to the known sources of his income. In response to said order complainant vide letter dated 07.03.2025 stated that the allegations against the



officer is qua allotment of premises at a higher rate almost double, when the same was available at a lower rate, thus causing loss to the exchequer, i.e.State Bank of India. The complainant also sought personal appearance to explain the facts.

2. By order dated 18.03.2025, while declining the request to make oral submissions - as there is no provision in the Act of 2013 or the rules made thereunder for the complainant to make oral submission, an opportunity was granted to the complainant to furnish description of the properties allegedly held by and belonging to the named Public Servant to be disproportionate to his known sources of his income.
3. The complainant, vide letter dated 20.03.2025, instead of furnishing verifiable and discernible facts constituting offence of corruption has invited our attention to Section 44 read with Section 45 of the Lokpal and Lokayuktas Act, 2013, and suggesting to deduce legal presumption. The question of drawing legal presumption would arise only if the complainant is in a position to furnish verifiable facts constituting offence of corruption and after inquiry, those facts are established on the basis of contemporaneous records and other materials. Presumption cannot be drawn in respect of unverifiable facts, much less unestablished or disputable facts.



4. In this view of the matter, the complaint deserves to be disposed of, being devoid of merit. We order accordingly.

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

Sd/-
(Justice L. Narayana Swamy)
Member

Sd/-
(Justice Sanjay Yadav)
Member

Sd/-
(Pankaj Kumar)
Member

Sd/-
(Ajay Tirkey)
Member


(Court Master)

/AKA/