

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

Complaint No. : 31/2024

Date : 2nd April, 2024

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

Shri Justice L. N. 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

Perused the complaint.

2. The complaint is directed against the Officer-In-Charge of Sikidiri Police Station, Jharkhand, Presenter of Sub-Divisional Officer Court, Jharkhand and Circle Officer of Ormanijhi, Jharkhand.



3. Allegations are that the land bearing Khata No.6, Plot No.286, 289 admeasuring 50 Decimals situated at Moza Sandi, Police Station No.82, Sikidiri, district Ranchi is an ancestral land; out of which 14 Decimals of land was transferred through panch partition (duly recorded in writing in presence of witnesses) in favour of the complainant's father. It is contended that his relative constructed a hotel on a portion of 14 Decimals lands belonging to his father on a promise to share the profit. However, the said hotel has been leased out to an outsider. That complainant lodged a complaint to Senior Superintendent of Police and the Sub-Divisional-Officer, Jhaarkhand; whereon, proceedings under Section 144 of the Code of Criminal Procedure, 1973 were initiated. However, the Circle Officer rejected the complaint and recorded the entire 50 Decimals of land in favour of Aleem Ansari, his relative. It is alleged that the Public Servant has fraudulently obtained the signature of his father and has threatened the family of dire consequences. It is alleged even a false case has been registered against the complainant and his family members, who were required to obtain bail on 20.7.2023. It alleged that all these actions had been taken after taking a bribe from the Aleem Ansari. It is further contended that taking advantage of said illegal action on the part of Officer, said Aleem Ansari forcibly began erecting a boundary wall on the complainant's land. Besides, the complainant, his wife, and their daughter were also injured when protested the said act, and despite the complainant's report no action is being taken by the Police. It is alleged that the above said public servants have misused the position by adhering to corrupt practices. On these allegations, the complainant seeks action against the Respondent Public Servant (RPS).

4. Perused the record.

5. The foremost question that arises for consideration is as to whether an inquiry can be directed in respect of the alleged misconduct of the public servants who are employees of the State Government. Section 14 of the Lokpal and Lokayuktas Act, 2013 stipulates the conditions and circumstances under which the Lokpal can exercise the jurisdiction in respect of the public servant working in connection with the affairs of the State Government.

6. In this case at hand evidently the Respondent Public Servants are exclusively discharging their duties under the State Government being its employees.

7. In view of the above, we refrain from causing any indulgence. The complaint is disposed of accordingly.

8. The complainant if so advised is at liberty to seek redressal of his grievances before the appropriate authority as per law.


(COURT MASTER)
LOKPAL OF INDIA