

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

Complaint No. : 34/2024

Date : 02nd April, 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

The complaint is placed before the Full Bench for consideration of the Scrutiny Report and to pass appropriate order.

2. Perused the Scrutiny Report.
3. The complaint dated 14.12.2023 has been received through LokpalOnline portal but the physical copy of the same has not been received yet. As the complaint was received online, it was unsigned. Besides, various deficiencies were also noted in the complaint and the complainant vide letter dated 30.01.2024 was asked to remove the deficiencies in the complaint within four weeks time and to re-file the same in proper form. However, the letter dated 30.01.2024 sent from the Registry of the Lokpal of India through Speed Post was returned to the Registry of



the Lokpal of India with the remarks “no such person” from the Postal Department. Subsequently, the complainant was informed regarding the deficiencies vide email dated 07.02.2024. However, no reply has been received from him so far.

4. The complaint pertains to the Employees Provident Fund (EPF) dues of the complainant from the Noida International University. There is an order dated 16.08.2021 of the Regional Provident Fund Commissioner on record, stating that the complainant is entitled to the membership of the Employees Provident Fund.

5. It was observed that the complainant had filed a complaint earlier which was diarized as Complaint No.1851/2022 in what appears to be a similar matter, which was disposed of by the Full Bench of the Lokpal of India vide Order dated 24.03.2022.

6. We have perused the purported complaint. It is noticed that the complainant has not mentioned the name and designation of the person against whom allegation of corruption is being made in his capacity as a public servant. Whereas, the tenor of the trailing mail would indicate that the grievance of the complainant ostensibly is in respect of provident fund dues, but it is essentially against the Noida International University. There is no disclosure in the documents, as submitted by the complainant, to substantiate that Noida International University comes within the purview of the provisions of the Lokpal and Lokayuktas Act, 2013 (Act). Notably, the previous complaint made by the same complainant had received attention of this Forum, vide Complaint No. 1851/2022, which was disposed of on 24th March 2022 with a finding that the complaint concerns the Employees Provident Fund (EPF) dues of the complainant “from Noida International University”.

7. The present complaint does not disclose any factual matter to indicate to the contrary. The earlier order also refers to the fact that the Regional Provident Fund Commissioner(RPFC) had placed on record an Order dated 06.08.2021 (letter/order of RPFC, however, mentions the date as 16.08.21, bearing No. 12773/EPFO/RO/NOI/C-I/MR/NOI/55644), stating that the complainant is entitled to the membership of the Employees Provident Fund. Suffice it to observe that the allegation in the complaint under consideration is not against the office of the Regional Provident Fund Commissioner as such, but against the Noida International



University, which however, does not come within the purview of the Act of 2013. Therefore, the Lokpal of India is not required to pass any further order or direction.

8. The disposal of this complaint will, however, not preclude the complainant to pursue other appropriate remedies, as may be advised and permissible in law.

9. The complaint is disposed of accordingly.


(Court Master)