

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

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Complaint No. : 38/2024

Date : 5 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**

Perused the Scrutiny Report and gone through the records.

The complaint is directed against four public servants namely (i) Director General, National Research Laboratory for Conservation of Culture (NRLC), Lucknow, (ii) Head of Office, NRLC, Lucknow; (iii) Scientist 'B' and Drawing and Disbursing Officer, NRLC, Lucknow; and (iv) Under Secretary (E), Department of Legislative Affairs, Ministry of Law & Justice (then Under Secretary, Museum-II Section, Ministry of Culture).



The complainant alleges corruption in the recruitment of officials on the post of LDC/Accountant, Stenographer and Storekeeper stating that these officials were not recruited according to the established Recruitment Rules. The complainant had previously filed a detailed complaint dated 09.08.2022 with the CVO, Ministry of Culture which was later on transferred to the Deputy Secretary (Museum), Ministry of Culture and then to the DG, NRLC. However, no preliminary inquiry was conducted on the complaint dated 09.08.2022. It is further alleged that the officers in NRLC, Lucknow and Museum Division, Ministry of Culture are colluding to protect the alleged backdoor entry of the appointees in NRLC, Lucknow.

Additionally, the complainant had also raised a grievance on the PMO portal on 23.06.2023. He got a reply on 06.10.2023 that the appointees were initially recruited through Staff Selection Commission (SSC). It is alleged that the reply uploaded on 26.10.2023 on the PMO portal that Shri Ashok Kumar, Stenographer and Shri Chenniah Naraiah working as Accountant in NRLC were initially recruited through SSC made the mockery of the complaint giving rise to the suspicion that DG, NRLC and a subordinate officer were sheltering Shri Gyan Prakash, Shri Chenniah Naraiah and Shri Ashok Kumar by collecting regular kickbacks from them and the corruption has also reached to the Ministry of Culture. Shri Gyan Prakash, LDC/Accountant, Shri Ashok Kumar, Stenographer and Shri Chenniah Naraiah have not got the job in NRLC as per established procedure and as per procedure laid down in the notified Recruitment Rules which were notified in October, 1977 (for the post of LDC and other Group 'C' posts) and February, 1980 (for the post of Stenographer and other Group 'C' posts in NRLC) but their entry to service is through backdoor. The CVO, Ministry of Culture did not make preliminary inquiry and surreptitiously sent the complaint to the Deputy Secretary (Museum), Ministry of Culture to take appropriate action. The Deputy Secretary (Museum), in turn, sent the said complaint to DG, NRLC, Lucknow for taking appropriate necessary action. The Museum Division on behalf of the Ministry of Culture did not conduct preliminary inquiry on the complaint dated 09.08.2022.

It is alleged that the recruitment rules to fill up the posts of LDC, Stenographer, Storekeeper, etc. for NRLC, Lucknow through SSC came into being on 15.02.2013. In the notified rules of 2013, it is nowhere mentioned that the post of Storekeeper is to be filled up through SSC. Therefore, the reply given on the PMO portal was evasive, false and paradoxical. The information has been uploaded on PMO portal just to protect the backdoor appointees in NRLC, Lucknow.

From the perusal of the complaint, it is admitted position that the alleged recruitment on the posts of LDC/Accountant, Stenographer and Storekeeper were held in the year 1993, 1994 and 1995. The complainant, for the first time, had made a complaint regarding the alleged irregularities in the recruitment on the said posts on 09.08.2022 to CVO, Ministry of Culture. Thereafter, on the basis of three applications moved under the RTI Act on 10.10.2022, 13.03.2023 and 29.06.2023, he had collected the information regarding the status of his complaint dated 09.08.2022. It is also admitted position that the complainant had raised his grievance on the PMO portal on 23.06.2023 to which he got a reply on 26.10.2023.

It is on the basis of reply received on the above application moved under the RTI Act and the response uploaded on the PMO portal that a presumption has been drawn by the complainant that since no preliminary inquiry regarding the recruitment on the posts of Stenographer, LDC/Accountant and Storekeeper which were made in the year 1993, 1994 and 1995 has been conducted, the respondent public servants are deliberately and intentionally trying to shield the appointees on the said posts for extraneous consideration.

Indisputably, the allegations of irregularities in the recruitment on the said posts relates to the year 1993, 1994 and 1995 whereas the complainant has raised the issue admittedly, for the first time, in the year 2022. As per the Lokpal & Lokayuktas Act, 2013, Section 53 provides the limitation. It clearly provides that the Lokpal shall not inquire or investigate into any complaint if the complaint is made after the expiry of a period of seven years from the date on which the offences mentioned in such complaint is alleged to have been committed. As such, the complaint is clearly barred by limitation.

Accordingly, the complaint stands disposed of.

  
(COURT MASTER)  
LOKPAL OF INDIA