

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

Complaint Nos. : 41/2023
Date : Ist March, 2023.
Coram : Justice Pradip Kumar Mohanty
Hon'ble Acting Chairperson

Justice Abhilasha Kumari
Judicial Member

Shri Dinesh Kumar Jain
Member

Smt. Archana Ramasundaram
Member

Shri Mahender Singh,
Member.

Dr. Indrajeet P. Gautam
Member

ORDER

Perused the complaint.

2. This complaint has been filed by an authorised representative of a company against a number of public servants (48) who are the employees of the Bank of Baroda.

3. It has been alleged by the complainant that during the period 2011-14, the complainant's company along with its two associate companies, with a view to accelerate their business, availed several credit facilities from the Bank by way of cash credit and term loans. The complainant has stated that the companies made regular repayments of the money, in due discharge of their duties and obligations towards the Bank and there was never any default on the part of the companies. It has also been stated by the complainant that in order to settle the dues and outstanding



amount of the Bank, settlement proposals were made by the complainant so as to clear the dues of the Bank. However, the repeated requests of the complainant company were not heeded. The Bank did not consider the genuine settlement proposals of the complainant companies and also did not disclose the reasons for the same. It has been alleged by the complainant that the employees of the Bank, with a malafide intention took recourse to various illegal and wrongful means in order to exert pressure upon the companies and their Directors to pressurize them to pay the money, for their own wrongful gain.

4. A perusal of the voluminous complaint reveals that the issue is regarding the manner in which the repayment of the loan accounts of the complainant companies to the Bank, has been handled and been declared as NPA. It is alleged by the complainant that, in this matter, the Bank has acted without following the RBI guidelines and has taken unilateral and arbitrary action.

5. It is also clear from the record that the complainant company has also filed an application before the Debt Recovery Tribunal-II (DRT), being SA No. 200/2017, and the matter appears to be going on there. Further, it appears that the complainant company and another company has also approached the DRT-III, Kolkata under Section 17 of the SARFAESI Act, by way of SA No. 73/2018 and SA No. 87/2018, respectively.

6. From perusal of the complaint and the material on record, it is noticed that there are no allegations of corruption against any of the public servants concerned. Besides, matters are pending before the appropriate forums.

7. It is also relevant to mention that another complaint (No. 27/2023), was filed by the sister concern company of the complainant company for the same subject-matter. This complaint has also been disposed of by the Full Bench of the Lokpal of India by an order dated 1st March, 2023 on the ground that the complaint does not attract the provisions of the Lokpal and Lokayuktas Act, 2013.

8. The subject-matter of the present complaint is similar, though the complainants are different. For the same reasons, we are of the view that the present complaint, as well, does not attract the provisions of the Lokpal and Lokayuktas Act, 2013.

9. Accordingly, the complaint is disposed of.


COURT MASTER,
LOKPAL OF INDIA.

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