

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

Complaint No. : 4205/2022.
Date : January 11, 2023.
Coram : **Justice Abhilasha Kumari**
Judicial Member

Shri Mahender Singh
Member

Dr. Indrajeet P.Gautam
Member

ORDER

This complaint is directed against three public servants named in the complaint, serving in the Defence Research Development Organization (DRDO). Respondent Public Servant No. 1 is serving as Scientist F (Sc-F), whereas Respondent Public Servants No. 2 & 3, who were serving as Director, Microwave Tube Research and Development Centre (MTRDC, DRDO), and Director, MTRDC, have superannuated.

2. The complaint is regarding the alleged irregularities in high value foreign procurement, insertion of fake documents in the purchase file, not registering a vigilance case after a written complaint and malicious intent to protect the culprit by the higher authorities. The details of allegations are as follows:



The complainant has alleged irregularities in high value foreign procurement, insertion of fake documents in the purchase file, not registering a vigilance case after a written complaint and malicious intent to protect the culprit by higher authorities. The complainant has stated that a foreign purchase file No. MRTDC/MMG/1138/FPD/18/2014-15/BUP for procurement of High Power Microwave (HPM) device, Magnetically Insulated Line Oscillator (MILO) on a single tender basis was initiated. As per the contract, a team carried out the Acceptance Testing (ATP) of the item during the 3rd-4th week of November, 2017 and the ATP document was signed by both parties on 24th November, 2017. The item was henceforth cleared for dispatch to MTRDC. However, on 31st January, 2018, a letter was sent to the supplier regarding various queries for clarification. The vendor did not reply to the queries and clarifications mentioned in MRTDC letter. The MILO-1 and MILO-2 devices were installed by the vendor in November, 2018 even though the queries remained unanswered. In February, 2019, the vendor installed the final device MILO-3. At this stage also the queries were unanswered, though the contract was closed. In January, 2019 a new forging purchase file was initiated for the same MILO device with different specifications from the same vendor. The complainant alleges that the irregularities were found in the foreign purchase files which were pointed out by him to the vigilance department, but no action was taken. He further alleges that the purchase files contain all documents and ATP and the final installation reports are without page numbers and, therefore, open to tampering and change.



3. The complaint received the consideration of the Full Bench of the Lokpal of India on 10th August, 2022, and by an order of even date, it was referred to the Central Vigilance Commission (CVC) for causing a Preliminary Inquiry in respect of the allegations made in the complaint, under Section 20(1) of the Lokpal and Lokayuktas Act, 2013, with a stipulation that the Status Report be filed on, or before, 28th September, 2022.
4. The report of the Preliminary Inquiry has now been received vide letter dated 8th December, 2022, of the Deputy Secretary (Vigilance), Ministry of Defence, Government of India.
5. The said report is very detailed one and has discussed every aspect of the matter. It also includes the comments of the public servant concerned and of the Competent Authority.
6. It is stated in the report that MRTDC was entering into new technology on MILO. No prior experimental knowledge was available on the devices, even though theoretical information was available in various research papers published in journals. The laboratory was fully dependent upon the Ukraine team for inputs on the device, its operation, texting, procedure, calibrations etc., since not much technological data was available at that point of time in open literature on MILO. However, it is stated that there had been a tremendous learning experience and now the MRTDC is in a position to design and develop MILOs on their own and have recently developed their own indigenous device, delivering an RF of 1 GW.
7. It is stated in conclusion, that the laboratory has followed all the procedures in vogue on the procurement and no irregularities



could be attributed to the same. These procurements are a part of the efforts by the laboratory to build up a technology base in the country, for High Power Microwaves, for strategic applications. The testing was done and the performance was verified at OEM premises, before the equipment was dispatched to MRTDC. Only minor deviations were noticed in the process followed during the testing of the MILO.

8. It is further stated that regarding the observations of the auditor in the Annual Report 2020 of MRTDC, the MRTDC have answered and settled all the queries. On the issue of initiation of procurement for another similar system with changed name and of a higher specification, from the same vendor, this idea has now been dropped.

9. In the report, the CVO has made certain recommendations for systemic improvement, which are as below:

- i. Jointly evolved Acceptance Test Procedure to be signed-off with the vendor before entering into a contract/placement of supply Order.
- ii. Only measurable parameters to be mentioned in the detailed specifications. Derived parameters need to be clearly elucidated with relevant formulae.
- iii. All Installation/Inspection reports to be diligently documented with test plots, as applicable duly levelled on the axes with necessary units/dimensions.

10. In view of the detailed report of the Preliminary Inquiry explaining every aspect, we are of the view that no further intervention by the Lokpal of India is warranted. However, we



direct that the recommendations for systemic improvements given by the CVO, be implemented as soon as possible.

11. With the above observations and directions, the complaint is closed and the matter is disposed of.



/kv/