LOKPAL OF INDIA

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

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Complaint No.	:	4494/2022
Date	:	18th January, 2023
Coram	:	**Justice Pradip Kumar Mohanty** **Acting Chairperson** **Justice Abhilasha Kumari** **Judicial Member** **Shri Dinesh Kumar Jain** **Member** **Smt. Archana Ramasundaram** **Member** **Shri Mahender Singh** **Member** **Dr. Indrajeet Prasad Gautam** **Member**

ORDER

The complaint has been filed against the Director of Directorate General of Mines Safety (DGMS), Udaipur, Rajasthan.

2. The complainant has stated that he had worked in Western Coal Fields Limited, Nagpur, Maharashtra from 1993 to 1999 and also in Open Non-metallic Fields from 2010 to 2020 in the post of Second Class Manager. He has further added that he worked under the supervision of a First Class Manager from 2010 to 2013, obtained a copy of a certificate of Second Class Manager from him and based on it, he worked in the Mines. He was not provided with the original certificate. The complainant has alleged that when he applied for obtaining the original Second-Class Manager's certificate from the DGMS, Dhanbad, Jharkhand, it was found

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that the copy of the certificate which the complainant had submitted was fake as intimated by the DGMS vide their letter dated 23.06.2020. The DGMS had asked him to submit an explanation which he did, vide his letter dated 20.07.2020, but no action was taken in the matter resulting in his unemployment.

3. From the perusal of the documents enclosed with the complaint, it appears that he was terminated from service because he was not able to work in the mines as he was suffering from asthma and had requested for a change in the field of work. The documents further disclose that the complainant later contacted a First Class Manager with whom an amount of Rs.50,000/- was negotiated for a job in Sawar, Ajmer, out of which Rs.30,000/- was given by the complainant in January, 2010. It is also noticed that the complainant had filed a writ petition before the Hon'ble High Court of Bombay in the year 2006. But due to non-production of complete documents by his advocates his petition could not succeed.

4. Having perused the complaint, the Full Bench is of the view that the contents of the complaint appear to be time-barred. Moreover, the complainant has also approached the Hon'ble High Court in the matter. Hence, it may not be appropriate for the Lokpal to intervene at this stage.

5. The complaint is disposed of, granting liberty to the complainant to pursue the matter with the appropriate forum, in case he so desires.

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