

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

Complaint No. : 47/2023

Date : 18 March, 2024

Coram : **Justice A.M. Khanwilkar**
Hon'ble Chairperson

Justice L. Narayana Swamy
Judicial Member

Shri Mahender Singh
Member

ORDER

This Division Bench is in receipt of O.M. dated 28.02.2024 from the CVC, enclosing therewith a copy of Preliminary Inquiry Report dated 20.02.2024 from Vigilance Section, Department of Economic Affairs (DEA), Ministry of Finance, Govt. of India, New Delhi. This report is in compliance with the Lokpal of India's Full Bench Order dated 01.03.2023 and Division Bench of Lokpal's Order dated 18.07.2023 vide which Preliminary Inquiry into allegations against the Chairman and MD of a CPSE had been ordered and a report of the Preliminary Inquiry had been sought.

Briefly stated, the complainant had alleged that the named public servant has gained undue benefit by awarding a contract to M/s KPMG on nomination basis in violation of CVC guidelines. It has been alleged that the said public servant not only awarded the contract to M/s KPMG in violation of the CVC guidelines but also extended the same on couple of occasions, although the performance of the service provider was below par. It was also alleged that the officials of the service provider were sent abroad for attending conferences/exhibitions in the name of giving them exposure by giving fake justification that it will be good for organization.

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During the Preliminary Inquiry conducted by the Vigilance Section of Department of Economic Affairs, Ministry of Finance, factual position was ascertained from the concerned CPSE which was critically examined by DEA. Comments of the concerned public servant as well as the Competent Authority were also obtained. The Preliminary Inquiry conducted by the Department of Economic Affairs has revealed that the allegations levelled in the complaint are not substantiated and no vigilance angle against the named public servant was found on the basis of relevant records examined and the comments of the concerned Financial Authority of the company. The Competent Authority is in agreement with the findings of the Preliminary Inquiry.

This Division Bench has considered the report of the Preliminary Inquiry. Since the allegations levelled in the complaint against the named public servant could not be substantiated, no further order needs to be passed and the complaint is ordered to be closed. Regarding the recommendations for 'Systemic Improvement' mentioned in the Preliminary Inquiry Report, we do not wish to comment about the same and leave it to the wisdom of the concerned Ministry/Department to take appropriate action, as deemed fit. A copy of this Order along with the Preliminary Inquiry Report be forwarded to the Secretary of the concerned Ministry/Department for information.

With the above observations/directions, the complaint stands disposed of.


(COURT MASTER)
LOKPAL OF INDIA