

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

Complaint No. : 71/2024

Date : 11.07.2024

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

1. This complaint is, in fact, an offshoot of the Order passed by the Full Bench of Lokpal dated 03.02.2023 in Complaint No. 3524 and 3755 of 2022.



2. The gist of the observations of the directions issued in the Order dated 03.02.2023 in Complaint No.3524/2022 and 3755/2022 as given in paragraphs 16 and 17 of the said Order/Judgement for convenience is reproduced below :-

“16. From the entirety of the facts, circumstances and documents before us, we do not consider it either necessary, or desirable to proceed any further in the matter, insofar as the allegations against the RPS are concerned. On the other hand, from perusal of the material on record, we cannot help but form an impression that the manner of functioning of the NRLC, Lucknow, deserves to be seriously looked into and streamlined by the Union Ministry of Culture. Proper rules of procedure, covering all relevant aspects, are required to be made, to prevent the haphazard functioning and whimsical approach, devoid of Rules, that appears to be going on at the NRLC, Lucknow. This is necessary, in order to eliminate the occurrence of irregularities, of which there appear to be plenty, that can lead to corruption and malpractices of a more serious nature.

17. A copy of this Judgement be sent to the Secretary, Union Ministry of Culture, to enable them to take necessary steps for systemic improvements in the overall functioning of the NRLC. Thereafter, an Action Taken Report be sent by the Ministry to the Lokpal of India, at the earliest.”

3. The Full Bench of Lokpal vide Order dated 10.05.2024 had desired the report from the Secretary, Ministry of Culture, Govt. of India (MoC) in reference to allegations contained in the complaint under consideration. In compliance thereof, the Secretary, Ministry of Culture has submitted the parawise comments on the allegations made in the complaint. The parawise comments are reproduced below:-



S.No.	Allegation in brief	Comments
1.	Non-implementation of the directives of Hon'ble Lokpal of India order dated 03.02.2023	<p>Action Taken Report as per the directions of Hon'ble Division Bench of Lokpal of India contained in Order dated 03.02.2023 has already been submitted vide letter No.M-II-16/39/2023-Museum-II dated 25.04.2024, as mentioned above.</p> <p>Further, in continuation of the action undertaken to review the functioning of NRLC, Lucknow, Secretary (Culture) has taken a meeting with DG, NRLS and the concerned Joint Secretary on 20.05.2024. Necessary directions have been issued for further improvement.</p>
2.	<p>Incurring expenditure beyond the powers of DG, NRLC i.e. Rs.10 lakh at a time in each case by Dr. XXX XXXXXX, DG, NRLC in outsourcing of Security Guards and other Housekeeping manpower at its own costing about Rs.30 lakhs during the year 2022 and about Rs.40 lakhs during the year 2023. Besides, DG, NRLC has hired project interns about 20 at the rate of Rs.25,000/- p.m. for one year at a cost of about Rs.50 lakhs without entering MoU between NRLC and MoC and without prior approval of MoC.</p>	<p>The complainant has himself stated that the power of DG, NRLC is Rs.10 lakh at a time in each case.</p> <p>The expenditure on hiring/outsourcing of security guards, housekeeping manpower and project interns is recurring in nature i.e. payment of their salary/remuneration on monthly basis. All expenditure sanction(s) have been accorded within the limit of the delegated financial power of the DG, NRLC that is Rs.10.00 lakh in each case.</p> <p>As such the allegation is unwarranted and is not tenable.</p>
3.	Unjustified allocation of work among officers and staff of NRLC by DG, NRLC:-	NRLC, Lucknow is facing acute shortage of manpower both staff as well as officers. Prof. XXXXXX, ADG, ASI has been entrusted the



	<p>(a) Allotting significant work to so-called backdoor entry staff of NRLC;</p> <p>(b) Allotting insignificant official work to Dr. XXXXXXXXX, Scientist B of NRLC and Shri XXXXXXXX, Library and Information Officer, NRLC; Assigning the</p> <p>(c) function of Head of Office of NRLC to Shri XXXXXX XXXXX, Ex-Curator and Project Coordinator, Regional Science Centre, Lucknow against the Rule 14 of the DFPR.</p>	<p>additional charges of DG, NRLC to perform his duties and officers to cope up with the situation.</p> <p>On the administrative arrangement, which cannot be considered as unlawful, a complaint from a private person is unwarranted.</p> <p>It will not be out of context to mention that on the same subject two complaints of Shri XXXXXXXX, dated 20.02.2024 and 28.02.2024 have also been received in this Ministry. He has enclosed with these complaints the official documents of NRLC and MoC which are not supposed to be in his possession. In his another complaint on PMO PG Portal (PMOPG Registration No.PMOPG/E/2024/0065944 dated 29.03.2024), he has mentioned that stenographers have not been dictated hardly in six months. The allegation of Shri XXXXXXXX compels to concentrate as to how can a private person living in Faridabad know the day to day routine work of the staff of a Govt. office located in Lucknow i.e. NRLC, Lucknow.</p> <p>Therefore, Shri XXXXXXXX has been asked vide letter No. M-II-16/4/2023- Museum-II dated 17.05.2024 to intimate the source of receipt of official letters of NRLC and MoC, as he has not mentioned the same in his complaints, and the allegation on PMOPG portal that stenographers have not been dictated hardly in six months.</p> <p>No reply has been received from Shri XXXXXXXXX, so far.</p>
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As regards allegation of backdoor entry of staff and assigning the duties of Head of Office of NRLC to Shri XXXXXXXX, Ex-Curator and Project Coordinator, Regional Science Centre, Lucknow, it is stated that a complaint No.137/2023 was filed before the Hon'ble Lokpal of India. The Hon'ble Division Bench of Lokpal of India has disposed of the said complaint vide Order dated 23.02.2024. The concluding paras of the Order are reproduced below:-

"4. In compliance with the Full Bench Order dated 17.07.2023, the Preliminary Inquiry Report has been received from CVC vide their O.M. dated 07.02.2024.

5. The Division Bench has gone through the Preliminary Inquiry Report furnished by the Ministry of Culture. From the report, it is observed that the Ministry of Culture had constituted a Fact-Finding Committee of officials to enquire into the allegations. The report after inquiring into numerous allegations made against the employees/officials of NRLC, Lucknow concluded that no specific documentary evidence was found on record with respect to the allegations made in the complaint and the allegations seems to be frivolous and fabricated. The report clearly mentioned that there have been no irregularities in the five cases referred to CVC for Preliminary Inquiry. The report also stated that a number of complaints are being made against employees/officials of NRLC for their personal motives."



4. It is submitted that in continuation of the action taken to review the functioning of NRLC, Lucknow, Secretary, Ministry of Culture has taken a meeting with DG, NRLC and the concerned Joint Secretary on 20.05.2024. Necessary directions have been issued for further improvement.

5. We are satisfied with the report submitted by the Secretary, Ministry of Culture, Govt. of India. We feel it appropriate to drop the matter at this stage with the observations that Secretary, Ministry of Culture, Govt. of India do ensure that the observations and directions issued by the Division Bench in its Order dated 03.02.2023 are complied with in true letter and spirit and the matter is taken to its logical end.

6. With these observations, the complaint stands disposed of.


(COURT MASTER)
LOKPAL OF INDIA