

**LOKPAL OF INDIA**  
**Plot No. 6, Institutional Area, Phase- II**  
**Vasant Kunj**  
**New Delhi - 110070**  
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Complaint No. : 72 / 2024

Date : 14.06.2024

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. The complaint is against the Director, Postal Services, Office of CPMG U.P. Circle, Lucknow (Department of Posts) for allegedly demanding illegal gratification in lieu of deciding an appeal pertaining to penalty order passed



in a disciplinary proceeding and when such a demand of gratification was not fulfilled, dismissing the appeal as time-barred in contravention of Government Rules.

2. This complaint was placed before the Full Bench of the Lokpal of India on 03.05.2024. From the perusal of the complaint it appeared that the complainant had also filed complaints with the CVC. Therefore, vide Order of the same date the complaint was referred to the CVC calling for a status report of the complaint filed/pending before the CVC, to be sent to the Office of the Lokpal of India within four weeks from the date of receipt of the Order, i.e. on or before 07.06.2024.

3. In compliance with this Order, CVC vide OM dated 03.06.2024 has forwarded the Status Report dated 24.05.2024 received from the CVO, Department of Posts. In the Status Report, the following observations have been made:-

*“ i) The Disciplinary proceeding under provisions contained in Rule-10 of GDS (Conduct & Engagement) Rules, 2011 & 2020 were initiated against said **XXXXXX (name redacted for confidentiality)**, as he was identified as Main Offender in case of Misappropriation of Government Money at Ailau Branch Post Office. Punishment order was delivered to said **XXXXXX (name redacted for confidentiality)***

on 17.06.2022 and as per the provisions mentioned in Rule-14 of GDS (Conduct & Engagement) Rules, 2020, appeal against the punishment order was liable to be entertained if it was preferred within a period of three months i.e. upto 16.09.2022, but his appeal was received in O/o The PMG Agra Region on dated 19.09.2022. Further, no sufficient reason was given by him for delay in submission of the same. Accordingly, keeping in view the provisions contained in Rule-14 of GDS (Conduct & Engineering) Rules, 2020 said appeal dated 12.09.2022, due to receipt beyond the period of limitation of consideration of appeal, was rejected as "Time Barred" vide Appellate Authority i.e. DPS Agra memo no.STA/44-2/8-2022 dated 31.12.2022.

ii) **XXXXX (name redacted for confidentiality)**, DPS Prayagraj Region was holding additional charge of DPS Agra Region in addition to his own duties. The said appellate order dated 31.12.2022 was conveyed from the Regional Office, Prayagraj Region to Agra Region, which was received in the o/o PMG Agra on 06.02.2023 and subsequently the same was got delivered to said **XXXXX (name redacted for confidentiality)** through SDI (E) Mainpuri on dated 17.02.2023."

4. Comments obtained from the concerned public servants have been incorporated in the Report. Both the public servants have denied the allegations.

5. The CVO, Department of Posts has concluded that *"In view of facts & observations as discussed above, allegations levelled in the complaints made by the complainant are not found sustained"*.

6. We have perused the Report of the CVO, Department of Posts and the relevant documents on record. We have taken note of the findings / observations stated therein and we agree therewith. Accordingly, we are of the opinion that no further action is warranted by the Lokpal in this matter. Hence, the complaint is disposed of.

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**(Court Master)**