

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

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Complaint No. : 74/2024

Date : 13.08.2024

Coram : **Shri Justice A.M. Khanwilkar**  
**Chairperson**

**Shri Justice Sanjay Yadav**  
**Judicial Member**

**Shri Sushil Chandra**  
**Member**

**Shri Justice Ritu Raj Awasthi**  
**Judicial Member**

**Shri Ajay Tirkey**  
**Member**

**ORDER**

1. Vide Order dated 26.04.2024, the Full Bench directed CVC to conduct Preliminary Inquiry under Section 20(1) of the Act. The CVC vide OM dated 28.06.2024 had forwarded the Preliminary Inquiry Report along with the comments of the Competent Authority. The findings given by the CVO in the report are reproduced as under:

“It is observed that the allegations made by the complainant are derived from grievances regarding



non-payment of previous bills for which the vendor does not have supporting documents. Further, it is observed that in some cases procedural delay in processing payments of vendors is observed on part of HPCL Indore Retail RO. For these procedural delays action in line with the HPCL Conduct, Discipline and Appeal Rules may be initiated against the above-mentioned officers. However, there is no indication of any malafide intent on part of officers. It is also pertinent to mention that multiple meetings are conducted by HPCL Indore Retail RO and Zonal office with xxxxx (name redacted) to resolve the payment issue, which did not elicit adequate response from the vendor. Hence, it is recommended to close the complaint.”

2. The Bench observed some deficiencies in the Report and vide order dated 11.07.2024, directed the CMD HPCL to send a further report on the specific allegations and the CVC was also directed to offer comments on the report of the CMD.
3. CVC vide OM dated 06.08.2024, submitted further Report of the CMD, HPCL dated 26.07.2024. The CMD *inter-alia* submitted as under:

“ I have perused the observations of Vigilance Department on the points raised by Hon’ble Lokpal of India vide Order dated 11.07.2024 and concur with the findings.

In furtherance of the same, I concur with the recommendations of Vigilance Department with regard

to the proposed action against the following employees of the Corporation:

- a) To initiate Regular Departmental Action for **Minor Penalty** against Shri **xxxxxxx** (name redacted), Manager- Retail Engineering for the lapses mentioned in the said report.
  
- b) To **Caution** Shri **xxxxxxx** (name redacted) (Employee no. **xxxxxxx**) the then Officer-Retail Engineering, Indore Retail RO and Shri **xxxxxxx** (name redacted) (Employee no. **xxxxxxx**) the then Sr. Manager- Retail Engg. to be more diligent while executing their duties.

Further pursuant to the observations made by Vigilance Department, the following actions have already been initiated:

- a) Necessary Instructions have been given to Director- Marketing to initiate action in line with HPCL Procurement Manual against the contractor **xxxxxxx** (name redacted) for alleged misuse of confidential credentials by the contract workman deployed by him.
  
- b) Director-Marketing has also been instructed to give separate advise to the contractor for providing replacement of the two contract workmen namely Shri **xxxxxxx** (name redacted) and Shri **xxxxxxx** (name redacted) working under contractor **xxxxxxx** (name redacted) working at HPCL Indore Retail RO. ”

4. CVC has also reiterated the observations of the CMD, HPCL.
  
5. We have perused the Preliminary Inquiry Report dated 17.06.2024 and further Report dated 26.07.2024, along with the comments of the Competent Authority. It has been reported by the Competent Authority that there are various procedural irregularities which have been committed by the officers and contractual workmen for which necessary departmental proceedings are to be conducted. It has also been reported that there is no indication of any mala-fide intent on the part of officers.
  
6. Considering the material on record, we are inclined to agree with the report of the CMD. The Competent Authority is directed to ensure that all the departmental proceedings as proposed in paragraph 3 of the order are taken to its logical end expeditiously. We also direct the CVC to ensure that disciplinary proceedings as proposed by CMD are finalized at the earliest and compliance report is submitted to us within six weeks.



7. As no further action is required at our end, the complaint is disposed of accordingly.

**Sd/-  
(Justice A.M. Khanwilkar)  
Chairperson**

**Sd/-  
(Justice Sanjay Yadav)  
Judicial Member**

**Sd/-  
(Sushil Chandra)  
Member**

**Sd/-  
(Justice Ritu Raj Awasthi)  
Judicial Member**

**Sd/-  
(Ajay Tirkey)  
Member**

  
(Court Master)

(SK)