

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

Complaint No(s). : 84 & 85/2024
(arising out of Dy. Nos.772024 & 782024)

Date : 03rd May, 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

The complaints are placed before the Full Bench for consideration of the Scrutiny Reports and to pass appropriate orders.

2. Perused the Scrutiny Reports. We are disposed to condone the remarks made by the office in this report and entertain the complaint.



3. These two complaints dated 10.04.2024 filed before the Lokpal of India have been registered as Diary No(s). 77/2024 and 78/2024 respectively. As the complainant's name is the same in both the complaints and the subject matter of both these complaints are ostensibly different but substantially the same, they are taken up together for consideration.

4. Since the complaint forms are generated by the LokpalOnline portal, the complaints are unsigned. Physical copies of the complaints have not been received. The scrutiny reports in both these complaints point out various deficiencies in one respect or the other in Part-A or Part-C of the form of complaint, which are given below: -

(a) In Diary No.77/2024, in Part-A of the form, the complainant's name mentioned in the form and in the enclosed driving license slightly differ. In Part-C, the complainant has not annexed any list/particulars of documents relied upon in support of the allegation and has mentioned 'Parinaaz Legal Counsel' in this column. The complainant has enclosed a photocopy of the duly notarized affidavit on a non-judicial paper with the complaint.

(b) In Diary No.78/2024, in Part-A of the form, no ID proof to verify the name of the complainant is enclosed. In Part-C, the complainant has not annexed any list/particulars of documents relied upon in support of the allegation and has mentioned "Emailed before auction but ignored" in this column. The complainant has enclosed a photocopy of the signed notarized affidavit on a non-judicial stamp



paper with the complaint that by previous reference seems to be in the name of the complainant's wife.

5. It has been brought to our notice that the complainant had earlier filed two complaints before the Lokpal of India which were registered as Complaint No.18/2024 and Complaint No.19/2024. As both complaints were similar, they were clubbed together and disposed of by the Full Bench vide its Order dated 20.03.2024. Another three complaints on similar matters were filed before Lokpal of India bearing Complaint Nos. 45/2024, 46/2024 and 48/2024. These were also clubbed together and disposed of by the Full Bench vide its Order dated 10.04.2024.

6. The subject matter of the present complaints, the Respondent Public Servants complained against and the documents enclosed are substantially the same as in the previous cases filed by the complainant. However, documents are attached in Dy. No.78/2024 indicating an inquiry undertaken by the Coimbatore Police resulting from the petition filed by the complainant with the Chief Minister Help Centre and with the Coimbatore Police directly on the same matter.

7. The complainant was one of the Directors/Promoters of SMS Technosoft (India) Limited and the complaints have been made against the DGM and AGM of the Securities and Exchange Board of India (SEBI) and a few other individuals. The complaints are regarding fake hearing and fake settlement and against the process of auctioning of the property on multiple grounds, including alleged rigging, undervaluation and sale to a pre-decided buyer at a price lower than the market



price, allegedly to facilitate bribes for officials of SEBI. In both the complaints, the documents have been attached of complaints having been made before the Tamil Nadu Lokayukta.

8. On perusal of these complaints, they lack material facts suggestive of the commission of an offence of corruption and also lack particulars, which precludes us from, doing any further scrutiny of the matter. It is also observed that the complaints are mischievous and vexatious in nature and the same complainant is filing multiple complaints again and again before this Forum and also resorting to proceedings before various authorities. This cannot be countenanced.

9. We are inclined to take a view that the complainant is a busy body and is in the habit of filing frivolous and vexatious complaints, if not making false allegations successively. This cannot be countenanced. Such complainants can be proceeded with under Section 46 of the Lokpal and Lokayuktas Act, 2013, which reads thus:

“Section 46 (1) Notwithstanding anything contained in this Act, whoever makes any false and frivolous or vexations complaint under this Act shall, on conviction be punished with imprisonment for a term which may extend to one year and with fine which may extend to one lakhs rupees under Section 79 of the Indian Penal Code (45 of 1860)”



10. Be that as it may, in our considered opinion, to observe sobriety, these complaints need to be disposed of, being devoid of merits. We order accordingly.


(Court Master)