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# **COMMITTEE ON PETITIONS**

**(FIFTEENTH LOK SABHA)**

## **FIFTH REPORT**



**LOK SABHA SECRETARIAT  
NEW DELHI**

*May, 2010/Vaisakha, 1932 (Saka)*

FIFTH REPORT

COMMITTEE ON PETITIONS

(FIFTEENTH LOK SABHA)

MINISTRY OF FINANCE

MINISTRY OF PETROLEUM AND NATURAL GAS

*(Presented to Lok Sabha on 6.5.2010)*



LOK SABHA SECRETARIAT  
NEW DELHI

*May, 2010/Vaisakha, 1932 (Saka)*

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**COMPOSITION OF THE COMMITTEE ON PETITIONS  
(2009-10)**

Shri Anant Gangaram Geete — *Chairman*

MEMBERS

2. Shri Rajendra Agrawal
3. Shri Khiladi Lal Bairwa
4. Shri E.T. Mohammed Basheer
5. Shri N.S.V. Chitthan
6. Shri Gurudas Dasgupta
7. Shri Dip Gogoi
8. Shri Devendra Nagpal
9. Shri Jagdambika Pal
10. Prof. Ramshankar
11. Shri Sarvey Sathyanarayana
12. Shri Rakesh Singh
13. Dr. Sanjay Sinh
14. Shri Kabir Suman
15. Shri Joseph Toppo

SECRETARIAT

- |                         |   |                             |
|-------------------------|---|-----------------------------|
| 1. Shri N.K. Sapra      | — | <i>Additional Secretary</i> |
| 2. Shri Ashok Sarin     | — | <i>Joint Secretary</i>      |
| 3. Shri V.R. Ramesh     | — | <i>Director</i>             |
| 4. Shri U.B.S. Negi     | — | <i>Additional Director</i>  |
| 5. Shri Hulasi Ram      | — | <i>Deputy Secretary</i>     |
| 6. Smt. Jagriti Tewatia | — | <i>Under Secretary</i>      |

## **FIFTH REPORT OF THE COMMITTEE ON PETITIONS**

(FIFTEENTH LOK SABHA)

### **INTRODUCTION**

I, the Chairman, Committee on Petitions, having been authorized by the Committee to present the Report on their behalf, present this Fifth Report of the Committee to the House on the following matters:

- (i) Action taken by the Government on the recommendations of the Committee on Petitions (Fourteenth Lok Sabha) in their 20th Report on the representation from Shri Nandan Prasad and other agents of Danapur Office of LIC regarding grabbing of LIC money through fraudulent diversion of commission to outstation branch of Life Insurance Corporation of India, Danapur Branch Office under Patna Divisional Office, Patna, Bihar.
- (ii) Action taken by the Government on the recommendations of the Committee on Petitions (Fourteenth Lok Sabha) in their 30th Report on the representation regarding resitement of petrol pump of M/s. Taneja Service Station from Jhilmil Industrial Area, G.T. Road, Shahdara, Delhi.

2. The Committee considered and adopted the draft Fifth Report at their sitting held on 04th May, 2010.

3. The observations/recommendations of the Committee on the above matters have been included in the Report.

NEW DELHI;  
4 May, 2010  

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14 Vaisakha, 1932 (Saka)

ANANT GANGARAM GEETE  
*Chairman,*  
*Committee on Petitions.*

## CHAPTER I

### ACTION TAKEN BY THE GOVERNMENT ON THE RECOMMENDATIONS MADE BY THE COMMITTEE ON PETITIONS (14TH LOK SABHA) IN THEIR 20TH REPORT ON THE REPRESENTATION FROM SHRI NANDAN PRASAD AND OTHER AGENTS OF DANAPUR OFFICE OF LIC REGARDING GRABBING OF LIC MONEY THROUGH FRAUDULENT DIVERSION OF COMMISSION TO OUTSTATION BRANCH OF LIFE INSURANCE CORPORATION OF INDIA, DANAPUR BRANCH OFFICE UNDER PATNA DIVISIONAL OFFICE, PATNA, BIHAR

The Twentieth Report of the Committee on Petitions (14th Lok Sabha) was presented to Lok Sabha on 19 December, 2006 after examining the representation from Shri Nandan Prasad and other agents of Danapur office of LIC regarding fraudulent diversion of commission to outstation branch of Life Insurance Corporation of India from Danapur Branch Office under Patna Divisional Office, Patna, Bihar.

1.2 In their report, the Committee had made certain observations/recommendations in the matter and the Ministry of Finance (Department of Financial Services) were requested to take action on them and furnish their replies for consideration of the Committee.

1.3 The action taken replies received from the Ministry of Finance (Department of Financial Services) *vide* their O.M. dated 8.10.2009 in respect of all the recommendations contained in the Report have been detailed in the succeeding paragraphs.

1.4 In para 4.19 of the Report, the Committee had observed/recommended as follows:—

"The petitioners in their representation submitted that Shri Vinay Kumar, the then Branch Manager of Danapur Branch Office and Shri Manoj Kumar, Programmer Grade II, LIC in active collaboration with Shri Mithilesh Kumar, the then Administrative Officer, D.P. Department, LIC; Patna Divisional Office had diverted some other agent's/terminated Agent's commission of Danapur Branch office to a dummy agency code No. 8475/521, agent's name Ms. Ritu under Development Officer, Shri Sunil Kumar Prasad, code No. 540 of LIC, Patna Branch No. I. Such diversion of commission from genuine and terminated agent's code to a fake agent's code is possible only by manipulating the master file available and changing the agent's code. Shri Vinay Kumar, the Branch Manager and Shri Manoj Kumar, the Programmer Grade II were only having the required passwords of project and no other employee in the Branch had access to the same."

1.5 The Ministry of Finance (Department of Financial Services) in their reply, have stated as follows:—

"The Chief Vigilance Officer of LIC of India, who is an outside officer from Public Sector General Insurance Company (The New India Assurance Company Limited), was asked to inquire into the matter and submit a report. A Committee was constituted comprising Shri Sarfaraz Ali, Vigilance Officer, New Delhi Regional Office-II of the New India Assurance Company Limited and Shri A.K. Gupta, Vigilance Officer, Patna, R.O. of the Oriental Insurance Company Limited. The Committee after detailed investigation of the case has concluded that it was beyond doubt that the agency number of various agents were changed by a single agency number 08475521 by making addition/alteration in the Policy Masters and this number was again altered/replaced by other agency number under which the commission was not payable. The date and time of such changes could not be identified, as the software was not capable to record such information. On the basis of circumstantial evidences and preponderance of probability, the Committee of officers has observed that the diversion of commission by changing the agency code of renewal premium to a Single Code 08475521 of Ms. Ritu at Danapur Branch is a lone and single handed act of Mr. Manoj Kumar, the Programmer Grade II, Danapur Branch. The Committee has come to this conclusion on the basis of the following logical reasoning:—

- That the changes made in the Master File required a thorough and deep technical knowledge of the system which was available mostly with the programmer.
- That to make the change in the Policy Master, the System Password was required and the same was available with the Programmer only.
- That the person effecting such fraudulent changes must have had some motive to be fulfilled by such fraudulent act, which in the present context was available with the Programmer only.
- That to make such changes a person should have an access to Data Processing Department, which was restricted to the Programmer.
- That the changes were done over a period from 1998 to 2000 which required frequent use of system Password. Hence, stealing or tampering with Password Envelope was ruled out. A person who was continuously in possession of necessary password, is the Programmer who could make the changes.
- That Mr. Manoj Kumar was the only Programmer available in Danapur Branch.

The Committee has also concurred with the findings of the Executive Director (IT) of LIC that the nexus between Mr. Anil Kumar, Assistant of LIC and Mr. Manoj Kumar Programmer gives a motive to Mr. Manoj Kumar to commit fraud of diverting commission in the Agency of Ms. Ritu, sister of Mr. Anil Kumar. Taking into account the above factors, the Committee has confirmed the involvement of Shri Anil Kumar, Assistant of Patna Branch I in the Fraud. It is also concluded that with the knowledge of Mr. Anil Kumar, the Agency of Ms. Ritu was operated by obtaining a dummy agency in the name of his sister after joining Patna Branch I."

1.6 In para 4.20 of the Report, the Committee had observed/recommended as follows:—

"The petitioners also submitted that the matter had already been raised before the Chief Vigilance Officer (CVO), and the Ministry of Public Grievances, but the four persons viz. Shri Vinay Kumar, Shri Mithilesh Kumar, Shri Vijay Kumar, (brother of Shri Vinay Kumar) Sr. Regional Manager (Marketing) and Shri Ravi Shankar Prasad, Sr. Divisional Manager being at influential posts in LIC got the matter suppressed by seizing the evidences and tampering the records by over writing on cartridges containing data of 1997, 1998 and 1999."

1.7 The Ministry of Finance (Department of Financial Services) in their reply, have stated as follows:—

"Regarding the allegations against four persons. viz. (1) Shri Vinay Kumar, (2) Shri Mithlesh Kumar, (3) Shri Vijay Kumar (Brother of Shri Vinay Kumar) and (4) Shri Ravi Shankar Prasad, the Committee constituted by the Chief Vigilance Officer of LIC of India, based on the analysis and reasons given in the report, has concluded as under:—

*Mr. Vinay Kumar, the then Branch Manager:*

The Committee has concluded that the possibility of diversion of commission by Mr. Vinay Kumar is ruled out altogether. Further regarding destroying or tampering with the evidence, the committee has concluded that Mr. Vinay Kumar took all the necessary steps to preserve the records and he had also enquired into the allegations and consequently seized more policy dockets than required to be seized by earlier Investigating Officer, Shri S.K. Halder.

*Mr. Mithilesh Kumar, the then AO (IT) Patna DO:*

The Committee has confirmed that Mr. Mithilesh Kumar did not tamper or destroy any type of data in back-up files kept in the I.T. Dept. Patna D.O.

*Role of Mr. Vijay Kumar, the then Regional Manager (Mktg.):*

As Mr. Vijay Kumar was in no way involved as stated above, the Committee has therefore concluded that Mr. Vijay Kumar had no reason to influence or protect his brother.

*Mr. Ravi Shankar Prasad, the then Senior DM Patna:*

The Committee has observed that Mr. Ravi Shankar Prasad, who was Senior Divisional Manager, Patna from May 2002 to May 2004, did not respond to the reminders for sending the final investigation report and he never made an effort to materialize the final investigation. The Committee has concluded that Mr. Ravi Shankar Prasad was responsible to the extent of not taking any action in the matter."

1.8 The Ministry of Finance (Department of Financial Services) *vide* their subsequent O.M. submitted the updated reply furnished by the Life Insurance Corporation of India on the above issue as follows:

"Since no involvement of Shri Vinay Kumar, Shri Mithilesh Kumar, Shri Vijay Kumar was found, no action is contemplated against them.

The case against Shri Ravi Shankar Prasad, the then Sr. D.M. (Patna) has been closed with issuance of a Censure letter dated 23.10.2008 to him."

1.9 In para 4.21 of the Report, the Committee had observed/recommended as follows:—

"The Committee note that on receipt of the complaint letter dated 09.03.2001 from some Agents of the Danapur Branch Office, complaining about fraudulent diversion of commission to the Agency of Ms. Ritu, Agency Code No. 8475/521, the said complaint was investigated. The Investigation report revealed that under 48 policies, the commission was diverted to the Agency of Ms. Ritu wrongly by changing the agency code in the Policy Masters at Danapur Branch under Patna Divisional Office. The Investigation Report also revealed that the manipulation was the single-handed act of the then System Administrator of the Branch Shri Manoj Kumar. The Disciplinary Authority felt that no action could be taken against him for want of documentary or other proof of his involvement. LIC had been following up the matter with its Sr. Divisional Manager, Patna Divisional Office and have now received the final recommendation dated 11.07.2006 from the Sr. Divisional Manager, which is as under:—

- To recover the wrong payment of Rs. 39,515 from the Agent.
- The agent is already terminated from 21.03.2003 due to Expiry of licence. As such to issue Show Cause Notice to the Agent for Forfeiture of renewal commission.
- To initiate Disciplinary action against the Programmer Shri Manoj Kumar, who was mastermind of the manipulation of the Agency Code.

After examining the matter, LIC have advised the Sr. Divisional Manager on 24.07.2006 to issue Show Cause notice to Ms. Ritu, the Agent, proposing the penalty of forfeiture of renewal commission. (Since the Agency stands already terminated with effect from 21.03.2003 for expiry of Agency licence). In respect of Shri Manoj Kumar, Programmer Grade II, LIC have advised the Zonal Manager to send the Draft Charge Sheet for approval. LIC have registered a Regular Vigilance Case against Ms. Ritu, Agent and Shri Manoj Kumar, Programmer Grade II."

1.10 The Ministry of Finance (Department of Financial Services) in their reply, have stated as follows:—

"The Senior Divisional Manager had issued Show Cause Notice on 26.08.2006 to Ms. Ritu, Agent proposing the penalty of forfeiture of renewal commission and had also issued final Order dated 28.11.2006 imposing the penalty of forfeiture of renewal commission. In respect of Shri Manoj Kumar, Programmer Grade II,

the Zonal Manager, Eastern Zonal Office had issued Charge Sheet to him on 30.08.2006 and the enquiry proceedings were completed. CVO, LIC had approved the penalty and advised the Zonal Manager, EZO, to issue show cause notice proposing the penalty of "Removal from Service" with Recovery of Rs. 39,515/- and thereafter to issue the final Order in this regard."

1.11 In para 4.22 of the Report, the Committee had observed/recommended as follows:—

"The Committee are dismayed to note that despite the fact that the investigation Report had revealed that under 48 policies, the commission was diverted to the Agency of Ms. Ritu by wrongly changing the agency code in the Policy Masters at Danapur Branch under Patna Divisional Office, the Disciplinary Authority or the CVO did not think of getting the matter investigated by some outside agency, instead decided to take no action against the Programmer Grade-II of the Branch Shri Manoj Kumar for want of documentary or other proof of his involvement. The Committee, therefore, take serious note of the casual approach adopted by the Sr. Divisional Manager (Danapur Office) officers of the Disciplinary Authority/ CVO had recommend to seek explanation from them for being so lenient in conducting an inquiry and giving benefit of doubt to the System Administrator despite the established fact that the fraud had been committed at Danapur office."

1.12 The Ministry of Finance (Department of Financial Services) in their reply, have stated as follows:—

"Regarding the delayed action and official responsible for the delay, the Committee constituted by the CVO of LIC, after analyzing the whole case and after recording the statements from the concerned officials, has concluded that "In our opinion which are based on facts, circumstances documentary evidence and work culture of LIC" the following three successive Senior Divisional Managers of Patna Division were responsible for the lapse:—

- (1) Shri R.K. Sinha, Senior Divisional Manager (From May 2000 to Nov. 2002).
- (2) Shri Ravi Shankar Prasad, Senior Divisional Manager (from May 2002 to May 2004).
- (3) Shri N.P. Sinha, Senior Divisional Manager (from May 2004 to April 2006)".

Dealing with the aspect of motive behind inaction on the part of all the successive Senior Divisional Managers, the Committee has further observed as under:—

- "Employees of LIC do not attach much importance to the vigilance related work. As such, one of the reasons for not complying with the instructions of the superior office is that vigilance related work do not figure in the list of priority of works to be done by the Senior Divisional Manager. Therefore, in this case, it can be said that to some extent organizational culture of the LIC is also to be blamed for this inordinate delay in taking action in the matter."
- "The second reasons for not taking proper action in this matter by the successive Divisional Managers can be attributed to fear of displeasing

Class III employee. All the successive Senior Divisional Managers in question wanted this dirty job to be done by their successors.”

- “Apart from the above inferences which we drew during our investigation, we never came across any evidence or indication which can suggest that all the three Senior Divisional Managers in question were delaying the matter to protect some body for their own benefits or were working with some kind of ulterior motives and *malafide* intention.”

1.13 The Ministry of Finance (Department of Financial Services) *vide* their subsequent O.M. submitted the updated reply furnished by the Life Insurance Corporation of India on the above issue as follows:—

"Action against the three Senior Divisional Managers was taken as follows:

- Displeasure letter dated 23.10.2008 was issued to Shri R.K. Sinha.
- Censure letter dated 23.10.2008 was issued to Shri Ravi Shankar Prasad.
- Censure letter dated 23.10.2008 was issued to Shri N.P. Sinha.”

1.14 In para 4.23 of the Report, the Committee had observed/recommended as follows:—

"The Committee further note that the CVO decided to close the case on the basis of Investigation Report submitted earlier. However, on further following up by the Ministry of Finance, the matter was again taken up by Central Office, LIC with Eastern Zonal Office, Kolkata, who in turn decided to institute a fresh investigation. The Committee note with surprise that on consistent following up of the matter by LIC, the Sr. Divisional Manager, Patna Divisional Office gave its final recommendation dated 11.07.2006 to recover the wrong payment of Rs. 39515 from Ms. Ritu, Agent and to issue show cause notice to her proposing the penalty of forfeiture of renewal commission; and issued charge sheet to Shri Manoj Kumar on 30.08.2006 only when the matter has been seized by the Committee on Petitions, Lok Sabha."

1.15 The Ministry of Finance (Department of Financial Services) in their reply, have stated as follows:—

"The Chief Vigilance Officer (CVO) did not decide to close the case on the basis of the Investigation Report submitted earlier. On the contrary, CVO was continuously following up the matter with the Division authorities and got the final recommendation on 11.07.2006 of the Senior Divisional Manager. There was delay in responding to the various communications by the disciplinary authorities and as such there was delay in initiating action against both the Systems Administrator and the Agent."

1.16 The Ministry of Finance (Department of Financial Services) *vide* their subsequent reply submitted the updated reply furnished by the Life Insurance Corporation of India on the issue as follows:—

"A fresh investigation had been ordered into the entire episode by engaging outside investigators."

1.17 In para 4.24 of the Report, the Committee had observed/recommended as follows:—

"Considering the gravity of the Act, the Committee are not satisfied that the matter has been investigated by the Disciplinary Authority/Sr. Divisional Manager, Patna. The Committee are of the opinion that the Senior Divisional Manager in its final recommendation took action against only two persons viz. Shri Manoj Kumar and Ms. Ritu that too after almost five years instead of getting the matter inquired by some impartial outside agency, just to evade pressure from the LIC/the Ministry of Finance."

1.18 The Ministry of Finance (Department of Financial Services) in their reply, have stated as follows:—

"The Committee constituted by CVO, LIC of India is of the view that as per the findings of various Investigation reports conducted by LIC as also the report of the Officers committee, the main person responsible for the manipulation was Mr. Manoj Kumar, Programmer Grade II, Ms. Ritu, Agent and Mr. Anil Kumar, Assistant in LIC Patna Branch No. I (Brother of Ms. Ritu, Agent). As such, LIC initiated action against them, as under:—

- ❖ Show Cause Notice issued to Ms. Ritu, Agent on 26.08.2006 and Final Order imposing the penalty of forfeiture of renewal commission issued on 28.11.2006.
- ❖ Charge Sheet issued to Mr. Manoj Kumar on 30.08.2006. Enquiry since been completed and show cause Notice to be issued.
- ❖ Charge Sheet was issued to Shri Anil Kumar, Assistant on 06.03.2007 and the enquiry is in progress.

LIC has reported that undoubtedly, there was delay on the part of the Senior Divisional Managers in completing the investigation and initiating action. However, the committee headed by the CVO, LIC has observed that there was no malafide intention on the part of the Senior Divisional Managers who were responsible for the delay."

1.19 In para 4.25 of the Report, the Committee had observed/recommended as follows:—

"The Committee strongly agree with the submission made by the Secretary, Ministry of Finance while tendering evidence before the Committee that:— I was very dissatisfied with the method in which they had conducted the inquiry. They have zeroed in on only one person, I certainly believe that there must be other people also responsible in this particular case. I have requested the Chairman, LIC last week that he must instruct an Executive Director level officer who will go from the Corporate Office and conduct a thorough enquiry in about three month's time."

1.20 The Ministry of Finance (Department of Financial Services) in their reply, have stated as follows:—

"As advised by Special Secretary, Ministry of Finance, Chairman, LIC, *vide* his Order dated 19.09.2006, appointed a High Level committee of following Officers:—

- Ms. S.P. Sukumar, Executive Director, (IT/BPR), LIC, Central Office.
- Shri M.U.K. Pisharoty, Dy. Secretary (IT), Central Office.
- Shri S. Vishwanath Gowd, Regional Manager (Finance & A/cs), Eastern Zonal Office.
- Shri D.K. Roy, Regional Manager (Legal), Eastern Zonal Office.

The following aspects have been enquired into by the above High Level Committee:—

- Investigation regarding charges that Agency is indeed a fake Agency of Shri Anil Kumar, Assistant, Patna Branch.
- Why was the case not pursued from the beginning to its logical end? Why action was taken so late? Who is responsible?
- Why was the diverted commission not recovered from the Agent?

The High Level Committee submitted its report with following conclusion:—

- ❖ Shri Anil Kumar, Assistant, Patna Branch Office is indirectly the main beneficiary as Ms. Ritu, Agent was his sister.
- ❖ It is quite inexplicable as to why in spite of repeated follow up, no action was taken nor the agency docket kept under lock and key or why systems and procedure continued to remain lax and also why successive Senior Divisional Manager and Managers (P&IR) have remained unresponsive to repeated reminders from higher officials.
- ❖ Shri Manoj Kumar, Programmer Gr. II has tampered with the records leading to diversion of commission the way it has been done, has been substantiated by the expert opinion from the IT angle of Shri MUK Pisharoty, Deputy Secretary (IT), Central Office.

It may be noted that LIC has already taken/initiated action against Ms. Ritu, Agent, Shri Manoj Kumar, Programmer Grade II and Shri Anil Kumar, Assistant."

1.21 In para 4.26 of the Report, the Committee had observed/recommended as follows:—

"The Committee while agreeing with the submission made by the Secretary strongly recommend that the matter be inquired into by an outside agency instead of an LIC official and take action against the guilty officials also who tried to suppress the facts and safeguard the interest of the culprits. The Committee would like to be apprised of the action taken in the matter within three months after presentation of the Report."

1.22 The Ministry of Finance (Department of Financial Services) in their reply, have stated as follows:—

“As per the recommendations made by the Hon'ble Committee on Petitions that the matter be enquired into by an outside agency instead of an LIC official, the inquiry was entrusted to Shri P. Senthikumar, Chief Vigilance Officer, LIC of India who is an outside officer from Public Sector General Insurance Company (The New India Assurance Company Limited), who appointed the Committee consisting of the following Officers from outside the LIC:

- (1) Shri Sarfaraz Ali,  
Vigilance Officer, New India Assurance Co. Ltd.  
Regional Office II, New Delhi.
- (2) Shri A.K. Gupta,  
Vigilance Officer, the Oriental Insurance Company Ltd.  
Regional Office, Patna.

The Officers committee has gone into the matter in detail covering all aspects of the case and has submitted its detailed report. The committee has concluded as under:—

- (1) Mr. Manoj Kumar Programmer Gr.-II, Danapur Branch alone is responsible for diversion of commission of various agents by changing various agency codes into single agency code 08475521 A/C Ms Ritu, who is sister of Mr. Anil Kumar, Assistant Patna B.O.I., using policy masters for effecting such change.
- (2) The amount of commission so diverted cannot be exactly quantified, as the date and time of such alteration could not be obtained from software of LIC.
- (3) Excess amount of commission paid to Ms. Ritu, Agent code No. 08475521 by way of diversion is Rs. 78,564.45.
- (4) Maximum possible diversion of commission from Danapur Branch is estimated to be Rs. 8,89,128.45.
- (5) The staff or the Officials of Sales Department of Patna Branch-I failed to notice the unusual pattern of commission of Ms. Ritu, which shows their gross negligence.
- (6) Mr. Anil Kumar, Asstt. Patna Branch-I obtained a fake agency in the name of his sister, Ms. Ritu in which the agency commision of various agents was diverted. He also operated an account in the name of Ms. Ritu in Corporation Bank in which the commission cheques were usually deposited and amount withdrawn.
- (7) Most of the evirdence, like page of Agency Control Register, Agency Bag of Ms. Ritu containing application form and other papers, hard copies of commission vouchers etc., are not available in the Branch ever since this case was unearthed.

- (8) The Committee do not find any involvement of Mr. Vinay Kumar, the then Branch Manager in the diversion of commission or suppressing the matter by tampering the records.
- (9) The Committee did not find any involvement of Mr. Mithilesh Kumar, AO (DP) in the diversion of commission or suppressing or destroying the evidences at Patna Divisional Office.
- (10) The Committee did not find any role of Mr. Vijay Kumar in using his influence to suppress the matter or in protecting his brother Mr. Vinay Kumar, the then Branch Manager of Danapur Branch.
- (11) Mr. R.K. Sinha, Senior Divisional Manger (SDM), Patna DO (to a lesser extent) and Mr. Ravi Shankar Prasad, Senior Divisional Manger and Mr. N.P. Sinha, Senior Divisional Manager both of Patna DO during their respective tenure were reportedly responsible for taking delayed action/no action against the persons involved in the diversion of commission.
- (12) The Committee did not find specific involvement of any of the SDMs in Patna DO in diversion of commission or suppressing the facts except their inaction on the subject.
- (13) Since no action under the rules was taken against the persons involved for diverting the commission, no action could be taken to recover the commission by successive SDMs.
- (14) The present SDM although passed instructions to the Branch for forfeiture of the agency commission of Ms. Ritu but did not ensure that his instructions were being followed in letter and spirit. Further, no legal action was initiated by him for the recovery of commission.

#### **Actions Taken/Proposed**

- (1) **Ms. Ritu Agent:** Issued Final Order dated 28.11.2006 imposing the penalty of forfeiture of renewal commision.
- (2) **Shri Manoj Kumar, Programmer Grade II:** Initiated disciplinary action by issue of Charge Sheet dated 30.8.2006. Enquiry completed. CVO, LIC has advised the Disciplinary Authority to issue Show Cause Notice proposing the penalty of "Removal from Service" and recovery of Rs. 39,515/- and thereafter to issue Final Order.
- (3) **Shri Anil Kumar, Assistant:** Disciplinary Action initiated by issue of Charge Sheet dated 06.03.2007. Enquiry in progress. Action to be taken as per the findings of the Enquiry Report.
- (4) Regarding (1) Shri R.K. Sinha, Senior Divisional Manager, (2) Shri Ravi Shankar Prasad, Senior Divisional Manager, and (3) Shri N.P. Sinha, Senior Divisional Manger, who were responsible for the delay in taking action against the persons involved in the case as per the report of the committee, CVO, LIC recommends to initiate Minor Penalties for negligence on their

part. Disciplinary Authority recommending to initiate minor Penalties for negligence on their part.

- (5) CVO, LIC recommends to recover the excess Commission as recommended by the Committee.”

1.23 Elaborating the latest position in the matter, the Ministry of Finance (Department of Financial Services) *vide* their subsequent reply submitted LIC's further updation on the above matter as follows:—

"The following actions have been taken against the involved persons:—

- (1) **Ms. Ritu, Agent:** Issued Final Order dated 28.11.2006 imposing the penalty of forfeiture of renewal commission.
- (2) **Shri Manoj Kumar, Programmer:** Issued Final Order dated 21.02.2008 imposing the penalty of 'Removal' and recovery of Rs. 39515.
- (3) **Shri Anil Kumar, Asstt. :** Issued Final Order dated 23.07.2008 imposing the penalty of 'Reduction in Basic, to Minimum of Scale.
- (4) **Shri R.K. Sinha, SDM:** Issued Displeasure letter dated 23.10.2008.
- (5) **Shri Ravi Shankar Prasad, SDM:** Issued Censure letter dated 23.10.2008.
- (6) **Shri N.P. Sinha, SDM:** Issued Censure letter dated 23.10.2008.

With this the action against all involved persons is complete."

#### **Observations/Recommendations**

**1.24 In a representation submitted to the Committee, some Agents of Danapur Office of Life Insurance Corporation (LIC) represented that few officers of Danapur Branch Office had diverted some other Agent's/Terminated Agents' Commission to a dummy Agency Code No. 8475/521 in the name of an agent, Ms. Ritu under Development Officer Shri Sunil Kumar Prasad, of LIC, Patna Branch. According to the petitioners, such diversion of Commission to a fake agent's code was possible only by manipulating the master file available in the Branch. It was contended that the matter was raised before Central Vigilance Commission (CVC) and the Ministry of Public Grievance but inquiry in the matter was suppressed by the officers of LIC.**

**1.25 In this connection, the Committee were given to understand by the Ministry of Finance (Department of Financial Services) that the investigation in the matter did not establish the involvement of Mr. Vinay Kumar, the then Branch Manager and Mr. Mithilesh Kumar, the then AO (DP) as was alleged by the petitioner. The LIC had, therefore, closed the case against these officials on the recommendations of the Senior Divisional Manager (SDM). Nevertheless, the Investigation Report had revealed that under 48 policies, the commission was diverted to the agency of Ms. Ritu wrongly by changing the agency code in the Policy Masters at Danapur Branch under Patna Divisional Office. Further the manipulation was found to be the single handed act of the then System Administrator of the Branch, Shri Manoj Kumar. The Disciplinary Authority felt that no action could be taken against him for want of documentary or**

other proof of his involvement. Further, according to the Ministry, LIC had been following up the matter with its SDM, Patna Divisional Office and had ordered action as per his following recommendation:—

- To recover the wrong payment of Rs. 39,515 from the Agent.
- The Agent is already terminated from 21.03.2003 due to expiry of licence. As such to issue show cause notice to the Agent for forfeiture of renewal commission.
- To initiate disciplinary action against the programmer Shri Manoj Kumar, who was mastermind of the manipulation of the Agency Code.

The Committee was not satisfied with the way the matter was investigated and also the casual approach adopted by the SDM (Danapur Office) in investigating the matter. This was corroborated by LIC who admitted that there was delay on the part of the SDM in completing the investigation and initiating action. The Committee had, therefore, recommended in their earlier report that the matter should be inquired into by an outside agency with a view to taking action against the guilty officials.

1.26 The Committee note with satisfaction that at their instance a fresh investigation was ordered by a Committee consisting of officers from outside the LIC. This Committee of officers had gone into the matter in detail covering all aspects of the case and revealed certain shortcomings in the system besides pointing out the guilty persons.

1.27 Investigation by outside agency *inter-alia* revealed that:—

- (a) The staff or the officials of Sales Department of Patna Branch-I failed to notice the unusual pattern of commission of Ms. Ritu, which shows their gross negligence.
- (b) Mr. Anil Kumar, Assistant Patna Branch-I obtained a fake agency in the name of his sister, Ms. Ritu in which the agency commission of various agents was diverted. He also operated an account in the name of Ms. Ritu in Corporation Bank in which the commission cheques were usually deposited and amount withdrawn.
- (c) Mr. R.K. Sinha, SDM, Patna DO (to a lesser extent) and Mr. Ravi Shankar Prasad, SDM and Mr. N.P. Sinha, SDM, both of Patna DO during their respective tenure were reportedly responsible for taking delayed action/no action against the persons involved in the diversion of commission.

The Committee, however, regret to point out that as per independent inquiry committee, the amount of commission so diverted could not be exactly quantified, as the date and time of such alteration could not be obtained from software of LIC. Also it has been mentioned that most of the evidence, like page of Agency Control Register, Agency Bag of Ms. Ritu containing application form and other papers, hard copies of commission vouchers etc. were not available in the Branch ever since the case was unearthed. Further, according to the independent committee, the staff or the officials of the Sales Department of Patna Branch-I failed to notice the unusual pattern of

commission to Ms. Ritu. The Committee desire that the staff or the officials who were responsible for the upkeep of the important records related to this case should be made accountable for their gross negligence in maintaining or tampering the requisite records. The Committee, therefore, recommend that action should be taken against all the guilty officials for their negligence and collusion with the culprits.

1.28 The Committee further note from the independent inquiry Committee findings that the excess amount of commission paid to Ms. Ritu, Agent, Code No. 08475521 by way of diversion was Rs. 78,564.45 and the maximum possible diversion of commission from Danapur Branch was estimated to be Rs. 8,89,128.45. The Committee are, however, surprised to note that recovery of only Rs. 39,515 has been ordered from Shri Manoj Kumar, Programmer Grade II and no recovery is to be made from Mr. Anil Kumar, Asstt. Patna Branch-I who was indirectly the main beneficiary because he had obtained the fake agency in the name of his sister, Ms. Ritu in which the agency commission of various agents was diverted. Neither the reason for maximum possible diversion of commission to the tune of Rs. 8.89 lakhs have been advanced nor the steps taken/being taken have been indicated to recover the same. The Committee, therefore, strongly deprecate the manner in which the whole matter has been enquired by the LIC/Ministry.

1.29 The Committee would like to express their dissatisfaction about the way the matter has been dealt with. Whereas minor penalties have been imposed upon Mr. Anil Kumar, Assistant who had masterminded the whole case by obtaining a fake agency in the name of his sister Ms. Ritu and who was also indirectly the main beneficiary, Mr. Manoj Kumar, Programmer Grade II, on the other hand, who had worked at the instance of Mr. Anil Kumar, Assistant and had assisted him, has been imposed the penalty of 'Removal from Service' and recovery of Rs. 39,515/-. The Committee feel that the diversion of money fraudulently tantamounts to a criminal offence and deserves severe punishment. The Committee are of the opinion that the punishments given by the enquiry committee have not been accorded as per the gravity of offence committed by all the involved persons. The Committee therefore, recommend that all those persons who were involved in diversion of funds should be penalised as per the gravity of their offence and if necessary under Indian Penal Code (IPC) and full recovery of commission diverted from Danapur Branch should be made from the persons responsible for diversion. The Committee would like to be apprised of the action taken in the matter.

## CHAPTER II

ACTION TAKEN BY THE GOVERNMENT ON THE RECOMMENDATIONS MADE  
BY THE COMMITTEE ON PETITIONS (14TH LOK SABHA) IN THEIR 30TH  
REPORT ON THE REPRESENTATION REGARDING RESITEMENT  
OF PETROL PUMP OF M/S. TANEJA SERVICE STATION  
FROM JHILMIL INDUSTRIAL AREA, G.T. ROAD,  
SHAHDARA, DELHI

The Committee on Petitions (14th Lok Sabha) in their Thirtieth Report presented to Lok Sabha on 22 August, 2007 had dealt with the representation from Capt. T.R. Taneja forwarded by Capt. Jai Narayan Prasad, MP regarding resitement of Petrol Pump of M/s. Taneja Service Station from Jhilmil Industrial Area, G.T. Road, Shahdara, Delhi.

2.2 The Committee had made certain observations/recommendations in the matter and the Ministry of Petroleum and Natural Gas were requested to take action and furnish their replies for consideration of the Committee.

2.3 Action taken replies have been received from the Ministry of Petroleum and Natural Gas in respect of all the observations/recommendations contained in the Report which have been detailed in the succeeding paragraphs.

2.4 In paras 1.42 to 1.49 of the Report, the Committee had observed/recommended as follows:—

The Committee note from the submission of the petitioner that the petitioner is a War Disabled Officer of Indo-Pak War of 1971 with 80% disability loss of right arm. A petrol pump was allotted to him at G.T. Road, Shahdara, Delhi under the rehabilitation scheme of the Directorate General of Rehabilitation (DGR) and the outlet was commissioned in 1975. Due to the construction of flyover at G.T. Road, Shahdara, the petrol pump was resited in 1997 to its present location on the same belt at Jhilmil Industrial Area, G.T. Road, Shahdara. On 26th May, 2006, the petitioner got a notice from Delhi Development Authority (DDA) for shifting of the petrol pump within 45 days from its present location to Site No. 2, Okhla Industrial Area, Phase-I. This allotment was based on a computerized draw which DDA held on 18th May, 2006. However, the petitioner did not accept that site as it was surrounded by Jhuggis and away from the main road and was considered economically unviable. The Indian Oil Corporation Limited (IOCL) also did not find the site as a viable/profitable site and requested for an alternate viable location. According to the petitioner, the allotted site, in no way, could be compared with the existing site where he is able to sell more than 1100 KL of HSD and 220 KL of MS per month. The petitioner, therefore, requested that the following two locations, in order of preference, on NH-24 may be carved out and one of those may be allotted to him to enable him to maintain his clientele/credit-worthiness in the trading zone:—

- (a) On way to Delhi after Noida Mor/turn (adjacent to Akshardham Flyover), Opposite Akshardham Temple on the main NH-24.

(b) Soon after the CNG station on NH-24 near Ghazipur Chowk.

(Para 1.42)

The Committee were informed that the petitioner was allotted a petrol pump by the IOCL on priority on the recommendations of the DGR under the disabled persons of 1971 Indo-Pak War category. The outlet which was commissioned in 1975, was re-sited in 1997 to its present location *i.e.* Jhilmil Industrial Area, G.T. Road, Shahdara. The petitioner sells about 1100 KL of diesel and 250 KL of petrol per month from this outlet. The Committee were also informed that a petrol pump site is allotted on the condition that if the land on which petrol pump is located is required for any planned project, the pump can be resited or shifted. In the present case, the site allotted to the petitioner came under the expansion programme of the Delhi Metro Railway Corporation (DMRC) necessitating shifting/resitement of the outlet. The IOCL requested the DDA to give the petitioner a comparable site in adjoining area so that he could sell at least the same quantity of product. The DDA conducted a computerised draw among the available sites and offered the site in Okhla Industrial Area, which was, however, found to be economically unviable due to less vehicular traffic at the site. The IOCL, therefore, made a request to the DDA to provide an alternate suitable site in that area.

(Para 1.43)

The Committee were informed that according to the approved policy of DDA, there is no separate provision for this type of resitement cases and such cases are included in general resitement policy. Prior to the policy of auction implemented on 20.06.2003, the allotment of petrol pump sites was being done on the basis of seniority of Letter of Intent (LOI) holders, prepared by the State Level Coordinator of Oil Companies. A draw was being held among the senior LOI holders to allot the site from the available sites. As per the existing policy of DDA, the allotment of sites has to be done through auction and thereafter they can run the site or give the site(s) to the LOI holder. Letters are issued to the concerned Oil Companies for witnessing the draw of lots. The DDA do not deal directly with the LOI holders and therefore, no communication as such is sent by them. In the instant case also, representative from IOCL was present at the time of draw of lots. There is no provision of allotment by DDA to the Ex-servicemen, War-disabled persons. The provision/policy for resitement does not distinguish between the war disabled persons and other LOI holders. The selection of site for resitement is done from among the available sites through computerized draw. There should be a minimum of three sites at the time of draw. It was also informed that DDA forwarded a list of sites to the IOCL available at Khichripur and Gazipur but the same were not found as viable by the IOCL as the original site at Jhilmil which is being taken over by the DMRC.

(Para 1.44)

On the two sites suggested by the petitioner, it was reported by DDA that both sites are not feasible for petrol pump as they are not permitted in the use zone which is "Recreational and Agricultural/Water body" as per MPD-2001. There is no policy for carving out sites as per the suggestion of the applicant/Oil Companies. The sites are carved out by DDA as per norm of master plan after taking into consideration several

factores like land use, suitability of the petrol pump, the present and future requirement of the nearby population of the said area.

(Para 1.45)

According to the Ministry of Petroleum and Natural Gas, the cases of resitement of RO dealership (petrol pumps) are processed and decided by the Oil Marketing Companies (OMCs) themselves and that Ministry has no role in the matter of allotment of land/resitement other than framing of broad policy guidelines. The MoP&NG have conveyed broad guidelines to the OMCs on resitement of detailed guidelines and to process the proposals accordingly. The present case is covered by the broad guidelines issued by the Ministry to the OMCs on 17.11.2005 and the detailed guidelines framed by IOCL thereunder as per which resitement of a commissioned dealership is permissible in case of closure/acquisition of the existing site by a competent authority for reasons not attributable to the dealer. Before initiating the process of shifting the Retail Outlet (RO) from the existing location, DDA should ensure allotment of a suitable alternate site for relocation where the outlet can attain a similar throughput as at the original location. Further, they should give sufficient time to the company/dealer to relocate the dealership as construction activities at the new site as well as obtaining of various approvals from competent authorities do take time. The Ministry have also expressed the opinion that DDA should make some special provision for allotment of land for setting up dealerships/distributorships of petroleum products allotted to the 'social objective' categories, like Scheduled Castes/Scheduled Tribes, Defence personnel, Paramilitary/Police/Government personnel, physically handicapped, Outstanding Sports Persons and Freedom Fighters, for whom the oil marketing companies provide reservation in allotment of dealerships/distributorships. Widows/unmarried women above 40 years of age without earning parents, who are eligible for financial assistance under the Corpus Fund Scheme of the oil industry, should also be covered under such special provision of DDA. The special provision should ensure early allotment of land as well as land at a cheaper rate, and the allotment process should not be through the usual route of auction/draw of lots. However, in the interest of both the dealer and the Oil Company, the financial viability of the new location should be kept in mind. According to the MoP&NG, an alternate viable site for resitement of the RO in question has to be provided by the Ministry of Urban Development/DDA. While doing so, they may consider the locations suggested by the dealer. In case allotment of the sites suggested by the dealer/IOCL is not possible, allotment of another suitable and viable site may be made which may have a similar potential as the original site. During the course of evidence, the Committee were informed that DDA has also been advised to formulate a policy so that cases of war-disabled persons who are given extraordinary dispensation at the time of allotment, are relocated in a manner that benefit given to them earlier is not completely offset by relocation to a site where the business may not be financially viable. The MoP&NG have also opined that the DMRC, being the project implementing authority, should rehabilitate the oustee at an appropriate location through the DDA.

(Para 1.46)

The Committee note that in pursuance of the advice given by the MoP&NG, the DDA in its meeting held on 04.12.2006, approved the revised policy, according to which, in case of resitement of petrol pump sites operated by a war-disabled person or a war widow who were initially given petrol pump site on compassionate ground, the draw of lots for resitement will be held from amongst available petrol pump sites in the same zone where he/she is operating a petrol pump. Three sites will be included in the draw. Concerned person will be given an opportunity to give option for the three sites from within the available sites in the same zone for inclusion in the computerized draw. In case the number of sites available in the same zone are less than three than the draw will be held amongst the available sites. Further, in case only one site is available in the same zone, then the same will be allotted to be concerned person with the approval of the Vice Chairman, DDA. Further, the following concessions have been given in respect of war disabled persons and war widows:—

- (i) Allotment will be made in the same zone instead of including sites of all zones for the draw under previous policy.
- (ii) In case the number of available sites in the same zone are more than three then the concerned person will be given choice to select three sites out of the available sites. No such facility was available under previous policy.
- (iii) There is no limitation of minimum three sites for holding the draw as was the case earlier.

(Para 1.47)

The Committee were further informed that the IOCL have since suspended sales and supplies to the RO of the petitioner *w.e.f.* 26.11.2006 and DMRC have taken over from IOCL the RO land of Jhilmil Industrial Road on 27.11.2006. The IOCL, in turn, requested on 10.01.2007 for allotment of the site identified and earmarked exclusively by the DDA for CNG Station on NH-24 to be developed by M/s. IGL. According to IOCL, this site was found economically viable and if allotted to IOCL, CNG could also be dispensed apart from selling MS & HSD. The allotment of said plot of land would call for special dispensation since in addition to CNG, MS & HSD would also be dispensed. It was also informed that DDA Planning section have divided the plot identified for CNG Station in two parts with frontage of 35 meters each with a depth of 40 meters out of which one plot shall be given to IGL for CNG and the other to an oil company for dispensing MS/HSD. However, DDA shall not directly allot the said site to the petitioner but hold a draw of lot for allotment. The draw of lot is likely to include two/three sites in East Delhi, which will also include the site at NH-24 (carved out from CNG Station site) and sites at Khichripur and Gazipur. Based on the revised policy formulated by DDA on 04.12.2006, a proposal was forwarded by DDA for conducting draw of lots from the two available sites one at Khichripur and another at NH-24 for allotment of alternative site to the petitioner. The proposal was examined in the Ministry of Urban Development and keeping in view the fact that the petitioner is a war disabled officer and has to be relocated for the second time, the MoUD has decided that the petitioner may be allotted the petrol pump site available on the NH-24 as an exception to the existing procedure/policy of allotment through draw of lots. The DDA has also been advised accordingly by the MoUD *vide* letter dated 08.05.2007.

(Para 1.48)

The Committee are anguished to note that the petitioner has to undergo great ordeal and inconvenience due to the inadequacy in the relevant provisions of the policy/guidelines and for lack of coordinated efforts amongst all the concerned Ministries/Departments/Oil company on the issue of resitement of RO to the petitioner. It is surprising to note that there is no separate policy for the types of resitement cases as that of the petitioner who is a war disabled person and all such cases are treated and included under general resitement policy ignoring the extraordinary dispensation given to them at the time of initial allotment of the outlet. The Committee are not satisfied with the submission of the MoP&NG that they have no role to play in the matter of allotment of land for the RO or its resitement other than framing of broad policy guidelines thereon. Being the nodal agency the Committee are of the view that they simply can not absolve themselves of their responsibility on such vital issues. The very fact that the DDA has to ultimately formulate the revised policy on the issue of resitement, at the instance of the Committee and on the advice of the MoP&NG in order to cover cases like the instant case of the petitioner amply proves the point. The Committee feel that all such cases should be approached and resolved with human considerations. The fact that the petitioner has to approach the Committee for redressal of his grievances on the issue shows the manner in which the same was handled by all the concerned authorities. The Committee, therefore, deprecate the callous and casual approach and attitude of the authorities towards the genuine grievance of the petitioner on the issue. The Committee are, however, satisfied to note that with the intervention of the Committee, the grievance of the petitioner has been redressed and the petitioner will be reallocated a site as requested by him for running the retail outlet with more or less the potential as the original site at Jhilmil Industrial area which has been taken over by the DMRC for extension Programme of its Metro Railway. The Committee expect the MoP&NG to take the necessary action in this regard in coordination with all the concerned authorities expeditiously so as to restore the business of the petitioner which has been offset by the relocation of the site. The Committee would like that they may be apprised of the conclusive action taken in this regard.

(Para 1.49)

2.5 The Ministry of Petroleum and Natural Gas in their reply have stated as follows:—

"1. DDA *vide* letter No. F 13 (15) 90/CRC/DDA/258 dated 19.07.2007 had informed IOCL regarding allotment of petrol pump site at Pocket-A, IFC Gazipur, National Highway 24 Bye Pass, Delhi for development of retail outlet for the above said dealership. In this regard, DDA had also advised IOC to deposit a sum of Rs. 19,78,327/- as advance for License fees for the said site.

2. As advised by DDA, payment of Rs. 19,78,327/- has been deposited by IOC, Delhi with the Central Bank of India *vide* cheque No. 406518 dated 01.08.2007 with a request to DDA to handover the possession of the above said site at the earliest.

3. The physical possession of the plot of land offered by DDA on NH-24 Bye-Pass, for development of M/s Taneja Service, Delhi, has been taken by IOC on 08.08.2007.

4. After designing the layout plans for the proposed retail outlet, IOCL, Delhi Divisional Office *vide* letter dated 30.08.2007 has applied to Deputy Commissioner of Police (Licensing), Delhi Police for granting "No Objection Certificate" for development of new retail outlet at the new site.

5. IOCL, Delhi Divisional Office *vide* letter dated 06.09.2007 has applied to office of Deputy Conservator of Forest, Government of NCT, Delhi for granting permission/clearance for cutting of trees at the site.

After receipt of statutory approvals from the authorities, further necessary action for the development of the Retail Outlet would be taken up on priority."

2.6 The Ministry of Petroleum and Natural Gas in their updated reply have further stated as follows:—

"After receipt of various requisite statutory approvals, the Retail Outlet has been commissioned on 03.12.2008 at the resited location."

#### **Observations/Recommendations**

**2.7 In his representation, the petitioner, a war disabled officer of Indo-Pak War of 1971 had stated that he was allotted a petrol pump under the rehabilitation scheme of the Directorate General of Rehabilitation (DGR) and the same was commissioned in 1975. On 26 May 2006, he got a notice from Delhi Development Authority (DDA) for shifting of his petrol pump from its present location to site No. 2, Okhla Industrial Area Phase-I as that site had come under the expansion programme of the Delhi Metro Railway Corporation (DMRC). Since the new site was found economically unviable by the petitioner, the Indian Oil Corporation Limited (IOCL) requested the DDA to provide an alternate suitable site. At the same time, the petitioner had also suggested that two locations on NH-24, *i.e.* one opposite to Akshardham Temple and the other near Ghazipur Chowk could be carved out and one of these locations might be allotted to him to resite his outlet.**

**2.8 During the course of examination of the case, the Committee were informed by the Ministry of Urban Development (MoUD) that as per master plan of DDA, sites suggested by the petitioner could not be carved out. DDA had also no separate provision/policy for allotment of site to ex-servicemen or war-widows. The selection of site for resitement was done from among the available sites through computerised draw. However, at the instance of the Committee and in pursuance of the advice given by the Ministry of Petroleum & Natural Gas (MoP&NG), DDA revised their policy on 4 December, 2006. According to the policy revised for such cases, the draw of lots for resitement is to be held from amongst the available sites in the same zone where he/she is operating the petrol pump. An opportunity will also be given to them to give option for three sites from within the available sites in the same zone for inclusion in the computerized draws. Also, the limitation of minimum three sites for holding the draw, as was the case earlier, was removed. Based on the revised policy formulated by DDA, a proposal was forwarded by DDA to the Ministry of Urban Development (MoUD) for conducting draw of lots from the available sites. However, keeping in view the fact that the petitioner was a war disabled officer, the MoUD decided to allot the site**

available on NH-24 to the petitioner as an exception to the existing procedure/policy of allotment through draw of lots. The Committee have been informed that the Retail Outlet/petrol pump of the petitioner was commissioned in December 2008 at the resided location. The Committee note with satisfaction that ultimately the grievance of the petitioner has been redressed on account of their intervention and his business restored which was offset by shifting of his retail outlet. The Committee also appreciate the humanistic approach and the rationale stand taken by the MoP&NG in amending their policy w.r.t. war widows, ex-servicemen and other weaker sections of the society which would prove beneficial to them.

NEW DELHI;  
4 May, 2010  

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14 Vaisakha, 1932 (Saka)

ANANT GANGARAM GEETE  
*Chairman,*  
*Committee on Petitions.*



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