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Cyber Crimes

Chronological Details of the Matter taken up with the HPCL Top Management and the entire Bureaucracy on the subject of Cyber Crime.

- Have been receiving abusive emails since July 04. Forwarded such emails to the [Top Management of HPCL](#). No feed back was ever received from them.
- The [most derogatory Hate Mail dated 5/5/05](#) sent by Shri L.M.Motwani- Chief Manager PRCC- HPCL surpassed all the previous emails. A print out of this email was forwarded to [CVC](#), [MOP&NG](#) and [DPG](#) in May 05.
- A [Circular from IT Department](#) was issued in which it was suggested that the Mail was actually sent by some one else and no action was taken against Shri Motwani under IT Act or under CDA Rules.
- **The CVO also agreed in his [Report dated 29/9/05](#) that the email was sent from Mr. Motwani's address but he too did not recommend any action against Shri L.M.Motwani under CDA Rules or IT Act.** The CVO also did not deem it fit to lodge an FIR against the Cyber Crime. Why such generosity at the cost of a victim ?
- The fact that Shri L.M.Motwani has been promoted subsequently in Feb 06 does suggest that the [hate mail](#) was issued by Mr. Motwani's at the instance and behest of the Top Management only.
- The Management discontinued my email account with effect from 15/6/05 .
- All employees were warned in the [hate mail](#) not be my Defense Counsel. Quite naturally no body agreed to be my Defense Counsel. Reported the fact to the Enquiry Officer vide [Memorandum dated 8/8/05](#) but he too refused to provide any Defense Counsel from his side.
- Requested the EO and the Chief Manager PRCC to send a circular to all employees of the Corporation telling them not to fear retaliation if any one of them chooses to be my Defense Counsel. No response received.
- Their silence on such a simple request and EO's refusal to provide any Defense Counsel despite the [hate mail](#) does prove that the hate mail was sponsored/supported by them and [Top Management of HPCL](#).
- An [RTI application dated 21/10/05](#) was sent to the CPIO Shri L.M.Motwani to receive [information on the hate mail](#) but Shri Motwani refused to give any information ([Page 1](#) and [Page 2](#)) as according to him the information sought

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about the hate mail is Personal Information and could not be given by him. The [decision dated 14/3/06](#) from the CIC is silent on the issue of this [Hate mail](#). Hence a [review petition dated 14/4/06](#) has been sent to the CIC and their final decision is still awaited.

- Finally a [Complaint dated 4/7/06](#) has been sent to MOP&NG against [Shri M.B.Lal, CMD-HPCL](#), in which the MOP&NG has been requested to initiate Disciplinary/criminal proceedings against the CMD for several reasons including the reason of his total protection given to Shri L.M.Motwani and the Enquiry Officer Shri M.V.R.Krishna Swamy on the issue of hate Email.
- The matter of Hate Email was reported to the [PMO](#) , [Cabinet Secretariat](#) and [CVC](#) also vide letter dated 29/9/06.
- The PMO and the Cabinet Secretariat forwarded the Representations to the Ministry of Petroleum.
- In the Month of October 06 the Petitioner was removed from the Service. Now many more Hate Emails originated from the Address of the [Chief Mangers S/Shri M.F.Sait, Vinod Nehete and S.M.Malik](#) in which they openly rejoiced in the filthiest possible language for the removal of Petitioner from the service. This mail was also an attempt to intimidate all the employees of the Corporation.
- Another [Email dated 6/12/06](#) was sent to all employees of the Corporation from the Mail Box rkagarwal@hpcl.co.in which was yet again an effort to defame the Petitioner.
- Yet another [Email dated 29/1/07](#) was sent from the above mentioned Mail box to all employees of the Corporation defaming the Petitioner in the same way.
- Sent a [Representation dated 21/2/07](#) to all concerned Authorities in HPCL.
- The matter of the last hate email was also taken up with the Minister himself and Secretary- Ministry Of Petroleum vide [letter dated 9/2/07](#). However no response has been received from the indifferent Ministry of Petroleum. The matter was also taken up with the Cabinet Secretariat vide [letter dated 24/2/07](#) . The matter was yet again taken up with the [Cabinet Secretariat](#) vide [Reminder No. 1 dated 27/3/07](#). However no response has been received from them even on the sensitive issue of Hate Emails.
- Received a [reply dated 7/3/07](#) from the ED (IT) in which she informed that she had taken up the matter with the concerned authorities. She also assured to revert back on the subject within a few days.
- Sent several emails to the CMD and ED (IT) from

March 07 to Dec 07 to reply on the issue of Hate Email. As no reply came even after passage of 8 months ; yet another [representation dated 3/12/07](#) was sent to the ED (IT) reminding her to reply.

- At last she accepted vide her letter dated 9/1/08 (after almost one year of the receipt of the [representation dated 21/2/07](#)) the issuance of the [hate emails](#) from the Corporations Mail Boxes .However she has also given clearance to the owners of the Mail Boxes saying that someone else had accessed their mailboxes!
- Finally the [legal notice dated 9/5/08](#) has been served on the Secretary - [Ministry of Petroleum](#) and the [CMD-HPCL](#) against the Cyber Crime.

Is it a normal situation in a PSU to send such hate mails by a higher Official ? Is it normal to condone such hate mails and reward the originator of the crime by promoting him ? Will some body ever inform why are the CMD , Directors and the CVO silent on such kind of a defamatory emails? Does it not prove that they are also hand in gloves with Mr. Motwani and others who are sending hate emails against the Petitioner even after his removal from the Service? Does issuance of such hate mails and then overlooking such mails by the CMD not warrant disciplinary/criminal proceedings against them?What is preventing the CMD HPCL and the Ministry of Petroleum to hand over the case to the Police and Cyber Crime Cell?