

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

Complaint No. : 166/2023

Date : 08 November, 2023.

Coram : **Justice Pradip Kumar Mohanty**
Hon'ble Acting Chairperson

Justice Abhilasha Kumari
Judicial Member

Shri Dinesh Kumar Jain
Member

Smt. Archana Ramasundaram
Member

Shri Mahender Singh
Member

ORDER

Perused the complaint.

2. The complaint is against the Chief Minister of Delhi, Shri Arvind Kejriwal and some unnamed officials stated to be falling under the jurisdiction of Central Government. The complainant has alleged that the Chief Minister of Delhi and the concerned officials have indulged in large-scale corruption and irregularities of mis-appropriation of public funds to the tune of approximately Rs.45 crore under the garb of facilitating renovation/reconstruction of the official residence of Chief Minister of Delhi.

3. The said complaint was perused by the Full Bench of Lokpal of India on 29.08.2023. By an Order of that date, the Full Bench of Lokpal had observed that the complainant has not given sufficient details of the officials and the roles played by them in alleged misappropriation of public funds. The Full Bench, therefore, directed that the complainant may be directed to provide

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names and other relevant details of the officials and their specific roles in the alleged irregularities committed by them. The complainant was also asked to furnish these details on or before 30.09.2023.

4. In response to the above-mentioned Order of the Full Bench of Lokpal, the complainant has filed relevant documents vide his letter dated 29.09.2023.

5. The Full Bench of Lokpal has perused the detailed reply filed by the complainant. The complainant has stated that *“the complainant tried in bona fide manner to collect the relevant documents, indicating the involvement of Public Works Department (PWD) officials (who are under instruction of then PWD Minister of Delhi) had manipulated the whole renovation project of CM official residence by compromising the rules, regulations and policies. It has become exceedingly difficult for complainant to gather relevant information about the large-scale corruption being unleashed by the officials of PWD under direct connivance with Hon’ble Chief Minister and then PWD Minister.”* The complainant has further submitted that *“he is finding difficulties in gathering further more information as well as collecting further relevant documents which are either destroyed or being confiscated by the government authority under the investigation towards the above said misappropriations. Therefore, the relevant remaining documents like above said show-cause notice dated 19.06.2023 including others required document may directly be called upon from the concerned government authorities in order to evidently determine the extent of misappropriation and misdeeds on the part of Hon’ble Chief Minister and then PWD Minister along with all involved government officials.”*

6. The complainant has also informed that he laid out his hand on the important piece of information relating to the above-mentioned corruption in the form of public information including the Orders of the Hon’ble

Court/Tribunal which unequivocally established the fact of corruption while carrying out renovation work in the CM bungalow. The complainant has further informed that this is a matter of record that the CBI has recently proceeded with the investigation of the whole aspect of the said corruption practices on the part of democratically elected Chief Minister who pledges to the oath of obedience to the constitutional obligations and to uphold the connotational principle. The complainant has also named three officials of the PWD alongwith the Chief Minister and the PWD Minister of Govt. of Delhi. He has informed that *“the said misappropriation and misdeeds of the involved government officials are further corroborated by the fact of show-cause notice bearing F.No.24/06/PWD/DOV/Pt.-II/7259-7261 dated 19.06.2023 issued by the Department of Vigilance against six PWD officials for wasteful expenditure of almost Rs.53 crore (approx..) in the name of renovation of CM bungalow asking to reply to allegations regarding various “commissions and omissions” on their part based on the factual report prepared by the vigilance department in the matter and out of which the names of three PWD officials have already been mentioned in the above paragraph.”*

7. The complainant has further informed that the PWD officials had knocked the Hon’ble Delhi High court for appropriate relief against the above said show-cause notice dated 19.06.2023. However, the Hon’ble Delhi High Court has declined to entertain the petition with a direction to take appropriate remedy available under law against the show-cause notices. The copies of relevant orders/judgement have been annexed by the complainant.

8. The complainant has further informed that *“Hon’ble Green Tribunal vide its order dated 09.05.2023 passed in Original Application No.334 of 2023 case*

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titled as Naresh Chaudhary versus Union of India & Ors has appointed a panel in complaint of one Mr. Naresh Chaudhary to look into the violations during said illegal construction work for renovation of Delhi Chief Minister Arvind Kejriwal's official residence by cutting more than 20 trees by the Public Works Department in absence of valid permission from appropriate authority."

9. The complainant has requested Lokpal of India to take appropriate cognizance of the factual material which is apparently available on the public domain in addition to what has been submitted by him. He has further requested Lokpal of India to call for relevant records from concerned authorities/departments pertaining to the alleged misappropriation being committed by the Chief Minister of Delhi.

10. After going through the material submitted by the complainant in relation to the above-mentioned complaint, we observe that the matter has already been taken up for investigation by the CBI as per the admission of the complainant himself. It has also been taken up by way of vigilance inquiry resulting in issuance of show-cause notices to the concerned public servants who have further agitated the matter before the Hon'ble High Court of Delhi. In addition to it, National Green Tribunal has also taken up this matter and passed an order dated 09.05.2023.

11. In view of the above-mentioned facts, the Full Bench of Lokpal is of the considered view that the complaint is hit by Section 15 of the Lokpal & Lokayuktas Act, 2013 as it has already been taken up/pending with various authorities as informed by the complainant himself. We are, therefore, not inclined to intervene in the matter. No order, therefore, needs to be passed in the matter.

12. Accordingly, the complaint stands disposed of.


(COURT MASTER)
LOKPAL OF INDIA