

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

Complaint Nos. : 186/2023.
Date : 8th 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. This complaint dated 4.8.2023 has been filed by the complainant who has already filed several other complaints before the Lokpal of India.
3. The present complaint has been filed against two public servants, namely, the then Assistant Director of Income Tax (Investigation)-I, Vadodara wing and the then JDIT (Investigation), Vadodara, for allegedly submitting a "baseless, devoid of merit, frivolous, motivated, fake and misleading report to the Lokpal".
4. The complainant has not clarified in which case the said report has been submitted. However, upon going through the documents enclosed with the complaints, it appears that the report has been submitted in Complaint No. 2902/2022, which



has been disposed of by the Division Bench of the Lokpal of India, vide order dated 2.2.2023.

5. In that complaint (2902/2022), the Division Bench, after considering the material on record, had directed that the matter be referred to the Central Vigilance Commission (CVC) to cause a Preliminary Inquiry under Section 20(1)(a) of the Lokpal and Lokayuktas Act, 2013, through the CBI. After scrutinizing the report of the Preliminary Inquiry by the CBI, the Division Bench had arrived at certain conclusions by a detailed order, and issued certain directions. The said complaint was disposed of vide order dated 2.2.2023, after receipt and consideration of the Report of the Preliminary Inquiry submitted by the CBI.

6. Now, the complainant has filed the present complaint dated 4.8.2023, approximately six months after the disposal of Complaint No. 2902/2022, alleging that the Report filed by the two concerned public servants before the Lokpal of India, is false and misleading.

7. Having considered the entire matter and the material on record, the Full Bench has arrived at the following conclusions:

i. The present complaint is based upon a false and incorrect premise that the two public servants concerned had filed a report before the Lokpal of India. In fact, the Report of the Preliminary Inquiry has been filed by the CBI, as directed by the Division Bench.

ii. The complaint in which the said Report is filed by the CBI (which is being attributed to the public servants) has already been disposed of, by the order dated 2.2.2023 passed in complaint No. 2902/2022. This fact would be well within the knowledge of the



complainant, who would have received a copy of the said order, from the Registry of the Lokpal of India.

iii. This being the position, the complainant, by filing the present complaint, appears to be obliquely attempting to initiate proceedings in order to re-open a complaint that has already been disposed of, by a detailed and reasoned order.

iv. Such a course of conduct is impermissible in law and cannot be encouraged.

v. There is no provision for review of orders in the Lokpal and Lokayuktas Act, 2013. The present complaint appears to be an attempt in that direction, which is against the legal mandate given to the Lokpal of India.

8. For the above reasons, the Full Bench is not inclined to entertain the present complaint.

9. Accordingly, the complaint stands dismissed.


COURT MASTER,
LOKPAL OF INDIA.