

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

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Complaint No. : 215/2023.  
Date : February 14 , 2024.  
**Coram** : **Justice Abhilasha Kumari**  
**Judicial Member**  
  
**Smt. Archana Ramasundaram**  
**Member**  
  
**Shri Mahender Singh**  
**Member**

**ORDER**

Perused the complaint.

2. This complaint arises from an earlier complaint filed by the same complainant (Complaint No.4503/2022), that has already been closed and disposed of by the Division Bench, vide an order dated 21/07/2023, after holding a Preliminary Inquiry by the DSPE/CBI, as directed by the order dated 18/01/2023. It may be noted that after the disposal of the said complaint, the complainant filed an application/appeal dated 14/08/2023, seeking judicial review of the order dated 21/07/2023 passed by the Division Bench. There being no provision for review of an order in the Lokpal and Lokayuktas Act, 2013, this application was not entertained and the complainant was informed accordingly, by a letter dated 01/09/2023. By way of the present complaint, the complainant has sought to re-open the entire matter citing "public



interest”, under the guise of lack of compliance of the above order by the Commissioner of Police, Delhi. We make it very clear that the legal position regarding the lack of statutory power of review, remains the same.

3. The background of the matter was noted in the earlier order dated 21/12/2023 of the Division Bench, which need not be reproduced here. In the said order, it had been stated as below:

“Apart from the above, in the order dated 21/07/2023, the Division Bench had sent the matter regarding non-disclosure of information regarding sale/purchase of property and financial transactions of the public servant concerned, to the Commissioner of Police, for further necessary action. In this regard we would like to know from the Commissioner of Police, Delhi, what action has been taken pursuant to the said order. We make it clear that this is for our own satisfaction, as a corollary to our direction in the order dated 21/07/2023, and has nothing to do with the issues now sought to be revived by the complainant in the present complaint”

4. Accordingly, the Commissioner of Police, Delhi, was asked to apprise the Division Bench regarding the non-disclosure of information by the complainant regarding the sale/purchase of property and financial transactions. Pursuant thereto, an Action Taken Report has been submitted by the Commissioner of Police, stating that with regard to certain financial transactions, the concerned public servant had not given intimation to the department under the CCS(Conduct) Rules. A Show Cause Notice dated 15/07/2022 for the proposed punishment of censure, was



given to him and, after considering his written reply, the punishment of censure was confirmed on 06/10/2022.

5. We have perused the Action Taken Report, which falsifies the basis of the present complaint that no action was taken pursuant the order dated 21/07/2023. In fact, action has been taken in the year 2022, itself. It appears that the complaint has been filed on a false premise, with an intention to reopen the original complaint that has been duly closed after a Preliminary Inquiry. As noted in the order dated 21/12/2023, the Action Taken report was sought for our own satisfaction and has nothing to do with the present complaint and the attempts of the complainant for review of an earlier order.

6. It is reiterated that the statute as it now stands, does not confer the power of review of an order, which legal position shall be taken note of by the complainant, once and for all. Given the history of the matter, it may be understood that any further attempts to reopen the matter on any pretext, may attract adverse orders against the complainant.

7. With the above observations, the complaint stands closed and disposed of.



COURT MASTER  
LOKPAL OF INDIA