

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

Complaint No. : 93/2024 (arising out of 4482023)

Date : 9th May, 2024

Coram : **Shri Justice A M Khanwilkar**
Chairperson
Shri Justice L Narayana Swamy
Judicial Member
Shri Justice Sanjay Yadav
Judicial Member
Shri Sushil Chandra
Member
Shri Justice Ritu Raj Awasthi
Judicial Member
Shri Pankaj Kumar
Member
Shri Ajay Tirkey
Member

ORDER

The complaint is placed before the Full Bench for consideration of the Scrutiny Report and to pass appropriate order.

2. Perused the Scrutiny Report and gone through the records. It is noted that the matter was taken up for scrutiny and it was desired that the complainant may remove the defects in the complaint. Accordingly, a letter dated 21.09.2023 and a reminder dated 08.12.2023 were sent to the complainant to make good the deficiencies. The



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complainant has, however, not responded to the above communications. We are disposed to condone the remarks made in the Scrutiny Report and entertain the complaint.

3. The complaint is against DIG, Admin., Police Headquarters, Bhopal (Madhya Pradesh). The complainant is aggrieved by the alleged ill-treatment and insult meted out to a Judge by the police authorities in the year 2019. The complainant, in support of his allegation, has attached newspaper clippings and letters written by the Judges Association. The complainant has alleged that on 02.10.2019, the Judge was treated like a criminal. This incident was at the behest of the orders of the DIG of Police/SSP. The complainant has stated that the President of the Judges Association and the District and Sessions Judge, Ujjain have also written a letter demanding action against the concerned and this was posted on various social media as well as various newspapers like Dainik Bhaskar, Dabang Duniya, Patrika and Free Press in Indore wherein it was published that action was taken against the Judge by registering a case. The complainant has stated that the guidelines issued by the Hon'ble Supreme Court in D K Basu and Arnesh Kumar case etc. have also not been followed. The complainant has alleged that no action has been taken against the concerned police officers who have misused their authority, and violated guidelines issued with regard to handling such matters. It has been alleged that the police picked up the said Judge and took him to the office of SSP, Indore. It was only when the Senior Advocate, others and the Registrar of the Hon'ble High Court intervened with regard to misbehaviour that the said Judge was released. The complainant has alleged that even after such an incident no legal action has been taken against the arbitrary use of rules and misuse of position.

4. After going through the complaint, it is seen that the complaint is about the misbehaviour of the Respondent Public Servant, but does not contain any allegation of

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corruption within the meaning of the Prevention of Corruption Act, 1988 or against the public servant within the meaning of Section 14 of the Lokpal and Lokayuktas Act, 2013 (Act). Hence, action by the Lokpal of India under the provisions of the Act is not warranted.

5. Accordingly, the complaint is disposed of.


(Court Master)