

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
ADMINISTRATIVE REFORMS DEPARTMENT
7th Level, C-Wing, Delhi Secretariat, I.P. Estate, New Delhi-110 002.

F.No.9/04/2010/AR/ 12729-888/C

Dated: 09.12.2010

To

1. All Pr. Secretaries/Secretaries
2. All HODs of all Organisations under the Government of NCT of Delhi.

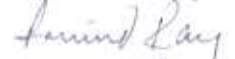
Sub: Decision of Hon'ble High Court, Delhi regarding jurisdiction of Hon'ble Lokayukta over complaints against Civil Servants.

Sir/Madam,

In a recent judgement the Hon'ble High Court, Delhi has ordered on the jurisdiction of the Hon'ble Lokayukta regarding taking cognizance of the complaints against Members of Civil Services of the Union or an All India Service or Civil Service of the State or holding a Civil Post under the Union or the State in connection with the affairs of Delhi, as laid down in the Section 17 of the Delhi Lokayukta and Uplokayukta Act, 2005. The Hon'ble High Court has ordered that the Hon'ble Lokayukta cannot take cognizance of complaint against the above mentioned functionaries as these are outside the scope of jurisdiction of the Lokayukta even when they are posted as Directors/Managing Directors/Chairman or Companies under the purview of Govt. of NCT of Delhi. It has also been ordered by the Hon'ble High Court that the Lokayukta cannot, in the facts and circumstances of the case, be impleaded or be permitted or be heard in a writ petition in support of its order under challenge.

Details of the Court order, as pronounced in the judgement dated 22.11.2010 in W.P.(C) No.1136/2010 in the matter of R.K. Saxena V/s Ravlinder Balwani, W.P. (C) No.3342/2010 in the matter of Chetan B. Sanghi V/s R.N. Bararia, W.P. (C) No.3345/2010 in the matter of R.K. Saxena V/s B.K. Sharma and CM Nos.4290,6722,6725,13760 & 13761 of 2010 may be referred from the website of the Delhi High Court or can be seen at the website of the A.R. Department, Delhi Government ar.delhigovt.nic.in. However gist of the matter is enclosed for ready reference.

Yours faithfully,




(ARVIND RAY)
PR. SECRETARY (AR)

Encl.: Gist of orders.

Copy forward for information to:

1. Pr. Secretary to L.G., Govt. of NCT of Delhi.
2. Pr. Secretary to C.M., Govt. of NCT of Delhi.
3. Secretary to Ministers, Govt. of NCT of Delhi.
4. S.O. to Chief Secretary, Govt. of NCT of Delhi.



(ARVIND RAY)
PR. SECRETARY (AR)