

LOKPAL-MATTER
CVC REFERENCE

GOVT. OF NATIONAL CAPITAL TERRITORY OF DELHI

DIRECTORATE OF VIGILANCE

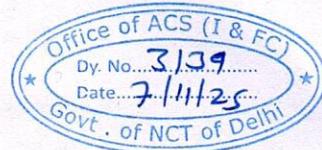
LEVEL-4: C-WING, DELHI SACHIVALAYA: NEW DELHI-110002,
(Phone No. 23392257/23392303 & Fax No. 23392353)

F.No.56/05/I&FC/2024/DOV/CVC/ 11970

Dated: 04/11/2025

To,

Additional Chief Secretary,
Irrigation and Flood Control Department,
L.M. Bund Office Complex,
Shastri Nagar, Geeta Colony, New Delhi,
Delhi 110031.



Sub: Order dated 04.02.2025 of Hon'ble Full Bench of Lokpal of India for Complaint No.224/2024 & 238/2024-reg.

Sir,

(Handwritten notes: MM, 10-11, CEF, SS, BSY, BSY)
This has reference to CVC OM No. 2024/DLH/GNCTD/Lokpal/3-65221 dated 18.08.2025 vide which Order dated 07.08.2025 of Hon'ble Bench of Lokpal of India in respect of the complaints bearing no. 224 & 238/2024 has been forwarded to this Directorate for information and further necessary action.

Vide Order dated 07.08.2025, Hon'ble Bench of Lokpal of India, after examination of the letter No. F.7(37)2024/DOV/8707 dated 23.07.2025 from the Government of NCT of Delhi and the connected records, has disposed of Complaint Nos. 224/2024 and 238/2024 on the ground of lack of jurisdiction under the *Lokpal and Lokayuktas Act, 2013* with following observations:

... "the disposal of this complaint, is owing to jurisdictional issue and not on merits of the allegations as such. The Competent Authority or Forum is free to take note of the same and proceed as per law uninfluenced by the disposal of this complaint."

In view of above, I am directed to enclose here a copy of order dated 07.08.2025 of Hon'ble Bench of Lokpal of India for information and further necessary action please.

Vigilance Branch
I&FC DEPTT GNCTD
DELHI 110027
RECEIVED

Encl. as above.

Dy. No. 1830
Dt. 14-11-25

Yours faithfully,

(Signature of Buniyad Singh)
(BUNIYAD SINGH)
DEPUTY DIRECTOR (VIG.)





भारत के लोकपाल
Lokpal of India
6, इस्टीट्यूशनल एरिया, फेज-II
वसंत कुंज नई दिल्ली-110070
6, Institutional Area, Phase-II
Vasant Kunj, New Delhi-110070
टेली. : 011- 26125024/Tel : 011- 26125024

Dated: 12th August, 2025
C-12016/224/2024 & 238/2024-Lokpal/873

To,
The Principal Secretary,
Directorate of Vigilance,
Govt. Of NCT of Delhi,
4th Floor, C-Wing,
Delhi Sachivalaya,
New Delhi - 110002
Email - dyigil@nic.in

**Subject: Order dated 07.08.2025 of the Hon'ble Bench of Lokpal of India for
Complaint No. 224/2024 & 238/2024- Reg.**

Sir,

I am directed to enclose herewith the copy order dated 07.08.2025 of the Hon'ble Bench of Lokpal of India in complaint no. 224/2024 & 238/2024 for your kind information.

Enclosures: As above.

Yours faithfully,

(Rahul Kumar)
Under Secretary
Tel No: 011-26125027
E-mail: dy.registrar-lokpal@gov.in

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

Complaint Nos. : 05/2024 and
224/2024 & 238/2024

Date : 07.08.2025

Coram : Shri Justice A.M. Khanwilkar
Chairperson

Shri Justice L. Narayana Swamy
Member

Shri Justice Sanjay Yadav
Member

Shri Sushil Chandra
Member

Shri Justice Ritu Raj Awasthi
Member

Shri Pankaj Kumar
Member

Shri Ajay Tirkey
Member

ORDER

Complaint No.05/2024

1. That a letter No. F.7(37) 2024/Dov/8707 dated 23.07.2025 of Government of National Capital Territory of Delhi (GNCTD), authored



by the Deputy Director (Vig), and approved by the Competent Authority, is placed before us vide Office Memorandum No. 2024/DLH/GNCTD/Lokpal/1-66198 dated 23.07.2025.

2. The letter by Deputy Director (Vig) is in reference to an order dated 01.07.2025 passed by us after interacting with the Director, Central Vigilance Commission (CVC) and Deputy Director, GNCTD as to who could be the Competent Authority of the named Public Servant, in terms of Clause (c) of sub-section (1) of Section 2 of the Lokpal and Lokayuktas Act, 2013. An assurance was given that appropriate steps will be taken within two weeks.
3. The letter under consideration records that as the Respondent Public Servant (RPS) was not discharging the duties related with the affairs to either Entry 1 (Public Order) or Entry 2 (Police) or Entry 18 (Land) of the State List in the Seventh Schedule of the Constitution of India, therefore, the Lokpal would lack jurisdiction. For this, reliance has been placed on the legal opinion dated 13.06.2025, of the Ministry of Law and Justice received through Ministry of Home Affairs, wherein it is stated:

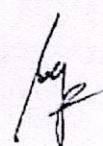
"The officers of the National Capital Territory of Delhi who are working for the execution of reserved subjects are working for the affairs of Central Government and covered under the jurisdiction of Lokpal under clause (d) and (e) of Section 14 (1) of the Lokpal and Lokayuktas Act, 2013 and they are aside from the other Delhi Government employees."



4. The communication dated 23.07.2025 further states that as the Competent Authority of the Government of National Capital Territory of Delhi is not precluded to take appropriate action against the officer and a Disciplinary Proceedings under Rule 14 of the Central Civil Service (Classification, Control and Appeal) Rules, 1965 have been initiated against the then sub-Registrar, i.e. named Public Servant and Charge Memo was issued on 11.03.2025 and the inquiry proceedings are currently underway.
5. In view whereof, since appropriate action is initiated by the Competent Authority, no further order is warranted.
6. Complaint is disposed of in above terms.

Complaint No.224/2024 & 238/2024

7. Public Servants against whom the complaint is lodged are the officials of Irrigation and Flood Control Department, Government of National Capital Territory of Delhi. As per the communication No. F. No. 01/05/2025/Admn/DOV/8464 dated 18.07.2025, annexed with the communication under consideration, as per Transaction of Business Rules, Government. NCT of Delhi, Irrigation and Flood Control Department does not deal with the reserved subject.
8. In view whereof, since the named Public Servants are not serving in connection with the affairs of Union, they are not amenable to the jurisdiction under Section 14(1) of the Act of 2013.



9. Consequently, the Complaint No. 224/2024 & 238/2024 are disposed in above terms. It is, however, made clear that the disposal of this complaint is owing to jurisdictional issue and not on merits of the allegations as such. The Competent Authority or Forum is free to take note of the same and proceed as per law uninfluenced by the disposal of this complaint.

Sd/-
(Justice A.M. Khanwilkar)
Chairperson

Sd/-
(Justice L. Narayana Swamy)
Member

Sd/-
(Justice Sanjay Yadav)
Member

Sd/-
(Sushil Chandra)
Member

Sd/-
(Justice Ritu Raj Awasthi)
Member

Sd/-
(Pankaj Kumar)
Member

Sd/-
(Ajay Tirkey)
Member


(Court Master)