



भारत के लोकपाल
Lokpal of India

Plot No. 6, Phase-II,
Vasant Kunj Institutional Area,
New Delhi, dated 6th December, 2023

CIRCULAR NO. 01/2023

Subject: - Procedure for dealing with the complaints received in the Lokpal of India.

As per the extant provisions of the Lokpal and Lokayuktas Act, 2013, the procedure for dealing with the complaints received in the Lokpal of India was issued and circulated vide Circular No. 01/2021 dated 28.07.2021.

2. Now, in accordance with the directions of the Hon'ble Full Bench of the Lokpal and in supersession of Circular No. 01/2021 dated 28.07.2021, the procedure for dealing with the complaints received in the Lokpal of India is revised and is being issued herewith (as per Annexure).

3. This issues with the approval of the Hon'ble Acting Chairperson, Lokpal of India.

Encl. as above.

(Arvind Mishra)
Deputy Registrar
Lokpal of India.

To,

1. Sr. PPS to Hon'ble Acting Chairperson, Lokpal of India
2. Sr. PPS to Hon'ble Judicial Member/ Hon'ble Members, Lokpal of India.
3. Sr. PPS to Secretary, Lokpal of India.
4. PPS to Joint Secretary, Lokpal of India.
5. Director/ Deputy Secretary, Lokpal of India.
6. Under Secretary (Registry)
7. Court Master, Lokpal of India.
8. NIC- for uploading on the Website of the Lokpal of India.
9. Guard File

PROCEDURE FOR THE DEALING WITH THE COMPLAINTS RECEIVED IN THE OFFICE OF THE LOKPAL OF INDIA.

Mode of Receipt of the Complaint:

1. A complaint can be received in the office of the Lokpal of India in the following modes: -
 - a. In person, or
 - b. By Post, or
 - c. Online (<https://lokpalonline.gov.in/lokpalonline>).
2. If the complaint is being filed electronically (through Lokpal Online portal only), the hard copy thereof shall be required to be submitted to the Lokpal within 15 days from the date of filing. At the top of the envelope, 'Complaint to the Lokpal of India under Lokpal and Lokayuktas Act-2013' should be written clearly.
3. The hard copies of complaints would be received at the Reception Counter. The Receptionist would issue acknowledgement to the person handing over a complaint personally.
4. A complaint would then be forwarded to the Scrutiny Branch. The Receptionist would hand over all complaints to the Scrutiny Branch and take a receipt for the same.

Diary of Complaints

5. All complaints received in the Scrutiny Branch from the Reception or the office of any other authority of the Lokpal of India will be diarized in the Lokpal-Online module. The format of the same may be as under:-
 - I. Diary Number:
 - II. Name of the Complainant:
 - III. Date of receipt in the Scrutiny Branch:
 - IV. Date of complaint/Report etc.:
 - V. (Type of Dak) Format Complaint/Non-format complaint/Status /Preliminary Inquiry Report/ Further submission from complainant/Others:
 - VI. Sent to/Action taken:
 - VII. Remarks:

Scrutiny:

6. For the complaints which have been filed electronically, it shall not be kept pending if it is complete in all respects. The electronic copy will be processed as per the laid down procedure. If the physical copy of the complaint is not received in the office of the Lokpal within 15 days from the date of filling the complaint, a reminder may be sent to the complainant by the Registrar with a further time of 15 days to submit the same. The complaint will be put up to the Chairperson for allotment of bench only after receipt of the physical copy.
7. A complaint in the prescribed form, with defects of clerical nature like date of birth, Aadhaar no. etc. which do not affect the merit of the complaint, may be directly submitted to the Hon'ble Chairperson for allocation to a Bench. For instance, if the complainant has ticked 'PAN Card' in the column for identity proof but he has attached copy of the Aadhar card or the complainant has not mentioned email, such defects may be treated as defects of clerical nature.
8. After scrutiny of a complaint, if it is found that the complaint has substantial defects, the same would be placed before the Scrutiny Bench. As per the decision of the Scrutiny Bench, the complaint would either be returned to the complainant for seeking corrections or the same would be put up to the Hon'ble Chairperson for the allocation to a Bench.
9. As per the decision of the Scrutiny Bench, the defects may be communicated to the complainant for seeking correction. Such communication would be sent by email, if available. In case of non-availability of the email ID of the complainant, such communication would be sent by post.
10. Before submission of the complaint to the Hon'ble Chairperson, a Complaint number will be generated through the Lokpal Online software. This Complaint number would be informed to the complainant and will be used for all future references to the complaint.
11. If the Scrutiny Bench observes that the complaint involves a jurisdictional issue, the complaint will be placed before Hon'ble Chairperson for allocation to a Bench to decide the issue of jurisdiction. The complainant will be asked to remove defects only if the complaint is found, within jurisdiction of the Lokpal of India.

Receipt of Complaint after removal of defects:

12. On receipt of the corrected complaint from the complainant, if it is found that the defects have been removed, the complaint will be submitted to the Hon'ble Chairperson for allocation to the Bench.
13. If it is found that the defects have been removed partly but the complaint still has substantive defect then the complainant will be asked to remove the remaining defects of the complaint.

Allocation to a Bench by the Hon'ble Chairperson:

14. When a complaint is submitted to the Hon'ble chairperson, he will either allocate the complaint to an existing Bench or constitute a new Bench for this complaint. In the case of a new Bench, a Court Master will also be designated.
15. After the order of the Hon'ble Chairperson, the complaint file will be sent to the Court Master of the concerned Bench by the Office of the Hon'ble Chairperson.
16. The Members of the Bench shall peruse the complaint and the Court Master shall record the discussion and type the draft 'order' as dictated by the Members. The 'order' signed by all the Members of the Bench would be sent to the Registrar for further action.

Conveying the order of the Bench to the Inquiry Agencies:

17. The Registrar (through the Judicial Branch) will convey the order of the Hon'ble Bench to the Inquiry Agency for compliance. Custody of files between two hearings of the files will be with the Judicial Branch.
18. After the complaint is disposed of, a copy of the final order will be sent by the Registrar, through the Judicial Branch, to the agency who inquired/ investigated the complaint and the concerned parties. The Final order will be handled as mandated by 'Order' dated 18th April, 2023 of Lokpal of India (*copy enclosed*).

Extension of Time sought by the Agencies for submitting Reports:

19. On receipt of a request for the extension of time for submission of the Reports from the concerned Agencies, the same shall be put up by the Registrar (through the Judicial Branch) to the Hon'ble Judicial Member /Hon'ble Member after obtaining consent from the Hon'ble Chairperson for decision/direction. The decision taken shall be informed to the concerned agency.

Dealing with the Preliminary Inquiry Report received from the inquiry agency:

20. On receipt of the Status/Preliminary Inquiry Report etc., the same shall be summarized, and with a set of a sufficient number of copies, would be submitted by the Registrar to the Hon'ble Chairperson for allocation to a bench for consideration.

Allocation of the complaint to a new Bench for considering the Inquiry Report:

21. After the order of the Hon'ble Chairperson, the complaint file along with the Preliminary Inquiry Report will be sent to the Court Master of the concerned Bench by the office of the Hon'ble Chairperson.

Dealing with the Investigation Report received from the investigating agency:

22. On receipt of the Investigation Report, the same shall be summarized, and with a sufficient set of copies, would be submitted by the Registrar to the Hon'ble Chairperson.

Allotment of Bench to consider Investigation Report:

23. The action may be taken as per the order of the Hon'ble Chairperson. After the order of the Hon'ble Chairperson, the complaint file along with the Investigation Report may be sent to the concerned Bench by the Office of the Hon'ble Chairperson.



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Lokpal of India

6, Vasant Kunj Institutional Area,
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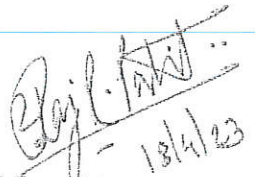
Dated 18th April, 2023

Order

1. The matter relating to uploading of the Orders passed by Hon'ble Benches of the Lokpal on the website of Lokpal of India has been under consideration. It has been decided that the Final Orders passed by the Hon'ble Bench (Full Bench/Division Bench) may be uploaded on the website of Lokpal of India. The term 'Final Order' may include the following:-
 - i. Complaints finally disposed of under Rule 4 (c) of the Lokpal (Complaint) Rules, 2020.
 - ii. Orders directing initiation of the departmental proceedings or any other appropriate action under Section 20(3) (b) of the Lokpal & Lokayuktas Act, 2013, (Act).
 - iii. Closure of proceedings under Section 20(3)(c) of the Act.
 - iv. Orders to proceed against the complainant under Section 46 of the Act.
 - v. Order to grant sanction to its Prosecution Wing or Investigating Agency to file charge-sheet or direct the closure of report under Section 20(7) (a) of the Act.
 - vi. Orders directing the Competent Authority to initiate departmental proceedings or any other appropriate action against the public servant under Section 20(7) (b) of the Act.

- vii. Orders for the safe custody of the documents under Section 20(9) of the Act.
2. The Final Orders to be uploaded on the website of Lokpal of India should comply with the provisions of Rule 4(a) of the Lokpal (Complaint) Rules, 2020.
 3. The Final Order is to be uploaded on the website of Lokpal of India by the Court Master after obtaining the due approval/authorization of the Hon'ble Bench concerned.
 4. Authorisation of the Hon'ble Bench should be obtained in the proforma attached (Annexure A). The Court Master will maintain a guard file of each authorisation for reference.
 5. The Court Master shall be provided with the Login ID and password by the NIC Team in Lokpal of India for uploading the Final Orders as authorized by the Hon'ble Bench.
 6. Final Orders issued after 1st January, 2023, shall be uploaded on the website of the Lokpal of India.
 7. A pdf version of the Order bearing the signatures of the Court Master should be uploaded.
 8. This issues with the approval of the Competent Authority.

Encl: As above


- 18/4/23
(Yuvraj R Patil)

Copy to

Deputy Secretary

- I. Sr.PPS to the Hon'ble Acting Chairperson, Lokpal of India (for kind information).
- II. Sr.PPS/ PPS to the Hon'ble Judicial Member/Hon'ble Members, Lokpal of India (for kind information).
- III. Sr.PPS/ PPS to Secretary/Joint Secretary, Lokpal of India (for kind information).
- IV. PPS to Deputy Registrar, Lokpal of India (for kind information).
- V. Court Master, Lokpal of India.
- VI. NIC Team, Lokpal of India.

Proforma for Authorisation for uploading orders on the website of the Lokpal of India

Date:

The Court Master is directed to upload the following orders on the website of Lokpal of India :

1. Order dated _____ for Complaint No. _____
2. Order dated _____ for Complaint No. _____
3. Order dated _____ for Complaint No. _____

(Signature)

(Name of Hon'ble Presiding Member of the Hon'ble Bench)

(Signature)

(Name of Hon'ble Member)

(Signature)

(Name of Hon'ble Member)

To:

Court Master, Lokpal of India

Note: The proforma may be suitably modified as per the composition of the Hon'ble Bench.