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1. May kindly see the Complaint dated 06-03-2012 of Shri Hari Om Gupta, against Smt. Shiela Dikshit, Chief Minister, Govt. of NCT of Delhi (hereinafter referred to as 'Respondent No.1'), and Shri Tarvinder Singh Marwah, MLA and Parliamentary Secretary of Chief Minister, (hereinafter referred to as 'Respondent No.2'), both of whom are 'public functionaries' in terms of Sec. 2(m) of the Delhi Lokayukta & Upalokayukta Act, 1995 (hereinafter referred to as 'the Act').
2. The requirements of Rule- 7 & 8 of the Delhi Lokayukta & Upalokayukta (Investigation) Rules, 1998, with regard to affidavit and fees have been complied with.
3. It is alleged that Respondent No.2 sent a letter dated 5<sup>th</sup> July, 2011, on his official letter head, to the Chairman of Mata Sundari College for Women, accompanied by the Higher Senior Secondary School Certificate, bearing No. 2001937776, purported to have been issued by the MP State Open School, Bhopal, stating that his daughter Ms. Jasmine Kaur Marwah, had obtained 255 out of 500 marks in her Higher Senior Secondary School Examination. The letter was also accompanied by the admission form, which also relied on the same certificate. A Migration Certificate bearing No.A-1219629 and Migration-cum-Transfer Certificate bearing No. 16057, were also submitted along with the application form. A handwritten application signed by Ms. Jasmine Kaur Marwah was also delivered on 12<sup>th</sup> July, 2011, along with the aforesaid documents.
4. On the basis of the aforesaid fake documents, Ms. Jasmine Kaur Marwah was granted admission in BA Course on 12<sup>th</sup> July, 2011 (Roll No. BAP/11/297).

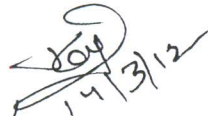
5. It is further alleged that on an enquiry made by the College it was found that all the documents submitted by the Respondent No.2 were fake/forged. Respondent No.2 not only forged the documents but also forged the Seal of the Additional Director (Exam) of MP State Open School, Bhopal, as per copy of the Report dated 19<sup>th</sup> July, 2011 of MP State Open School, Bhopal.
6. The Principal of Mata Sundari College for Women made a complaint dated 3<sup>rd</sup> March, 2012, to the SHO, P.S. I.P. Estate, for registration of FIR against the Respondent No.2 for offences under Sec. 467/468/471/472/473/120B/34 IPC.
7. It is alleged that the Respondent No.2 and Respondent No.1 in collusion with each other have committed a very serious offence of forgery to facilitate admission of Ms. Jasmine Kaur Marwah in Mata Sundari College for Women. As 'public functionaries', they have abused/misused their position and were actuated by improper or corrupt motives and are thus guilty under Sec. 2(b), (i), (ii) & (iii) of the Act.
8. The complainant has also filed copies of letter dated 5<sup>th</sup> July, 2011 of Respondent No.2, vide which he had written to the Chairman, Mata Sundari College for Women for admission of his daughter, and the Complaint dated 3<sup>rd</sup> March, 2012, of the Principal, Mata Sundari College for Women, made to the SHO, P.S. IP Estate, New Delhi.
9. The allegations made in the complaint, prima facie, reveal that Respondent No.2 was a party to forging the Higher Sr. Secondary School Examination Certificate of his daughter and using the same. By securing admission of his daughter on the basis of the fake/forged documents, he has abused / misused his position to gain favour for his daughter and has failed to act in


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accordance with the norms of integrity and conduct which ought to be followed by 'public functionaries'. Thus, prima facie, a case for inquiry under Sec. 7 of the Act is made out against him.

10. However, there is no specific allegation that Respondent No.1 has colluded with Respondent No.2 in forging or using the forged documents/certificates for securing admission of daughter of Respondent No.2. Thus, there may not be sufficient grounds for conducting an inquiry against Respondent No.1.

Submitted for orders please.

  
OSD  
14/3/12

  
14/3/12

  
14/3/12

A.D (Admn)  
on leave  
Dy. Secy (A)

Issue notice to ~~the~~ Respondent No 2 for enquiry of  
u/s 7 read with 2(b) of the Act returnable on 20/03/2012 at 12 noon  
Notice of be also issued to complainant on the issue of maintain  
ability of complaint against Resp No 1/Chief Minister  
Hoible Lokayukta. for the said date & time

Mannohar Sarker  
14/03/2012