

BEFORE THE HON'BLE LOKAYUKTA

JUSTICE MANMOHAN SARIN

COMPLAINT NO.C-1768/LOK/2012

Dr. Harsh Vardhan, MLA Complainant

V/s

Smt. Sheila Dikshit, Chief Minister, Delhi & Anr. Respondents

ORDER

The Complainant, Dr. Harshvardhan, MLA, From Krishna Nagar constituency alleges misuse of public money and public exchequer, for personal and political gain in the forthcoming Vidhan Sabha elections in Delhi, by the Respondents.

The Complainant claims that the Respondent Sheila Dikshit, Chief Minister and Raj Kumar Chouhan, Minister, who have no direct role in the functioning of the Corporation, have used the same to gain popularity and woo the voters at the cost of State exchequer.

It is alleged that an Application Form for loans which used be supplied free of cost is now being sold for Rs.100/- Further that the Respondents' photographs have been printed on the form increasing its cost. Complainant alleges violation of norms of integrity and conduct expected from 'Public Functionaries' and misuse of public funds for personal and selfish political motives. The form as produced shows photographs of Smt. Sheila Dikshit, Chief Minister of Delhi and Shri Raj Kumar Chouhan, Minister for PWD and Chairman of Delhi SC/ST/OBC/Minority & Handicapped Finance & Development Corp. Ltd.

Complainant alleges a case for contravention of Sec. 2(b),(i),(ii) & (iii) of the Delhi Lokayukta and Upalokayukta Act, 1995, namely violation of norms of conduct and integrity, misuse and abuse of position to gain favour for self or others and being actuated in discharge of functions by improper and corrupt motives or personal interest.

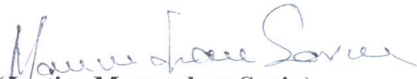
Even though publication of photographs in printed application for loan is rather unusual, instances of photographs of leaders of different political parties being shown either on posters, pamphlets etc. for

inauguration of camps etc. are usual. It appears appropriate that guidelines are framed regarding publication of photographs of leaders of political parties and expending of government funds in the guise of project, information, advertisements for gaining popularity or improving the electoral prospects.

Before issuing notice to the Respondents, this Forum would like to ascertain how the proposal for printing of the photographs on the loan application form was mooted, its processing and approval. The entire relevant records relating thereto, including the initiation of the proposal till its approval, and approval of the format or design of the form containing photographs, if any, by the Respondents and /or their Office be furnished.

Notice is accordingly directed to be issued to Delhi SC/ST/OBC/Minority & Handicapped Finance & Development Corp. Ltd. to produce the above relevant records in original relating to the mooted proposal, its processing and the decision making process for printing of the photographs on the loan application form, as per sample attached. The Noticee also to disclose the extent to which the cost of the form got enhanced on account of printing of the photographs.

Notice be issued returnable on **12-10-2012 at 3.00 PM.**


(Justice Manmohan Sarin)
Lokyukta

Date: 28th September, 2012