

OFFICE OF LOKAYUKTA, DELHI

(Hon'ble Mr. Justice Manmohan Sarin)

Complaint Case No. C-1754/Lok/2012

In re:-

Rajesh Garg

...

Complainant

Vs.

Sh. Raj Kumar Chauhan, Minister, GNCTD & Anr.

...

Respondent

ORDER

Sh. Rajesh Garg complains of threat, harassment and implication in false criminal cases due to the action and complaints initiated and filed by him before this forum against various 'public functionaries' and also involving influential persons in particular Media House Punjab Kesari. He submits that as a result of his expose against the 'public functionaries' with whose support the media house was enjoying encroachment on public land and resultant in-action by the authorities, the said media house has become hostile to him. As a result of the complaints filed by him against the 'public functionaries' and the status reports sought by this forum, PWD removed encroachment from the area of about 1500 sq. meters on public road from Wazirpur Industrial Area. Action by DDA to remove encroachment from the area of about 4000 sq. mts. is in progress. It is the case of Mr. Garg that action had been delayed by the authorities on account of the support of the 'public functionaries'. Enraged by the complaints filed by him and the resultant action of removal of encroachment by PWD, authorities, the Media House has resorted to threats and is harassing him. He has shown many reports being published in the last month or so in Punjab Kesari describing him as an extortionist, black-mailer and indulging in sexual harassment etc. These reports appears to be contemporaneous to the action of removal of encroachment by the Media House. Mr. Garg claims that as a result of his complaint, Sh. P.S. Joshi, Deputy Director (Industrial) of DDA has also lodged a complaint with the Police Station Ashok Vihar, Delhi against Smt. Kiran Chopra, Chairman Punjab Kesari stating therein that she relied upon and produced forged

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possession letter and lease deed. Statement of Mr. Garg has also been recorded separately wherein he has claimed that the owner of 'Punjab Keasri' has also got registered a false case against him at Police Station Gandhi Nagar, Jaipur under section 66 of the IT Act, pursuant to which Jaipur police visited his house and took away all the files relating to the complaints filed by him before this forum. He has also deposed on oath that Sh. Jai Bhagwan Aggarwal, MLA against whom, also he had filed complaints before this forum about having assets disproportionate to his known sources of income, unauthorized construction and amalgamation of plots and construction of a Dharamshala and temple over the land acquired by the DDA for construction of flats and using one room of the Dharamshala as his office has also got registered a case of extortion and black mailing against him.

Mr. Rajesh Garg has provided useful and valuable information supported by RTI responses on the basis of which this forum issued notices and initiated inquiry against 'public functionaries'. Therefore persons like Mr. Rajesh Garg deserve protection as whistle blower and for assisting this forum. However it is not to suggest that he has immunity for breaching law or action on meritorious and genuine complaints against him. At the same time he should not be harassed or victimized for his courage to expose ills and wrongs of the powerful and influential .

Mr. Garg has stated that he was even threatened while he was admitted in Prashant Nursing Home to withdraw the complaints against the media House or to suffer further.

In these circumstances it is directed that a communciation is addressed from this forum to the Commissioner of Police, Delhi by the Officer on Special Duty enclosing therewith the application of Sh. Rajesh Garg dated 21.05.2013, copy of his statement recorded today in the court on oath, for providing police protecton as may be considered necessary. Further, in case Mr. Rajesh Garg approaches Delhi Legal Service Authority for help and legal assistance in defending the

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complaints and cases claimed to be false, said authority shall provide necessary help and assistance to him as required.


(Justice Manmohan Sarin)

03 July, 2013

Lokayukta, Delhi