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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 11352/2025 and CM APPL.46597/2025

MAHUA MOITRA

.....Petitioner

Through: Mr. Samudra Sarangi, Ms. Saloni Jain, Ms. Panya Gupta, Ms. Panchi Aggarwal, Ms. Navya Nanda, Advs.

versus

LOKPAL OF INDIA & ANR.

.....Respondents

Through: Mr. Ripudaman Bhardwaj (SPP-CBI) along with Mr. Kushagra Kumar, Mr. Kumar Rana, Advs and Mr. Alok Kumar Singh (ASP)

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

11.08.2025

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1. The present petition has been filed on behalf of the petitioner, *inter-alia*, seeking appropriate orders for the purpose of maintaining confidentiality in Complaint No. 201/2023 (Complaint) pending before the respondent no.1 i.e. the Hon'ble Lokpal under the Lokpal and Lokayuktas Act, 2013 (Lokpal Act).
2. The petition has been filed on the apprehension that there has been a breach of confidentiality as regards the ongoing proceedings in the aforementioned complaint.
3. During the course of arguments, reference is made to the order dated 16.07.2025 passed in the said proceedings. Specific attention has been drawn to the following portion of the said order :-

"7. Needless to underscore that all concerned must abide by the mandate of preservation of confidentiality requirement and protect the integrity of the process of investigation until appropriate order is passed by the Lokpal under Section 20(7)



of the Act of 2013, as predicated in Section 20(9) of the Act of 2013 read with Rule 4(a) and (b) of the Lokpal (Complaint) Rules 2020.”

4. It is the apprehension of the petitioner that despite the aforesaid directions there has been a breach on the part of the respondents, in maintaining confidentiality of the said proceedings. Learned counsel for the respondents strongly refutes the allegations made in the petition, as regards any breach of confidentiality on the part of the said respondents. It is submitted that the allegations of the petitioner in this regard are conjectural and misconceived.

5. Be that as it may, respective counsel for the parties are in agreement that the confidentiality is mandated in terms of the Lokpal Act read with the Lokpal (Complaint) Rules 2020. Rule 4 (a) and (b) thereof specifically contemplates as under:-

- “4. ***Handling form(s) of complaint-*** *The Lokpal may process a complaint in the following manner:-*
- (a) *protect the identity of the complainant or the public servant complained against till the conclusion of the inquiry or investigation: Provided that the protection, shall not be applicable, in cases where the complainant himself has revealed his identity to any other office or authority while making a complaint to the Lokpal;*
- (b) *protect the integrity of the process of inquiry or investigation;”*

6. It is also pointed out that a circular dated 05.06.2025 has also been issued by the Lokpal (Circular No. 01/25) wherein also it has been specifically prescribed as under:-

- “J. **Obligation to maintain confidentiality**
40. *The officials, including Inquiring/ Investigation agencies or the associated Departments in the course of their employment and engagement, would get access to and come to possess information of the Lokpal records or of third parties that is not ordinarily in public domain and, if disclosed, could jeopardise the privacy of the individuals and interests of the Departments associated and the agencies*



concerned. Concededly, it is a statutory duty of all concerned to maintain confidentiality and privacy of information received by the in the course of their employment or engagement including to use it only for the proper purposes in accordance with intent and objective of the Act, to maintain the integrity of the processes before the Lokpal pending inquiry. Any official found to be in breach of confidentiality and non-disclosure obligations shall be liable for appropriate action as may be permissible in law.”

7. As such, it is the common case of respective counsel for the parties that confidentiality has to be maintained and any infraction of the confidentiality and non-disclosure obligations will entail appropriate action in terms of the statutory rules/ circular.

8. In the circumstances, it is obligatory on the part of concerned respondents to maintain confidentiality, in terms of the statutory provisions read with the prescription in the aforesaid circular dated 05.06.2025. It is directed accordingly.

9. No further directions are pressed for/ warranted at this stage. The petition is accordingly disposed of in the above terms. Pending application also stands disposed of.

SACHIN DATTA, J

AUGUST 11, 2025/uk