No. 407/12/2014-AVD-IV(B)
Bharat Sarkar/Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel and Training

New Delhi, the 3rd January, 2015

Office Memorandum

Subject: Declaration of Assets and Liabilities by public servants under section 44 of the Lokpal and Lokayuktas Act, 2013 - extension of last date for filing of revised returns by public servants who have filed property returns under the existing service rules - Clarification on filing of property returns in accordance with existing service rules for different categories of public servants -Reg.

The undersigned is directed to refer to this Department's notification G.S.R. No.918(E) dated 26th December, 2014, further amending the Public Servants (Furnishing of Information and Annual Return of Assets and Liabilities and the Limits for Exemption of Assets in Filing Returns) Amendment Rules, 2014, extending the time limit for filing of revised returns by all public servants from 31st December, 2014 to 30th April, 2015 (Annexure-I).

2. In this regard, several queries are being received from various Ministries/Departments/cadre authorities, as to whether there is any need for public servants to file property returns under the relevant provisions of the existing service rules, as applicable to them, since they are now required to file information and annual returns under the provisions of the Lokpal and Lokayuktas Act, 2013.

3. The provisions relating to filing of assets and liabilities by public servants are contained in section 44 of the Lokpal and Lokayuktas Act, 2013 (Lokpal Act). Under the said section, a public servant is required to furnish to the competent authority the information relating to

(a) the assets of which he, his spouse and his dependent children are, jointly or severally, owners or beneficiaries; and

(b) his liabilities and that of his spouse and his dependent children.

As against this, the general requirement as contained in most of the applicable Conduct Rules for government servants (AIS Conduct Rules, CCS Conduct Rules, etc.) require the public servant to submit a return, giving the full particulars regarding:

(a) the immovable property owned by him, or inherited or acquired by him or held by him on lease or mortgage, either in his own name or in the name of any member of his family or in the name of any other person;

(b) shares, debentures, postal Cumulative Time Deposits and cash including bank deposits inherited by him or similarly owned, acquired or held by him;
(c) other movable property inherited by him or similarly owned, acquired or held by him; and

(d) debts and other liabilities incurred by him directly or indirectly.

Thus, it may be seen that the scope of the information to be furnished under the Lokpal Act is substantially different from that of the information required to be furnished under the applicable Conduct Rules. Further, under the Conduct Rules, public servants are generally required to submit annual property returns as on the 1st January of the year, on or before 31st January of that year. The Lokpal Act [section 44(4)], on the other hand, requires the filing of annual returns as on the 31st March of the year by each public servant on or before 31st July of that year. Thus, the requirements of the Lokpal Act and the relevant Conduct Rules are different in the manner of filing information also. This being the case, the requirement of filing returns under the relevant Conduct Rules can be dispensed with only by amending such rules, both in regard to their substantial requirement and in regard to the manner of filing information, so as to bring them in harmony with the provisions of section 44 of the Lokpal and Lokayuktas Act, 2013 and the rules framed thereunder.

4. In this context, attention of various Ministries/Departments/cadre authorities is further invited to the provisions of section 56 of the Lokpal and Lokayuktas Act, 2013, which reads as under:-

“56. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any enactment other than this Act or in any instrument having effect by virtue of any enactment other than this Act.”

The above provisions mandate that even if there are any provisions in any existing law (which, inter alia, includes relevant Conduct Rules framed under Article 309, etc.) which are inconsistent with the provisions of the Lokpal Act, the provisions of the Lokpal Act shall have effect, notwithstanding such inconsistency. Thus, the provisions regarding filing of information/annual returns regarding assets and liabilities by public servants under section 44 of the Lokpal Act shall have effect, notwithstanding anything inconsistent therewith in the applicable Conduct Rules. In other words, the filing of information/annual return under the Lokpal Act in the manner prescribed by rules made under that Act, is a mandatory requirement, and the same cannot be dispensed with under any circumstances, except by an amendment of the Act itself.

5. Attention in this regard is also invited to section 57 of the Lokpal Act which reads as under:-

“57. The provisions of this Act shall be in addition to, and not in derogation of, any other law for the time being in force.”

A combined reading of section 57, along with section 44 of the Act, would make it clear that the requirement of filing returns regarding assets and liabilities under the Lokpal Act is in addition to, and not in derogation/supersession of the requirement of filing similar returns under the existing Conduct Rules. In view of this, the requirement of filing of property returns under the existing Conduct Rules is an independent requirement under the applicable rules and the same can be dispensed with, only by amending those rules. In other words, the requirement of filing returns of assets and liabilities under the
applicable Conduct Rules has to continue, till such time as the provisions of those rules are harmonised with the relevant provisions of the Lokpal Act and the rules framed thereunder, by carrying out appropriate amendments in them.

6. Attention in this regard is also invited to the Central Government’s notification, S.O. 3272(E) dated 26th December, 2014 (Annexure-II), further amending the Lokpal & Lokayuktas (Removal of Difficulties) Order, 2014, for the purpose of extending the time limit for carrying out necessary changes in the relevant rules relating to different services from “three hundred and sixty days” to “eighteen months”, from the date on which the Act came into force, i.e., 16th January, 2014. In view of this, all Ministries / Departments/cadre authorities are required to complete the necessary exercise for harmonising the provisions of relevant Conduct Rules with the provisions of the Lokpal Act and the rules made thereunder, within this extended time of eighteen months. All Ministries/Departments and other cadre controlling authorities have been appraised about this requirement separately through D.O. letters of even number dated 8th September, 2014 and 29th December, 2014 issued by this Department. In view of this, it is incumbent upon all Ministries / Departments/cadre controlling authorities to ensure that the relevant conduct rules relating to services administered/controlled by them are brought in harmony with the provisions of the Lokpal Act and rules made thereunder within this extended time limit of eighteen months.

7. All Ministries/Departments/cadre authorities are, therefore, requested to ensure that -

(a) necessary follow-up action for harmonising the provisions of the relevant rules relating to all categories of public servants (as defined in the Act) falling under their respective jurisdiction/administrative/cadre control is completed within the revised time limit of 18 months from the date of coming into force of the Act, i.e., 16.01.2014, as now provided in the Order dated 26th December, 2014 (i.e., on or before 15th July, 2015), positively; and

(b) all public servants falling under their respective jurisdiction / administrative/cadre control, continue filing their annual property returns under the existing provisions of the applicable Conduct Rules [such as the AIS (Conduct) Rules, CCS (Conduct) Rules, etc.,] till such time as the exercise as indicated in (a) above is completed and the relevant service rules are brought in line with the provisions of the Lokpal and Lokayuktas Act, 2013 and the rules framed thereunder.

Joint Secretary to the Govt. of India

To

1. All Secretaries to the Govt. of India (as per standard mailing list)
2. All Chief Secretaries of State Governments
3. All Administrators of the Union Territories
Copy for information and with a request for similar action, forwarded to:

(i) Secretary General, Lok Sabha
(ii) Secretary General, Rajya Sabha
(iii) Comptroller and Auditor General of India
(iv) Secretary, Election Commission of India

Copy also to-

(1) Special Secretary & Establishment Officer, DoPT, for kind information.

(2) Joint Secretary (Estt.) with a request to take immediate necessary action for amendments/modification of CCS (Conduct) Rules, 1964 and their implementation.

(3) Director (Services) (Shri Diwakar Nath Mishra), DoPT, with a request to take immediate necessary action for amendments/modification of AIS (Conduct) Rules and their implementation.

[Signature]
Joint Secretary to the Govt. of India
Tel: 23093591

[Date: 13/12/2015]
हाकी, लोक शिक्षायत और पेंशन मंत्रालय

(हाकी और प्रशिक्षण विभाग)

अधिशुरुवात

नई दिल्ली, 26 दिसंबर, 2014

सं.का.सि. 918(अ) — केंद्रीय सरकार, लोकपाल और लोकायुक्त अधिनियम, 2013 (2014 का 1) धारा 59 की उपधारा (2) के खंड (2) और खंड (5) के साथ प्रस्तित उपधारा (1) धारा 44 और धारा 45 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए लोक सेवक (सूचना और आस्तियों तथा दावों की वार्षिक विवरण) देने तथा विवरणों फाइल करने में आस्तियों की छूट के लिए सीमाएं) निम्न, 2014 का और संयोजन करने के लिए निम्नलिखित नियम बनाती है, अर्थातः —

1. (1) इन नियमों का संक्षिप्त नाम लोक सेवक (सूचना और आस्तियों तथा दावों की वार्षिक विवरण) देने तथा विवरणों फाइल करने में आस्तियों की छूट के लिए सीमाएं) द्वारा संशोधित नियम, 2014 है।

(2) ये राजकान में प्रकाशन के वर्तमान को प्रकट होगे।

2. लोक सेवक (सूचना और आस्तियों तथा दावों की विवरण) देने तथा विवरणों फाइल करने में आस्तियों की छूट के लिए सीमाएं) नियम, 2014 जिसे इसमें इसके पर्याय एवं पूरा नियम कहा गया है) के नियम 3 के उपनियम (2) के परिपत्र में "31 दिसंबर, 2014 को या उसके पूर्व" शब्दों और अंकों के स्थान पर "30 अगस्त, 2015 को या उसके पूर्व" शब्द और अंक रखे जाएगे।
3. गृह विभाग के परिषिक 2 में,—

(क) प्रस्तुत 2 के स्थान पर निम्नलिखित प्रस्तुत रखा जाएगा, अर्थातः—

"प्रस्तुत सं. 2

पहली नियुक्ति पर या 31 मार्च, 2020 को यथाविधि जनम संपत्ति का विवरण

(टवर, पति या पत्नी और आशिर्वाद प्रदान के लिए मुख्य बीड़ का प्रयोग करने)

| क्रम सं. | विवरण | तिथियाँ, चारि कोई हों?
|---------|---------|-----------------
| (I)' | नगदी और बैंक में अदोपिक | 
| (I)' | सौहार्द (संबद्ध प्रमिश्च) | 
| (II) | बिजली (संबद्ध प्रमिश्च) | 
| (III) | वाहन (संबद्ध प्रमिश्च) | 
| (IV) | वस्त्र, निर्माण, संबद्ध प्रमिश्च | 

आपूर्त (अनुमति भार (समय मुहूर्त रच की बंजता 10 धारे अधिक या कम
; बांदी की बांजत 100 धार अधिक या कम)

<table>
<thead>
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<th>चारि</th>
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| बहुमूल्य धारित्व और बहुमूल्य रचन | नियित प्रति,
(अनुमति भार उपविचार करने)’’

(IV) कोई उपर अधिक | [उपरोक्त (I) में (IV) के अंतर्गत न आने वाली बंजता आशिर्वाद के आधार हो]
(1) धारित्ब (2) नियित (3) अधिकार (4) स्वच्छता (5) अधिकार (6) वस्त्र, नियित (7) धारित्व (8) अधिकार (9) वस्त्र (3) अधिकार (खोजी प्रथा की यथार्थता और जनम अधिकार को) यदि उस विक्रय प्रति (सर्वाँ परीक्ष में, नियित, दिवसानुसार, अधिकार, धारित्व और अधिकार) में समाप्तित किसी नियित अधिक अतिकृत प्रति यूज़, स्वच्छता, दो मात्र के मुख्य बीड़ पर 1.00 तत्त्व दृष्टि से अधिक हो)

हृद्यार्थर...

"वित्तीय बैंक (बैंक) में जमा के स्थान पर निर्मित रूप से दिए जाएंगे।

**2 तारीख पर से अधिक के बिनिधियों व्यक्तिगत रूप से रिपोर्ट किए जाएंगे। 2 तारीख पर से कम के बिनिधियों एक साथ रिपोर्ट दिए जाएगा।

***पहली नियुक्ति में उपविचार मुहूर्त को पत्नी बांध के विवाह अधिकारों में इनकोषिकत करने की आवश्यकता नहीं है जबकि पहले लाभ के कारण कोई संयुक्त नद अधिकार नहीं की गई हो या किसी विधानम नदी का निम्नांचत नहीं किया गया हो।"
(ढ) प्ररूप सं. IV के स्थान पर, निम्नलिखित प्ररूप रखा जाएगा, अथवा:---

"प्ररूप सं. 4

पहली तिथिका पर या 31 मार्च, 20.........................की व्यावसायिक मदनों और अन्य दायित्वों का विवरण

<table>
<thead>
<tr>
<th>क्रम सं.</th>
<th>अवधि (मूल/पत्र या पत्रीय या अन्य वातावरण)</th>
<th>संबंधित कार का नाम और योजना</th>
<th>कार्य/सहायता की प्राप्ति और रकम</th>
<th>टिप्पणियाँ</th>
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तारीख............................

दस्तावेज..........................

टिप्पणि 1: उद्देश्यों की व्यक्तिक मदनों की जी दो मास के मूल जनस्तम्भ से अधिक नहीं है (नहीं नाम हो) और अन्य दशकों में 1.00 लाख लागत है, समय परियोजना जानी की आवश्यकता नहीं है।

टिप्पणि 2: विवरण में वैकल्पिक, कंपनियों, वित्तीय संस्थाओं, केंद्रीय सरकार/राज्य सरकार से और व्यक्तियों से लिए गए समिश्रत रिकॉर्ड और तथ्यों (एडवांस) को समय परियोजना होगा।

[भा. सं. 407/12/2014-एम.सी.-IV (की)]

जिंदुं बच्चा, संयुक्त सचिव

टिप्पणि: मूल नियम भारत के राजपत्र, असाधारण में अधिसूचना संबंधित सां.का.नि. 501(奖励), तारीख 14 जुलाई, 2014 द्वारा प्रकाशित किए गए थे और उनका भारत के राजपत्र असाधारण, तारीख 8 जिनवर, 2014 में प्रकाशित अधिसूचना सं. सां.का.नि. 638(奖励) द्वारा संशोधन किया गया था।

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS

(Рeartment of Personnel and Training)

NOTIFICATION

New Delhi, the 26th December, 2014.

G.S.R. 918(E).—In exercise of the powers conferred by sub-section (1) read with clause (k) and clause (l) of sub-section (2) of section 59, section 44 and section 45 of the Lokpal and Lokayuktas Act, 2013 (1 of 2014), the Central Government hereby makes the following rules further to amend the Public Servants (Furnishing of Information and Annual Return of Assets and Liabilities and the Limits for Exemption of Assets in Filing Returns) Rules, 2014, namely:—

1. (1) These rules may be called the Public Servants (Furnishing of Information and Annual Return of Assets and Liabilities and the Limits for Exemption of Assets in Filing Returns) Second Amendment Rules, 2014.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Public Servants (Furnishing of Information and Annual Return of Assets and Liabilities and the Limits for Exemption of Assets in Filing Returns) Rules, 2014 (hereinafter referred to as the principal rules), in rule 3, in the proviso to sub-rule (2), for the words “on or before the 31st day of December, 2014”, the words "on or before the 30th day of April, 2015" shall be substituted.
3. In the principal rules, in Appendix II,—
   (a) for Form No. II, the following Form shall be substituted, namely:—

   "FORM No. II

   Statement of movable property on first appointment or as on the 31st March, 20...

   (Use separate sheets for self, spouse and each dependent child.)

   Name of public servant/spouse/dependent child:

<table>
<thead>
<tr>
<th>S.No</th>
<th>Description</th>
<th>Remarks, if any</th>
</tr>
</thead>
<tbody>
<tr>
<td>(i)</td>
<td>Cash and bank balance:</td>
<td></td>
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<tr>
<td>(ii)**</td>
<td>Insurance (premia paid):</td>
<td></td>
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<tr>
<td></td>
<td>Fixed/Recurring Deposit(s):</td>
<td></td>
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<td></td>
<td>Shares/Bonds:</td>
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<td></td>
<td>Mutual Funds(s):</td>
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<td>Pension Scheme/Provident Fund</td>
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<td></td>
<td>Other investments, if any:</td>
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<tr>
<td>(iii)</td>
<td>Personal loans/advances given to any person or entity including firm, company, trust, etc. and other receivables from debtors and the amount (exceeding two months basic pay or Rupees one lakh, as the case may be):</td>
<td></td>
</tr>
<tr>
<td>(iv)</td>
<td>Motor Vehicles. (Details of Make, registration number, year of purchase and amount paid):</td>
<td></td>
</tr>
<tr>
<td>(v)</td>
<td>Jewellery (Give details of approximate weight (plus or minus 10 gms. in respect of gold and precious stones; plus or minus 100 gms. in respect of silver).]</td>
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<tr>
<td></td>
<td>Gold:</td>
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<td>Silver:</td>
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<td>Precious metals and precious stones:</td>
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<td>Composite items: (indicate approximate value)***</td>
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<td>(vi)</td>
<td>Any other assets [Give details of movable assets not covered in (i) to (v) above]:</td>
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<td>(a) Furniture</td>
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<td>(b) Fixtures</td>
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<td>(c) Antiques</td>
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<td>(d) Paintings</td>
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<td>(e) Electronic equipments</td>
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<td></td>
<td>(f) Others</td>
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   [Indicate the details of an asset, only if the total current value of any particular asset in any particular category (e.g. furniture, fixtures, electronic equipments, etc.) exceeds two months' basic pay or Rs. 1.00 lakh, as the case may be.]

   Date ........................................ Signature ........................................

* Details of deposits in the foreign Bank(s) to be given separately.

** Investments above Rs. 2 lakhs to be reported individually. Investments below Rs. 2 lakhs may be reported together.

*** Value indicated in the first return need not be revised in subsequent returns as long as no new composite item had been acquired or no existing items had been disposed of, during the relevant year."
for Form No. IV, the following Form shall be substituted, namely:

**FORM No. IV.**

Statement of Debts and Other Liabilities on first appointment or as on 31st March, 20.....

<table>
<thead>
<tr>
<th>Sl No.</th>
<th>Debtor (Self/ Spouse or dependent children)</th>
<th>Name and address of Creditor</th>
<th>Nature of debt/liability and amount</th>
<th>Remarks</th>
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</thead>
<tbody>
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Date ........................................

Signature ....................................

Note 1: Individual items of loans not exceeding two months basic pay (where applicable) and Rs. 1.00 lakh in other cases need not be included.

Note 2. The statement should include various loans and advances (exceeding the value in Note 1) taken from banks, companies, financial institutions, Central/State Government and from individuals."

[F. No. 407/12/2014-AVD-IV(B)]

JISHNU BARUA, Jr. Secy.

Note.—The principal rules were published in the Gazette of India, Extraordinary, vide notification number G.S.R. 501(E), dated the 14th July, 2014 and amended vide notification No. G.S.R. 638(E) published in the Gazette of India, Extraordinary, dated 8th September, 2014.
भारत की राजपत्र
The Gazette of India

आमदारण
EXTRAORDINARY
भाग II—खण्ड 3—उन—खण्ड (ii)
PART II—Section 3—Sub-section (ii)
प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

लेटर नं. 2635]
नई दिल्ली, शुक्रवार, दिसंबर 26, 2014/पाष 5, 1936
No. 2635]
NEW DELHI, FRIDAY, DECEMBER 26, 2014/PAUSHA 5, 1936

कार्यक, लोक विकास और पेशेवर मंत्रालय
(कार्यक और प्रशिक्षण विभाग)
आदेश

नई दिल्ली, 26 दिसंबर, 2014

का.आ. 3272(अ)—केंद्रीय सरकार ने लोकपाल और लोकायुक्त अधिनियम, 2013 (2014 का 1) (जिसे इसमें इसके पश्चात उन्हें अधिनियम कहा गया है) की धारा 62 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस तारीख से जिसमें लोकपाल और लोकायुक्त अधिनियम, 2013 के उपधारा लागू हों, वर्षात्र 16 जनवरी, 2016 से एक सी अतिरिक्त दिन से अधिक अवधि के भीतर, लोकतंत्रवाद द्वारा संगठित विनिर्देशियों की पालन की और आस्तियों का प्रतिबिंब करने के प्रयोजन के लिए, जिससे कि उनमें उत्कृष्ट अधिनियम के उपर्युक्त कृत्यों के अनुसार विधि निगम के साथ, सभी विचारण नियमों में उपार्जन और संवीतीत करने के प्रयोजन के लिए 15 जनवरी, 2014 के, लोकपाल और लोकायुक्त (चिनियाजों को पूरा कर्ता) आदेश, 2014 (जिसे इसमें इसके पश्चात उन्हें अधिनियम कहा गया है) किया था ;

और केंद्रीय सरकार ने विभिन्न प्राधिकारियों को ऐसे राज्य के नियंत्रण और महानकाय परिशद, विस्तारण आयोग, लोकतंत्र अधिनियम, राज्यवाद संविधान, विभिन्न और व्यापार विभाग (जिसे इन विभागों के विचार का विचार और विचारण विभाग) विभिन्न सहायता विभाग, लोक द्राक्ष विभाग और राज्य सरकारों के परामर्श से लोकतंत्रवाद द्वारा वार्षिक विषय फाइल करने और आस्तियों की प्रक्रिया करने से संबंधित विषय वस्तु से व्यूहार करने वाले सभी विचारण नियमों के उपार्जन और संवीतीत की प्रक्रिया प्रारंभ की ;

और उपरोक्त प्राधिकारियों से प्राप्त टिप्पणियों और सुझावों पर केंद्रीय सरकार द्वारा विचार कर लिया गया था तथा उक्त अधिनियम के अधिन नियमों के अधिक रूप देने की प्रक्रिया को पूरा करने में कुछ और समय लगता था और विचारण नियमों को उक्त अधिनियम और विशेष नियमों के अनुसार करने की प्रक्रिया में उक्त आदेश में विधिमूलित अवधि के परे समय लग गया था और इसलिए केंद्रीय सरकार ने 14 जुलाई, 2014 को उक्त आदेश को संवीतीत करने के एक सी अतिरिक्त दिन के उक्त अवधि को दो सी साल दिनों तक विस्तारित कर दिया था;
और केंद्रीय सरकार ने मंजूलों/विभागों, जिसके अंतर्गत विभिन्न सेवाएं विभाग, लोक उद्यम विभाग, विज्ञान और तकनीक वैज्ञानिक संगठनों, भारत सरकार के विभाग और भारतीय विज्ञान और उच्चतर परीक्षण के कार्यालय हैं, जो परमाणु पर्यावरणित परिस्थितियों के आलोचना करने में उपयुक्त संस्थाओं की दुर्दशा के लिए सीएमएच, निमंत्रण, 2014 (जिसे इसमें उनका नाम लिखा गया है) होज़चांकर और लोकसंस्कृति अधिनियम, 2013 की धरती 44 और 45 के तारीख परिशोध धारा 59 की प्राप्ति (2) के बंद (2) और (3) के साथ परिशोध धारा (1) के प्राप्ति प्राप्त अधिकारियों को प्रतिबिम्ब लेकर यह आलोचना करता है, उच्च नियोक्ता को, 14 जून, 2014 को, उसने उस दिन की परिशोध करता है जिसमें प्रतिस्पर्धी उपराज्य सुधिया और विभिन्न विभागों में संस्थान की जानी है, अभिप्रायित किया था।

और केंद्रीय सरकार ने उनके विभागों को अंतरिक्ष करते वातावरण में आधिकृति किया कि केंद्रीय सरकार के सभी मंजूलों और विभागों को यह अनुमोदन करते हैं अभिप्रायित किया था कि वे उच्च नियोक्ताओं के अंतरिक्ष में संबंधित मंजूलों, विभागों और संगठनों तथा उनके नियोक्ताओं के अंतरिक्ष विभाग उपराज्यों के सभी अधिकारियों और संचालित वातावरण द्वारा अनुपालन सुनिश्चित करें।

और केंद्रीय सरकार ने उन नियोक्ताओं को अंतरिक्ष करते वातावरण में आधिकृति किया कि केंद्रीय सरकार के सभी मंजूलों और विभागों को यह अनुमोदन करते हैं अभिप्रायित किया था कि वे उच्च नियोक्ता के अंतरिक्ष विभाग उपराज्यों के सभी अधिकारियों और संचालित वातावरण द्वारा अनुपालन सुनिश्चित करें।

और केंद्रीय सरकार ने उन नियोक्ताओं को अंतरिक्ष करते वातावरण में आधिकृति किया कि केंद्रीय सरकार के सभी मंजूलों और विभागों को यह अनुमोदन करते हैं अभिप्रायित किया था कि वे उच्च नियोक्ता के अंतरिक्ष विभाग उपराज्यों के सभी अधिकारियों और संचालित वातावरण द्वारा अनुपालन सुनिश्चित करें।
MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS

(Department of Personnel and Training)

ORDER

New Delhi, the 26th December, 2014

S.O. 3272(E)—Whereas the Central Government, in exercise of the powers conferred by sub-section (1) of section 62 of the Lokpal and Lokayuktas Act, 2013 (1 of 2014) (hereinafter referred to as the said Act), made the Lokpal and Lokayuktas (Removal of Difficulties) Order, 2014 (hereinafter referred to as the said Order) with effect from the 15th February, 2014 for the purpose of carrying out modifications and amendments in all existing rules regulating the filing of property returns and making of declaration of assets by public servants so as to bring them in conformity with the provisions of the said Act, within a period not exceeding one hundred and eighty days from the date on which the provisions of the Lokpal and Lokayuktas Act, 2013 came into force, i.e., the 16th January, 2014;

And whereas, the Central Government initiated the process of modifications and amendments of all existing rules dealing with the subject matter of filing of annual returns and making of declaration of assets by public servants in consultation with various authorities, such as, the Comptroller and Auditor General of India, the Election Commission,
the Lok Sabha Secretariat, the Rajya Sabha Secretariat, the Ministry of Law and Justice (Department of Legal Affairs and Legislative Department), the Department of Financial Services, the Department of Public Enterprises and the State Governments;

And whereas, the comments and suggestions received from above said authorities had been under consideration of the Central Government and the completion of the procedure of finalising the rules under the said Act was likely to take some more time and the process of harmonisation of the existing rules with the provisions of the said Act and the rules made thereunder was taking time beyond the period notified under the said Order, and, therefore, the Central Government amended the said Order on 14th July, 2014, extending the said period of one hundred and eighty days to a period of two hundred and seventy days;

And whereas, the Central Government, after consulting the Ministries/Departments, including the Department of Financial Services, the Department of Public Enterprises, the Ministry of Law and Justice and the office of the Comptroller and Auditor General of India, made the Public Servants (Furnishing of Information and Annual Return of Assets and Liabilities and the Limits for Exemption of Assets in Filing Returns) Rules, 2014 (hereinafter referred to as the said rules), in exercise of the powers conferred by sub-section (1) read with clause (k) and clause (l) of sub-section (2) of section 59 read with section 44 and section 45 of the Lokpal and Lokayuktas Act, 2013, and notified the said rules on 14th July, 2014, prescribing therein the forms in which information and annual returns are to be filed by every public servant;

And whereas, the Central Government forwarded the copies of the notification containing the said rules to all Ministries and Departments of the Central Government requesting them to take the follow-up action in terms of the said rules, and for ensuring compliance with the said rules by all officers and staff in the respective Ministries, Departments and organisations and public sector undertakings under their control;

And whereas, the Central Government also forwarded the copies of the notification containing the said rules to the Chief Secretaries of all State Governments and Union territories, requesting them to take the follow-up action in terms of the said rules requiring all officers of the All India Services working in connection with the affairs of the State Governments and the officers and staff working in various organisations and public sector undertakings under their control so as to ensure due compliance with the said rules by all of them;

And whereas, concernis and apprehensions were raised by some Ministries and Departments, Organisations and individuals about the posting of every information provided by the public servant on public domain and the complexities involved in posting such details in the prescribed formats and also about exacerbation of vulnerabilities of the public servants after filing such details, specifically of movable property and their publication on the websites of respective Ministries and Departments giving rise to the apprehension of the safety and security of the members particularly children of the public servant;

And whereas, keeping in view the genuine concerns and apprehensions aforesaid, the Central Government constituted a Committee on 28th August, 2014 to simplify the forms and the process in which public servants shall make declaration of assets and liabilities as required under the said Act and the rules made thereunder and the Committee was required to examine the forms prescribed under the said rules and suggest changes therein as may be considered necessary within a period of forty-five days;

And whereas, the exercise of reviewing the existing rules relating to various services and posts with the provisions of the said Act and the rules made thereunder, the process of completion of follow-up action by various Ministries and Departments of the Central Government and the State Governments and the exercise of simplification of forms and the process in which public servants shall make declarations of assets and liabilities, was likely to take time beyond the period of two hundred and seventy days as specified in the said Order (as amended by the Order, dated 14th July, 2014). It had become necessary to extend the said period of two hundred and seventy days and, accordingly, the Central Government amended the said Order on 8th September, 2014, extending the said period of two hundred and seventy days to a period of three hundred and sixty days for the purposes of section 44 of the said Act;

And whereas, the Committee constituted by the Central Government on 28th August, 2014 to simplify the forms and the process in which public servants shall make declaration of assets and liabilities as required under the said Act and the rules made thereunder, submitted its first Report to the Government on 1st October, 2014, wherein the Committee suggested simplification of form prescribed for submission of statement regarding movable assets and the form prescribed for submission of statement regarding debts and liabilities by public servants, under the aforesaid rules;
And whereas, the processing of necessary amendments to the aforesaid rules so as to incorporate the revised forms for filing statement regarding movable properties and the statement regarding debts and liabilities and the circulation of the revised formats, after their due notification in the Official Gazette, to all Ministries and Departments of the Central Government and the Chief Secretaries of all State Governments and Union territory administrations and the further process of follow-up action in terms of the said rules requiring all officers of the All India Services working in connection with the affairs of the State Governments and the Offices and Staff working in various Organisations and Public Sector Undertakings under their control so as to ensure due compliance with the revised rules by all of them, is a time consuming process and as such the said process cannot be completed within the limit of three hundred and sixty days as contemplated in the principal order as amended by the order dated 8th September, 2014;

And whereas, Central Government has decided to amend the Lokpal and Lokayuktas Act, 2013, to address various deficiencies noticed in the said Act and, in that context, a need has also been felt to amend the provisions of section 44 of the said Act so as to harmonise the provisions of the said section with the relevant provisions of the Representation of the People Act, 1951 and rules framed thereunder, the All India Services Act, 1951 and rules framed thereunder, the rules framed by the Central Government in pursuance of article 148 and article 309 of the Constitution and also various statutes setting up autonomous bodies and Public Sector Undertakings and the rules framed thereunder;

And whereas, the introduction of a Bill to amend the Lokpal and Lokayuktas Act, 2013, and its passing by Parliament and enforcement is also likely to take time; and hence it has become necessary to extend the said period of three hundred and sixty days to a period of eighteen months; and the Central Government has accordingly decided to extend the period to complete this process;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 62 of the Lokpal and Lokayuktas Act, 2013 (1 of 2014), the Central Government hereby makes the following amendment further to amend the Lokpal and Lokayuktas (Removal of Difficulties) Order, 2014, namely:—

In the said Order, in paragraph 2, in sub-paragraph (1), for the words “within a period not exceeding three hundred and sixty days”, the words “within a period not exceeding eighteen months” shall be substituted.

[F. No. 407/12/2014-AVD-IV(B) I]

JISHNU BARUA, Jt. Secy.