

रक्षा लेखा महानियंत्रक
Controller General of Defence Accounts
उलन बटार मार्ग, पालम, दिल्ली छावनी-110010
Ulan Batar Road, Palam, Delhi Cantt 110010

No. AN/XIII/13006/Vol-XXII

Dated 26.08.2016

To

सभी प्रधान नियंत्रक/नियंत्रक / All Pr.Controllers/Controllers
सभी प्र.ए.वि.सलाहकार/ ए.वि.सलाहकार / All Pr. IFAs/IFAs
(वेबसाईट के माध्यम से /Through Website)

विषय:-लोकपाल एवम लोकयुक्त (संशोधन) अधिनियम 2016

Sub: The Lokpal and Lokayuktas (Amendment) Act 2016.

संदर्भ: मुख्यालय का समसंख्यक पत्र दिनांक 29.07.2016

Ref: This HQrs letter bearing No. even dated 29.07.2016

कार्मिक लोक शिकायत और पेंशन मंत्रालय(कार्मिक और प्रशिक्षण विभाग) के उपरोक्त विषयक पत्र स. F. No. 407/16/2016-AVD-IV(LP) दिनांक 10.08.2016 की एक प्रति अनुलग्नो सहित, सूचनार्थ एवं दिशानिर्देश हेतु संलग्न की जाती है।

Copy of Deptt. of Personnel and Training OM bearing F. No. 407/16/2016-AVD-IV(LP) dated 10.08.2016 on the above subject along with its enclosures is attached herewith for information and guidance.

संलग्न: उपरोक्त
Encl: As above

रक्षा लेखा वरिष्ठ उप महानियंत्रक
(तरुण कु. जाजोरिया)

रक्षा लेखा वरिष्ठ उप महानियंत्रक

प्रतिलिपि/Copy to :

1. प्रशासन अनुभाग -I, II, IV
2. ई.डी. पी. अनुभाग

सूचनार्थ एवं आवश्यक कार्यवाही हेतु।
वेबसाईट पर अपलोड हेतु।

(तरुण कु. जाजोरिया)

रक्षा लेखा वरिष्ठ उप महानियंत्रक

F.No.407/16/2016-AVD-IV(LP)
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training

North Block, New Delhi
Dated: the 10th August, 2016

OFFICE MEMORANDUM

Subject: The Lokpal and Lokayuktas (Amendment) Act, 2016 .

The undersigned is directed to forward herewith a copy of the Lokpal and Lokayuktas (Amendment) Act, 2016 published in the Gazette of India on 30th July, 2016 for information.

Encl: as stated above


10.8.16
(Anil Bajpai)

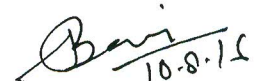
Under Secretary to the Government of India

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 to:

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


10.8.16
(Anil Bajpai)

Under Secretary to the Government of India



भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II — खण्ड 1

PART II — Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं० 44] नई दिल्ली, शनिवार, जुलाई 30, 2016/ श्रावण 8, 1938 (शक)
No. 44] NEW DELHI, SATURDAY, JULY 30, 2016/SHRAVANA 8, 1938 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 30th July, 2016/Shravana 8, 1938 (Saka)

The following Act of Parliament received the assent of the President on the 29th July, 2016, and is hereby published for general information:—

THE LOKPAL AND LOKAYUKTAS (AMENDMENT) ACT, 2016

No. 37 OF 2016

[29th July, 2016.]

An Act to amend the Lokpal and Lokayuktas Act, 2013.

BE it enacted by Parliament in the Sixty-seventh Year of the Republic of India as follows:—

1. (1) This Act may be called the Lokpal and Lokayuktas (Amendment) Act, 2016.

Short title and commencement.

(2) It shall be deemed to have come into force on the 16th day of January, 2014.

2. On and from the date of commencement of the Lokpal and Lokayuktas Act, 2013 (hereinafter referred to as the principal Act), for section 44, the following section shall be substituted, and shall be deemed to have been substituted, namely:—

Amendment of section 44.

"44. On and from the date of commencement of this Act, every public servant shall make a declaration of his assets and liabilities in such form and manner as may be prescribed."

Declaration of assets.

Amendment of
section 59.

3. On and from the date of commencement of the principal Act, in section 59, in subsection (2), for clause (k), the following clause shall be substituted, and shall be deemed to have been substituted, namely:—

"(k) the form and manner of declaration of assets and liabilities by public servants under section 44:

Provided that the rules may be made under this clause retrospectively from the date on which the provisions of this Act came into force;"

DR. G. NARAYANARAJU,
Secretary to the Govt. of India.

MANOJ
KUMAR

Digitally signed
by MANOJ
KUMAR
Date: 2016.07.30
23:26:09 +05'30'

58. The enactments specified in the Schedule shall be amended in the manner specified therein.

Amendment
of certain
enactments.

59. (1) The Central Government may, by notification in the Official Gazette, make rules to carry out the provisions of this Act.

Power to
make rules.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) the form of complaint referred to in clause (e) of sub-section (1) of section 2;

(b) the term of the Search Committee, the fee and allowances payable to its members and the manner of selection of panel of names under sub-section (5) of section 4;

(c) the post or posts in respect of which the appointment shall be made after consultation with the Union Public Service Commission under the proviso to sub-section (3) of section 10;

(d) other matters for which the Lokpal shall have the powers of a civil court under clause (vi) of sub-section (1) of section 27;

(e) the manner of sending the order of attachment along with the material to the Special Court under sub-section (2) of section 29;

(f) the manner of transmitting the letter of request under sub-section (2) of section 36;

(g) the form and the time for preparing in each financial year the budget for the next financial year, showing the estimated receipts and expenditure of the Lokpal under section 40;

(h) the form for maintaining the accounts and other relevant records and the form of annual statement of accounts under sub-section (1) of section 42;

(i) the form and manner and the time for preparing the returns and statements along with particulars under section 43;

(j) the form and the time for preparing an annual return giving a summary of its activities during the previous year under sub-section (5) of section 44;

(k) the form of annual return to be filed by a public servant under sub-section (5) of section 44;

(l) the minimum value for which the competent authority may condone or exempt a public servant from furnishing information in respect of assets under the proviso to section 45;

(m) any other matter which is to be or may be prescribed.

60. (1) Subject to the provisions of this Act and the rules made thereunder, the Lokpal may, by notification in the Official Gazette, make regulations to carry out the provisions of this Act.

Power of
Lokpal to
make
regulations.

(2) In particular, and without prejudice to the generality of the foregoing power, such regulations may provide for all or any of the following matters, namely:—

(a) the conditions of service of the secretary and other officers and staff of the Lokpal and the matters which in so far as they relate to salaries, allowances, leave or pensions, require the approval of the President under sub-section (4) of section 10;

(b) the place of sittings of benches of the Lokpal under clause (f) of sub-section (1) of section 16;

Annual statement of accounts.

42. (1) The Lokpal shall maintain proper accounts and other relevant records and prepare an annual statement of accounts in such form as may be prescribed by the Central Government in consultation with the Comptroller and Auditor-General of India.

(2) The accounts of the Lokpal shall be audited by the Comptroller and Auditor-General of India at such intervals as may be specified by him.

(3) The Comptroller and Auditor-General of India or any person appointed by him in connection with the audit of the accounts of the Lokpal under this Act shall have the same rights, privileges and authority in connection with such audit, as the Comptroller and Auditor-General of India generally has, in connection with the audit of the Government accounts and, in particular, shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect any of the offices of the Lokpal.

(4) The accounts of the Lokpal, as certified by the Comptroller and Auditor-General of India or any other person appointed by him in this behalf, together with the audit report thereon, shall be forwarded annually to the Central Government and the Central Government shall cause the same to be laid before each House of Parliament.

Furnishing of returns, etc., to Central Government.

43. The Lokpal shall furnish to the Central Government, at such time and in such form and manner as may be prescribed or as the Central Government may request, such returns and statements and such particulars in regard to any matter under the jurisdiction of the Lokpal, as the Central Government may, from time to time, require.

CHAPTER XIII

DECLARATION OF ASSETS

Declaration of assets.

44. (1) Every public servant shall make a declaration of his assets and liabilities in the manner as provided by or under this Act.

(2) A public servant shall, within a period of thirty days from the date on which he makes and subscribes an oath or affirmation to enter upon his office, 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;

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

(3) A public servant holding his office as such, at the time of the commencement of this Act, shall furnish information relating to such assets and liabilities, as referred to in sub-section (2), to the competent authority within thirty days of the coming into force of this Act.

(4) Every public servant shall file with the competent authority, on or before the 31st July of every year, an annual return of such assets and liabilities, as referred to in sub-section (2), as on the 31st March of that year.

(5) The information under sub-section (2) or sub-section (3) and annual return under sub-section (4) shall be furnished to the competent authority in such form and in such manner as may be prescribed.

(6) The competent authority in respect of each Ministry or Department shall ensure that all such statements are published on the website of such Ministry or Department by 31st August of that year.

Explanation.—For the purposes of this section, "dependent children" means sons and daughters who have no separate means of earning and are wholly dependent on the public servant for their livelihood.