D.O.No. 407/12/2014-AVD-IV(B)

Dated: 8th September, 2014

Dear Secretary,

Please refer to my D.O. letter of even No. dated 1st August, 2014 regarding furnishing of information relating to assets and liabilities by public servants under section 44 of the Lokpal and Lokayuktas Act, 2013.

2. In this regard, I am forwarding a copy of the Central Government’s notification dated 08th September, 2014 containing an Order 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 “two hundred and seventy days” to “three hundred and sixty days”, from the date on which the Act came into force, i.e., 16th January, 2014.

3. Government has also notified on 8th September, 2014, 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 15th September, 2014 to 31st December, 2014. A copy of the notification containing the said amendment Rules is enclosed.

4. I request you to kindly issue orders towards ensuring compliance with these Rules by all officers and staff in your Ministry/Department and in various organisations/PSUs under the control of your Ministry/Department, within the revised time-limit mentioned in the amended Rules, by filing their revised returns of assets and liabilities to the competent authority on or before 31st December, 2014.

5. I also request you to kindly ensure that 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 the jurisdiction/administrative/cadre control of your Ministry/Department is completed within the revised time limit of 360 days now provided in the Order dated 8th September, 2014 (Annexure-I).

Yours sincerely,

(Bhaskar Khulbe)

Encl: As above

To Secretaries
All Ministries/Departments of the Government of India
भारत का राजपत्र
The Gazette of India

सं. 1765] नई दिल्ली, सोमवार, सितंबर 8, 2014/भाद्र 17, 1936
No. 1765] NEW DELHI, MONDAY, SEPTEMBER 8, 2014/BHADRA 17, 1936

कार्य, लोक विकास और प्रेमन मंत्रालय

(कार्य और प्रशिक्षण विभाग)

आदेश

नई दिल्ली, 8 सितंबर, 2014

काश्य 2256(व)—केंद्रीय सरकार ने लोकपाल और लोकायुक्त अधिनियम, 2013 (2014 का 1) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 62 की उपधारा (1) द्वारा प्रदत्त अधिकारियों का प्रयोग करने हेतु, उस तारीख से जिन्होंने लोकपाल और लोकायुक्त अधिनियम, 2013 के उपवच्चालन नाम होते हैं, अर्थात् 16 जानवरी, 2016 से एक सी अस्तित्व से अन्तरिक्षक अवधि के भीतर, लोकसेवकों द्वारा सामान्य नियम यादसे कार्यकर्ताओं की फाइलिंग को बिनमित करने के लिए और आत्मांत्रिकीय की कौशल करने के प्रयोजन के लिए, जिसमें कि उन्हें उक्त अधिनियम के उपवच्चालन के अनुसार लाया जा सके, सभी विधान सभा नियमों में उपद्रव और संलग्नता करने के प्रयोजन के लिए 15 फरवरी, 2014 से, लोकपाल और लोकायुक्त (कटिनाइयों के दूर करना) आदेश, 2014 (जिसमें इसके पश्चात उक्त आदेश कहा गया है) किया था;

और केंद्रीय सरकार ने लोकसेवकों द्वारा बिनमित प्राधिकारियों जैसे भारत के नियंत्रक और महालेखा परीक्षक, निर्वाचन आयोग, लोकसभा सचिवालय, राजसभा सचिवालय, विधि और न्याय विभाग (विधि कार्य विभाग और विधायी संगठन), विधि सेवा विभाग, लोक उद्यम विभाग और राज्य सरकार के प्रामाण्य से बांटक बिनमित प्रांत और आत्मांत्रिकीय की कौशल करने से संबंधित विधि वस्तु से व्याप्त करने वाले सभी विधान सभा नियमों के उपद्रव/संलग्नता की प्रक्रिया प्रारंभ की है;

और उपरोक्त प्राधिकारियों में प्राप्त टिपूसियों/पुष्टि को प्रांत पर केंद्रीय सरकार द्वारा विचार कर लिया गया था तथा उक्त अधिनियम के अंशों नियमों की अंतिम रूप के देने की प्रक्रिया को पूरा करने में हुई और समय लगना था और विधान सभा नियमों की उक्त अधिनियम के अंशों नियमों के अनुसार करने की प्रक्रिया में उक्त आदेश में अविश्वसनीय अवधि के परे समय लग रहा था और इसलिए केंद्रीय सरकार ने 14 जुलाई, 2014 को उक्त आदेश की संविधान करके एक सी अस्तित्व दिन के उक्त अवधि को दो सी मतलब दिनों तक विस्तारित कर दिया था;
शासक बुलबुले, अध्यक्ष

तथा आदेश के पैरा 2 के उप-पैरा (1) में, "दो सी सात दिन से अनधिक अवधि के भीतर", शब्दों के स्थान पर, "तीन सी सात दिन से अनधिक अवधि के भीतर" शब्द रखे जाएंगे।
MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS
(Declaration of Personnel and Training)
ORDER
New Delhi, the 8th September, 2014

S.O. 2256(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., 16th January, 2014;

And whereas the Central Government initiated the process of modification/amendment 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/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 has, 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 has 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 Ministry, Department and organisations and public sector undertakings under their control;
And whereas the Central Government has 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, concerns and apprehensions have been raised by some Ministries/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/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 has 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 is 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 under various cadre authorities 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 the forms and the process in which public servants shall make declarations of assets and liabilities, are 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 has become necessary to extend the said period of two hundred and seventy days to a period of three hundred and sixty days, and the Central Government has accordingly decided to extend the period to complete this process and to notify the amendments in the relevant rules after following the procedural requirements;

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 further amendment in 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 two hundred and seventy days”, the words “within a period not exceeding three hundred and sixty days” shall be substituted.

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

BHASKAR KHULBE, Addl. Secy.

Note.—The Lokpal and Lokayuktas (Removal of Difficulties) Order, 2014 was published in the Gazette of India, Extraordinary, vide notification number S.O. 409(E), dated 15th February, 2014 and was amended by Order dated 14th July, 2014 published vide notification number S.O. 1840(E), dated 15th July, 2014.
कार्यकाल, लोक शिकायत और पेंशन मंत्रालय
(कार्यकाल और प्रविष्टियाँ विभाग)
अधिनियम
नई दिल्ली, 8 सितंबर, 2014
साकाति. 638(अ)—केन्द्रीय सरकार, लोकपाल और लोकायुक्त अधिनियम, 2013 (2014 का 1) की
धारा 44 और धारा 45 के साथ पठित धारा 50 की उप-धारा (2) के खंड (2) और खंड (3) के साथ पठित उप-धारा
(1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, लोक सेवक (मूल्य और आस्तियों तथा दायित्वों की विवरणी देने
तथा विवरणियाँ फाइल करने में आस्तियों की छूट के लिए सीमाएं) नियम, 2014 का संशोधन करने के लिए
निम्नलिखित नियम बनाती है, अर्थात् :—
1. (1) इन नियमों का संक्षिप्त नाम लोक सेवक (मूल्य और आस्तियों तथा दायित्वों की विवरणी देने तथा
विवरणियाँ फाइल करने में आस्तियों की छूट के लिए सीमाएं) संशोधन नियम, 2014 है।
(2) ये उनके राजपत में प्रकाशन की तारीख से प्रवृत्त होंगे।
2. लोक सेवक (मूल्य और आस्तियों तथा दायित्वों की विवरणी देने तथा विवरणियाँ फाइल करने में
आस्तियों की छूट के लिए सीमाएं) नियम, 2014 के नियम 3 में, उप-नियम (2) के परंतुक में, “15 सितंबर, 2014
cो या उससे पूर्व” शब्दों के स्थान पर ”31 दिसंबर, 2014 को या उससे पूर्व” शब्द रखे जाएंगे।
[फार. सं. 407/12/2014-एवीडी-IV(ब)भाग-1]
मास्कर बूलवे, अध्यक्ष सचिव
टिप्पणी: मूल नियम भारत के राजपत्र, असाधारण में अधिनियम सं. 638(अ), तारीख 14 जुलाई, 2014
d्वारा प्रकाशित किए गए थे।
MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS
(Department of Personnel and Training)

NOTIFICATION

New Delhi, the 8th September, 2014

G.S.R. 638(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 read with Section 44 and Section 45 of the Lokpal and Lokayuktas Act, 2013 (1 of 2014), the Central Government hereby makes the following rules 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) 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, in rule 3, in the proviso to sub-rule (2), for the words “on or before the 15th day of September, 2014”, the words “on or before the 31st day of December, 2014” shall be substituted.

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

BHASKAR KHULBE, Addl. 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.