

The Goa Public Men's Corruption (Investigations and Inquiries) Powers of Commission Rules, 1993

GOA

India

The Goa Public Men's Corruption (Investigations and Inquiries) Powers of Commission Rules, 1993

Rule

THE-GOA-PUBLIC-MEN-S-CORRUPTION-INVESTIGATIONS-AND-INQU of 1993

- Published on 14 June 1993
- Commenced on 14 June 1993
- [This is the version of this document from 14 June 1993.]
- [Note: The original publication document is not available and this content could not be verified.]

The Goa Public Men's Corruption (Investigations and Inquiries) Powers of Commission Rules, 1993Published vide Notification No. 1/26/80-VIG-VOL-1, dated 14th June, 1993

1.

/26/80-VIG-VOL-I. - In exercise of the powers conferred by section 32 of the Goa Public Men's Corruption (Investigations and Inquiries) Act, 1988 (Act 7 of 1991), the Government of Goa hereby makes the following rules so as to specify the powers of the Commission, namely:-

1. Short title and commencement.

(1)These rules may be called the Goa Public Men's Corruption (Investigations and Inquiries) Powers of Commission Rules, 1993.(2)They shall come into force at once.

2. Definition.

- In these rules, unless the context otherwise requires,-(i)"Act" means the Goa Public Men's Corruption (Investigations and Inquiries) Act, 1988 (Act 7 of 1991);(ii)Words and expressions used but not defined in these rules, and defined in the Act, shall have the meanings respectively assigned to them in the Act.

3. Conditions of Service of Counsel appointed by the Commission.

- The fees payable to and the duties, rights and liabilities of Counsel appointed by the Commission to assist it under sub-section (6) of section 13 of the Act shall be the same as are applicable to the Public Prosecutor/Government Advocate appointed by the State Government: Provided that, it shall be competent for the Commission, in special circumstances of a particular case or considering the nature of the work for which the Counsel is appointed, to sanction the payment of fees at a higher rate or a consolidated fee to the Counsel appointed by it.

4. Powers of Commission under the Code of Civil Procedure, 1908 (Central Act 5 of 1908).

(1) The Commission or any officer authorised in this behalf by the Commission shall have the powers of a Civil Court while trying a suit under the Code of Civil Procedure, 1908 (Central Act 5 of 1908), in respect of the following matters, namely:-(a) to grant injunction; (b) to issue commission for local inspection; (c) to make, during the pendency of any complaint any interlocutory order as may appear to the Commission to be just and necessary to meet the ends of justice; (d) to allow amendment of the complaints or applications; (e) to add as parties the legal representatives of a deceased party in any complaint pending before it, subject to the provisions of Order XXII of the Code of Civil Procedure, 1908 (Central Act 5 of 1908), in so far as they are applicable; (f) to review its decisions or orders on interlocutory applications; (g) to dismiss a complaint for default or to decide it ex-parte; (h) to set aside an order of dismissal of a complaint for default or any order passed ex-parte. (2) The period of limitation for an application to implead the legal representatives of a party shall be ninety days from the date of his death. (3) The period of limitation for applications under clauses (f) and (h) of sub-rule (1) shall be thirty days from the date of the decision or order. (4) The provisions of section 5 of the Limitation Act, 1963 (Central Act 36 of 1963), shall be applicable to applications mentioned in clauses (e), (f) and (h) of sub-rule (1).

5. Powers of Commission to correct errors.

- . (1) The Commission may at any time correct any clerical or arithmetical error in a report, declaration, decision or order arising from any accidental slip or omission, either suo motu or on application. (2) Subject to the provisions of section 153 of the Code of Civil Procedure, 1908 (Central Act 5 of 1908), the Commission may at any time and on such terms as to costs or otherwise as it may think fit, amend any defect or error in any proceedings in a petition.

6. Power to strike out or add parties.

- The Commission may, at any stage of the proceedings in a complaint either suo-motu or on application, delete the name of any party-improperly joined or, add as party any person who ought to have been joined or whose presence before the Commission is felt necessary in order to enable the Commission, to decide effectively and completely the question involved in any complaint and the provision of rule 10 of Order I of the Code of Civil Procedure, 1908 (Central Act 5 of 1908), shall, as

far as may be, apply to such deletion or addition of parties.