

# The Maharashtra Lokayukta (Conditions of Service) Rules, 1973

MAHARASHTRA

India

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### Rule

### THE-MAHARASHTRA-LOKAYUKTA-CONDITIONS-OF-SERVICE-RULES of 1973

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The Maharashtra Lokayukta (Conditions of Service) Rules, 1973 Published vide Notification G. N., G. A. D., No. LPL. 1072/18085 (A)-D1, dated 1st September, 1973 (M. G., Part 4B, page 1589) In exercise of the powers conferred by clause (b) of sub-section (2) of section 20 of the Maharashtra Lokayukta and Upa-Lokayuktas Act, 1971 (Maharashtra XLVI of 1971), and of all other powers enabling, him in this behalf the Governor of Maharashtra hereby makes the , following rules, namely :-

#### 1. Short title and commencement.

(1) These rules may be called the Maharashtra Lokayukta (Conditions of Service) Rules, 1973. (2) They shall be deemed to have come into force on the 25th day of October, 1972.

#### 2. [ Residential accommodation. [Substituted by G. N. of 24.10.1975.]

(1) The Lokayukta shall be entitled, without payment of rent, to the use of a residence provided by the State Government in Bombay, throughout his term of office. (2) [ The State Government shall be responsible for the maintenance of the residence (including the payment of rates and taxes due to Government or any local authority [ \* \* \* ] provided under sub-rule (1) and shall bear the expenditure incurred on such maintenance. ] (3) Where the Lokayukta occupies any accommodation other than that provided by the State Government, he shall be entitled to a consolidated house allowance of [equivalent to an amount of thirty per cent, of salary plus thirty per cent, of the dearness pay] [Substituted for the letters and figures 'Rs. 10,000' by G. N. of 7.6.2006 (w.e.f. 1.4.2004). Previously 'Rs. 10,000' was substituted for 'Rs. 9,000' by G. N. of 7.6.2006 (w.e.f. 8.1.1999 upto 31.3.2004.)] per month, in lieu of residence and maintenance as aforesaid. ] (4) [ The Lokayukta, irrespective of the

fact whether he resides in an official residence or not, shall be entitled to reimbursement of charges on account of 3600 kilo litres of water and 1000 units of electricity per annum consumed at his residence.] [Sub-rule (4) was substituted by G. N. of 12.5.1995.]

### **3. [ Conveyance. [Substituted by G. N. of 2.11.1976.]**

- The State Government, shall provide a motor car for the use of Lokayukta and shall bear all expenditure on its maintenance and repairs including expenditure on petrol and oil. The State Government shall also provide free of charge the services of a chauffeur for the motor car so provided.]

### **4. Travelling and Daily Allowance.**

- The Lokayukta shall be entitle to travelling allowance and daily allowance for journey undertaken by him in the performance of his duties, at the rates admissible to a Minister under the Bombay Ministers' Salaries and Allowances Act, 1956 (Bombay XL VIII of 1956) and the rules and order made thereunder.

### **4A. [ [Rule 4A was inserted by G. N. of 22.8.1989 (w.e.f. 7.11.1986).]**

The Lokayukta shall be entitled to leave travel concession for himself, and dependent members of the family residing with him, for visiting any place in India (including permanent residence in his home State) during his leave, twice a year in accordance with the rules applicable in this regard to a member of the Indian Administrative Service holding the rank of Secretary to the Government.] [The Lokayukta shall have the option to travel by air or by air-conditioned first class by railway.] [These words were inserted by G. N. of 18.12.1992.] Explanation. - For the purpose of this rule, the expression "members of the family" means "the husband, wife, son, daughter, father, mother, brother and sister".

### **5. Hours of Work.**

- The Lokayukta may fix such hours of work for himself and his staff as he deems fit.

### **6. Leave.**

- The Lokayukta shall be entitled to leave, in accordance with the provisions of the High Court Judges (Conditions of Services) Act, 1954 (XXVIII of 1954) and the rules made thereunder applicable to a Judge of the High Court, subject to the following modifications, namely :-(a)The Lokayukta shall be entitled to leave on full allowances at the rate of one month for cash completed year of service and proportionately for the remaining period of service.(b)[ The Lokayukta shall, every year, be entitled to a vacation of fifteen days in summer and seven days in winter.] [Substituted by G. N. of 29.10.1996.](c)[ The Lokayukta shall be entitled, at the time of retirement, to encash the earned leave at his credit.] [Substituted by G. N. of 18.12.1992.]

**7. [ Provident Fund. [Rule 7 was substituted by G. N. of 22.8.1989 (w.e.f. 28.12.1988).]**

- The Lokayukta shall be entitled to subscribe to the Contributory Provident Fund in accordance with the provisions of the Contributory Provident Fund Rules (Bombay) and subject to the conditions as laid down in Government Resolution, General Administration Department, No. PFR. 1060-J, dated the 20th April, 1961 [and Government Resolution. General Administration Department, No. GPF. 1185/CR-52/XIII-A, dated the 28th May, 1986] :Provided that, a person holding the office of the Lokayukta on the date of commencement of the Maharashtra Lokayukta and Upa-Lokayuktas (Amendment) Act, 1988 (Maharashtra XXIX of 1988) shall be entitled to subscribe only to the General Provident Fund in accordance with the provisions of the Bombay General Provident Fund Rules :][Provided further that, the conditions laid down in Government Resolution, General Administration Department, No. GPF. 1185/ CR-52/XIII-A, dated the 28th May, 1986 shall not apply to the person holding the office of the Lokayukta on the date of commencement of the Maharashtra Lokayukta (Conditions of Service) Rules, 1997.] [Proviso was added by G. N. of 17.5.1997.]

**8. [ Pension. [Rule 8 was substituted by G. N. of 22.8.1989 (w.e.f. 28.12.1988).]**

- A person appointed to the office of the Lokayukta on or after the date of commencement of the Maharashtra Lokayukta and Upa-Lokayuktas (Amendment) Act, 1988 (Maharashtra XXIX of 1988) shall not be entitled to pension :Provided that, a person appointed to the office of the Lokayukta before the date of commencement of the Maharashtra Lokayukta and Upa-Lokayukta (Amendment) Act, 1988 (Maharashtra XXIX of 1988), shall be entitled to a pension for life at the rate of [Rs. 8,775] per year for each completed year of service as the Lokayukta or proportionately for a part thereof :Provided further that, the maximum amount of such pension shall not exceed [Rs. 43,875] [Substituted for letters and figures 'Rs. 13,500' by G. N. of 15.1.2001 (w.e.f. 1.1.1996).] per annum:Provided also that, in computing the service for part of a year, only six monthly period of completed service shall be taken into account and not any broken period which is less than six months.]

**9. [ Dearness Allowance. [Added by G. N. of 20.8.1981 (w.e.f. 1.12.1978).]**

- The Lokayukta shall be entitled to dearness allowance and additional dearness allowance at the rates admissible to the members of the Indian Administrative Service drawing pay of [Rs. 30,000] and above per mensem.]

**10. [ Medical attendance. [Added by G. N. of 20.11.1988.]**

- Save as otherwise provided in these rules or in the absence of any other specific order in this behalf, the Lokayukta and the members of the family of the Lokayukta, residing with and dependent on him, shall be entitled, free of charge, to accommodation in hospitals maintained by the State Government and to medical attendance and treatment.Explanation. - For the purposes of this rule,

the expression "a member of the family" means "the husband, wife, son, daughter, father, mother, brother or sister".]

**11. [ Sumptuary allowance. [Rule 11 was added by G. N. of 18.12.1992.]**

- The Lokayukta shall be entitled to a sumptuary allowance of [Rs. 7,500] per month.]

**12. [ City Compensatory Allowance. [Deemed to have been substituted with effect from 27th day of April, 1995 vide Maharashtra Lokayukta (Conditions of Service) (Amendment) Rules, 1995.]**

- The Lokayukta shall be entitled to the City Compensatory Allowance [with effect from the 1st August, 1997] at the rate admissible to the member of Indian Administrative Service of the rank of Secretary to the Government.]