

# **The U.P. Lokayukta And Up-Lokayuktas (Complaint) Rules, 1977**

UTTAR PRADESH

India

## **The U.P. Lokayukta And Up-Lokayuktas (Complaint) Rules, 1977**

### **Rule**

### **THE-U-P-LOKAYUKTA-AND-UP-LOKAYUKTAS-COMPLAINT-RULES-1 of 1977**

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The U.P. Lokayukta And Up-Lokayuktas (Complaint) Rules, 1977Published Vide Notification No. 5226/39-(2)-39-(4-4)-1977, dated October 28,1977, published in the Uttar Pradesh Gazette Extraordinary, dated October 29,1978.In exercise of the powers under Section 21 of the Uttar Pradesh Lokayukta and Up-Lokayuktas Act, 1975, the Governor is pleased to make the following rules :

### **1. Short title and commencement. -**

(1)These Rules may be called the Uttar Pradesh Lokayukta and Up-Lokayuktas (Complaint) Rules, 1977.(2)They shall come into force at once.

### **2. Definitions. -**

In these Rules unless the context otherwise requires -(a)"Act" means the Uttar Pradesh Lokayukta and Up-Lokayuktas Act, 1975 (U.P. Act No. 42 of 1975);(b)"Complaint" means a complaint made under Section 9 of the Act.

### **3. Form of complaint. -**

(1)Every complaint shall, as far as practicable, be made in accordance with the form set out in Annexure.(2)Mode of Presentation. - A complaint may be presented to the Secretary to the Lokayukta or be sent under registered cover.

Substituted by Notification No. 77-L.A./XXXIX-4-2004- 2-1978, dated 31.5.2005, published in the U.P. Gazette, Extraordinary, Part 4, Section (kha) dated 31.5.2005 (w.e.f. 31.5.2005). Prior to substitution, it stood as under :4. Security to be deposited by the complainant. - (1) A sum of Rs. 1,000 (Rupees one thousand only) shall be paid by the complainant as security for costs in respect of a complaint making an allegation not being a complaint referred to sub-section (6) of Section 9 : Provided that the Lokayukta may for sufficient cause to be recorded in writing exempt wholly or partly, a complainant from the requirement under this sub-rule.(2) The amount of security mentioned in sub-rule (1) shall be deposited by the complainant through treasury challan in any branch of the State Bank of India under the Head '8443-Civil Deposits'. A copy of the treasury challan shall be attached with the complaint.(3) The Lokayukta or Up-Lokayukta as the case may be, may while disposing of a complaint involving an allegation direct the whole or any part of the amount of security to be forfeited and payment of the amount forfeited as compensation to the person against whom the complaint was made :Provided that at the time of awarding compensation in any subsequent civil suit relating to the same matter the Court shall take into account any sum paid as compensation under this sub-rule.(4) The amount of security deposit, other than the amount, if any, forfeited under sub-rule (3), shall be refunded to the complainant after disposal of the complaint.

#### **4. Security to be deposited by the complainant. -**

(1)A sum of Rs. 1,000 (Rupees one thousand only) shall be paid by the complainant as security for costs in respect of a complaint making an allegation not being a complaint referred to sub-section (6) of Section 9 :Provided that the Lokayukta may for sufficient cause to be recorded in writing exempt wholly or partly, a complainant from the requirement under this sub-rule.(2)The amount of security mentioned in sub-rule (1) shall be deposited by the complainant through treasury challan in any branch of the State Bank of India under the Head "8443-Civil Deposits-00-103-security deposits 00-00". A copy of the treasury challan shall be attached with the complaint.(3)The Lokayukta or Up-Lokayukta as the case may be, may while disposing of a complaint involving an allegation direct the whole or any part of the amount of security to be forfeited and payment of the amount forfeited as compensation to the person against whom the complaint was made :Provided that at the time of awarding compensation in any subsequent civil suit relating to the same matter the Court shall take into account any sum paid as compensation under this sub-rule.(4)The amount of security deposit, other than the amount, if any, forfeited under sub-rule (3), shall be refunded to the complainant after disposal of the complaint.]

#### **5.**

A complaint which does not comply with any of the conditions laid down in these rules or in the Act shall not be entertained. However, the complainant may be given an opportunity to complete the complaint within such period and in such manner as may be specified. Annexure to Notification No. 5226/XXXIX (2)-39(4-4)-1977, dated October 28,1977. For Office Use (Not to be filled by the complainant). Date of receipt Number. Complaint form regarding "grievance" or an "allegation" [as defined in section 2(b) of the U.P. Lokayukta and Up-Lokayuktas Act, 1975] to be filled before the Lokayukta/Up-Lokayukta, Uttar Pradesh. (To be filled in triplicate)[Please see Section 9 of the Act and the U.P. Lokayukta and Up-Lokayuktas (Complaints) Rules 1977]

**1. Name of the complainant**

**2. Father's or husband's name**

**3. (a) Occupation**

(b)Whether you are public servant or not?(c)If the complaint is on behalf of any person, state your relationship with that person (Also annex documents, any, to prove that you represent his estate or he has authorised you in this behalf).

**4. Permanent address :**

(a)Name(b)Place(c)Post Office or Police Station(d)District

**5. Address to which communication are to be sent:**

(a)Name(b)Place(c)Post Office or Police Station(d)District

**6.**

(1)Name designation (as at the time of the matter complained against) and present address (if known) of the person against whom complaint is being made.(2)Date when the cause for the complaint arose.(3)Reasons for delay in submitting the complaint [being time barred under sub-section (4) of Section 8.](4)Whether any complaint was earlier made before a superior authority or proceedings taken before a Tribunal or a Court of law? If so, with what result? If not, please briefly state the reason.

**7.**

Whether it is -(a)an allegation\* [as defined in Section 2(b) of the Act]; or(b)a grievance [as defined in Section 2(d) of the Act].

**8.**

Challan No. and date of deposit of security for cost under Rule 4.Notes. - (1) The amount may be deposited in any branch of the State Bank of India under the Head "8443 civil Deposit."(2)No amount is required to be deposited in the case of "grievance".(3)A copy of the Challan should be attached to the complaint [See Rule 8(2)].

**9.**

List of persons who have sworn affidavits in support of the complaint.

**10.**

Are there other persons who have knowledge about the facts relating to the complaint whom you would like to be summoned by the Lokayukta/Up-Lokayukta.

**11.**

List of documents attached to the complaint including affidavit of the complainant.

**12.**

The particulars of the complaint (here please state full fact of the complaint. Additional pages can be added, if the space below is insufficient).