

MAHARASHTRA LOKAYUKTA AND UPA-LOKAYUKTAS (COMPETENT AUTHORITIES) RULES, 1973

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MAHARASHTRA LOKAYUKTA AND UPA-LOKAYUKTAS (COMPETENT AUTHORITIES) RULES, 1973

In exercise of the powers conferred by sub-section (1), read with clauses (a) and (e) of sub-section (2) of Section 20 of the Maharashtra Lokayukta and Upa-Lokayuktas Act, 1971, (Mah.XLVI of 1971), and of all other powers enabling him in that behalf, the Governor of Maharashtra hereby makes the following rules, namely

1. Short title and commencement :-

- (1) These rules may be called the Maharashtra Lokayuktas and Upa-Lokayuktas (Competent Authorities) Rules, 1973.
- (2) They shall come into force at once.

2. Definitions :-

In these rules, unless the context otherwise requires,-

- (a) "Act" means the Maharashtra Lokayukta and Upa-Lokayuktas Act, 1971, (Mah.XLVI of 1971)
- (b) "section" means a section of the Act;
- (c) Words and expressions used in the Act but not defined in these rules have the meanings assigned to them in the Act.

3. Competent Authority :-

The competent authority, in relation to a public servant (other than a Minister or a Secretary) specified in column (1) of the Table below shall be the authority specified against him in column (2) of that Table.

4. Notice to Public Servant in case of Investigation :-

(1) Where a Lokayukta or an Upa-Lokayukta proposes (after making such preliminary inquiry as he deems fit) to conduct any investigation under the Act, he shall send a notice in the Form given in the Schedule hereto appended to the public servant concerned, along with a copy of the complaint or in the case of any investigation which he proposes to conduct on his own motion, a statement setting out the grounds therefore. The notice shall require the public servant to submit his reply within the time specified therein or within such further time (if any) as may be granted.

(2) A copy of such notice and of its accompaniments shall be then sent to the competent authority concerned.

SCHEDULE 1

SCHEDULE

SCHEDULE

(See Rule 4)

In the Office of the Lokayukta/ Upa-Lokayukta, at Bombay

Com. No. L/UL..... of 19..

Complainant
Public servant
complaint against

To.....

(Give name and address of the public servant)

Upon considering the material before him, the Lokayukta/ Upa-Lokayukta has decided to conduct an investigation under the Maharashtra Lokayukta and Upa-Lokayukta Act, 1971 (Mah. XLVI of ' 71) in respect

of the complaint made by / on his own motion and a..... (name

and address of the complainant) against you and a copy of the complaint is appended / statement setting out the grounds therefore is appended.

Take notice that you are hereby required on or before.....

(date) to file a statement in reply and to offer your comments and explanation supported by an affidavit and to produce true copies under your signature of the

documents (if any) on which you want to rely in your defence.

Take further notice that if, on or before the date aforesaid you fail to appear in person to file the reply and offer your comments and explanation

or fail to send the reply, etc., by post or otherwise, the matter may be decided in your absence.

Given under my hand and seal of the office.

Dated..... day of..... 19.

Assistant Registrar

Office of the Lokayukta/ Upa-Lokayukta,

Bombay