

MAHARASHTRA UPA-LOKAYUKTAS (CONDITIONS OF SERVICE) RULES, 1973

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MAHARASHTRA UPA-LOKAYUKTAS (CONDITIONS OF SERVICE) RULES, 1973

In exercise of the powers conferred by clause (b) of sub-section (2) of Section 20 of the Maharashtra Lokayukta and Upa-Upa-Lokayukta 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 Upa-Lokayukta (Conditions of Service) Rules, 1973.
- (2) They shall be deemed to have come into force on the 1st October, 1973.

2. Residential accommodation :-

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- (1) The Upa-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)²The 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 and the provisions of electricity, gas and water) provided under sub-rule (1) and shall bear the expenditure incurred on such maintenance

(3) Where an Upa-Lokayukta occupies any accommodation other than that provided by the State Government, he shall be entitled to a consolidated house allowance of Rs. ³[2,500] per month, in lieu of residence and maintenance as aforesaid.⁴

1. Subs, by G.N. of 24-10-1975
2. Subs, by G.N. of 2-11-1976
3. Subs, by G.N. of 22-11-89 w.e.f 1st May, 1989
4. Subs, by G.N. of 2-11-1976

3. Conveyance :-

¹ The State Government, shall provide a motor car for the use of Upa-Upa-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 chuffeur for the motor car so provided].

1. Subs, by G.N. of 2-11-1976

4. Travelling and Daily Allowance :-

An Upa-Lokayukta shall be entitled to travelling allowance and daily allowance for journeys 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 (Bom. XLVIII of 1956) and the rules and orders made thereunder.

4A. . :-

¹ An Upa-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 India Administrative Service holding the rank of Secretary to the Government.

Explanation.-for the purposes of this rule, the expression "members of the family" means the husband, wife, son, daughter, father, mother, brother and sister.

1. Substd. ibid, 7th November, 1986

5. Leave :-

An Upa-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 Upa-Lokayukta shall be entitled to leave on full allowances at the rate of one month for each completed year of service and proportionately for the remaining period of service.

(b) The period of vacation shall be 15 days in a year in the summer.

6. Provident Fund :-

1 An Upa-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 Administrative Department, No. PER.1060-J, dated the 20th April, 1961:

Provided that a person holding the office of the Upa-Lokayukta on the date of commencement of the Maharashtra Lokayukta and Upa-Upa-Lokayukta (Amendment) Act, 1988 (Mah. XXIX of 1988) shall be entitled to subscribe only to the General Provident Fund in accordance with the Bombay General Provident Fund Rules.

1. Subtd. by G.N. dated 22.8.89 w.e.f. 28th Dec. 1988

7. Pension :-

1 A person appointed to the office of the Upa-Lokayukta on or after the date of the commencement of the Maharashtra Upa-Lokayukta and Upa-Upa-Lokayukta (Amendment) Act, 1988 (Mah. XXIX of 1988) shall not be entitled to pension:

Provided that a person holding the office of the Upa-Lokayukta before the date of the commencement of the Maharashtra Upa-Lokayukta and Upa-Lokayukta (Amendment) Act, 1988 (Mah. XXIX of 1988) shall be entitled to a pension for life at the rate of Rs. 2,025 per year for each completed year of service as the Upa-Lokayukta or proportionately for a part thereof:

Provided further that, the maximum amount of such pension shall not exceed Rs. 10,125 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".

1. Substd. ibid, 7th November, 1986

8. Charge allowance to Upa Lokayukta performing duties of office of Lokayukta :-

1 An Upa-Lokayukta who is directed to perform the duties of the office of the Lokayukta under clause (a) of sub-section (2) of Section 5 of the Maharashtra Lokayukta and Upa-Lokayukta Act, 1971, shall, in addition to his salary as an Upa-Lokayukta, be entitled to draw a charge allowance at the rate of Rs. 500 per month during the period he performed such duties

1. Added by G.N. of 2-7-1975

9. Dearness Allowance :-

1 An Upa-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 9[8,600] and above per mensem

1. Added by G.N. of 10-8-1981

10. Medical attendance :-

1 Save as otherwise provided in these rules or in the absence of any other specific order in this behalf, the Upa-Lokayukta and the members of the family of the Upa-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 and sister"

1. Added by G.N. of 20-11-88