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GOVERNMENT OF ARUNACHAL PRADESH
HOME DEPARTMENT
CIVIL SECRETARIAT
ITANAGAR

NOTIFICATION

The 7th June, 2018

No. HMB (B)-15/2014. —In the exercise of the powers conferred by section 57 of the Arunachal Pradesh Lokayukta Act, 2014 (Act No. 7 of 2014), the Governor of Arunachal Pradesh is pleased to make the following Rules to carry out the provisions of the aforesaid Act, namely:-

Short title and commencement.

1. (1) These rules may be called the "**Arunachal Pradesh Lokayukta Rules, 2018**".
- (2) They shall come into force on the date of their publication in the Official Gazette.

Definitions.

2. (1) In these rules, unless the context otherwise requires,-
 - (a) "Act" means the Arunachal Pradesh Lokayukta Act, 2014 (No. 7 of 2014).
 - (b) "Complainant" means a person who makes a complaint under section 2 (d) of the Act.
 - (c) "Form" means form appended to these Rules.
 - (d) "Secretary" means Secretary of Lokayukta.
 - (e) "Section" means sections of the Act.
- (2) The words and expressions used in these rules, but not defined herein, shall have the same meaning as are respectively assigned to them in the Act.

Complaint and registration of complaint by Lokayukta.

3. (1) Every complaint under this Act shall be made to the State Lokayukta in **Form-I or IA** and shall be accompanied by an affidavit in **Form-II** and shall contain the following particulars, namely,-
 - (a) The name and address of the complainant;
 - (b) The name, official designation and address of the public functionary against whom the complaint or allegation is made;
 - (c) The details of the contents of the action complained/alleged.
- (2) On receipt of a complaint, the Secretary shall cause the particulars thereof to be entered in a register of complaints.
- (3) If the Secretary is of the opinion that any such complaint is not in conformity with the provisions of the Act or Rules, he shall within a period of fifteen days from the date of its receipt, issue a notice in **Form-IV** to the complainant requiring him to rectify the defect within the time specified in the notice.

Section
2(1) (d)
and 57 (2)
(a)

Provided that the Secretary may, on an application made by the complainant, extend the time specified in the notice for sufficient cause.

- (4) All complaints shall be placed before the Lokayukta for orders. However, complaints regarding which action has been taken under sub-rule (3) shall be placed only after the expiry of the time stipulated in the notice or the extended period, as the case may be, whether or not any defect pointed out by the Secretary has been rectified.
- (5) Every person making complaint under sub-rule (2) shall be informed of the gist of the order in **Form-V**, if no further action on the complaint is to be taken.
- (6) A fee of Rupees 1000 (Rupees one thousand) only shall be paid in judicial stamps for filing a petition of complaint.

Provided that the Secretary or Lokayukta may, on an application made by the complainant, in his discretion waive the requirement of payment of fee in appropriate case.

Constitution of Search Committee.

4. (1) The Selection Committee shall constitute the Search Committee consisting of five persons from the fields and the categories of persons specified in sub-section (3) of section 4 of the Act. Section 4 (3)
- (2) The Selection Committee shall nominate one of the members as the chairperson of the Search Committee.
- (3) The Selection Committee shall nominate an officer of the level of Secretary to the Government of Arunachal Pradesh or above from amongst the list of officers to be obtained by it from the Government of Arunachal Pradesh to function as the convenor of the Search Committee.

Term of the Search Committee.

5. A member of the Search Committee, including its Chairperson, shall hold office till the submission of panel of names.

Provided that the Selections Committee may, in the public interest, change a member of Search Committee even before the submission of the panel of the names after giving him one month's notice. Section 4(5) and 57 (2) (b)

Resignation of members of Search Committee.

6. A member may resign his office by a letter addressed to the Chairperson of the Selection Committee. Section 57(2)(n)

Absence of Search Committee members out of India.

7. If a member intends to be absent from India or Arunachal Pradesh for a continuous period exceeding three months, he shall tender his resignation. -do-

Meeting of Search Committee.

8. (1) The Search Committee shall hold its meetings at Itanagar or such place in the State as may be decided by the Chairperson of the Search Committee. -do-
- (2) The notice for meeting shall be issued in such manner so as to reach the chairperson and members at least three days in advance.

Procedure at meetings of Search Committee.

9. (1) The Chairperson of the Search Committee shall preside over the meetings of the Search Committee. -do-

Provided that if the chairperson is not present, the members of the Search Committee may elect a person from amongst the members present to preside over the meeting.

- (2) In case of a difference of opinion amongst the members of the Search Committee, the matter shall be decided by the majority of the members present and voting.
- (3) Each member of the Search Committee shall have one vote, and in case of equality of votes on any question to be decided by the Search Committee, the chairperson or the member presiding over the meeting shall have a casting vote.

Fees and travelling allowances for attendance at meetings of Search Committee.

10. (1) If the chairperson or member of the Search Committee is a Government employee, he/she is not entitled to sitting fee.

(2) Non-official chairperson or member of the Search Committee shall be entitled to a sitting fee of rupees two thousand five hundred and rupees two thousand respectively for each day, for attending the meeting of the Search Committee.

(3) The chairperson or member of the Search Committee shall be entitled to TA and DA as are admissible to a Grade-I Officer of the State for attending the meetings of the Search Committee.

Section 4(5) and 57 (2) (b)

Preparation of panel of names by the Search Committee.

11. (1) The Search Committee shall prepare a panel of persons to be considered by the Selection Committee for appointment as the Chairperson and members of the Lokayukta, from amongst the list of persons obtained in the manner as provided for in sub-rule(2).

Section 4 (5) and 57 (2) (b)

(2) The Search Committee shall for the purpose of sub-rule (1),-

(i) circulate the vacancies to the Registrar General of the Gauhati High Court, Guwahati and Secretaries of the Government of Arunachal Pradesh of various departments calling for nomination of eligible candidates, and

(ii) advertise the vacancies directly at least in two leading daily newspapers of Arunachal Pradesh inviting application from the eligible candidates.

Provided that in case of applicants applying directly the applicants shall furnish a letter of recommendations from one eminent person of the State.

(3) The Search Committee may, for the purpose of short-listing of persons, adopt such short-listing norms, which shall not be less than the criteria specified in sub-sections (2), (3) and (4) of section 3 of the Act:

Provided that in case of a person holding the position in a private institution, the consideration of such person shall be subject to his furnishing a declaration about his willingness to comply with the requirements of sub-section (4) of section 3 of the Act as regards holding of any office of trust or profit or carrying on any business or practising any profession.

(4) While selecting the panel of names to be recommended, the Search Committee shall have due regard to the representation of the persons belonging to APST, Women and other provisions of the Act.

(5) The Search Committee may devise its own procedure or lay down guidelines for evaluating persons for the purpose of empanelment.

Submission of panel or panels of names to Selection Committee.

12. (1) The Search Committee shall submit the panel(s) of names, for consideration of the Selection Committee within a period of three months from the date of issue of order of the Search Committee.

Section 4 (5) and 57 (2) (b)

(2) The Search Committee shall recommend a panel of three names in respect of chairperson and three names in respect of each member, for the consideration of the Selection Committee.

Period for which panel shall be valid.

13. (1) A panel prepared by the Search Committee for consideration of the Selection Committee shall remain valid for a period of one year from the date of its submission to the Selection Committee or till the appointment of the Chairperson or as the case may be the member or members, is made, whichever is earlier.

Section 57(2)(n)

Appointment of Officers and staff of Lokayukta, etc.

- (2) If any fresh vacancy arises in the Lokayukta, it shall be filled up from a panel of eligible candidates prepared by the Search Committee under Rule 11.
14. (1) The Lokayukta shall have a Secretary or more than one Secretary, not below the rank of Secretary to the Government of Arunachal Pradesh, a Director of Inquiry and a Director of Prosecution not below the rank of Additional Secretary to the Government of Arunachal Pradesh or equivalent rank who shall be appointed by the State Government. Section 57 (2) (c) & (n), 10 (3) & (4).
- (2) The strength and composition of other officers and staff of Lokayukta and their designation shall be such as may be decided by the Government in consultation of Arunachal Pradesh Public Service Commission and Lokayukta.
- (3) The officers and staff of Lokayukta shall be recruited by the Arunachal Pradesh Public Service Commission or State Staff Selection Board as the case may be.
- (4) The conditions of services, salaries, allowances, leave and pensions of Secretary (s), the Director of Inquiry, the Director of Prosecution and other officers and staff of Lokayukta shall be governed by the Rules followed by the State Government for employees of the equivalent ranks of the State Government.
- (5) The recruitment rules of officers and other staff of the Lokayukta shall be framed by the State Government in consultation with the Arunachal Pradesh Public Service Commission.

Procedure of inquiry or investigation, returning of seized documents after retaining duly authenticated copies of such documents by Lokayukta or authorised officer.

15. (1) The Lokayukta may with the approval of the State Government engage any agency or person (s) or professional(s) including subject expert(s) for conducting a preliminary inquiry or investigation on payment of such reasonable fees as may be negotiated in advance between the Lokayukta and such agency as may be deemed appropriate to them or such prescribed fees under any other law for the time being in force for such inquiry and investigation. Section 20(b), 26(2) proviso and 57(2)(n)
- (2) While conducting the inquiry and investigation by any agency, if the Lokayukta is satisfied that documents relevant to preliminary inquiry and investigation have been seized by the agency which may be used as evidence for the purpose of preliminary inquiry and investigation and feels it necessary to retain the same in its custody, it may so retain or direct such officer as may be authorized in that behalf to retain such documents in his custody.

Provided that where any such documents are required to be returned, the Lokayukta or the authorized officer may return the same after retaining duly authenticated copies of such documents and after recording in writing the reasons for such return.

Summoning of person (s) and witness(es) and their attendance and procedure for investigation by Lokayukta.

16. (1) While making any preliminary inquiry or conducting any investigation under the Act, the Lokayukta on its own motion or on application being made may, issue summon to person (s) and witness (es) in Form-VII and examine any person and witness whether to give evidence or to produce any documents in his possession. In such case, such person or witness shall be entitled to a certificate from the office of the Lokayukta in Form-III, certifying that he has attended the office of Lokayukta for the purpose of giving evidence, etc. Section 20, 27(1) and 57(2)(d)
- (2) If the person referred to in sub-section (1) produces the certificate in Form-III before his employer, then;
- (i) if he is in private service, he shall not be deemed to be absent from the duty for the purpose of any action which would otherwise have followed in consequence of such absence;

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(ii) if he is a public servant, he shall be treated as on duty on the day or dates on which he attended the office of Lokayukta and shall be entitled to draw travelling allowance/daily allowances at a rate specified by general or special order by the Lokayukta.

(iii) if the person referred to in sub-section (1) is in private service or is not employed in any service, such person may be paid actual travelling allowances at the rates specified by a general or special order by the Lokayukta.

(3) Where the Lokayukta decides to conduct any investigation under these rules, it shall,-

(a) forward a copy of the complaint or, in the case of any investigation which it proposes to conduct on its own motion, a statement setting out the grounds thereof, to the public functionary concerned and the competent authority in **Form-VI**;

(b) afford to the public functionary concerned, an opportunity to offer his comments on such complaint or statement; and

(c) make such orders as to the safe custody of documents relevant to the investigation, as it deems fit.

(d) shall obtain comments/views of the competent authority in the Government on the complaint and shall take a judicious and rational view accordingly so as to protect the honest and innocent public servant.

(e) direct or authorize any officer(s) or staff to visit any premises or to inspect any documents or other relevant records for the purposes of any enquiry or investigation.

(4) Subject to the provisions of the Right to Information Act, 2005 (No. 22 of 2005), every such investigation shall be conducted in private and, in particular, the identity of the complainant or the public functionary affected by the investigation shall not be disclosed to the public or the press or published in any manner whether before, during or after the investigation.

(5) Save as aforesaid, the procedure for conducting any such investigation shall be such as the Lokayukta considers appropriate in the circumstances of the case.

(6) The Lokayukta may, in its discretion, refuse to investigate or cease to investigate any complaint, if in its opinion,-

(a) there are no sufficient grounds for investigation or, as the case may be, for continuing the investigation; or

(b) other remedies are available to the complainant and in the circumstances of the case it would be more proper to avail of such remedies.

(7) In any case where the Lokayukta decides not to entertain any complaint or to discontinue any investigation in respect of a complaint it shall record its reasons therefore and communicate the same to the complainant and the public functionary concerned.

Manner of
sending order of
attachment by
Lokayukta.

- (8) Any order passed by the Lokayukta under these rules and executed in the name of Lokayukta, shall be authenticated in such manner as the Lokayukta may, by general or special order, specify from time to time.

17. (1) If the Lokayukta or Investigating Officer has reasons to believe on the basis of material in its/his possession that-

Section
29(2) and
57(2)(e)

- (a) any person, who is accused of having committed an offence relating to corruption, is in possession of any proceed of corruption; and
- (b) such proceed is likely to be concealed, transferred or dealt with in a manner, which may result in frustrating any proceedings relating to confiscation of such proceed, it or he may, by order in writing, provisionally attach such property for a period not exceeding ninety days and forward a copy of the order along with the material in his possession to the Special Court in a sealed envelope through an authorized officer for further proceedings by the Special Court for extending the order of attachment as may be deemed appropriate by such Special Court.

- (2) The Special Court after conducting the proceedings shall forward the copy of its order of extending the attachment or otherwise, to the Lokayukta, Investigating Officer and the person concerned for compliance.

Rate of interest on
assets
confiscated by
Lokayukta or
investigating
officer.

18. In case the order made by the Lokayukta or Investigating Officer for confiscation of assets is annulled by the High Court or Special Court as the case may be, and the public servant is acquitted, the assets so confiscated shall be returned to such public servant with a simple interest @ 6% per annum calculated for the period of confiscation and in case it is not possible for any reason to return the assets, such public servant shall be paid the price of the assets along with simple interest at the rate of 6% per annum from the date of such confiscation.

Section
31(2) and
57(2)(f)

Manner of
transmitting letter
of request by
Lokayukta.

19. For the purpose of procuring material evidence required for preliminary inquiry and investigation by the Lokayukta or authorized officer of Lokayukta from a Special Court or contracting State, the Lokayukta may transmit letter of request in sealed envelope through an officer authorized in that behalf or in such other mode like registered post, speed post or email.

Section
36(2) and
57(g)

Removal of
Chairperson or
any Member of the
Lokayukta.

20. (1) The Chairperson or a Member of the Lokayukta shall be removed by order of the Governor after a reference is made in that behalf to Gauhati High Court by the Governor on receipt of petition signed by at least twenty Members of the Legislative Assembly on the grounds of misbehavior, and thereafter the inquiry shall be conducted by a Committee consisting of three members headed preferably by a sitting Judge of Gauhati High Court. The Principal Secretary/Commissioner/ Secretary (Home) of the Government of Arunachal Pradesh shall be the second member of the said Committee and the third member shall be nominated by the State Government. The Committee shall have powers to regulate its own procedures in making the investigations and shall give a reasonable opportunity to the Chairman or the Member of cross-examination of witness, adducing evidence and of being his defense. At the conclusion, the Committee shall submit its report to the Governor stating therein its findings on each of the charges with such observations on the whole case as it thinks fit. If the findings or report of the investigation prove the misbehavior of the Chairperson or such Member, as the case may be, he shall be removed accordingly:

Section
37(2) and
57(n)

- (2) The Governor may, by order remove the Chairperson or a Member after affording reasonable opportunity of hearing to him/her and adducing evidence, if he is, -

- (a) adjudged an insolvent; or
(b) engages himself during his term of office, in any paid employment outside the duties of his office; or
(c) is in the opinion of the Governor, unfit to continue in office by reason of infirmity of mind or body.

Form for preparing annual budget statement of estimate and expenditure of Lokayukta.

21. (1) The Form and time of preparing in each financial year, the budget for the next financial year, showing the estimated receipt and expenditure of the Lokayukta, shall be in the like manner prescribed and followed by the Finance Department of the State Government.

Section 40, Section 42 (1), Section 43 and 57(2)(h), (i) & (j).

Form for maintenance of accounts and furnishing of return and annual statement of accounts by Lokayukta.

- (2) The form of maintaining the accounts and other relevant records and the form of annual statement of accounts shall be in the like manner prescribed and followed by the Finance Department of the State Government.

Form for return of assets and liabilities by public servant.

22. (1) Every public servant shall submit to the competent authority, the Return of Assets and Liabilities on First Appointment and thereafter Annual Return of Assets and Liabilities on First Appointment or as on the 31st March of every year as referred to in Section 44 of the Act in **Form-VIII, Form-VIII-A, Form-VIII-B, Form-VIII-C and Form-VIII-D**, within a period of thirty days from the date on which he makes and subscribes an oath or affirmation to enter upon his office and on or before thirty-first July of that year respectively.

Section 44 (4), 44(5) and 57 (2) (k) and 57 (2) (l)

- (2) The competent authority may verify the correctness of the statements submitted by public servant under sub-rule (1) and for the purpose of such verification, the competent authority may conduct such enquiries and call for such details, as may be necessary, from the public servant concerned and from the concerned department or other authority.

- (3) If the competent authority has reason to believe that the public servant has failed to file the statements as specified in sub-rule (1) or has filed the statement after the due date, without sufficient cause, or has filed false or incorrect statements, it shall be the duty of the competent authority to report the matter to the Chairperson or the Member of the Lokayukta as the case may be.

Exemption of public servant from furnishing information of assets.

23. The competent authority may condone or exempt the public servant from furnishing information in respect of assets not exceeding two months' basic pay or Rupees Two Lakhs whichever is less for sufficient and justifiable cause and reasons thereof shall be recorded in writing for further inquiry or investigation, as may be deemed appropriate to the Lokayukta.

Section 45 Proviso and 57 (2) (m)

Form for oath and affirmation of Chairperson and the Members of the Lokayukta.

24. The Chairperson and the Members of the Lokayukta shall, before entering upon their office, make and subscribe before the Governor, an oath or affirmation in the form set out in the **Schedule** to these Rules.

Section 5(2)

**Residuary powers
of Lokayukta.**

25. (1) Subject to the provisions of the Act, the Lokayukta shall have the powers to regulate the conduct of proceedings, investigations and inquiries in all matters not specifically provided in these rules. Section 57 (2) (n).
- (2) The Lokayukta may, by order not inconsistent with the Act and these rules, provide for matter for which no provisions have been made in these rules and may give such directions as may be necessary for giving effect to the provisions of the Act, the rules and such orders.

Dr. Ashish Chandra Verma, IAS
Commissioner (Home),
Government of Arunachal Pradesh,
Itanagar.



FORM - I
[See Rule 3 (1)]

FORM OF COMPLAINT

BEFORE THE LOKAYUKTA, ARUNACHAL PRADESH

Complainant.....son of / daughter of / wife of.....
(Add. description of profession, residence etc.)

In the matter of allegation against.....son of/ daughter
of/ wife of.....holding the office of
.....at.....

The above named complainant is satisfied that the aforesaid public servant,-----

- (i) has knowingly and intentionally abused his position as such public servant to obtain any undue gain or favour to himself or to any other person or to cause undue harm to any person; and/or
- (ii) was actuated in the discharge of his functions as such public servant by corrupt motives; and/ or;
- (iii) Is guilty of corruption; and/or
- (iv) Is in possession of pecuniary resources or property disproportionate to his known source of income and such pecuniary resources or property are held by the public servant personally or by any member of his family or by some other person on his behalf.

(Strike out the clause or clauses not relevant to the complaint)

To support the allegations the complainant relies on the following facts and is also filing an affidavit:-

- (1)
- (2)
- (3)
- (4)

The complainant has/has not for the same matter resorted to a remedy by way of proceeding before a tribunal/ a court of law/ an authority empowered to decide the matter particulars of which are as under:-

(give particulars and result, if any)

The necessary deposit of Rs. 1000 has been made by affixing judicial stamps of that value on the complaint or application for partial/full waiver has been attached.

PRAYER

It is, therefore, prayed that an inquiry be made against the said public servant.

.....
Signature/thumb mark of the applicant.

VERIFICATION

I.....son of/daughter of/wife of.....resident of.....hereby
verify that the facts stated by me in Para fromtoin the complaint are true to
my personal knowledge and/or the facts stated by me in Para from.....to.....are based on
information received from.....(give the name) and/ or documents and the same are
believed by me to be true.

.....
Signature/thumb mark of the applicant.

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FORM-IA
[See Rule 3(1)]

**FORM OF COMPLAINT
BEFORE THE LOKAYUKA, ARUNACHAL PRADESH**

Complainant Shri/Smti/Miss.....son of/ daughter of/ wife of.....
(add description of profession, residence etc):-

(a) Mr/Ms.....Son of/Daughter of/Wife of
(b) Designation.....(c) Address.....

(a) Mr/Ms.....Son of/Daughter of/Wife of
(b) Designation.....(c) Address.....

(a) Mr/Ms.....Son of/Daughter of/Wife of
(b) Designation.....(c) Address.....

(a) Mr/Ms.....Son of/Daughter of/Wife of
(b) Designation.....(c) Address.....

(a) Mr/Ms.....Son of/Daughter of/Wife of
(b) Designation.....(c) Address.....

The above named complainant is satisfied that the aforesaid public servants:
have knowingly and intentionally abused their positions as such to obtain any undue gain or favour to themselves or to any other person(s) or to cause undue harm to any person(s); and/or
was actuated in the discharge of their functions as such public servants by corrupt motives; and/or
are guilty of corruption; and/or
are in possession of pecuniary resources or property disproportionate to their known sources of income and such pecuniary resources or properties are held by the public servants personally or by any member of their families or by some other persons on their behalf.
(Strike out the clause or clauses not relevant to the complainant).

To support the allegations the complainant relies on the following facts and is also filing an affidavit:

- (1)
- (2)
- (3)
- (4)

The complainant has/has not for the same matter resorted to a remedy by way of proceeding before a tribunal/a court of law/an authority empowered to decide the matter particulars of which are as under: (give particulars and result, if any).

The necessary deposit of Rs. 1000 has been made by affixing judicial stamps of that value on the complaint or application for partial/full waiver has been attached.

PRAYER

It is, therefore, prayed that an inquiry be made against the said public servants.

.....
Signature/thumb mark of the applicant.

VERIFICATION

Ison of/daughter of/wife of.....resident of.....hereby verify that the facts stated by me in Para fromtoin the complaint are true to my personal knowledge and/or the facts stated by me in Para from.....toare based on information received from.....(give the name) and/ or documents and the same are believed by me to be true.

.....
Signature/thumb mark of the applicant.

FORM - II

[See Rule 3(1)]

Note:- This affidavit should be got prepared on a non-judicial stamp paper worth Rs. 10.00 and then it should be got attested from a notary or an Oath Commissioner or Magistrate 1st Class/Executive Magistrate.

FORM OF AFFIDAVIT

I Son of/Daughter of/Wife of Shri.....
 Profession Resident of
 PS Tehsil
 District do hereby solemnly affirm and state as follows:-

- 1) That I am the complainant in this case;
- 2) That the statements of this complaint have been read by/read over to me and understood/ heard by me and that these are true to the best of my knowledge and belief;
- 3) That the facts stated by me in Para from to are true to the best of my knowledge and belief and the facts stated by me in para from to are based on the information given to me by shri and/or documents which, I believe to be true.
- 4) That I have read and understood the provisions /s 46 of the A.P. Lokayukta Act, 2014.

.....
 Signature/thumb mark of the Deponent.

Place.....

Dated.....

Affidavit sworn before me

Certified that the above averment was declared before me on oath/affirmation this day of 20..... at in the District of by Shri/ Smt./Miss who was identified by Shri/Smti/Miss who is personally known to me.

The contents of the above affidavit have been read over and explained to the deponent who admitted the same to be correct and true.

.....
 Designation and seal of the authority before whom affidavit is sworn

Place.....

Dated.....

FORM - III

[See Rule 3 (1) and (2)]

FORM OF CERTIFICATE TO BE GIVEN BY THE OFFICE OF THE LOKAYUKTA, TO A PERSON FOR RECORDING EVIDENCE BEFORE LOKAYUKTA

1. Certified that Shri/Smt/Miss was summoned to give evidence before the Lokayukta in his /her public/private capacity in case of and was required to attend for a period of days i.e., from to
2. Further certified that he has been paid the following amounts in accordance with the rules for attending the office of the Lokayukta for the purpose:
 - (i) Travelling Allowance Rs.
 - (ii) Subsistence Allowance Rs.

Place.....

Date.....

For: Lokayukta
 Arunachal Pradesh

FORM NO. - IV
[See Rule 3(3)]

OFFICE OF THE LOKAYUKTA, ARUNACHAL PRADESH

Proceedings No.

Dated.....

To

Shri/Smti/Miss.....

Ref:- Your complaint dated.....

Your complaint dated.....against Shri/Smti/Miss.....is found to be deficient in the following particulars. You are hereby requested to supply the omissions and rectify the defects mentioned below within ten days after receipt of this communication, failing which your complaint will be disposed of on the basis of the available material:

Particulars:-

1. Complaint not made in Form No. I/Form IA.
2. Prescribed fee of Rs.....not paid.
3. Complaint is not signed by the complainant.
4. Affidavit of the complainant in the prescribed form and/or of the witness not enclosed.
5. Name, designation and address of the public servant complained against not furnished.
6. Documents relied upon or true copies thereof but not in the custody and control of the complainant not enclosed.
7. Particulars of documents relied upon but not in the custody and control of the complainant not furnished.
8. Required sets of copies of affidavits and documents not enclosed.
9. Other reasons:

Yours faithfully,

Secretary
For Lokayukta,
Arunachal Pradesh.

FORM NO. - V
[See Rule 3(5)]

OFFICE OF THE LOKAYUKTA, ARUNACHAL PRADESH

Proceedings No.

Dated.....

To

Shri/Smti/Miss.....

your complaint dated.....containing certain allegations against

Shri/Smti/Miss.....is rejected for the reasons mentioned below:-

Reasons for rejection of the complaint:

1. The defects and /or omissions pointed out in Proceedings No.Dated.....have not been rectified and/or supplied.
2. The complaint does not disclose an allegation which can be investigated by the Lokayukta.
3. There are no sufficient grounds for investigating the complaint.
4. Other remedies are available to the complainant and in the circumstances of the case it would be more proper for the complainant to avail of such remedies.

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5. The public servant against whom the complaint is made is not one in respect of whom a complaint can be entertained by the Lokayukta.
6. The complaint is made after the expiry of 7 (seven) years from the date on which the action complained against is alleged to have taken place (Section 52 of the Act).
7. An earlier complaint based on the same allegation (s) as those made in the present complaint was previously disposed of by the Lokayukta or any other authority through Proceedings No.....
Dated.....
8. The prescribed fee of Rs..... has not been paid.

Yours faithfully,

Secretary
For Lokayukta,
Arunachal Pradesh.

FORM - VI
[See Rule 16(3)(a)]

PROCEEDINGS OF THE LOKAYUKTA, ARUNACHAL PRADESH.

No.....

Dated.....

To,

Shri/Shrimati/Miss.....

Ref:- Complaint No.of.....21

After conducting a preliminary verification into the above complaint the Honourable Lokayukta proposes to conduct an investigation into it. So, you are hereby afforded an opportunity to offer your comments on:

- (i) The complaint, dated.....sent against you by Shri/Shrimati/Miss.....a copy of which is enclosed herewith along with copies of affidavits produced by the complainant;
- (ii) The enclosed statement containing an allegation against you, which the Hon'ble Lokayukta has on its own motion proposed to investigate for the grounds mentioned therein;
- (iii) The action in respect of which His Excellency the Governor of Arunachal Pradesh has required the Hon'ble Lokayukta to conduct an investigation as per the enclosed copy.

You may, therefore, submit your comments as aforesaid on.....at 10.30 A.M. before the Hon'ble Lokayukta at its office together with such affidavits of witnesses and documents in the original and three sets of copies thereof, as you may desire to be examined and considered before further steps in the investigation are ordered.

You may engage another public servant or a legal practitioner to represent you.

If you fail to appear in the aforesaid manner and submit your comments as aforesaid, further investigation may be proceeded with on the basis of the material available.

Secretary,
Lokayukta,
Arunachal Pradesh.

FORM-VII
[See Rule 16(1)]

FORM FOR SUMMONING OF PERSON(S) AND WITNESSES.

To..... OF.....

Whereas, complaint has been made before the Lokayukta that..... (name of accused)..... address..... committed the offence of and it appears that you are likely to give material evidence or to produce any documents or other things for proceedings/prosecution.

You are hereby summoned to appear before..... on the..... day of to produce such evidence or documents and testify what you know concerning the matters of the said complaint and not to depart thence without leave of the Lokayukta

Dated this..... day of.....

Yours faithfully,

Secretary
For Lokayukta,
Arunachal Pradesh.

FORM VIII
(Rule 22)

Return of Assets and Liabilities on First Appointment or as on the 31st March,*
(Under Sec 44 of the Arunachal Pradesh Lokayukta Act, 2014)

1. Name of the Public servant in full (in block letters) :.....
2. (a) Present public position held (Designation, name and address of organisation) :.....
- (b) Service to which belongs (if applicable) :.....

DECLARATION

I hereby declare that the return enclosed namely, **Forms VIII-A to VIII-D** are complete, true and correct to the best of my knowledge and belief, in respect of information due to be furnished by me under the provisions of section 44 of the Arunachal Pradesh Lokayukta Act, 2014.

Signature.....

Date.....

* In case of first appointment please indicate date of appointment.
.....

Note 1. This return shall contain particulars of all assets and liabilities of the public servant either in his/her own name or in the name of any other person. The return should include details in respect of assets/liabilities of spouse and dependent children as provided in Section 44 (2) of the Arunachal Pradesh Lokayukta Act, 2014.

(Section 44 (2) : A public servant shall, within a period of thirty days from the date on which he makes and subscribes an oath or affirmation to enter upon his office, furnish to the competent authority the information relating to-

- (a) The assets of which he, his spouse and his dependent children are, jointly or severally, owners or beneficiaries;

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(b) His liabilities and that of his spouse and his dependent children.)

Note 2. If a public servant is a member of Hindu Undivided Family with co-parcenary rights in the properties of the family either as a 'Karta' or as a member, he should indicate in the return in Form No. III the value of his share in such property and where it is not possible to indicate the exact value of such share, its approximate value. Suitable explanatory notes may be added wherever necessary.

Note 3: "dependent children" means sons and daughters who have no separate means of earning and are wholly dependent on the public servant for their livelihood. (Explanation below. Section 44 of Arunachal Pradesh Lokayukta Act, 2014).

FORM VII-A**DETAILS OF PUBLIC SERVANT, HIS/HER SPOUSE AND DEPENDENT CHILDREN.**

Sl. No.		Name	Public position held, if any	Whether return being filed by him/her, separately.
1.	Self			
2.	Spouse			
3.	Dependent-1			
4.	Dependent-2			
5*	Dependent-3			

*Add more rows, if necessary

Signature.....

Date.....

FORM-VIII-B

**STATEMENT OF MOVABLE PROPERTY ON FIRST APPOINTMENT OR AS
ON THE 31st MARCH, 20.....
(USE SEPARATE SHEETS FOR SELF, SPOUSE AND EACH DEPENDENT CHILD)**

Name of public servant/spouse/dependent child: _____

Sl. No	Description	Remarks, if any
(i)*	Cash and bank balance:	
(ii)**	Insurance (premium paid):	
	Fixed/Recurring Deposit (s):	
	Shares/Bonds:	
	Mutual Fund(s):	
	Pension Scheme/Provident Fund:	
	Other investments, if any:	
(iii)	Personal loans/advance given to any person or entity including firm, company, trust, etc. and other receivables from debtors and the amount (exceeding two months basic pay or Rupees one lakh, as the case may be):	
(iv)	Motor Vehicle (Details of make, registration number, year of purchase and amount paid):	
(v)	Jewellery [Give details of approximate weight (plus or minus 10 gms. in respect of gold and precious stones; plus or minus 100 gms. in respect of silver).]	
	Gold:	
	Silver:	
	Precious metals and precious stones:	
	Composite items (indicate approximate value)***	
(vi)	Any other assets [Give details of movable assets not covered in (i) to (v) above] (a) Furniture (b) Fixtures (c) Antiques (d) Paintings (e) Electronic equipments (f) Others [Indicate the details of an asset, only if the total current value of any particular asset in any particular category (e.g. furniture, fixtures, electronic equipments, etc) exceeds two months basic pay or Rs. 1.00 lakh, as the case may be.]	

Date.....

Signature.....

*Details of deposits in the foreign bank(s) to be given separately.

** Investments above Rs. 2 lakhs to be reported individually. Investment below Rs. 2 lakhs may be reported together.

*** Value indicated in the first return need not be revised in subsequent returns as long as no new composite item had been acquired or no existing items had been disposed of, during the relevant year.

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FORM-VI-C

Sl. No	Description of property (land/House/Flat/Shop/Industrial etc.)	Precise location (Name of District, Division, Taluk and village in which the property is situated and also its distinctive number, etc.)	Area of land (in case of land and buildings).	Nature of land in case of landed property.	Extent of interest.	If not in name of public servant, state in whose name held and nature of relationship, if any, to the public servant.	Date of acquisition.	How acquired (whether by purchase, mortgage, lease, inheritance, gift or otherwise) and name with details of person/persons from whom acquired (address and connection of the Government servant, if any, with the person/ persons concerned) (please see Note 1 below) and cost of acquisition.	Present value of the property (If exact value not known, approx value may be indicated)	Total annual income from the property.	Re-marks.
1	2	3	4	5	6	7	8	9	10	11	12
1.											
2.											
3.											
4.											

Date.....

Signature.....

Note (1) :- For purpose of Column 9, the term "lease" would mean a lease of immovable property from year to year or for any term exceeding one year or reserving a yearly rent. Where, however, the lease of immovable property is obtained from a person having official dealings with the Government Servant, such a lease should be shown in this Column irrespective of the term of the lease, whether it is short term or long term, and the periodicity of the payment of rent.

FORM-VIII-D

Statement of Debts and Other Liabilities on first appointment or as on 31st March, 20.....

Sl. No	Debtor (Self/Spouse or dependent children)	Name and address of Creditor	Nature of debt/liability and amount	Remarks.
1	2	3	4	5
1.				
2.				
3.				
4.				
5.				
6.				
7.				

Date.....

Signature.....

Note 1: Individual items of loans not exceeding two months basic pay (where applicable) and Rs. 1.00 lakh in other cases need not be included.

Note 2: The statement should include various loans and advances (exceeding the value in **Note 1**) taken from banks, companies, financial institutions, Central/ State Government and from individuals.

SCHEDULE**[See Section 5(2) of the Arunachal Pradesh Lokayukta Act, 2014 & Rule 24]**

I, having been appointed Lokayukta/Member of Lokayukta do swear in the name of God/solemnly affirm that I will be a true faith and allegiance to the Constitution of India as by law established and I will duly and faithfully and to the best of my ability, knowledge and judgment perform the duties of my office without fear or favour, affection or ill-will.