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Confidential

F. No. 31011-5/2015-Vig.
Government of India
Ministry of Culture
Vigilance Section

Room No.202, D-wing, Shastri Bhavan
New Delhi, dated the 25th May, 2015
27th

OFFICE MEMORANDUM

Subject:- Annual Property Return to be filed under LOKPAL AND
LOKAYUKTA

In continuation of this Section's OM of even number dated 26.12.2014, 12.01.2015, 20.01.2015 and 13.04.2015 on the subject mentioned above and to please find enclosed a copy of DOPT's DO No.407/12/2014-AVD-IV(B) dated 30.04.2015 for information and necessary action accordingly.

(Madan Chaurasia)
Under Secretary to the Govt. of India

1. All Officials in the Ministry of Culture
2. Central Secretariat Library/Library Tulsi Sadan and Library, RK Puram (Through CSL)

Copy to:

1. All attached /subordinate and autonomous organisations of Ministry of Culture for similar action. The vigilance/Administrative Wing of the respective organisations need to take necessary action as per provisions accordingly.
2. HTU for Hindi Translation

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18/6*

*R. ...
ADS (AW) 18.06.15
PS*

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Jishnu Barua, IAS
Joint Secretary (S&Vig.-II)
Tel. : 011-23093591
Fax: 011-23092930



भारत सरकार
कार्मिक और प्रशिक्षण विभाग
कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय
नोर्थ ब्लॉक, नई दिल्ली - 110001
GOVERNMENT OF INDIA
DEPARTMENT OF PERSONNEL & TRAINING
MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES
AND PENSIONS
NORTH BLOCK, NEW DELHI - 110001

D.O.NO. 407/12/2014-avd-IV(B)

Dated 30th April, 2015

Dear Secretary,

Please refer to my D.O. letter of even number dated 29/30th December, 2014 regarding furnishing of information relating to assets and liabilities by Public Servants under Section 44 of the Lokpal and Lokayuktas Act, 2013 and forwarding therewith copies of Government of India Notifications dated 26th December, 2014.

2. In this regard, I am now forwarding herewith a copy, each of Government of India Notifications:-

(i) Notification dated 27th April, 2015, further amending the Lokpal and Lokayuktas (Removal of Difficulties) Order, 2014, extending the time limit for carrying out necessary changes in the relevant Rules relating to different services from eighteen months to twenty one months from the date on which the Lokpal and Lokayuktas Act, 2013 came into force, (i.e. 16th January, 2014).

(ii) Notification dated 27th April, 2015, further amending the Public Servants (Furnishing of Information and Annual Returns of Assets and Liabilities and the limits for exemption of assets in filing Returns) Amendment Rules, 2014 extending the time limit for filing of revised returns by all the public servants from 30th April, 2015 to 15th October, 2015.

3. In view of the present amendments mentioned above, the Annual Returns of Assets and Liabilities under the Lokpal and Lokayuktas Act, 2013, for the years 2014 and 2015 (which were to be filed by 30th April 2015 and 31st July 2015, respectively) may be filed on or before 15th October, 2015.

4. I request you to issue orders towards ensuring compliance with these Rules by all officers and staff in your Ministry/Department and organisations/PSUs under the control of your Ministry/Department. It is presumed that all the preparatory steps for the purpose are in place as already requested in para 3 of the D.O. letter under reference.



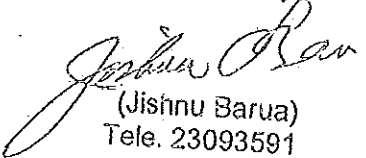
सूचना
का अधिकार

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5. I also request you to ensure that necessary action for harmonising the relevant rules relating to all the categories public servants under the control of your Ministry/ department is completed within the revised extended period, mentioned in para 2(i) above.

Encl: (As Above)

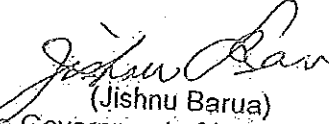
Yours Sincerely,


(Jishnu Barua)
Tele. 23093591


Secretaries
All Ministries/ Departments of Government of India
(As per standard mailing List)

Copy for information and with a request for similar action, forwarded to:-

- (i) Secretary General, Lok Sabha
- (ii) Secretary General, Rajya Sabha
- (iii) Comptroller and Accountant General of India
- (iv) Secretary, Election Commission of India

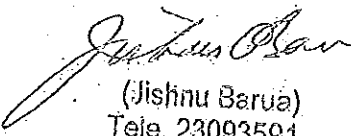

(Jishnu Barua)
Joint Secretary to the Government of India
Tele. 23093591

Copy to: - Joint Secretary (Estt.) with a request to take necessary action for amendment of CCS (Conduct) Rules, 1964 and its implementation.


(Jishnu Barua)
Joint Secretary to the Government of India
Tele. 23093591

Encl: (As Above)

Yours Sincerely,


(Jishnu Barua)
Tele. 23093591

All the Chief Secretaries of State Governments
Administrators of all the UTs

(4)
199**MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS**

(Department of Personnel and Training)

ORDER

New Delhi, the 27th April, 2015

S.O. 1095(E).— Whereas the Central Government, in exercise of the powers conferred by sub-section (1) of Section 62 of the Lokpal and Lokayuktas Act, 2013 (1 of 2014) (hereinafter referred to as the said Act), made the Lokpal and Lokayuktas (Removal of Difficulties) Order, 2014 (hereinafter referred to as the said Order) with effect from the 15th February, 2014 for the purpose of carrying out modifications and amendments in all existing rules regulating the filing of property returns and making of declaration of assets by public servants so as to bring them in conformity with the provisions of the said Act, within a period not exceeding one hundred and eighty days from the date on which the provisions of the Lokpal and Lokayuktas Act, 2013 came into force, i.e., the 16th January, 2014;

And whereas, the Central Government initiated the process of modifications and amendments of all existing rules dealing with the subject matter of filing of annual returns and making of declaration of assets by public servants in consultation with various authorities, such as, the Comptroller and Auditor General of India, the Election Commission, the Lok Sabha Secretariat, the Rajya Sabha Secretariat, the Ministry of Law and Justice (Department of Legal Affairs

and Legislative Department), the Department of Financial Services, the Department of Public Enterprises and the State Governments;

And whereas, the comments and suggestions received from above said authorities had been under consideration of the Central Government and the completion of the procedure of finalising the rules under the said Act was likely to take some more time and the process of harmonisation of the existing rules with the provisions of the said Act and the rules made thereunder was taking time beyond the period notified under the said Order, and, therefore, the Central Government amended the said Order on 14th July, 2014, extending the said period of one hundred and eighty days to a period of two hundred and seventy days;

And whereas, the Central Government, after consulting the Ministries/Departments, including the Department of Financial Services, the Department of Public Enterprises, the Ministry of Law and Justice and the office of the Comptroller and Auditor General of India, made the Public Servants (Furnishing of Information and Annual Return of Assets and Liabilities and the Limits for Exemption of Assets in Filing Returns) Rules, 2014 (hereinafter referred to as the said rules), in exercise of the powers conferred by sub-section (1) read with clause (k) and clause (l) of sub-section (2) of section 59 read with section 44 and section 45 of the Lokpal and Lokayuktas Act, 2013, and notified the said rules on 14th July, 2014, prescribing therein the forms in which information and annual returns are to be filed by every public servant;

And whereas, the Central Government forwarded the copies of the notification containing the said rules to all Ministries and Departments of the Central Government requesting them to take the follow-up action in terms of the said rules, and for ensuring compliance with the said rules by all officers and staff in the respective Ministries, Departments and organisations and public sector undertakings under their control;

And whereas, the Central Government also forwarded the copies of the notification containing the said rules to the Chief Secretaries of all State Governments and Union territories, requesting them to take the follow-up action in terms of the said rules requiring all officers of the All India Services working in connection with the affairs of the State Governments and the officers and staff working in various organisations and public sector undertakings under their control so as to ensure due compliance with the said rules by all of them;

And whereas, concerns and apprehensions were raised by some Ministries and Departments, Organisations and individuals about the posting of every information provided by the public servant on public domain and the complexities involved in posting such details in the prescribed formats and also about exacerbation of vulnerabilities of the public servants after filing such details, specifically of movable property and their publication on the websites of respective Ministries and Departments giving rise to the apprehension of the safety and security of the members particularly children of the public servant;

And whereas, keeping in view the genuine concerns and apprehensions aforesaid, the Central Government constituted a Committee on 28th August, 2014 to simplify the forms and the process in which public servants shall make declaration of assets and liabilities as required under the said Act and the rules made thereunder and the Committee was required to examine the forms prescribed under the said rules and suggest changes therein as may be considered necessary within a period of forty-five days;

And whereas, the exercise of reviewing the existing rules relating to various services and posts with the provisions of the said Act and the rules made thereunder, the process of completion of follow-up action by various Ministries and Departments of the Central Government and the State Governments and the exercise of simplification of forms and the process in which public servants shall make declarations of assets and liabilities, was likely to take time beyond the period of two hundred and seventy days as specified in the said Order (as amended by the Order, dated 14th July, 2014), it became necessary to extend the said period of two hundred and seventy days and, accordingly, the

Central Government amended the said Order on 8th September, 2014, extending the said period of two hundred and seventy days to a period of three hundred and sixty days for the purposes of section 44 of the said Act;

And whereas, the Committee constituted by the Central Government on 28th August, 2014 to simplify the forms and the process in which public servants shall make declaration of assets and liabilities as required under the said Act and the rules made thereunder, submitted its first Report to the Government on 1st October, 2014, wherein the Committee suggested simplification of form prescribed for submission of statement regarding movable assets and the form prescribed for submission of statement regarding debts and liabilities by public servants, under the aforesaid rules;

And whereas, the processing of necessary amendments to the aforesaid rules so as to incorporate the revised forms for filling statement regarding movable properties and the statement regarding debts and liabilities and the circulation of the revised formats, after their due notification in the Official Gazette, to all Ministries and Departments of the Central Government and the Chief Secretaries of all State Governments and Union territory administrations and the further process of follow-up action in terms of the said rules requiring all officers of the All India Services working in connection with the affairs of the State Governments and the officers and staff working in various organisations and public sector undertakings under their control so as to ensure due compliance with the revised rules by all of them, could not be completed within the limit of three hundred and sixty days as contemplated in the principal order as amended by the order dated 8th September, 2014;

And whereas, the Central Government has decided to amend the Lokpal and Lokayuktas Act, 2013, to address various inconsistencies noticed in the said Act and, in that context, a need was also felt to amend the provisions of section 44 of the said Act so as to harmonise the provisions of the said section with the relevant provisions of the Representation of the People Act, 1951 and rules framed thereunder, the All India Services Act, 1951 and rules framed thereunder, the rules framed by the Central Government in pursuance of article 148 and article 309 of the Constitution and also various statutes setting up autonomous bodies and Public Sector Undertakings and the rules framed thereunder, and accordingly amended the said Order on 26th December, 2014, extending the said upto 30th April, 2015 for the purposes of section 44 of the said Act;

And whereas, the Lokpal and Lokayuktas and other related Law (Amendment) Bill, 2014 to amend the Lokpal and Lokayuktas Act, 2013, as introduced in the Lok Sabha on 18th December, stands referred to the Department related Standing Committee on Personnel, Public Grievances, Law and Justice for examination and Report;

And whereas the said Committee has held meetings on 8th January, 2015, 3rd March, 2015, 8th April, 2015 and 15th April, 2015 with non-official stakeholders, where the Department of Personnel and Training was requested to attend and respond to the questions raised by Hon'ble Members, the detailed Questionnaires received from the Committee and also to the memoranda submitted by the various stakeholders to the Committee;

And whereas, the proposed amendments which include amendment to the provisions of section 44, the exercise of aligning the existing rules and other statutory provisions with the Lokpal Act cannot be given effect to till the Bill is passed by Parliament after taking into consideration the recommendations of the Parliamentary Standing Committee;

And whereas, any action in the matter of harmonisation of rules can be taken only after the Committee presents its report to Parliament, consideration thereof by the Government and passing of the aforesaid amendment Bill by Parliament and accordingly the enforcement of the provisions of the Act is likely to take time; and hence it has become necessary to extend the said period of eighteen months to a period of twenty-one months, and the Central Government has accordingly decided to extend the period after taking into account the aforesaid factors;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 62 of the Lokpal and Lokayuktas Act, 2013, the Central Government hereby makes the following amendment further to amend the Lokpal and Lokayuktas (Removal of Difficulties) Order, 2014, namely:—

In the said Order, in paragraph 2, in sub-paragraph (1), for the words "within a period not exceeding eighteen months", the words "within a period not exceeding twenty-one months" shall be substituted.

[No. 407/12/2014-AVD-IV(B) 1]

JISHNU BARUA, Jt. Secy.

Note.—The Lokpal and Lokayuktas (Removal of Difficulties) Order, 2014 was published in the Gazette of India, Extraordinary, vide notification number S.O. 409(E), dated the 15th February, 2014 and subsequently vide notifications number S.O. 1840(E) dated the 15th July, 2014, S.O. 2256(E) dated the 8th September, 2014 and S.O. 3272(E) dated the 26th December, 2014.

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS

(Department of Personnel and Training)

NOTIFICATION

New Delhi, the 27th April, 2015

G.S.R. 322(E).—In exercise of the powers conferred by sub-section (1) read with clause (k) and clause (l) of sub-section (2) of section 59, read with section 44 and section 45 of the Lokpal and Lokayuktas Act, 2013 (1 of 2014), the Central Government hereby makes the following rules further to amend the Public Servants (Furnishing of Information and Annual Return of Assets and Liabilities and the Limits for Exemption of Assets in Filing Returns) Rules, 2014, namely:—

1. (1) These rules may be called the Public Servants (Furnishing of Information and Annual Return of Assets and Liabilities and the Limits for Exemption of Assets in Filing Returns) Amendment Rules, 2015.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Public Servants (Furnishing of Information and Annual Return of Assets and Liabilities and the Limits for Exemption of Assets in Filing Returns) Rules, 2014, in rule 3, in the proviso to sub-rule (2), for the words "on or before the 30th day of April, 2015", the words "on or before the 15th day of October, 2015" shall be substituted.

[F. No. 407/12/2014-AVD-IV(B)]

JISHNU BARUA, Jt. Secy.

Note.—The principal rules were published in the Gazette of India, Extraordinary, vide notification number G.S.R. 501(E), dated the 14th July, 2014 and amended vide notification numbers G.S.R. 638(E), dated the 8th September, 2014 and G.S.R. 918(E), dated the 26th December, 2014.

APPENDIX-I
[Rule 3(1)]

Return of Assets and Liabilities on First Appointment or as on the 31st March, 20.....*
(Under Sec 44 of the Lokpal and Lokayuktas Act, 2013.)

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 I to IV 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 Lokpal and Lokayuktas Act, 2013.

Date.....

Signature.....

* 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 Lokpal and Lokayuktas Act, 2013.

(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;

(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(3) of Lokpal and Lokayuktas Act, 2013)

FORM No. I

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.

Date.....

Signature.....

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In the principal rules, in Appendix II, —
for Form No. II, the following Form shall be substituted; namely:—

“FORM No. II

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: _____

S.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 Vehicles (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. Investments 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.”;

FORM NO. III

Statement of immovable property on first appointment or as on the 31st March, 20....
(e.g. Lands, House, Shops, Other Buildings, etc.)

[Held by Public Servant, his/her spouse and dependent children]

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 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 servant, state in whose name held his/her 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 known, approx value may be indicated)	Total annual income from the property	Remarks
1	2	3	4	5	6	7	8	9	10	11	12

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 long term, and the periodicity of the payment of rent.

for Form No. IV, the following Form shall be substituted, namely:—

"FORM No. IV.

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		5

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."

