

THE MADHYA PRADESH LOKAYUKT AND UP-LOKAYUKT (DISTRICT VIGILANCE COMMITTEES) RULES, 1995

Bhopal, the 20th February 1995

No. F. 2 (2) – 94-I-10. – In exercise of the powers conferred by sub-section (2) of Section 17 of Madhya Pradesh Lokayukt Evam Up-Lokayukt Adhiniyam, 1981 (No. 37 of 1981), the State Government in consultation with the Lokayukt hereby makes the following rules, namely :-

RULES

1. Short title and commencement :-

- (1) These rules may be called the Madhya Pradesh Lokayukt and Up-Lokayukt (District Vigilance Committees) Rules 1995.
- (2) These rules shall come into force with effect from the date of their publication in the “Madhya Pradesh Gazette”.

2. Definitions :- In these rules, unless the context otherwise requires, -

- (a) “Act” means the Madhya Pradesh Lokayukt Evam Up-Lokayukt Adhiniyam, 1981 (No. 37 of 1981);
- (b) “Committee” means the District Vigilance Committee constituted under section 13-A of the Act;
- (c) “Chairperson” means the Chairperson of the District Vigilance Committee;
- (d) “Member of the Committee” means the persons appointed as member under sub-section (I) of Section 13-A of the Madhya Pradesh Lokayukt Evam Up-Lokayukt Adhiniyam, 1981.

3. Appointment, Selection Procedure and removal of the Chairperson and members of the Committee :-

- (1) Essential qualification for appointment of the members of the Committee shall be as under :-
 - (i) the person concerned should be a man of fair record and repute ;
 - (ii) neither there should be any investigation or criminal case involving moral turpitude pending against him nor he should have been punished in any such case by any court ;
 - (ii) neither there should be any departmental inquiry pending against him nor he should have been punished in any departmental enquiry ;
 - (iii) he should be physically and mentally fit for duty ; and
 - (iv) he should have no financial or other interest in any matter which may possibly affect his duties.
- (2) (i) The collector shall in consultation with the District Judge and the Superintendent of Police of the District shall prepare a panel of names of at least three persons for every post of a member and send the same to the Secretary, Lokayukt, Madhya Pradesh, Bhopal.

- (ii) On receiving the panels under clause (i) , the Lokayukt shall send his recommendations to the State Government for appointment of the members under sub-section (1) and Chairperson under sub-section (2) of Section 13-A of the Act. Nothing shall however abridge the power of Lokayukt to recommend any qualified person for being appointed as a member of the committee from amongst persons whose names are not included in the panel sent under clause (i)'
- (iii) on considering the recommendations of the Lokayukt the State Government shall appoint the members including Chairperson of the Committee and notify the same in the " Madhya Pradesh Gazette"

4. Honorarium, Allowances, terms and conditions of the service of the Chairperson and the members of the Committee :-

- (1) The Chairperson and the members of the Committee shall be paid an honorarium @ Rs. 400 and Rs. 300 respectively per day for the meeting but maximum amount of honorarium payable in any month shall not exceed in case of Chairperson Rs. 4000 and in case of a member Rs. 3000 irrespective of the number of meeting in that month.
- (2) The member of the Committee, while on official tour, shall be entitled for such travelling and daily allowance as may be admissible to the Class I Officers of the State Government.

5. Place of the meeting of the Committees and other related matters :-

- (1) The Head quarter of the Committee shall be at the place of District Head Quarters.
- (2) Working days and office hours of the Committee shall remain the same as of local district offices.
- (3) The meeting of the Committee shall be called by the Chairperson of the Committee as and when required.
- (4) The Secretary of the Office of the Lokayukt, Madhya Pradesh shall appoint as many employees as deemed necessary for official work as assigned to them and the Madhya Pradesh Lokayukt (Terms of Service and Recruitment) Rules, 1984 shall apply to such employees.
- (5) (a) Incharge Superintendent of Police of the Divisional office of the Special Police Establishment of the Lokayukt Organization shall be drawing and disbursing officer for the offices of the Committees at Gwalior, Raipur, Bhopal, Jabalpur, Bilaspur, Ujjain, Sagar Rewa and Indore Districts. He may however delegate these powers to any officer subordinate to him. In the rest of the District the Collector of the District shall be the drawing and disbursing officer of the office of the Committee. He may however delegate these powers to any officer subordinate to him.
- (b) Arrangement for office building and office furniture etc., shall be made as per instructions of the Lokayukt, Madhya Pradesh.

6. Procedure of enquiry of the complaints by the Committee :-

- (1) The Chairperson and the members shall enquire into only such complaints, which are forwarded by Lokayukt and Up-Lokayukt for enquiry.
- (2) The Committee shall submit its enquiry reports on the complaint within such period as the Lokayukt / Up-Lokayukt may direct.
- (3) If any complaint is directly or in person submitted to the Committee, the Committee shall, without taking any action forward it to the Lokayukt, Madhya Pradesh for further necessary action.
- (4) The quorum for a meeting of the Committee shall be two. If in any meeting the Chairperson is absent for some reason, one of the members, out of two who is senior in age will preside over the meeting.
- (5) The report of the Committee shall be prepared by the Chairperson and sent to the Lokayukt duly signed by him and other members. In case of difference of opinion amongst the members, they may record their dissenting note on the report or send a detailed report separately.
- (6) For smooth and efficient functioning of the Committee, instructions may be issued from time to time by the Lokayukt.
- (7) Lokayukt, Madhya Pradesh shall have administrative control over these committees.

7. Residuary Powers:- All such matters, which are not provided specifically in these rules, whether they are relevant or incidental to these rules or otherwise, shall be regulated as per orders of the Lokayukt issued from time to time.

**By order and in the name of the Governor of Madhya Pradesh,
P.K. MEHROTRA, Principal Secretary.**