

How to make a complaint.

One can file a complaint to the office of the Lokayukta and Upa-Lokayukta, Mumbai against any public servant all over the Maharashtra as defined under section 2(k) of the Maharashtra Lokayukta and Upa-Lokayuktas Act, 1971 either by e-mail, post or personally. Prior to approaching this office, in cases of grievances the complainant should first take up his complaint against the concerned public servant with the senior officials of the concerned department. Similarly, he should avail the other remedy if any available to him.

This office receives the complaints in the nature of grievances and allegations. The complaint involving a grievance can be filed within 12 months from the date on which the action complained against became know to the complainant while, the complaint involving an allegation can be made within 3 years from the date on which the action complained against is alleged to have taken place. If the complainant failed to submit a complaint involving a grievance within stipulated time limit, there is provision for condonation of such delay if the complainant submit a statement of grounds showing sufficient causes for not making the complaint within specified period.

Format of complaint is prescribed under the schedule. However this office does not insist the complainant to file a complaint in a prescribed format. The complainant has to furnish his full name, address for correspondance, mobile or any other contact number, e-mail address if available in his complaint. Every complaint should be duly signed by the complainant or if he is illiterate it should bear his thumb impression duly attested by a literate person. The complainant should submit his complaint alongwith its enclosures in duplicate and also should attach the copies of correspondence already made with the concerned authorities regarding his complaint. Similarly, in the case of complaint

involving allegations, the complainant should file an original affidavit in support of allegations made against the public servant, duly sworn in before the competent authority as well as many spare copies of complaint and its enclosure as there are public servant alleged against.

Lokayukta and Upa-Lokayukta does not have jurisdiction to intervene into –

1. action taken for the purpose of investigating crime or protecting the security of the State
2. action in which a remedy by way of approaching the court of law is available
3. action taken in the matters which arise out of the terms of a contract governing purely commercial relations of the administration with customers or suppliers except where the complainant alleges harassment or gross delay in meeting contractual obligations
4. matters related to service conditions and
5. grant of honors and awards.

Similarly, the Lokayukta and Upa-Lokayukta cannot conduct any investigation in respect of any action taken by or with the approval of any Judge, any officer or servant of any court in India, the Accountant General, Maharashtra, Maharashtra State Public Service Commission, the Chief Election Commissioner, the Election Commissioners and the Regional Commissioners and the Chief Electoral Officer, Maharashtra State, the Speaker of the Maharashtra Legislative Assembly or the Chairman of the Maharashtra Legislative Council, any member of the Secretarial staff of either house of the legislature.

Every complaint under the Act shall be made as far as possible in the form prescribed in schedule - 'A'

Schedule 'A'

Before the Lokayukta / Upa-Lokayukta, Maharashtra, Mumbai
Complaint No.LA/ULA/COM/-----/----- (T- ----)

(Name & Address)

..... Complainant

Versus

(Names, designations, name of the office, address or Residence)

..... Public Servant Complaint Against

Brief information of the Complainant - (viz. date of retirement, designation, office name in the case of grievances of retired Government employees). (How the corruption / misuse of powers came to the notices of complainant, Information about the complainant).

Brief substance of the action complained against and of the grievance or allegation. (Lengthy statements should be avoided).

Place :

Complainant

Date:

Note – (I) The complaint shall contain following particulars:-

- (a) The name and address of the complainant.
- (b) The name and address of the public servant against whom a complaint involving a grievance or an allegation is made.
- (c) If a complaint involving a grievance is made after the expiry of 12 months from the date of action complained against, the date on which the said action

complained against became known to the complainant and statement of grounds showing sufficient cause for not making the complaint within the period specified in section 8(5) (a).

- (d) Every complaint shall be legibly typed or written on foolscap paper only one side leaving one fourth of each page as a margin.
- (II) (a) However, Hon'ble Lokayukta / Upa-Lokayukta may exempt any other person from filing a complaint / affidavit in prescribed format.
- (b) As per provision under section 9(3) of the Maharashtra Lokayukta and Upa-Lokayuktas Act, 1971 the aforesaid formalities are not applicable to the complaint addressed to the Lokayukta or Upa-Lokayukta by a person in police custody or in a gaol or in any asylum or other place for insane persons. However if the Hon'ble Lokayukta / Upa-Lokayukta orders so, such person will be required to file complaint or an affidavit (as the case may be) in prescribed format.

Affidavit

Before the Lokayukta / Upa-Lokayukta, Maharashtra, Mumbai

Complaint No.LA/ULA/COM/-----/----- (T- ----)

I, (First Name, Father's or Husband's Name, Surname), aged _____
Occupation / Profession _____ resides at (Residential Address) and my PAN /
Aadhar Number is _____).

- 1.
- 2.
- 3.

I do swear in the name of God / solemnly affirm that I (Full Name)
personally making this affidavit and this is my signature / thump impression.

I further swear / solemnly affirm that the contents of this affidavit /
complaint are true and what is stated in paragraphs _____ to _____ is true to my personal
knowledge and what is stated in paragraphs _____ to _____ is the information which I
believe to be true.

Attestation by literate person
in the case of thumb impression of
deponent.

Signature / Thumb impression of
Deponent.

In the presence of

Note –

- 1) Every affidavit shall be drawn up clearly and legibly and as far as in a language which the person making it understand.
- 2) It shall be drawn in the first person and shall be divided into paragraphs if any, which should be numbered consecutively.
- 3) Each paragraph shall as far as possible be confined to a distinct subject or portion thereof.

- 4) The affidavit to be submitted to this office shall be sworn in before the Registrar or the Assistant Registrar of the office of the Lokayukta and Upa-Lokayukta or a person legally authorised to administer oath.
- 5) Every affidavit shall be legibly typed or written on foolscap paper only one side leaving one fourth of each page as margin.
- 6) However, Hon'ble Lokayukta / Upa-Lokayukta may exempt any other person from filing a complaint / affidavit in prescribed format.
- 7) As per provision under section 9(3) of the Maharashtra Lokayukta and Upa-Lokayuktas Act, 1971 the aforesaid formalities are not applicable to the complaint addressed to the Lokayukta or Upa-Lokayukta by a person in police custody or in a gaol or in any asylum or other place for insane persons. However if the Hon'ble Lokayukta / Upa-Lokayukta orders so, such person will be required to file complaint or an affidavit (as the case may be) in prescribed format.

All such documents filed shall be accompanied by a list in the form prescribed in Schedule - 'B'.

Office of the Lokayukta and Upa-Lokayukta
Complaint No.LA/ULA/-----/----- (T- -----)

(Name)

..... Complainant

Versus

(Names, designation & Office name)

..... Public Servant Complaint Against

Serial No. of Document	Brief Description of the document	Original certified copy or true copy	Remark
(1)	(2)	(3)	(4)

Date:-

Signature of the party filing

Verified

Signature of the officer

Note:- Every document / evidence the complainant want to submit alongwith his complaint, shall be submitted under his signature (self attested) or under his thumb impression duly attested by a literate person.