# MAHARASHTRA LOKAYUKTA AND UPA-LOKAYUKTAS ACT, 1971

- No .. LPL. 1173- DI.-- In exercise of powers conferred by clause ( *b*) of sub-section (2) of section 20 of the Maharashtra Lokayukta and Upa-Lokayuktas Act. 1971 (Maharashtra XLVI of 1971) and of all other powers enabling him this behalf the Governor of Maharashtra hereby makes the following rules, namely:--
- 1. Short title and commencements.---(1) These rules may be called the Maharashtra Upa-Lokayuktas (Conditions of Service) Rules, 1973.
- (2) They shall come into force on the 1st October 1973.
- **2.** Residential accommodation. --- (1) An 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) The 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 [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 Government, he shall be entitled to a consolidated house allowance of [equivalent to an amount of thirty percent of salary plus thirty percent of the dearness pay] per month, in lieu of residence and maintenance as aforesaid.
- (4) The Upa-Lokayukta, irrespective of the fact whether he resides in an official residence or not, shall be entitled to reimbursement of charges on account of 3,600 kilolitres of water and 10,000 units of Electricity per annum consumed at his residence.

## महाराष्ट्र शासन राजपत्र असाधारण भाग चार-ब, मे २७, २०२२/ज्येष्ठ ६, शके १९४४

## GENERAL ADMINISTRATION DEPARTMENT

Mantralaya, Mumbai 400 032, dated 26th May 2022

#### NOTIFICATION

MAHARASHTRA LOKAYUKTA AND UPA-LOKAYUKTAS ACT, 1971.

No LPL. 2021/CR 77/15.—In exercise of the powers conferred by clause (b) of sub-section (2) of section 20 of the Maharashtra Lokayukta and Upa-Lokayuktas Act, 1971 (Maha. XLVI of 1971) and of all other powers enabling him in this behalf, the Governor of Maharashtra is hereby makes the following rules, further to amend the Maharashtra Upa-Lokayukta (Conditions of Services) Rules, 1973, as follows namely:—

- 1. Short title.—These rules may be called the Maharashtra Upa-Lokayukta (Conditions of Service) (Amendment) Rules, 2022.
- 2. In the Maharashtra Upa-Lokayukta (Conditions of Service) Rules, 1973, in rule 2 after sub-rule (4), the following sub-rule shall be added, namely:-
  - "(5) Furnishing.—The value of free furnishing (including electrical appliances) provided in the official residence allotted to the Upa-Lokayukta shall be as prescribed in the High Court Judges Rules, 1956".

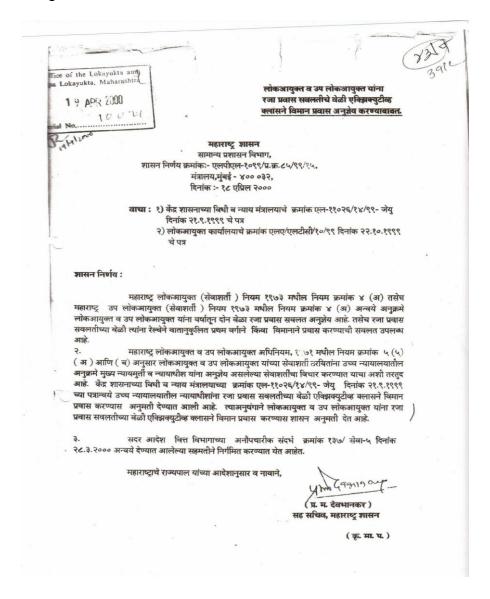
By order and in the name of the Governor of Maharashtra,

P. J. SAJANIKAR, Joint Secretary to Government.

- 3. Conveyance. -- The State Government shall provide a motor car for the use of 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 chauffeur for the motor car so provided.
- 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 (Bombay XLVIII of 1956) and the-rules and orders made thereunder.
- **4A**. 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 Indian Administrative Service holding the rank of Secretary to the Government. The Upa-Lokayukta shall have the option to travel by air or by air-conditioned first class by railway.

Explanation.-- For the purpose of this rule, the expression "members of the family" means "the husband, wife, son, daughter, father, mother brother or sister."



5. Leave. - (1) An Upa-Lokayukta shall be entitled to leave, in accordance with the provisions of the High Court

Judges (Conditions of Service) 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 or service and proportionately for the remaining period of service.
- (b) The Upa-Lokayukta shall, every year, be entitled to a vacation of fifteen days in summer and seven days in winter.
- (c) The Upa-Lokayukta shall be entitled, at the time of retirement, to encash the earned leave at his credit.

महाराष्ट्र शासन राजपत्र असाधारण भाग चार-ब, मार्च १७, २०१२/फाल्गुन २७, शके १९३३

#### GENERAL ADMINISTRATION DEPARTMENT

Madam Cama Road, Hutatma Rajguru Chowk, Mantralaya, Mumbai 400 032, dated the 2nd March 2012

#### NOTIFICATION

Maharashtra Lokayukta And Upa Lokayuktas Act, 1971.

No. LPL. 1009/(CR.49/2009)/15.—In exercise of the powers conferred by sub-sections (1), and clause (b) sub-section (2) of section 20 of The Maharashtra Lokayukta and Upa Lokayuktas Act, 1971 (Mah. XLVI of 1971) and all other powers enbling him in this behalf, the Governor of Maharashtra is hereby pleased to make the following rules further to amend the Maharashtra Upa Lokayukta (Conditions of Service) Rules, 1973 as follows:—

- 1. These rules may be called the Maharashtra Upa Lokayukta (Conditions of Service) (Amendment) Rules, 2012.
- 2. In rule 5 of the Maharashtra Upa Lokayukta (Conditions of Service) Rules, 1973,–

clause (a) shall be deleted;

clause (c) shall be deleted;

By order and in the name of the Governor of Maharashtra,

P. J. JADHAV, Deputy Secretary to Government.

6. Provident Fund .-- 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 Administration Department, No. PFR-I060-J, dated the 20th April 1961 and Government Resolution, General Administration Department, No. GPF-

1185/CR-52/XIII-A dated the 28th May, 1986:

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

Provided further that the conditions laid down in Government Resolution, General Administration Department No. GPF. 1185/CR-52/XIII-A dated the 28th May, 1986 shall not apply to the person holding the office of the Upa-Lokayukta on the date of commencement of the Maharashtra Upa-Lokayukta (Conditions of Service) Rules, 1997.

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

Provided that, a person holding the office of the Upa-Lokayukta before the date of commencement of the Maharashtra Lokayukta and Upa-Lokayuktas (Amendment), Act, 1988 (Maharashtra XXIX of 1988) shall be entitled to a pension for life at the rate of [Rs.6,580] per year for each completed year of service as the Upa-Lokayukta or proportionately for part thereof:

Provided further that, the maximum amount of such pension shall hot exceed [Rs.32,900] 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 less than six months.

- 8. Charge allowance to Upa-Lokayukta performing duties of office of Lokayukta.-- An Upa-Lokayukta who is directed to perform the duties of the office of the Lokayukta under clause (a) sub-section (2) of section 5 of the Maharashtra Lokayukta and Upa-Lokayuktas Act, 1971, shall in addition to his salary as an Upa-Lokayukta, be entitled to draw "per month difference between his;
- (i) Salary, Dearness Allowance, and Sumptuary Allowance, with effect from 1st January, 1996; and
- (ii) House Rent Allowance, with effect from 1st August, 1997, and the salaries and allowances aforesaid entitled to the post of Lokayukta as a charge allowances during the period, he performed such duties."]
- **9**. Dearness Allowance.--- The Upa-Lokayukta shall be entitled to dearness allowance and additional dearness allowance at the rate admissible to the members of the Indian Administrative Service drawing pay of Rs.26,000 [Rs.2,25,000]\* and above per mensem.
- 10. Medical attendance.-- 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 hospital maintained by the State Government and to medical attendance and treatment.

Explanation.- For the purpose of this rule, the expression "a member of the family" means "the husband, wife, son, daughter, father, mother, brother or sister."

11. Sumptuary allowance.--- The Upa-Lokayukta shall be entitled to a sumptuary allowance of Rs.6000 [Rs. 27,000]\* per month.

लोक आयुक्त व उप लोक आयुक्त यांच्या वेतन व भत्त्यामध्ये सुधारणा..

महाराष्ट्र शासन सामान्य प्रशासन विभाग Upa-Lokayukia and Upa-Lokayukia and

शासन निर्णय क्रमांक एलपीएल १०१८/प्र.क्र. २९/कार्यासन म्यालय प्रेंबई — ४०० ०३२. दिनांक ८३ जुलै, २०१८ ऽब्बा ४०

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पहार्व :- १) लोक आयुक्त कार्यालयाचे अ.शा.पत्र क्र.<mark>वे</mark>तन-१४/लोआ-उलोआ/वेतन सुधारणा/२०१८/९१३ दिनांक ५ फेब्रुवारी २०१८. २) शा. नि.वि. व न्या. वि.क्र.संकीर्ण ५११८/१<mark>५०/प्र.क्र.१०/का.४</mark> दिनांक २७ फेब्रुवारी २०१८.

#### प्रस्तावना :-

लोक आयुक्त व उप लोक आयुक्त यांना उच्च न्यायालयाच्या अनुक्रमं मुख्य न्यायमुताँ व न्यायमुताँ यांच्याप्रमाणे बेतन व भत्ते लागू आहेत. विधी व न्याय विभागाने दि.२७.२.२०१८ च्या शासन निर्णयान्वये मुंबई उच्च न्यायालयाच्या न्यायमुतींचे बेतन व भत्ते यामध्ये सुधारणा केली आहे त्याअनुषंगाने लोक आयुक्त व उप लोक आयुक्त यांच्या बेतन व भन्त्यामध्ये सुधारणा कल्याची बाब शासनाच्या विचाराधीन होती.

### शासन निर्णय :-

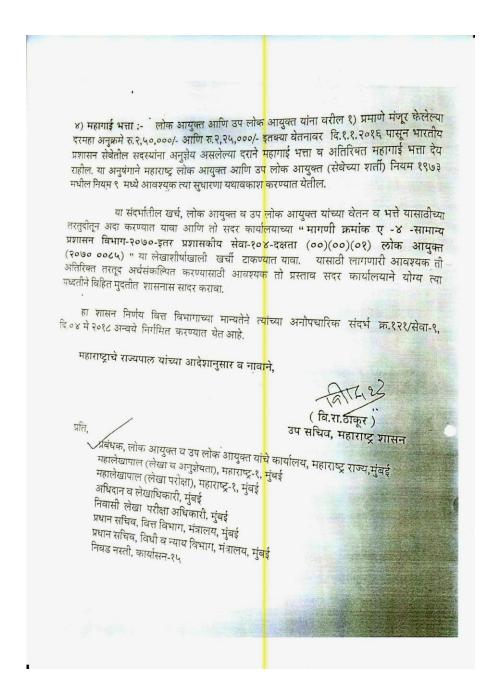
लोक आयुवत व उप लोक आयुवत, महाराष्ट्र राज्य यांच्या वेतन व भन्याच्छे बालीलप्रमाणे सुधारणा करण्याचा निर्णय शासनाने घे<mark>त</mark>ला आहे.

१) वेतन :- लोक आयुक्त महाराष्ट्र राज्य यांना दरमहा रु.२,५०,०००/- (निश्चित /Fixed) च उन् लोक आयुक्त महाराष्ट्र राज्य यांना दरमहा रु.२,२५,०००/-(निश्चित /Fixed) इतके वेतन दि.१.१,२०१६ पासून मंजूर करण्यात येत आहे. या अनुषंगाने महाराष्ट्र लोक आयुक्त व उप लोक आयुक्त अधिनियम, १९७१ च्या कलम ५ (४) संबंधाने दुसऱ्या अनुसूचिमध्ये सुधारणा करण्याचां कार्यवाही यथावकाश करण्यात येईल.

२) घरभाडे भत्ता :- लोक आयुक्त आणि उप लोक आयुक्त यांना घरभाडे दि.१.७.२०१७ च्या प्रभावाने दरमहा पगाराच्या २४% एवढी रक्कम अनुजेय राहील, महागाई भत्त्यामध्ये २५% ऐक्षा जास्त वाढ झाल्यास घरभाडे भत्ता २७% आणि महागाई भत्यामध्ये ५०% पेक्षा जास्त वाढ झाल्यास घरभाडे भत्ता ३०% एवढा करण्यात येत आहे. या अनुषंगाने महाराष्ट्र लोक आयुक्त आणि उच लोक आयुक्त (सेवेच्या शर्ती) नियम १९७३ मधील २(३) मध्ये आवश्यक त्या सुधारणा यथावकाश करण्यात येतील.

३) आतिथ्य भत्ता लोक आयुक्त यांना दरमहा रु.३४,०००/- व उप लोक आयुक्त यांना दरमहा रूपये २७,०००/- या दराने दिनांक २२.९.२०१७ पासून अतिथ्य भत्ता मंजूर करण्यात येत आहे. या अनुषंगाने महाराष्ट्र लोक आयुक्त आणि उप लोक आयुक्त (सेवेच्या शर्ती) नियम १९७३ मधील नियम ११ मध्ये आवश्यक त्या सुधारणा यथावकाश करण्यात येतील.

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**12.** City Compensatory allowance. --- The Upa-Lokayukta shall be entitled to the City Compensatory Allowance with effect from the 1st August, 1997 at the rate admissible to the members of "Indian Administrative Service" of the rank of Secretary to the Government.]

By order and in the name of the Governor of Maharashtra,

K.P. NADKARNI, Deputy Secretary to Government.