No. 407/12/2014-AVD-IV(B)
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel and Training

North Block, New Delhi,
12th April, 2016

Office Memorandum

Subject: Declaration of Assets and Liabilities by public servants under section 44 of the Lokpal and Lokayuktas Act, 2013 –filing of Returns by public servants - **Extension of last date** – regarding.

The undersigned is directed to refer to this Department's O.M. of even number dated 28th March, 2016 on the subject mentioned and to say that the last date for furnishing of declaration/information/annual return as on 01.08.2014 and 31.03.2015 relating to assets and liabilities by public servants under section 44 of the Lokpal and Lokayuktas Act, 2013 **has been extended upto 31.07.2016.** This would result in aligning the furnishing of all the three returns (as on 01.08.2014, 31.03.2015 and 31.03.2016), on or before the 31st July, 2016. In this regard, a copy of Gazette Notification dated 11th April, 2016 is enclosed. Now the timelines for filing these returns are:-

i. The first return of assets and liabilities **as on 1st August, 2014** under the Lokpal and Lokayuktas Act, 2013 - **on or before the 31st July, 2016**
ii. The next annual return of assets and liabilities **as on 31st March, 2015** under the Lokpal and Lokayuktas Act, 2013 - **on or before the 31st July, 2016**.
iii. The annual return of assets and liabilities **as on 31st March, 2016** under the Lokpal and Lokayuktas Act, 2013 should be filed **on or before 31st July, 2016**.
iv. The annual return for subsequent years as on 31st March every year should be filed on or before 31st July of that year.

2. All Ministries/Departments and cadre authorities are requested to kindly issue order towards ensuring compliance of above timelines by all officers and staff in the respective Ministry/Department/Organizations/PSUs etc. under their control.

Encl: As above.

(Rakesh Kumar)
Director
Tel. 23093180

To

1. **Secretary**
   All Ministries/Departments of the Government of India
   (as per standard mailing list)

2. **The Chief Secretary**
   All State Government/Administrators, UTs (as per standard mailing list)

Copy, for information, forwarded to:

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

रजिस्ट्री सं० डी० एल०-33004/99 REGD. NO. D. L.-33004/99

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कार्मिक, लोक शिकायत और पेंशन मंत्रालय

(कार्मिक और प्रशिक्षण विभाग)

अधिसूचना

नई दिल्ली, 11 अप्रैल, 2016

सा.का.नि. 414(अ).—केन्द्रीय सरकार, लोकपाल और लोकायुक्त अधिनियम, 2013 (2014 का 1) की धारा 59 की उपधारा (2) के खंड (ट) और खंड (ड) के साथ पठित धारा 44 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, लोक सेवक (सूचना और आस्तियों तथा दायित्वों की वार्षिक विवरणी देने तथा विवरणियां फाइल करने में आस्तियों की छूट के लिए सीमाएं) नियम, 2014 का और संशोधन करने के लिए निम्नलिखित नियम बनाती है, अर्थात् :—

1. (1) इन नियमों का संक्षिप्त नाम लोक सेवक (सूचना और आस्तियों तथा दायित्वों की वार्षिक विवरणी देने तथा विवरणियां फाइल करने में आस्तियों की छूट के लिए सीमाएं) संशोधन नियम, 2016 है ।

(2) ये राजपत्र में उनके प्रकाशन की तारीख को प्रवृत्त होंगे ।

2. लोक सेवक (सूचना और आस्तियों तथा दायित्वों की वार्षिक विवरणी देने तथा विवरणियां फाइल करने में आस्तियों की छूट के लिए सीमाएं) नियम, 2014 के नियम 3 के उपनियम (2) में,—

(क) पहले परंतुक में "15 अप्रैल, 2016 को या उससे पूर्व" अंकों और शब्दों के स्थान पर, "31 जुलाई, 2016 को या उसके पूर्व" अंक और शब्द रखे जाएंगे;

(ख) दूसरे परंतुक में "15 अप्रैल, 2016 को या उससे पूर्व" अंकों और शब्दों के स्थान पर, "31 जुलाई, 2016 को या उसके पूर्व" अंक और शब्द रखे जाएंगे;

[फा. सं. 407/12/2014-एवीडी-IV (बी)]

जिश्नु बरुआ, संयुक्त सचिव

टिप्पण : मूल नियम भारत के राजपत्र, असाधारण में अधिसूचना संख्यांक सा.का.नि. 501(अ), तारीख 14 जुलाई, 2014 द्वारा प्रकाशित किए गए थे और तत्पश्चात् उनका अधिसूचना सं. सा.का.नि. 638(अ), तारीख 8 सितंबर, 2014, सा.का.नि. 918(अ), तारीख 26 दिसंबर, 2014, सा.का.नि. 322(अ), तारीख 27 अप्रैल, 2015 और सा.का.नि. 536(अ), तारीख 3 जुलाई, 2015 और सा.का.नि. 776(अ), तारीख 12 अक्तूबर, 2015 द्वारा संशोधन किया गया था ।

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS

(Department of Personnel and Training)

NOTIFICATION

New Delhi, the 11th April, 2016

G.S.R. 414(E).—In exercise of the powers conferred by sub-section (1) read with clause (k) and clause (m) of sub-section (2) of section 59 read with section 44 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, 2016.

(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 sub-rule (2),—

(a) in the first proviso, for the words and figures "on or before the 15th day of April, 2016", the words and figures "on or before the 31st day of July, 2016" shall be substituted;

(b) in the second proviso, for the words and figures "on or before the 15th day of April, 2016", the words and figures "on or before the 31st day of July, 2016" 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 subsequently amended vide notification numbers G.S.R. 638(E), dated the 8th September, 2014, G.S.R. 918(E), dated the 26th December, 2014, G.S.R. 322(E), dated the 27th April, 2015, G.S.R. 536(E), dated the 3rd July, 2015 and G.S.R. 776(E), dated the 12th October, 2015.

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F. No. 407/12/2014- AVD-IV (B)
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training
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मुख्य सचिव कार्यालय
राजस्थान, जयपुर
प्राप्ति संख्या 1183804/cs/16
दिनांक 30/5/16

North Block, New Delhi
Dated: the 19th May, 2016

OFFICE MEMORANDUM

Subject: **Declaration of Assets and Liabilities by Public Servants under Section 44 of Lokpal and Lokayuktas Act, 2013 –filing of Returns by public servants- regarding.**

The undersigned is directed to refer to this Department's O.M. of even number dated 12th April, 2016 on the subject mentioned above and to enclose a copy of the relevant portion of the '**FAQs with replies/information in respect of Lokpal and Lokayuktas act, 2013**' available on website of this Department wherein it has been clarified that the Section 44 of the Act mandates that the information regarding assets and liabilities is to be submitted by each public servant to his/her own competent authority (as defined in the Act). There is no requirement for submission of or enclosing copies of such information by individual officers to this Department.

2. All Ministries/Departments and cadre authorities are requested to bring to the notice and impress upon the officers under their administrative control that the relevant declaration/annual returns required to be filed under the Lokpal and Lokayuktas Act, 2013 are to be submitted to the respective competent authorities as stipulated under the said Act.

Encl: As above.

(Rakesh Kumar)
Director
Tel. 23093180

To

1. **The Secretary**
   All Ministries/Departments of the Government of India
   (as per standard mailing list)
2. **The Chief Secretary**
   All State Government/Administrators, UTs (as per standard mailing list)

8. (a) Whether Government has prescribed any formats for the submission of information regarding assets and liabilities by public servants under the Lokpal law? **(b) Where can the forms be accessed?** **(c) What are the timelines for furnishing such information specific to the years 2014 and 2015, as also for subsequent years?**	The form and manner in which information regarding assets and liabilities are required to be furnished by public servants have been prescribed under the Public Servants (Furnishing of information and Annual Return of Assets and Liabilities and Limits for exemption of assets in filing Returns) Rules, 2014, as amended from time to time. A complete set of the formats and clarifications as regards the timelines for filing of such declaration and returns have been provided in this Department's OM No.407/12/2014-AVD-IV-B dated 18-03-2015. The timelines for annual returns required to be filed for different years is as follows: *(a)* The first return (as on 1 at August, 2014) under the Lokpal Act should be filed on or before the15th October, 2015; *(b)* The next annual return under the Lokpal and Lokayuktas Act, 2013 for the year ending 31st March, 2015 should be filed on or before the15th October, 2015; and *(c)* The annual return for subsequent years as on 31st March every year should be filed on or before 31st July of that year.
9. To whom is the information in respect of assets and liabilities required to be furnished? Is it necessary to forward copies of such information to the Lokpal or to the DoPT?	Section 42 of the Act mandates that the information regarding assets and liabilities is to be submitted by each public servant to his/her own competent authority (as defined in the Act). **There is no requirement for submission of copies of such information by individual officers to the Lokpal or to DoPT other than those working in DOPT or Lokpal.**
10. Is there any requirement that all applicable Conduct Rules for different categories of public servants have to be amended in line with the provisions of the Lokpal and Lokayuktas Act? Please provide complete details.	Section 56 of the Lokpal and Lokayuktas Act, 2013 reads as under:- "56. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any enactment other than this Act or in any instrument having effect by virtue of any enactment other than this Act.". The above provisions mandate that even if there are any provisions in any existing law (which, inter alia, includes relevant Conduct Rules framed under Article 309, etc.) which are inconsistent with the provisions of the Lokpal and Lokayuktas Act, the provisions of the said Act shall have effect, notwithstanding such inconsistency. Thus, the provisions regarding filing of information/annual returns regarding assets and liabilities by public servants under section 44 of the Lokpal and Lokayuktas Act shall have effect, notwithstanding anything inconsistent therewith in the applicable Conduct Rules. In other words, the filing of information/annual return under the Lokpal law in the manner prescribed by rules made under that Act, is a mandatory requirement, and the same cannot be dispensed with under any circumstances, except by an amendment of the Act itself. Attention in this regard is also invited to section 57 of the