

[Authoritative English text of the Himachal Pradesh Lokayukta Adhiniyam, 1983 as required under Clause(3) of Article 348 of the Constitution of India]

Act No. 17 of 1983.

THE HIMACHAL PRADESH LOKAYUKTA ACT, 1983

AN

ACT

To make provisions for the appointment and functions of the Lokayukta for the inquiry into the allegations against certain high dignitaries and others and for matters connected therewith.

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Thirty-fourth Year of the Republic of India as follows:-

Short title,

Extent & commencement.

1. (1) This Act may be called the Himachal Pradesh Lokayukta Act, 1983.

(2) It extends to the whole of the State of Himachal Pradesh.

(3) It shall be deemed to have come into force with effect from the 1st day of June, 1983.

Definitions:

2. In this Act, unless the context otherwise inquires,---

(a) "action" means action by way of prosecution or otherwise taken on the report of the Lokayukta and includes failure to act, and all other expressions connoting action shall be construed accordingly;

(b) "allegation" in relation to a public servant means any affirmation that such public servant---

(i) has knowingly and intentionally abused his position as such to obtain any undue gain or favour to himself or to any other person or to cause undue harm to any other person:

Provide that the service matters relating to persons referred to in sub-clause (3) and (12) of clause (f) of section 2 shall be excluded therefrom; or

(ii) was actuated in the discharge of his functions as such public servant by corrupt motives ; or

(iii) is guilty of corruption ; or

- (iv) is in possession of pecuniary resources or property disproportionate to his known source of income and such pecuniary resources or property held by the public servant personally or by any member of his family or by some other person on his behalf.

Explanation.—For the purpose of this sub-clause ‘family’ means husband, wife sons and unmarried daughters living jointly with him or dependent on him ;

- (c) “Lokayukta” means a person appointed as a Lokayukta under section 3 ;

45 of 1860

- (d) “corruption” includes any act punishable under Chapter IX of the Indian Penal Code or the Prevention of Corruption Act, 1988 ;
- (e) “Minister” means a member of the Council of Ministers, by whatever name called, for the State of Himachal Pradesh, that is to say, Chief Minister, Minister, Minister of State, Deputy Minister and shall also include the Chief Parliamentary Secretary and Parliamentary Secretary ;
- (f) “public servant” means a person, who is or has been—
 - (1) a Minister,
 - (2) a Member of the Legislative Assembly of Himachal Pradesh.
 - (3) appointed to public service or post in connection with the affairs of the State of Himachal Pradesh,

1 of 1956

- (4) a Chairman, Vice-Chairman, Managing Director or a member of the Board of Directors or Chief Executive Officer, by whatever name called, of a Government Company within the meaning of section 617 of the Companies Act, 1956, in which not less than fifty-one percent of the paid up share capital is held by the State Government, or any company which is a subsidiary of a company in which not less than fifty-one percent of the paid up share capital is held by the State Government.
 - (5) a Mayor, Deputy Mayor, Councillor or Commissioner of a Municipal Corporation constituted by or under the Himachal Pradesh Municipal Corporation Act, 1994
 - (6) a President, Vice-President, a member or Administrator of a Municipal Committee or Notified Area Committee or deemed to have been Constituted of H.P. Municipal Corporation Act, 1994,
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Figures 1988, 1994 and 1994 have been substituted for 1947, 1980 and 1968 vide H.P. Lokayukta (Seventh amendment Act), 1989.

- (7) a Vice Chancellor or Pro-Vice-Chancellor of a University established or deemed to have been established by or under any law of the State Legislature ;
- (8) a Chairman or Vice-Chairman of the Zila Parishad or Panchyat Samiti constituted by or under the Himachal Pradesh Panchayati Raj Act, 1994,
- (9) a President or Vice-President or member of any managing committee of an Apex Society incorporated by or under the Himachal Pradesh Co-operative Societies Act, 1968,
- (10) a President, Vice-President, Managing Director or a member of the Board of Directors of such other Co-operative Societies incorporated by or under the Himachal Pradesh Co-operative Societies Act, 1968, as may be notified by the State Government from time to time ;
- (11) a Chairman, Vice-Chairman, Managing Director or the Chief Executive Officer by whatever name called, of any statutory or non-statutory body incorporated or set up by the State Government,
- (12) in the service or pay of a Government Company, Local Body, University, Zila Parishad, Panchayat Samiti, Apex Society, Co-operative Society, statutory or non-statutory body referred to in sub-clauses(4) to (11) of this clause, and
- (13) holding any other post or office under the control of the State Government or an authority referred to in sub-clause(12) and notified by the State Government in the Official Gazette from time to time ;
- (g) “ officer” means and includes,--
- (i) the Chief Secretary, Secretary, Principal Secretary, Additional Secretary, Special Secretary, Joint Secretary, Deputy Secretary and Under Secretary to the Government of Himachal Pradesh, by whatever name he may be called;
- (ii) the Head of Department of the State Government ; and
- (iii) any other Government servant to be notified by the State Government ;
- (h) “competent authority” in relation to a public servant, means-

(i) in case of Chief Minister, or member of the State Legislature	the Governor acting in his discretion
(ii) in the case of Minister other than the Chief Minister, and the Officers.	The Chief Minister or during the period of proclamation issued under Article 356 of the Constitution of India, the Governor,

Appointment of Lokayukta.

3. (1) For the purpose of conducting investigations in accordance with the provisions of this Act, the Governor shall, by warrant under his hand and seal, appoint a person to be known as the Lokayukta :

Provided that the Lokayukta shall be appointed after consultation with the Chief Justice of the High Court of Himachal Pradesh and the Leader of the Opposition in the Legislative Assembly, or if there be no such leader, a person elected in this behalf by the members of the Opposition in that House in such manner as the Speaker may direct.

(2) A person shall not be qualified for appointment as Lokayukta, unless he has been a Judge of the Supreme Court or a Chief Justice of a High Court in India.

(3) Every person appointed as the Lokayukta shall, before entering upon his office, make and subscribe, before the Governor, or some person appointed in that behalf by him, an oath or affirmation in the form set out for the purpose in the First Schedule.

Lokayukta to held no other office.

4. Except as provided in Section 15-A, Lokayukta shall not be a member of Parliament or member of the Legislature of any State and shall not hold any other office of trust or profit or be an officer of a co-operative society and shall not be connected with any political party or carry on any business or practice any profession and accordingly before he enters upon his office, a person appointed as the Lokayukta shall,--

- (a) if he is a member of Parliament or of the Legislature of any State, resign such membership ; or
- (b) if he holds any office of trust or profit, resign from such office ; or
- (c) if he is connected with any political party, sever his connection with it ; or
- (d) if he is carrying on any business, sever his connection (short of divesting himself of ownership) with the conduct and management of such business ; or
- (e) if he is practicing any profession, suspend practice of such profession.

Explanation.- For the purpose of this section a person shall not be deemed to hold an office of trust or profit by reason only that he has been entrusted additional function or conferred powers to discharge the said functions under section 15-A of this Act.

**Term of
Office and other
Conditions of
Service of Lokayukta**

5.(1) Every person appointed as the Lokayukta shall hold office for a term of five years from the date on which he enters upon his office and shall not be eligible for re-appointment thereafter :

Provided that-

- (a) the Lokayukta may, by writing under his hand addressed to the Governor, resign his office and such resignation shall be effective as soon as it is tendered ; and
- (b) the Lokayukta may be removed from the office in the manner specified in section 6.

(2) A vacancy occurring in the office of the Lokayukta shall be filled in as soon as possible but not later than six months from the date of occurrence of such vacancy.

(3) On ceasing to hold office, Lokayukta shall be ineligible for further employment in any other capacity under the Government of Himachal Pradesh for any employment under, or office in, any such Local Authority, Co-operative society, Government Company, University, Corporation, or a Corporate Body under the administrative control of the Government of Himachal Pradesh as is Referred to in sub-clauses (4) to (11) and sub-clause (13) of clause (f) of section 2.

(4) There shall be paid to the Lokayukta such salary as is specified in the Second schedule.

(5) The allowances payable to and other conditions of service of Lokayukta shall be such as may be prescribed:

Provided that in prescribing the allowances payable to, and other conditions of service of, the Lokayukta, regard shall be had to the allowances payable to, and other conditions of service of a serving Judge of the Supreme Court or the Chief Justice of a High Court, as the case may be :

Provided further that the allowances payable, and other conditions of service of, the Lokayukta shall not be varied to his disadvantage after his appointment.

(6) The salaries and allowances payable to, or in respect of, the Lokayukta shall be expenditure charged on the Consolidated Fund of the State.

1. Explanation inserted vide H.P. Lokayukta (fourth amendment) Act, 1992 (Act. No. 17 of 1992) see extra ordinary Gazette, HP dated 20th July, 1992.

Removal of Lokayukta

6. (1) The Lokayukta shall not be removed from his office except by an order of the Governor passed after an address by the Himachal Pradesh Legislative Assembly, supported by a majority of the total membership of the Legislative Assembly and by a majority of not less than two thirds of the members thereof, present and voting, has been presented to the Governor in the same session for such removal on the ground of proved misbehavior or incapacity.

51 of 1968

(2) The procedure for the presentation of an address and for the investigation and proof of the misbehaviour or incapacity of the Lokayukta under subsection(1) shall be as provided in the Judges(Inquiry) Act, 1968, in relation to the removal of a judge and, accordingly, the provisions of that Act shall, subject to necessary modifications, apply in relation to the removal of the Lokayukta as they apply in relation to the removal of a Judge.

Matters which may be Enquired into by the Lokayukta.

7. Subject to the provisions of this Act on receiving a complaint the Lokayukta may proceed to enquire into the allegations made against a public servant.

Matters not subject to Inquiry 37 of 1850

8. The Lokayukta shall not inquire into any matter,---

- (a) in respect of which a formal and public inquiry has been ordered under the Public Servants(Inquires) Act, 1850 ; or
- (b) ommitted
- (c) which is not connected with the discharge of functions as public servant of the person against whom allegation is made ; or
- (d) relating to an allegation against a public servant, if the complaint is made after expiration of a period of ten years from the date on which the conduct complained against is alleged to have been committed.

Provisions relating to complaints

9.(1) Any person may make a complaint under this Act to the Lokayukta

(2) Every complaint involving an allegation shall be made in such form as may be prescribed. The complainant shall swear an affidavit in such form as may be prescribed before the Lokayukta or any officer authorised by the Lokayukta in this behalf.

(3) Notwithstanding anything contained in section 10 or any other provision of the Act, every person who willfully or maliciously makes any false complaint under this Act, shall, on conviction, be punished with rigorous imprisonment which may extend to two year or with fine which may extend to five thousand rupees or with both and the court may order that out of the amount of fine, such sum, as it may deem fit, be paid by way of compensation to the person against whom such complaint was made :

Provided that no court shall take cognizance of an offence punishable under this section except on a complaint made by or under the authority of the Lokayukta :

Provided further that the complaints made by or under the authority of Lokayukta shall be exclusively tried by a Court of Session which may take cognizance of the offence on such complaints without complaints being committed to it, anything contained in the Code of Criminal Procedure 1973 notwithstanding :

2 of 1974

Provided further that the complaint made under the signature and seal of the Lokayukta shall be deemed as formally proved and the evidence of the Lokayukta shall not be necessary for the purpose.

(4) If the Lokayukta is satisfied,-

- (a) that all or any of the allegations made in the complaint have or has been substantiated either wholly or partly ; and
- (b) that having regard to the expenses incurred by the complainant in relation to the proceedings in respect of such complaints and all other relevant circumstances of the case, the complainant deserves to be compensated ;

the Lokayukta shall determine a reasonable amount which shall be paid to the complainant by way of such compensation and the State Government shall pay the amount so determined to the complainant.

1. Clause(b) of section 8 omitted vide H.P. Lokayukta (Fourth Amendment) Act, 1992 (See Extraordinary Gazzette, H.P. dated 20th July, 1992).

Procedure in Respect of inquiry

10.(1) Subject to the provisions contained in sub-section(2) the Lokayukta shall, in each case before it, decide the procedure to be followed for making an inquiry and in so doing ensure that the principles of natural justice are satisfied.

(2) Every inquiry under the Act shall, unless the Lokayukta for reasons to be recorded in writing determines otherwise, be conducted in camera.

“10-A.(1) Where in consequence of information in his possession or after such inquiry as he thinks necessary, the Lokayukta,-

(a) has reason to believe that a person-

(i) to whom a summons or notice under this Act, has been or might be issued, will not or would not produce or cause to be produced any property, document or thing which will be necessary or useful for or relevant to any inquiry or other proceedings to be conducted by him,

(ii) is in possession of any money, bullion, jewelery, or other valuable article or thing and such money, bullion, jewelery or other valuable article or thing represents either wholly or partly income or property which has not been disclosed to the authorities for the purpose of any law or rule in force which requires such disclosure to be made or

(b) considers that the purposes of any inquiry or other proceedings to be conducted by him will be served by a general search of inspection, may issue a search warrant and he or any person authorised by him may, by that search warrant-

- (i) enter and search any building or place where he has reason to suspect that such property, document, money, bullion, jewelery or other valuable article or thing is kept ;
- (ii) break open the lock of any door, box, locker, safe, almirah or other receptacle for exercising the powers conferred by sub-clause (i) where the keys thereof are not available ;
- (iii) seize any such property, document, money, bullion, jewelery or other valuable article or thing found as a result of such search ;
- (iv) place a mark of identification on any property or document or make or cause to be made extracts or copies therefrom ; or
- (v) make a note or an inventory of any such property, document, money, bullion, jewelery or other valuable article or thing.

2 of 1974

(2) The provisions of section 100 of the Code of Criminal Procedure, 1973 shall, so far as may be, apply to searches under sub-section(1).

(3).A warrant issued under sub-section(1) shall, for all purposes, be deemed to be a warrant issued by a Court under section 93 of the Code of Criminal Procedure, 1973”

Evidence

11. (1) Subject to the provisions of this section, for the purpose of any inquiry, the Lokayukta or any person authorised by him in this behalf-

- (a) may require any public servant or any other person who, in his opinion, is able to furnish information or produce documents relevant to such inquiry, to furnish any such information or produce any such document ;
- (b) may enter upon any land and survey, demarcate or prepare a map of the same ;

5 of 1908

(c) shall have all the powers of a civil court while trying a suit under Code of Civil Procedure, 1908 in respect of the following matters, namely :-

- (i) summoning and enforcing the attendance of any person and examining him on oath,
- (ii) requiring the discovery and production of any document,
- (iii) receiving evidence on affidavits,
- (iv) requisitioning any public record or copy thereof from any court or office, and
- (v) issuing commissions for the examination of witnesses or documents :

19 of 1923

Provided that no person, without the prior permission of the appropriate Government shall be required or authorised by virtue of the provisions contained in this Act to furnish any such information or answer any such question or produce so much of any document as might involve the disclosure of any information or production of any document which is punishable under the provisions of the Official Secrets Act, 1923.

45 of 1860

(2) Any proceeding before the Lokayukta shall be deemed to be a judicial proceeding within the meaning of section 193 and section 228 of the Indian Penal Code, 1860.

(3) Omitted.

Power to punish for Contempt.

11. A. The Lokayukta shall have and exercise the same jurisdiction, powers and authority in respect of contempt of itself as a High Court has and may exercise and, for this purpose, the provisions of the Contempt of Courts Act, 1971 shall have effect subject to the modification that-

- (a) the references therein to a High Court shall be construed as including a reference to the Lokayukta ;
- (b) sub-section (1) of section 18 shall not apply to the Lokayukta ;
- (d) in 'proviso to sub-section (1) of section 19 reference to Judicial Commissioner in any Union territory' shall be construed as including a reference to the Lokayukta."

Reports of Lokayukta

12. (1) If, after inquiry in respect of a complaint, the Lokayukta is satisfied,-- (a) that no allegation made in the complaint has been substantiated either wholly or partly, he shall close the case and intimate the complainant, the public servant and the competent authority concerned accordingly;

(b) that all or any of the allegations made in the complaint have or has been substantiated either wholly or partly, he shall, by report in writing, communicate his findings and recommendations to the competent authority and intimate the complainant and the public servant concerned about his having made the report.

(2) The competent authority shall examine the report forwarded to it under clause (b) of sub-section(1) and communicate to the Lokayukta, within three months of the date of receipt of the report, the action taken on the basis of the report.

(3) If the Lokayukta is satisfied with the action taken, on the basis of his report under clause (b) of sub-section (1), he shall close the case and intimate the complainant, the public servant and the competent authority concerned accordingly, but where he is not so satisfied and if he considers that the case so deserves, he may make a special report upon the case to the Governor and intimate the complainant, the public servant and the competent authority concerned about his having made such report.

(4) The Lokayukta shall present annually to the Governor a consolidated report on the administration of this Act.

(5) At the commencement of the session of the State Legislative Assembly after the expiry of ninety days from the presentation of the special report under sub-section(3) the annual report under sub-section(4) or earlier thereto the Governor shall cause the same together with an explanatory memorandum to be laid before the State Legislative Assembly.

(a) that no allegation made in the complaint has been substantiated either wholly or partly, he shall close the case and intimate the complainant, the public servant and the competent authority concerned accordingly;

(b) that all or any of the allegations made in the complaint have or has been substantiated either wholly or partly, he shall, by report in writing, communicate his findings and recommendations to the competent authority and intimate the complainant and the public servant concerned about his having made the report.

(2) The competent authority shall examine the report forwarded to it under clause (b) of sub-section(1) and communicate to the Lokayukta, within three months of the date of receipt of the report, the action taken on the basis of the report.

(6) If the Lokayukta is satisfied with the action taken, on the basis of his report under clause (b) of sub-section (1), he shall close the case and intimate the complainant, the public servant and the competent authority concerned accordingly, but where he is not so satisfied and if he considers that the case so deserves, he may make a special report upon the case to the Governor and intimate the complainant, the public servant and the competent authority concerned about his having made such report.

(7) The Lokayukta shall present annually to the Governor a consolidated report on the administration of this Act.

(8) At the commencement of the session of the State Legislative Assembly after the expiry of ninety days from the presentation of the special report under sub-section(3) the annual report under sub-section(4) or earlier thereto the Governor shall cause the same together with an explanatory memorandum to be laid before the State Legislative Assembly.

Staff of Lokayukta

13 (1) The Lokayukta may appoint, or authorise any officer subordinate to the Lokayukta to appoint officers and other employees to assist the Lokayukta in the discharge of his functions under this Act.

(2) The categories of officers and employees who may be appointed and other conditions of service and the administrative powers of the Lokayukta shall be such as may be prescribed after consultation with the Lokayukta.

(3) Without prejudice to the provisions of sub-section(1), the Lokayukta may for the purpose of conducting inquiries under this Act utilise the services of-

(i) any officer or investigation agency of the State or the Central Government with the concurrence of that Government ; or

(ii) any other person or agency.

Power to delegate

13 A. The Lokayukta may, by general or special order in writing, direct that any powers conferred or duties imposed on him by or under this Act (except the power to make reports under section 12) may also be exercised or discharged by such of the officer, employee or agencies referred to in section 13, as may be specified in the order.”

Secretary of information

1 of 1972

14.(1) Any information obtained by the Lokayukta or members of his staff in the course of or for the purposes of any investigation under this Act and any evidence recorded or collected in connection with such information, shall be treated as confidential and, notwithstanding anything contained in the Evidence Act, 1872, no court shall be entitled to compel the Lokayukta or any public servant to give evidence relating to such information or produce the evidence so recorded or collected.

(2) Nothing in sub-section (1) shall apply to the disclosure of any information or particulars-

(a) for purposes of the inquiry or any report to made thereon or for any action or proceedings to be taken on such report or

19 of 1923

45 of 1960

(b) for purposes of any proceedings or an offence under the Official Secrets Act, 1923, or an offence of giving or fabricating false evidence under the Indian Penal Code or under sub-section(1) and (2) of section 11 ; or

(c) for such other purposes as may be prescribed.

Protection

15. No suit, prosecution or other legal proceeding shall lie against the Lokayukta or against any officer employee, agency or person referred to in section 13 in respect of anything which is in good faith done or intended to be done under this Act.

New Section 13-A added vide H.P. Lokayukta Third Amendment Act, 1987 (See Extra ordinary gazette.HP dated 17.2.88)

Entrustment of Additional

Functions on Lokayukta

15-A. The Governor may, after consultation with the Lokayukta and by notification published in the official gazette, entrust on Lokayukta such additional functions in relation to the eradication corruption as may be specified in the notification.

(2) The Governor, may by order in writing and after consultation with the Lokayukta, entrust on the Lokayukta such powers of supervisory nature over agencies, authorities or officers set up, constituted or appointed by the State Government for the eradication corruption.

(3) When any additional functions are entrusted on the Lokayukta under subsection (1), the Lokayukta shall exercise the same powers and discharge the same functions as he would in the case of any investigation made on a complaint involving an allegation, and the provision of this act shall apply accordingly.

(4) Notwithstanding any thing to the contrary contained in this Act, if the Governor is satisfied that :-

(a) the quantum of work connected with investigations under this Act is not sufficient to justify the whole time employment of the Lokayukta: and

(b) the entrustment of additional functions or investigation of matters of public importance (not connected with eradication of corruption) can be performed or conducted by the Lokayukta without impeding or prejudicial of duties to be performed by him under this Act:

the Governor may, with the consent of the Lokayukta, entrust, either conditionally or un-conditionally to the Lokayukta:-

(i) to make an enquiry into any definite matters of public importance referred for enquiry under the commissions of Inquiry Act, 1952: or

60 of 1952

(ii) to perform the functions and to discharge the duties of a statutory office :

and he shall hold said enquiry to perform said functions or discharge said duties through such officers, employees agencies as are referred to in Section-13.

1. New Section 15 A inserted vide H.P. Lokayukta(first amendment) Act,1985 (7 of 1986) as published in Extra-Ordinary gazette dated 28th January,1986.

60 of 1952

(5) When any additional functions are entrusted under Sub-Section (4) , the Lokayukta shall exercise the same powers and discharge the same functions as he would have exercised or discharged under the Commissions of Inquiry Act, 1952, or as the case may be, under the enactment Constituting or setting up that office in relation to which he is to perform the functions or to discharge the duties.

Explanation.—For the purpose of this section the expression “statutory office” shall mean the office constituted or set up by the State Government under a State or Central Act for the time being in force in the State, and which is to be manned by a person who is qualified for appointment as, or is a person who is or has been, a Judge of a High Court.

Power to make rules

16. (1) The State Government may, by notification, make rules for the purpose of carrying into effect the provisions of this Act.

(2) Every rule made under this Act shall be laid, as soon as may be after it is made, before the State Legislature while it is in session for a period of fourteen days which may be comprised in one session or two successive sessions, and if before the expiry of the session in which it is so laid, or the session immediately following, the House agrees in making any modification in the rule or the House agrees that the rule should not be made and notify such decision in the Official Gazette, the rule shall from the date of publication of such notification, have effect only in such modified form or be of no effect, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

Removal of doubts

17. For the removal of doubts, it is hereby declared that nothing in this Act shall be construed as authorising the Lokayukta to investigate any action which is taken by or with the approval of—

(a) the Chief Justice or any Judge or the High Court or a Member of the Judicial Service as defined in Clause(b) of article 236, or a Presiding, Officer of an administrative tribunal set up under Article 323-A, or an officer the control whereof vests in the High Court by virtue of Article 235, of the Constitution ;

(b) any officer or servant of any civil or criminal court in India;

2. Sub-sections(4) and (5) added to section 15 A vide H.P. Lokayukta (Fourth Amendment) Act, 1992(Act No. 17 of 1992) and published in Extra-ordinary Gazette, HP dt. 20th July, 1992

- (bb) under Article 323-A of the Constitution ;
- (c) the Accountant General for Himachal Pradesh ;
- (d) the Chief Election Commissioner, the Election Commissioner and the Regional Commissioners referred to in Article 324 of the Constitution and the Chief Electoral Officer, Himachal Pradesh State;
- (e) the Chairman or a member of the Himachal Pradesh Public Service Commission ; and
- (f) the President or a Member of the Consumer Disputes Redressal Commission set up by the State Government under clause (b) of section 9 of the Consumer Protection Act, 1986.

Savings

18. The provisions of this Act shall be in addition to the provisions of any other enactment or any rule of law under which any remedy by way of appeal, revision, review or in any other manner is available to a person making a complaint under this Act in respect of any action, and nothing in this Act shall limit or affect the right of such person to avail of such remedy.

Power to recall complaints Pending before the Director of Vigilance

19. (1) Where the Lokayukta decides to inquire into a complaint against a public servant, he may ascertain from the Director of Vigilance whether any complaint containing substantially similar allegations against the said public servant is pending in the Directorate of Vigilance.

(2) If the Lokayukta, on examination of the record referred to in subsection(1), decides to inquire into the matter himself, he shall inform the Director of Vigilance accordingly and the complaint, wholly or partly, as the case may be, shall stand transferred to him for inquiry under the provision of this Act.

(3) Whenever the Lokayukta decides not to inquire into the matter himself and returns the complaint to the Director of Vigilance, the latter shall investigate the complaint returned to him and dispose of the same as if this Act has not been enacted.

Repeal and savings 3 of 1983

20. (1) The Himachal Pradesh Lokayukta Ordinance, 1983, is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done, or taken, under the corresponding provisions of this Act, as if this Act had come into force on the day on which such thing was done or action was taken.

THE FIRST SCHEDULE

[See Section 3(3)]

I,.....having been appointed Lokayukta of Himachal Pradesh do swear in the name of God/solemnly affirm that I will bear true faith and allegiance to the Constitution of India as by law established and I will duly and faithfully and to the best of my ability, knowledge and judgement perform the duties of my office without fear or favour, affection or ill-will.

THE SECOND SCHEDULE

[See Section 5 (4)]

There shall be paid to the Lokayukta in respect of time spent on actual service, salary at the rate of 9000 rupees per mensem, plus such perquisites and allowances as are available to serving Judge of the Supreme Court in case he has been a Judge of the Supreme Court or to a serving Chief Justice of a High Court in case he has been a Chief Justice of a High Court:

Provided that, if the Lokayukta at the time of his appointment is in receipt of a pension as a Judge of the Supreme Court or the Chief Justice of a High Court or of a pension (other than a disability or the wound pension) in respect of any previous service under the Government of India or any of its predecessor Government or under the Government of a State or any of its predecessor Government, his salary in respect of service as Lokayukta, shall be reduced :-

- (a) by the amount of that pension; and
- (b) if he has, before such appointment, received in lieu of a portion of the pension due to him in respect of such previous service the commuted value thereof, by the amount of that portion of the pension; and
- (c) if he has, before such appointment, received a retirement gratuity in respect of such previous service, by the pension equivalent of that gratuity.

with effect from 1st April, 1986 for the word and figures “ Rs. 4000 the figures and word 9, 000 rupees have been substituted vide H.P. Lokayukta (Second Amendment) Act, 1987 (Act 21 of 1987).

THE HIMACHAL PRADESH LOKAYUKTA (PROCEEDINGS) RULES, 1983

Short title.----- These rules may be called the Himachal Pradesh Lokayukta (Proceedings) Rules, 1983.

1. Definitions.----(1) In these rules, unless the context otherwise requires :-

- (a) “Act” means the Himachal Pradesh Lokayukta Act, 1983;
- (b) “Section” means the section of the Act.

(2) The words and expressions used in these rules, but not defined herein, shall have the same meanings as are respectively assigned to them under the Act.

2. Competent authority.---For the purposes of item (iii) of clause (h) of section 2 of the Act, the competent authority in relation to any public servant, other than the Chief Minister, a Minister, a Member of the State Legislature and the officers, as defined under clause(g) of section 2, shall be the appointing authority of the public servant :

Provided that if the action arises out of the administrative action taken by or with the approval of a public servant during the period of his deputation to foreign service, the head of the establishment in which he has been working or had worked shall be consulted.

4. Complaint.-(1) A complaint shall be signed by the complainant and shall be made in Form-I and it shall be accompanied by an affidavit in Form-II in support of its contents.

(2) A complaint may be presented or be sent under registered cover to the Secretary to the Lokayukta.

5. Affidavit.- An affidavit may be sworn before the Lokayukta or any other Gazetted Officer subordinate to the Lokayukta and authorised by him in this behalf, besides the authorities already empowered under any law in force in the State of Himachal Pradesh before whom affidavit may be sworn.

6 Attendance of witnesses.---(1) If while making any preliminary inquiry or while conducting any investigation under the Act, or at any time, the Lokayukta on his own motion examines any person as a witness, whether as witness to give evidence or, to produce any document in his possession, and if such person is in any private service,

service such person shall be entitled to a certificate in Form III that he attended the office of the Lokayukta for the purpose of evidence, etc. from the office of the Lokayukta.

Explanation.- For the purposes of this rule, “private service” means any employment other than that of a public servant.

(2) If a person produces such certificate before his employer, he shall not be deemed to be absent from duty for the purpose of any action/penalty which would otherwise have been followed in consequence of such absence.

(3) If such person is a public servant to whom Civil Services Rules or Regulations apply, he shall obtain a similar certificate that he was so summoned and has attended the office of Lokayukta. Upon production of such a certificate, he shall be treated as on duty on the day or dates on which he attended the office of the Lokayukta.

(4) If such a person is in private service or is not employed in any service, such a person may be paid actual travelling allowance and subsistence allowance at the rates prescribed by general or special order of the Lokayukta.

7. Application of the Criminal Procedure Code.- The procedure prescribed in sub-section (1) of section 340 of the Code of Criminal Procedure, 1973 (Act No. 2 of 1974) shall be followed in respect of offences referred to in clause(b) of sub-section(1) of section195 of the said Code and complaint made under section 340 of the said Code shall be signed by such officer subordinate to the Lokayukta as he may appoint for the purpose.

8. Authentication of orders passed by the Lokayukta.-Any order passed by the Lokayukta under provisions of the Act, and these rules shall be authenticated in such manner as the Lokayukta may, by general or special order, from time to time specify.

9. Transaction of business.-(1) The Lokayukta may from time to time by general or special order, provide for the convenient and efficient transaction of business arising out of the administration of these rules and the procedure to be followed for the said purpose.

(2) All matters not specially provided for in these rules, whether incidental or ancillary to the provisions of these rules [] shall be regulated in accordance with such orders, as the Lokayukta may, from time to time, make.

(3) Lokayukta shall have powers, subject to the provisions of the Act to regulate the conduct of proceedings, investigations and inquires in all matters not provided for in these rules.

By order and in the name of the Governor of Himachal Pradesh.

The words “or otherwise” deleted vide Notification No. Per(Vig) A-4 (2)/83 dated 14th August, 1986.

FORM-I

(See rule 4)

FORM OF COMPLAINT

BEFORE THE LOKAYUKTA, HIMACHAL PRADESH

Complainant.....son of,
d/o,w/o.....
(add description of profession, residence etc.)

In the matter of allegation against s/o, do,
w/o.....holding the office
of.....
at.....

The above named complainant is satisfied that the aforesaid public servant:-

- (i) has knowingly and intentionally abused his position as such to obtain any undue gain or favour to himself or to any other person or to cause undue harm to any other person; and /or
(ii) was actuated in the discharge of his functions as such public servant by corrupt motives; and/or
(iii) is guilty of corruption; and/or
(iv) is in possession of pecuniary resources of property disproportionate to his known source of income and such pecuniary resources or property is held by the public servant personally or by any member of his family or by some other person on his behalf.

(Strike out the clause or clauses not relevant to the complaint)

To support the allegations the complainant relies on the following facts and is also filing an affidavit :-

- (1)
(2)
(3)
(4)

The complainant has/have not for the same matter resorted to a remedy by way of proceedings before a tribunal/a court of law/an authority empowered to decide the matter particulars of which are as under :-

(Give particulars and result if any)

It is, therefore, prayed that an inquiry be made against the said public servant.

.....

Signature/or right hand thumb mark of the applicant.

VERIFICATION

I,.....s/o,d/o,w/o.....r/o.....
..... hereby verify that the facts stated by me in
paras.....to.....in the complaint are true to my personal
knowledge and /or the facts stated by me in
paras.....to.....are based on information received
from(give the name) and/or documents, and the same are
believed by me to be true.

.....
Signature/right hand thumb mark of the applicant.

FORM-II

(See rule 4)

Note:- This affidavit should be got prepared on a non-judicial stamp paper worth Rs.
3/- and then it should be got attested from Competent Authority or an Oath
Commissioner.

FORM OF AFFIDAVIT

I,.....age.....s/o, d/o, w/o
Shri..... profession.....
Resident of Tehsil..... District.....do hereby solemnly affirm
and state as follows:-

- (1) that I am the complainant in this case ;
- (2) that the statements of this complaint petition have been read by/read over to me
and understood heard by me and these are true to the best of my knowledge and
belief ;
- (3) that the facts stated by me in paras.....
to..... are true to the best of my personal knowledge and
facts stated in parasto..... are based on the information
given to me by Shri and/or documents which, I believe to be ture.

.....
Signature/or right hand thumb mark of the applicant.

Place.....
Dated.....

Affidavit sworn before me

Certified that the above averment was declared before me on oath/affirmation this..... day of.....199. at..... in the District of by Shri/Smt./Miss..... who was identified by Shri/Smt./Miss..... Who is personally known to me. The contents of the above affidavit have been read over and explained to the deponent who admitted the same to be correct and true.

.....
Designation of the authority before whom affidavit is sworn

Place.....

Dated.....

FORM-III
[See rule 6 (1)]

FORM OF CERTIFICATE TO BE GIVEN BY THE OFFICE OF THE LOKAYUKTA TO A PERSON FOR TENDERING EVIDENCE BEFORE LOKAYUKTA

Before the Lok Ayukta, Himachal Pradesh, in the District.

1. Certified that was summoned to give evidence before the Lokayukta in his public/private capacity in the case of and was required to attend for a period of days i.e. from..... to

2. He was paid the following amounts in accordance with rules for attending the office of the Lokayukta for the purpose :

3. The amount of Rs..... as his diet money has been/ will be paid on (date.....)

Place

Date.....

Under Secretary,
Lok Ayukta,
Himachal Pradesh.

.....

Paragraph 2 is only required in the following case, namely: -

In cases in which government servants, have to give evidence before the Lokayukta, situated not more than 8 kms. form their headquarters or in their private capacity actual traveling expenses incurred by them, when the Lokayukta considers it necessary, be paid to them.

THE HIMACHAL PRADESH LOKAYUKTA (CONDITIONS OF SERVICE) RULES,
1984

1. Short title and commencement.---(1) These rules may be called the Himachal Pradesh Lokayukta (Conditions of Service) Rules, 1984.

(2) These rules shall come into force at once.

2. Definitions .—(1) In these rules, ‘Act’ means the Himachal Pradesh Lokayukta Act, 1983 (17 of 1983).

(2) For the purpose of these rules, the word ‘family’ will have the same meaning as given for this word in the High Court Judges’ Travelling Allowance rules, 1956

13 (Deleted).

4. Leave.- The Lokayukta shall be entitled to leave, in accordance with the provisions of the High Court Judges’ (Conditions of Service) Act, 1954 and the rules made thereunder and applicable to the Chief Justice of High Court, subject to the modification that the Lokayukta shall be entitled to leave on full allowances at the rate of one month for each completed year of service and proportionately for the remaining period of service.

5. Authority competent to grant leave.--- The authority competent to grant or refuse leave to the Lokayukta or to revoke, curtail leave granted to him, shall be the Governor of Himachal Pradesh.

6. Provident Fund.- The Lokayukta shall be entitled to subscribe to the General Provident Fund in accordance with the General Provident Fund (Central Services) Rules 1960, as amended from time to time and orders issued thereunder.

7. Travelling allowance.- The Lokayukta shall receive such travelling allowance to reimburse him for expenses incurred in travelling on duty within the territory of India and shall be afforded such reasonable facilities in connection with travelling as may from time to time, be prescribed in the High Court Judges’ Travelling Allowance Rules, 1956 ;

Provided that a person appointed as Lokayukta shall be entitled to receive as travelling allowance, the actual expenditure incurred on the journey for self and his family from the place of his ordinary residence to Shimla on first joining his appointment and for the journey back to his home town on completion of his tenure, by air, rail or motor vehicle. Further, he shall be entitled to actual expenditure incurred for the transportation of luggage² upto a full wagon.

1, deleted and 2,3&4 inserted vide notification No. PER(VIG)A-(4)-2/83, dated 15-11-85 Published in Extra, ordinary Gazette dt, 14.12.1985.

5.The words “the Act or” deleted vide Notification No. RER(VIG)A-(4)-2/83 dated 15.11.85 Published in Extraordinary Gazette dated 14.12.1985

Provided further that in the event of the death of Lokayukta while in office the members of his family shall be entitled to the actual expenditure incurred on the Journey of the family and for the transportations of their luggage upto a full wagon from the headquarters to the home town of the Lokayukta in case the journey is performed within six months of the death of the Lokayukta.

⁴[*Explanation.*- For the purpose of these rules, the words “full wagon will have the same meaning as given for these words in rule 1 A of the High Court Judges’ Travelling Allowance Rules, 1956].

8. *Facilities for medical treatment.*- The Lokayukta and the members of his family shall be entitled to such facilities for medical treatment for accommodation in Government hospitals as are admissible to the Chief Justice of High Court of Himachal Pradesh and the members of his family.

9. *Facility for residential accommodation.*- The Lokayukta shall be entitled for residential accommodation on the same terms and conditions as are applicable to the Chief Justice of the High Court of Himachal Pradesh

10. *Other conditions of service.*- The conditions of service of the Lokayukta for which no express provisions have been made in ⁵[] these rules, shall be the same as are applicable to the Chief Justice of the High court of Himachal Pradesh.

By order and in the name of the Governor of Himachal Pradesh.

DEPARTMENT OF PERSONNEL (VIGILANCE)
NOTIFICATION

Shimla-2, the 6th December, 1983

No. Per (Vig) A (4)-2/83-II.- The Governor, Himachal Pradesh is pleased to order that the hours of work & holidays for the Lokayukta and his office shall be such as may be declared by the Lokayukta from time to time, but save as otherwise so declared, the Lokayukta and his office shall observe the same public holidays as are observed by the High Court of Himachal Pradesh and such local holidays as are declared by the local authorities from time to time.

By order,
A.K. MOHAPATRA,
Secretary

**GOVERNMENT OF HIMACHAL PRADESH
OFFICE OF THE LOKAYUKTA**

ORDER

Shimla-2, the 20th March, 1986

No. Loka-4 (E)-1/83.- In exercise of the powers vested in him under rule 6(4) of the Himachal Pradesh Lokayukta(Proceedings) Rules, 1983, the Lokayukta, Himachal Pradesh, hereby prescribes the rates for the payment of diet and road money to be paid to the witnesses, as shown in the Schedule I below :-

SCHEDULE-I

(Diet and road money)

<i>Class</i>	<i>Rate per diem</i>
(a) For unskilled labour, Peons etc.	Rs. 15/-per diem
(b) For skilled labour, Clerks etc.	Rs. 20/-per diem
(c) For other having somewhat special status	Rs. 25/-per diem.

Note.-(1) The above rate (s) may be increased at the discretion of Lokayukta keeping in view the circumstances of each case.

Note.-(2) The Lokayukta, may allow diet and road money to the complainants and witnesses at his discretion having regard to the variety of allegations in the complaint as also the financial position of such a person.

Note.-(3) No diet and road money shall be paid to a Government servant of the State Government. However, the payment of diet and road money may be considered in respect of “public servants” referred to in sub-clause (4) to (11) of section 2 of the Himachal Pradesh Lokayukta Act, 1983 provided such a person is not in the service or pay of Government company, Local Body, University, Zila Parishad, Panchayat Samiti, Apex Society, Co-operative Society, Statutory, Non-statutory body.

A Court attendance certificate in the prescribed proforma as in Form-III shall be issued in favour of all witnesses and complainants for their attendance.

Note. (4) The Lokayukta, Himachal Pradesh shall determine the class under which the witness shall be ranked.

TRAVELLING RATES

(1) Ordinary bus fare by a shortest route may be paid to a witness for to and fro journey performed to attend the Court from the place of residence or office of such a person.

(2) When the Journey is performed by rail, only second class fare for to and fro journey may be paid to such a person.

(3) If the journey is performed from such a place where mode of travel is both bus and rail, the expenses of the cheapest of the two modes may be re-imbursed.

Note.- (1) The Lokaukta, Himachal Pradesh may exercise his discretion to allow travelling expenses at higher rates, then prescribed above, for to and fro Journey to the witnesses, in exceptional case having regard to the status of such a person.

2. The expenditure of witnesses etc. shall like ordinary contingent expenses be debited to the grant under Head "265" Other Administrative Services (b) Special Commission of Inquiry-(b) (I) Lokayukta (Non-Plan) office expenses.

By order,
T.V.R. TATACHARI
Lokayukta, Himachal Pradesh

With effect from 1-4-1987, the figure "265" be read as "2070".

The Institution of Lokayukta has been functioning in Himachal Pradesh since 1983 under the H.P. Lokayukta Act, 1983. All the activities of this Institution are of confidential nature and as such these can not be disclosed in the public interest.

<p>i) the particulars of its organization, functions and duties;</p>	<p><u>Lokayukta – Head of the Institution.</u> Lokayukta shall inquire into the allegations made against public servants as per provisions contained in H.P. Lokayukta Act, 1983.</p>
<p>ii) the powers and duties of its officers and employees;</p>	<p><u>1.Secretary- Head of the Institution.</u> 1. All Administrative matters. 2. All financial matters. 3. To assist Lokayukta in discharge of his duties. 4. Appointing and Disciplinary Authority in respect of all categories of staff of Lokayukta, H.P. 5. To co-ordinate with State Government.</p> <p><u>2..Legal Advisor</u> To advise the Hon’ble Lokayukta Himachal Pradesh in the legal and complaints matter.</p> <p><u>3..Conservator of Forests.</u> Investigation of complaints pertaining to Lokayukta Institution.</p> <p><u>4.Deputy Inspector General of Police.</u> Investigation of complaints pertaining to Lokayukta Institution.</p> <p><u>5.Deputy Secretary/Under Secretary.</u> 1. Head of Office. 2. Drawing and Disbursing Officer. 3. Controlling Officer in respect of Class-II, III & IV Posts. 4. All correspondence relating to administrative matters and financial matters are routed through him to Secretary, Lokayukta .</p> <p><u>6. Private Secretaries.</u> To Assist the Hon’ble Lokayukta/Secretary Lokayukta in their day to day disposal of work and carry out such duties officially assigned by them. To handle confidential / secret nature of files.</p> <p><u>7.Section Officer.</u> 1. Supervision of all works relating to establishment, budget, Vehicles, maintenance of office building, Store, Stationery etc. 2. Head of Office in the absence of Deputy Secretary/Under Secretary. 3. To keep careful watch on the movement of dak and files between sections and higher authorities.</p>

8. Reader

1. To deal with the complaints/ cases received in the Institution of Lokayukta.
2. To maintain record of all complaints/cases received under H.P. Lokayukta Act. 1983.
3. Preparation of Annual Consolidated Reports of Lokayukta Cases/complaints.

9. Personal Assistants/ Jr. Scale Stenographers.

Maintaining the day-to-day meeting index of the officer Concerned.

1. Dictation work.
2. Typewriting.
3. To handle files/records of confidential and secret nature.
4. To attend telephone calls.
5. To assist the authorities in quick decision making through dictation and typing.
6. Control over vehicle/Drivers.
7. Making tour programmes of officer concerned.
8. Other duties assigned by the Officer-in-charge.

10. Senior Assistants/Junior Assistants.

1. To deal with receipts and submit cases to the Section Officer.
2. To maintain record/registers.
3. To deal cases including noting drafting.
4. To present complete cases with all relevant data and also Information with past precedents and viable/feasible solutions to facilitate the authorities to arrive at the definite decisions.
5. Typing work.
6. Preparation of all kinds of bills.
7. Establishment matters, maintenance of service books, service record, pension cases, disciplinary matters, pay fixation, finalization of seniority, court cases etc.
8. Preparation of budget, reconciliation of expenditure with A.G.
9. Income Tax returns.
10. Maintenance of stock/stores.
11. Other duties assigned by the officer incharge.

11. Clerks.

1. Diary/dispatch work.
2. Typing work.
3. To maintain causal leave account.
4. To maintain attendance register.
5. To open files.
6. Maintain record and files.
7. Other duties assigned by the officer incharge.

iii) the procedure followed in decision making process, including channels of supervision and accountability;

12. Sub-Inspector of Police.

To assist the Supdt. of Police Lokayukta in investigation of Complaints of Lokayukta.

13. Assistant Sub-Inspector of Police.

To see all security arrangements of Lokayukta, H.P.

14. Orderly (Constable).

Attached with Supdt. Of Police, Lokayukta.

15. Drivers.

To drive departmental vehicles.

16. Process Server.

To perform the duties to carry and deliver dak within and Outside the office.

17. Jamadar.

1. To attend the calls of officers with whom posted.
2. Ensure the cleanliness and general up-keep the rooms,
3. Stitching of files.

18. Peon.

To carry and deliver dak within and outside the office, ensure the cleanliness, general upkeep of the office/ section where posted and of the furniture, fixure and equipment, perform miscellaneous jobs attend to any other work they may be assigned.

19. Chowkidar.

To keep watch and ward during and after office hours.

20. Frash-cum-Mali.

1. Dusting.
2. Preparation and maintenance of flower beds and flower Pots.

21. Sweeper.

To sweep, mop the rooms, corridors, urinals, baths, wash Basins and to collect and dispose of all waste in the office.

1. Complaints/ Cases.

Complaints/ cases filed before Lokayukta are presented by the Reader to Hon'ble Lokayukta for orders. Decisions taken by Hon'ble Lokayukta are implemented by the supporting staff such as, Secretary, Deputy Secretary, Reader and Senior Assistants.

2. Administrative Matters.

All cases received in this Institution are submitted on files by the concerned Dealing Assistants, supervised; by the Section Officer and submitted to the Deputy Secretary/ Under Secretary. He submits it further to the Secretary. Routine matters and informatory references are disposed of at Deputy Secretary/ Under Secretary level. In Financial matters/ expenditure sanctions, decision taking powers rests with the Hon'ble Lokayukta and Secretary, Lokayukta.

iv) the norms set by it for the discharge of its functions;

v) the rules, regulations, instructions, held by it or under its control or used by its employees for discharging its functions;

vi) a statement of the categories of documents that are held by it or under its control;

vii) the particular of any arrangement that exists for consultation with, or representation by the members of the public in relation to the formulation of its policy or implementation thereof;

viii) a statement of the boards, councils, committees and other bodies consisting of two or more persons constituted as its part or for the purpose of its advice, and as to whether meetings of those boards, councils, committees and other bodies are open to

Not applicable.

The various Acts, Rules, Regulations, Instructions followed are as under:-

- 1.H.P. Lokayukta Act, 1983.
- 2.H.P. Lokayukta (Proceedings) Rules, 1983.
- 3.H.P. Lokayukta (Conditions of Service) Rules, 1984
 1. F.R.& S.R.
 2. Leave Rules.
 3. T.A.Rules.
 4. L.T.C.Rules.
 5. Pension Rules.
 6. C.C.S.(C.C.A.) Rules.
 7. Conduct Rules.
 8. G.P.F.Rules.
 9. Medical Attendance Rules.
 10. Delegation of Financial Powers Rules.
 11. H.P. Financial Rules.
 12. H.P. Budget Manual.
 13. Office Manual.
 14. Vehicle Rules.
 15. R & P Rules for filling up of various posts.
1. Booklet of Annual Budget allocated by the Govt.
2. H.P.Lokayukta Act, 1983.
3. Annual Consolidated Reports of Lokayukta.

Not applicable.

Not applicable.

the public, or the minutes of such meetings are accessible for public;
ix) a directory of its officers and employees;

1. Lokayukta.
2. Secretary.
3. Legal Adviser.
4. Conservator of Forest.
5. Deputy Inspector General of Police.
6. Deputy Secretary.
7. Sr, Private Secretary.
8. Private Secretary.
9. Reader.
10. Section Officer.
11. Revenue Officer.
12. Personal Assistant.
13. Senior Assistant.
14. Junior Scale Stenographer.
15. Clerks/ Sr. Clerk /Jr. Assistant.
16. Sub-Inspector of Police.
17. Security (Constable).
18. Orderly (Constable).
19. Driver.
20. Process Server,
21. Jamadar.
22. Peon.
23. Chowkidar.
24. Frash.
25. Mali.
26. Sweeper

x) the monthly remuneration received by each of its officers and employee, including the system of compensation as provided in its regulations;

	<u>Name of Post</u>	<u>Pay Scale</u>	<u>No.of Post.</u>
1.	Lokayukta.	30,000/-	1
2.	Secretary.	18,400 -22,400.	1
3.	Legal Advisor.	18,750 -22,850	1
4.	Conservator of Forest.	12000-15500	1
5.	DIG/ Supdt. of Police	16350-20100+600 S.P.	1
6.	Under Secretary	10025-15100+ 800 S.A.	1
7.	Sr. Pvt.Secretary	10025-15100+1000 S.A.	1.
8.	Private Secretaries	7220-11660+700 S.A.	3
9.	Reader	7220-11660+600 S.A.	1
10	Section Officer	7220-11660+400 S.A.	1
11.	Revenue Officer	7000-10980	1
12.	Sr. Assistants	5800-9200+240 S.A.	6
13.	Personal Assistant	6400-10640+300 S.A.	1
14..	Clerk/ Junior. Assistants.	3120-5160+120 S.A. 500-8100+150 S.A.	3
15.	Jr. Scale Stenographers	4020-6200+150 S.A.	2
16.	Sub-Inspector of Police.	5480-8925	1
17.	Security Officer (A.S.I.)	4550-7220	1
18.	Orderly (Constable)	3120-5160	1

19. Driver	3330-6200+700 S.A.	6
20. Process Server	2720-4260+120 S.A.	1
21. Jamadar	2720-4260+120 S.A.	2
22. Peon	2520-4140+120 S.A.	7
23. Chowkidar.	2520-4140+120 S.A.	1
24. Frash	2520-4160+120 S.A.	1
25. Mali	2520-4160+120 S.A.	1
26. Sweeper	2520+4160+120 S.A.	2

Demand No. 3

Major Head 2070-other Administrative Services
105-Special Commission of Inquiry
01-Lokayukta-Non-Plan- Charges

xi) the budget allocated to each of its agency, indicating the particulars of all plans, proposed expenditures and reports on disbursements made;

S.O.E.	Sanctioned Budget 2007-2008
01-Salary	86,41,000.00
02-Wages	65,000-00
03-Travel Expenses	65,000-00
05-Office Expenses	4,14,000-00
06-Medical Reimbursement	1,14,000-00
08-Publication	1,000-00
11-Furnishing	1,000-00
30-Motor Vehicle	4,65,000-00
64-Transfer Expenses	20,000-00
Total:	97,86,000-00

xii) the manner of execution of subsidy programs, including the amounts allocated and the details of beneficiaries of such programs;

Not applicable.

xiii) the particulars of recipients of concessions, permits or authorizations granted by it;

Not applicable.

xiv) details in respect of the information, available to or held by it, reduced in an electronic form;

So far no information has been kept in the electronic form

xv) the particulars of facilities available to citizens for obtaining information, including;

Not applicable.

<p>xvi) the particulars of facilities available to citizens for obtaining information, including the working hours of a library or reading room, if maintained for public use;</p> <p>xvii) the names, designations and other particulars of the Public Information Officers.</p> <p>xviii) such other information as may be prescribed;</p>	<p>Not Applicable</p> <ol style="list-style-type: none"> 1. Shri R.R.Kaundal, Section Officer, Lokayukta, H.P. Shimla-171002 for Administration Sides. 2. Shri Rajinder Kumar Reader Lokayukta, H.P. Shimla-171002 for Complaint Side <p>The Office of the Lokayukta remained vacant from May 8, 2003 to May 4, 2006. Mr Justice Bhawani Singh Chief Justice, Jammu& Kashmir, Madhya Pradesh and Gujarat assumed the office of Lokayukta, Himachal Pradesh on May 5, 2006.</p> <p>The Institution has already presented the Twenty Second Annual Consolidated Report for the period ending December, 2007 to the Government of Himachal Pradesh giving the details of the complaints received and disposed of during the year.</p>
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Lokayukta Himachal Pradesh,
Pines Grove Building Shimla-171002.

Public Information Officers.
Name of the Department/Offices: Lokayukta Himachal Pradesh
Pines Grove Building Shimla-171002.

Details of PIO, APIO and Appellate Authority

A)Name of the Public Information Officer(PIO)	Designation	Complete Office Address	Office Telephone No.	E-Mail address	Jurisdiction units under his control for which he will rendering information to applicants
Shri Rajinder Kumar.	Reader Lokayukta HP.	Lokayukta Himachal Pradesh Pines Grove Building Shimla-171002	2623339	Nil	In complaints side.
Shri R.R.Kaundal.	Section Officer, Lokayukta H.P.	-do-	2623339	-do-	In administration side.
C)Name of the Appellate Authority	Deputy Secretary Lokayukta H.P.	-do-	2623339	-do-	1. In complaints side. 2. In administration side

