

No. 407/16/2016-AVD-IV(LP)

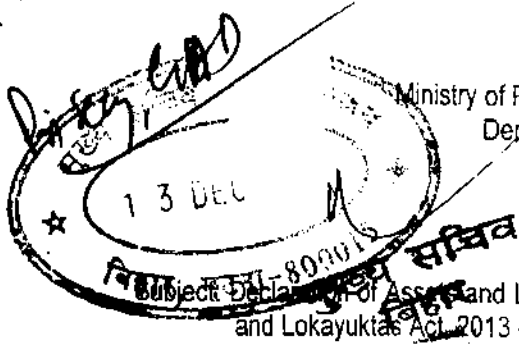
Government of India

Ministry of Personnel, Public Grievances and Pensions

Department of Personnel and Training

New Delhi, the 1<sup>st</sup> December, 2016

Office Memorandum



Subject: Declaration of Assets and Liabilities by public servants under amended section 44 of the Lokpal and Lokayuktas Act, 2013 - reg.

AS (IAS)

The undersigned is directed to refer to this Department's OM of even number dated 29<sup>th</sup> July, 2016 (copy enclosed) regarding the furnishing of information relating to assets and liabilities by public servants under section 44 of the Lokpal and Lokayuktas Act, 2013 (the Act).

2. In this regard it is stated that with the passing of the Lokpal and Lokayuktas (Amendment) Act, 2016 (copy enclosed), 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 and all the amendments made thereto have become redundant.

3. The Lokpal and Lokayuktas (Amendment) Act, 2016, as referred to above, substitutes the provision of section 44 of the Principal Act by the following new provision:-

"44. On and from the date of commencement of this Act, every public servant shall make a declaration of his assets and liabilities in such form and manner as may be prescribed."

4. Thus, under 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 there is no requirement for filing of declarations of assets and liabilities by public servants now. The Government is in the process of finalising a fresh set of rules. The said rules will be notified in due course to prescribe the form, manner and timelines for filing of declaration of assets and liabilities by the public servants under the revised provision of the said Act. All public servants will henceforth be required to file the declarations as may be prescribed by the fresh set of rules.

  
(Rakesh Kumar)  
Director  
Tele: 23093180

407/16/2016-1  
2016  
13/12/16  
Circulate मना  
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- To
1. All Secretaries to the Govt. of India (as per standard mailing list)
  2. All Chief Secretaries of State Governments
  3. All Administrators of the Union Territories

Copy for information and with a request for similar action, 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

Copy also to:

EO(PR)/Director(CS.I)/Deputy Secretary (CS.II). DoPT

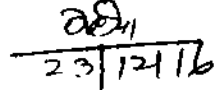
  
(Rakesh Kumar)  
Director

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बिहार सरकार  
सामान्य प्रशासन विभाग

ज्ञापांक-1/सी0-1010/2016-सा0प्र0-<sup>17066</sup>...../पटना-15, दिनांक 23 दिसम्बर, 2016  
प्रतिलिपि:-भा0प्र0से0(बिहार संवर्ग) के सभी पदाधिकारियों को अनुलग्नक की प्रति के साथ  
सूचना एवं आवश्यक कार्रवाई हेतु प्रेषित ।

  
23/12/16  
(कन्हैया लाल साह)  
सरकार के अवर सचिव ।



# भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II — खण्ड 1

PART II — Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

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नई दिल्ली, शनिवार, जुलाई ३०, २०१६/श्रावण ८, १९३८ (शक)

No. 44]

NEW DELHI, SATURDAY, JULY 30, 2016/SHRAVANA 8, 1938 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।  
Separate paging is given to this Part in order that it may be filed as a separate compilation.

## MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 30th July, 2016/Shravana 8, 1938 (Saka)

The following Act of Parliament received the assent of the President on the 29th July, 2016, and is hereby published for general information:—

### THE LOKPAL AND LOKAYUKTAS (AMENDMENT) ACT, 2016

No. 37 of 2016

[29th July, 2016.]

An Act to amend the Lokpal and Lokayuktas Act, 2013.

Be it enacted by Parliament in the Sixty-seventh Year of the Republic of India as follows:—

1. (1) This Act may be called the Lokpal and Lokayuktas (Amendment) Act, 2016.

Short title and commencement

(2) It shall be deemed to have come into force on the 16th day of January, 2014.

2. On and from the date of commencement of the Lokpal and Lokayuktas Act, 2013 (hereinafter referred to as the principal Act), for section 44, the following section shall be substituted, and shall be deemed to have been substituted, namely:—

Amendment of section 44.

"44. On and from the date of commencement of this Act, every public servant shall make a declaration of his assets and liabilities in such form and manner as may be prescribed."

Declaration of assets.

76

Amendment of  
section 59.

3. On and from the date of commencement of the principal Act, in section 59, in subsection (2), for clause (k), the following clause shall be substituted, and shall be deemed to have been substituted, namely:—

"(k) the form and manner of declaration of assets and liabilities by public servants under section 44:

Provided that the rules may be made under this clause retrospectively from the date on which the provisions of this Act came into force;".

DR. G. NARAYANARAJU,  
*Secretary to the Govt. of India.*

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Amendment of  
section 59.

3. On and from the date of commencement of the principal Act, in section 59, in sub-section (2), for clause (k), the following clause shall be substituted, and shall be deemed to have been substituted, namely:—

"(k) the form and manner of declaration of assets and liabilities by public servants under section 44:

Provided that the rules may be made under this clause retrospectively from the date on which the provisions of this Act came into force;"

DR. G. NARAYANARAJU,  
*Secretary to the Govt. of India.*

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No. 407/16/2016-AVD-IV(LP)  
Bharat Sarkar/Government of India  
Ministry of Personnel, Public Grievances and Pensions  
Department of Personnel and Training

New Delhi, the 29<sup>th</sup> July, 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 OMs No.407/12/2014-AVD. IV(B) dated 12<sup>th</sup> April, 2016, No. 407/02/2016-AVD. IV(Lokpal) dated 24<sup>th</sup> June, 2016 and No. 407/02/2016- AVD. IV(Lokpal) dated 4<sup>th</sup> July, 2016 as also Secretary(Personnel)'s D.O. letter No. 407/12/2014- AVD. IV(B) vol. III dated 5<sup>th</sup> July, 2016 OM addressed to all Secretaries, regarding the furnishing of information relating to assets and liabilities by public servants under section 44 of the Lokpal and Lokayuktas Act, 2013.

2. In this regard, it is stated that the last date for furnishing of declaration/information/annual return as on 01.08.2014, 31.03.2015 and 31.03.2016 relating to assets and liabilities by public servants under section 44 of the Lokpal and Lokayuktas Act, 2013 has been extended upto **31<sup>st</sup> December, 2016**. Formal amendments to 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 have been notified and uploaded on the website of this Department, i.e., <http://persmin.nic.in/DOPT.asp>.

3. Now the timelines for filing these returns are as follows:-

- i. The first return of assets and liabilities as on 1<sup>st</sup> August, 2014 - on or before the 31<sup>st</sup> December, 2016.
- ii. The annual return of assets and liabilities as on 31<sup>st</sup> March, 2015 - on or before the 31<sup>st</sup> December, 2016.
- iii. The annual return of assets and liabilities as on 31<sup>st</sup> March, 2016 should be filed on or before 31<sup>st</sup> December, 2016.

  
(Rakesh Kumar)  
Director  
Tele: 23093180