



**SECOND
ANNUAL REPORT
OF THE
LOKAYUKTA,
ODISHA
YEAR - 2020**



Presentation of First Annual Report of "Odisha Lokayukta"
to His Excellency The Governor of Odisha



Hon'ble Chairperson and Members of Lokayukta, Odisha

LOKAYUKTA, ODISHA

B-2, Ground Floor, Toshali Bhawan, Satya Nagar
Bhubaneswar-751007

ANNUAL REPORT

This Annual Report is being presented
as required under Section 48 of the
Odisha Lokayukta Act., 2014.

Justice Ajit Singh, Chairperson
Lokayukta, Odisha, Bhubaneswar

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Ajit Singh

Chairperson, Lokayukta

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P R E F A C E

This is my second annual report. In my first annual report I had focussed attention on spreading awareness about the purpose behind setting up this institution --one district at a time every month. However, this received a set back by the sudden outbreak of Covid 19 pandemic followed by regulations of the Government like declaration of lockdowns, restriction on travel etc as measures to minimise the adverse impact of the pandemic on the public at large. Even then, with a view to prevent any distress to the public, the Lokayukta continued to function except for a very brief period of unavoidable lockdown. The practice of physical hearing, to alleviate the grievances of complainants, were continued. Needless to mention that immense cooperation was received from concerned parties and public servants in this regard.

The increasing trust of the public in this Institution is borne out by the fact, that over a period of almost two years there has been a noticeable rise in the filing of complaints and same has been the story of the redressal of these complaints.

Despite the setback from the pandemic, there have been many positives as a result of relentless efforts. The first is that the State Government has notified the rules regarding the procedure to be adopted for making complaints and their redressal. The second is the creation of a post of Secretary, Judicial to facilitate timely listing and hearing of complaints. The third is the allotment of government land measuring Ac. 1.000 dec. for the construction of office building of Lokayukta. And finally we have successfully reached out to genuine victims of Fani cyclone after holding inquiry into their complaints and ensuring appropriate financial assistance to them. At the same time, after due inquiry, a number of false complaints were identified and dismissed. This is definitely a disturbing trend. I intend to initiate some strict measures to nip this mischief in the bud.

I am happy to inform that full cooperation of the State Government has been received towards honouring our recommendations. The esteemed members of my team are working tirelessly towards achieving the main objective set out in the beginning i.e., to make this institution a model one.

Chairperson

Lokayukta, Odisha

1. INSTITUTION OF LOKAYUKTA IN ODISHA

Corruption begets more corruption and fosters a corrosive culture of impurity. Regard being had to the constitutional commitment of India to have a clean and responsive governance and for advancing fight against corruption, the State of Odisha has enacted The Odisha Lokayukta Act, 2014 and in their General Administration and Public Grievance Department vide notification no. 6873/Gen., dated 01.03.2019 have established a body called the Lokayukta for the State of Odisha w.e.f. 28.02.2019. As per Section 3 (2) of the Odisha Lokayukta Act, 2014, the body shall consist of a Chairperson and five Members. Further, Section 16 (1) (f) of the said Act states that the Benches of the Lokayukta shall ordinarily sit at Bhubaneswar and at such other places as the Lokayukta may, by regulations, specify.

At present the Lokayukta, Odisha is functioning at Bhubaneswar with the Chairperson and three Members (out of whom one is Member Judicial). The names and the dates of assumption of office by them are appended below: -

Sl. No.	Name	Date of assumption of office
1.	Shri Justice Ajit Singh Hon'ble Chairperson	20.03.2019
2.	Shri Justice Bijaya Kumar Nayak Member (Judicial)	31.03.2019
3.	Dr. Debabrata Swain, Member	04.04.2019
4.	Dr. Rajendra Prasad Sharma, Member	08.08.2019

The Lokayukta has two Benches dealing with complaints of different districts of Odisha. For convenience, the Bench presided over by the Hon'ble Chairperson, Lokayukta is identified as Bench No.I and the one presided over by the Hon'ble Judicial Member as Bench No.II.

Bench No. I exercises territorial jurisdiction over the following fifteen districts of Odisha.

01	Mayurbhanj	02	Balasore	03	Jajpur
04	Puri	05	Keonjhar	06	Bargarh
07	Khordha	08	Sundargarh	09	Jharsuguda
10	Subarnapur	11	Kandhamal	12	Nuapada
13	Koraput	14	Malkangiri	15	Gajapati

Like-wise Bench No.II exercises territorial jurisdiction over the following fifteen districts:

01	Cuttack	02	Kendrapara	03	Jagatsinghpur
04	Ganjam	05	Dhenkanal	06	Nayagarh
07	Angul	08	Sambalpur	09	Bhadrak
10	Boudh	11	Bolangir	12	Kalahandi
13	Rayagada	14	Nabarangpur	15	Deogarh

For functioning of the Lokayukta besides creation of the posts of Secretary, Director Prosecution and Director Inquiry, 137 nos. of posts in different categories were sanctioned initially by the Government vide General Administration and Public Grievance Department Notification No. 10113 dated 30.03.2018, with a stipulation that, the aforesaid sanctioned posts shall be filled up proportionate to the actual strength of the body as per requirement. Thereafter, the State Government have sanctioned 17 Posts vide General Administration and Public Grievance Department Letter NO.35565/Gen dated 10.12.2019 for functioning of Prosecution Wing and Inquiry Wing. Now, the Lokayukta is functioning with its Establishment Section, Accounts Section, General Miscellaneous & Co-ordination Section, Court Section, Record Room, Diary Section and Issue Section besides the Prosecution and Inquiry Wing. In the year 2020 vide General Administration and Public Grievance Department Letter No. 17703 dated 04.08.2020 the State Government have created the post of Secretary (Judicial). In this regard a chart showing the detailed number of posts sanctioned and men in position is placed below. Presently, the Lokayukta is functioning in Toshali Bhawan Satya Nagar, Bhubaneswar and the office is spread into three floors.

Details of the post sanctioned and present position of Secretary, Officials and Staff of Lokayukta.					
Sl. No.	Name of Post	Cadre	Sanctioned Strength	In Position	Vacancy
1	Secretary	IAS/OSJS	1	1	0
2	Secretary (Judicial)	OSJS	1	0	1
3	Director Prosecution	OSJS/OAS	1	1	0
4	Director Inquiry	OSJS/ OAS	1	1	0
5	Additional Secretary	OAS	1	1	0
6	Deputy Director Prosecution	OJS	1	1	0
7	Finance Officer	OFS	1	1	0
8	Deputy Director Inquiry	OAS(SB)	1	1	0
9	Deputy Director (Finance)	OFS(SB)	1	1	0
10	Deputy Director (Engineering)	In the rank of Executive Engineer	1	1	0
11	Deputy Director (Forest)	In the rank of Divisional Forest Officer	1	1	0
12	Public Prosecutor	DPP	5	0	5
13	Deputy Secretary	OAS	1	1	0
14	Under Secretary	OSS	1	1	0
15	Sr. Private Secretary	Steno Cadre of Secretariat	1	1 (Deputed)	0
16	Private Secretary / Personal Assistant	Do	12	7 [2 regular + 5(reengaged)]	5

17	Court Master/ Section Officer	OSS	10	10 [7(reengaged) + 3 Regular]	0
18	Inspector of Police		1	0	1
19	Assistant Section Officer	OSS	24	14 [13 Regular+ 1(reengaged)]	10
20	Sub Inspector of Police		1	1	0
21	Sr. Steno/ Jr. Steno	Steno Cadre of Secretariat	10	2 [1(deputed)+ 1(re engaged)]	8
22	Sr. Gr. Diarist	Odisha Lokayukta Cadre	1	1	0
23	Jr. Gr. Diarist	Do	1	1	0
24	Jr/Sr. Driver	Do	9	5 [3 Regular+ 1 (deputed)+ 1 (out sourced)]	4
25	Librarian	Do	1	1 re engaged	0
26	Data Entry Operator (Issue & Dispatch)	Do	2	0	2
27	Data Entry Operator	Do	13	6 [1(contractual) +5(out sourced)]	7
28	Record Keeper	Do	1	1	0
29	Receptionist	Do	1	0	1
30	Zamadar	Do	10	0	10
31	Chaukidar-cum-Night Watchman	Do	1	1	0
32	Peon	Odisha Lokayukta Cadre	41	32 [6 + 3 (OAT) +23(outsourced)]	9
TOTAL			158	95	63

2. ANNUAL BUDGET

The details of the allotment and expenditure of funds for FY-2020-21 up to 31.12.2020 is presented below:

Budget 2020-21 as on 31.12.2020 (Demand No. 02-2062-VIGILANCE-Administrative Expenditure-Establishment, Operation and maintenance Expenditure-00-103-LOKAYUKTA-LOKAYUKTA-3353-Lokayukta)				
Sl. No.	Head/Units	Allotment	Expenditure	Balance
1	Pay	3,00,00,000	1,64,19,116	1,35,80,884
2	Arr.Pay	7,00,000	8,660	6,91,340
3	D.A.	1,00,00,000	69,16,916	30,83,084
4	H.R.A.	35,20,000	10,58,861	24,61,139
5	R.C.M.	6,50,000	5,42,847	1,07,153
6	O.A. & S.A.	23,93,000	14,28,497	9,64,503
7	C.P. C.A.	68,79,000	38,16,383	30,62,617
8	T.E.	5,00,000	10,593	4,89,407
9	L.T.C.	20,00,000	1,82,828	18,17,172
10	Electricity Dues	10,87,000	7,39,237	3,47,763
11	Water Charges	50,000	0	50,000
12	Telephone Charges	10,50,000	5,95,695	4,54,305
13	Motor Vehicles (P.O.L, Maintenance)	15,00,000	6,38,468	8,61,532
14	Motor Vehicle Hiring Charges	24,61,000	15,21,649	9,39,351
14	Other Contingencies	57,25,000	45,92,586	11,32,414
15	Up gradation of Computer Facilities	11,23,000	6,30,986	4,92,014
16	Computer Consumables	10,00,000	84,061	9,15,939
17	Spares and Services	2,00,000	9,820	1,90,180
18	Consulting Charges	1,00,000	6,170	93,830
	TOTAL:	7,09,38,000	3,92,03,373	3,17,34,627

3. ACTIVITIES DURING 2020

A. Awareness programmes:

During this year, awareness programmes were organised at different places of the state as mentioned below to sensitise general public, public servants, NGOs and representatives of electronics and Print media about different provisions and aspects of "The Odisha Lokayukta Act" 2014.

DATE	PLACE
18.01.2020	Koraput
15.02.2020	Kendrapada

B. Press Conference:

Two Press Conferences were also held for wide publicity of the provisions of "The Odisha Lokayukta Act, 2014". Press reporters from electronics and print media attended the conferences and interacted with the Chairperson and Members of the Lokayukta at the following places:

DATE	PLACE OF PRESS CONFERENCE
18.01.2020	Koraput
15.02.2020	Kendrapada

C. Opening of Website:

The official website of Lokayukta (www.lokayukta.odisha.gov.in) was launched on 24.06.2020 and the cause list, order sheets are being uploaded in the website regularly.

D. Awareness on COVID-19:

On 06.07.2020 at about 3pm a meeting was held on Standard Operating Procedure for COVID-19 in the office of Lokayukta which was attended by the Hon'ble Chairperson and Hon'ble Members. The meeting was also attended by all the staff of Lokayukta. Shri P.K Mohapatra, Additional Chief Secretary to H&FW Department of the Government, Shalini Pandit, Special Secretary-cum-Mission Director, National Health Mission, Archana Patnaik, Director H&FW Department of Govt. along with officials of World Health Organizations made deliberation about the spreading of COVID-19 Virus and how the office protocol should be maintained on working days.

4. STATISTICS OF WORK DONE

A. Number of complaints received, disposed of and pending during the year, 2020

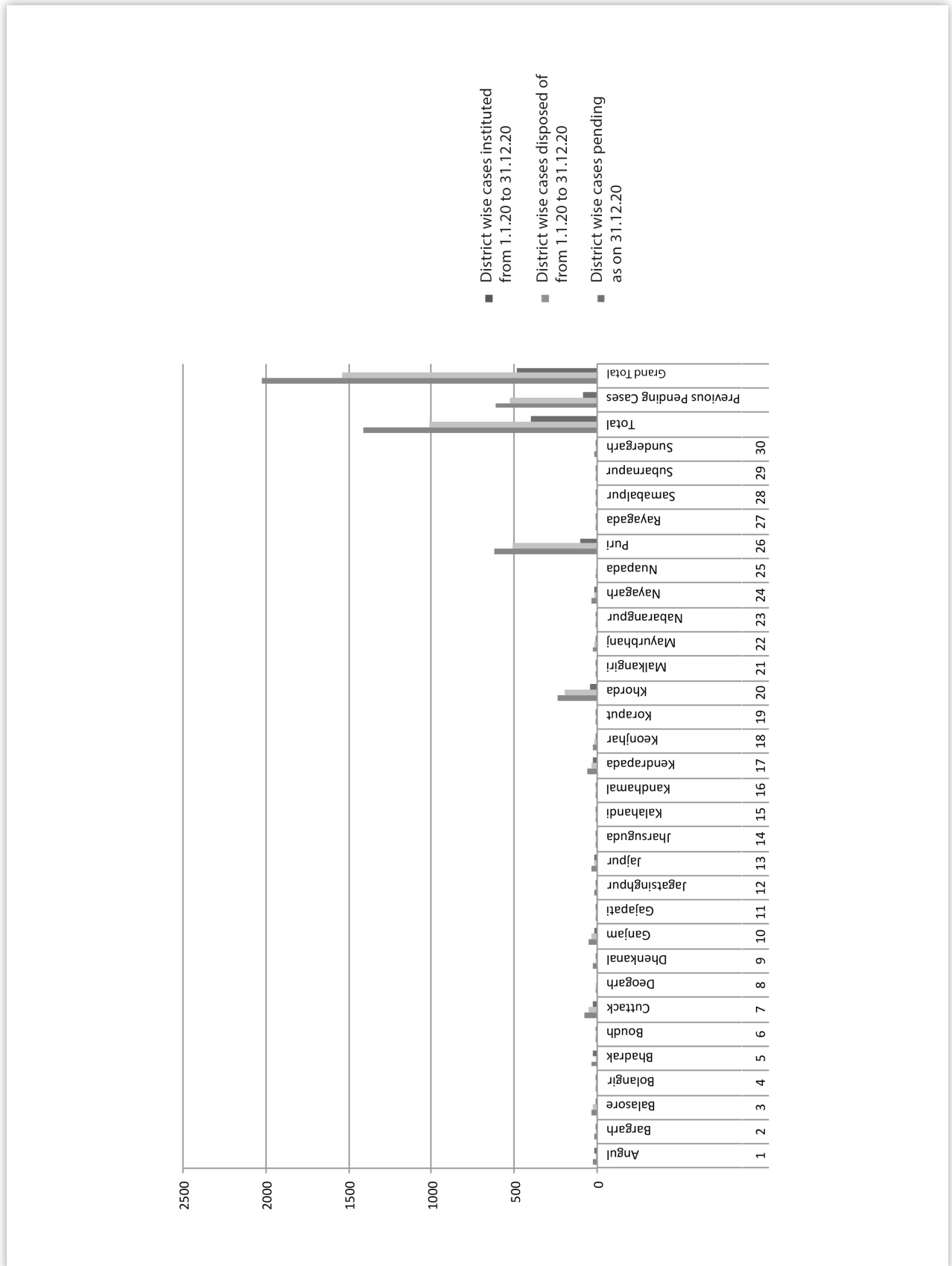
Due to the break-out of Novel COVID-19 pandemic not only individuals but also the Institutions have suffered a lot. The Lokayukta, Odisha is no exception to this. It has faced the biggest challenge during the pandemic as two of its Hon'ble members and more than thirty officers and staff were infected with the Covid-19. Due to shutdowns and lockdowns imposed by the Government, the total working days were also reduced substantially. Similarly, it was not possible to function both the benches of Lokayukta simultaneously during the pandemic due to Government notifications to function the office with the limit of 50% staff and officers. However, despite the above predicaments this institution has risen to the occasion and disposed of a record number of cases during this year, 2020 and has enhanced the trust of the common man on this Institution to a greater extent. The details of complaints of the year 2020 are as follows: -

i)	Fresh complaints received from 01.01.2020 to 31.12.2020	1409
ii)	Total fresh complaints disposed of as on 31.12.2020	1013
iii)	Total number of fresh complaints pending as on 31.12.2020	396
iv)	No. of complaints Pending as on 31.12.2019	(584+29) = 613
v)	No. of pending complaints disposed of as on 31.12.2020	524
vi)	No. of pending of previous complaints as on 31.12.2020	89
vii)	Total Number of complaints disposed of during the year 2020	(1013+524) = 1537
viii)	Total Pendency as on 31.12.2020	485

B. District-wise Institution, Disposal and no. of Pending cases from 1/1/2020 to 31/12/2020

Sl.no	Districts	Total No. of Cases Instituted	Total No. of Cases Disposed of	Total No. of Case Pending
1	Angul	22	8	14
2	Bargarh	17	10	7
3	Balasore	34	22	12
4	Bolangir	7	3	4
5	Bhadrak	35	10	25
6	Boudh	5	1	4
7	Cuttack	77	48	29
8	Deogarh	1	1	0
9	Dhenkanal	26	13	13
10	Ganjam	49	35	14
11	Gajapati	4	1	3
12	Jagatsinghpur	17	6	11
13	Jajpur	38	20	18
14	Jharsuguda	2	1	1
15	Kalahandi	11	5	6
16	Kandhamal	10	3	7
17	Kendrapada	56	31	25
18	Keonjhar	23	15	8
19	Koraput	13	9	4
20	Khorda	242	198	44
21	Malkangiri	3	1	2
22	Mayurbhanj	22	14	8
23	Nabarangpur	2	1	1
24	Nayagarh	36	19	17
25	Nuapada	1	1	0
26	Puri	618	514	104
27	Rayagada	6	4	2
28	Samabalpur	10	9	1
29	Subarnapur	6	3	3
30	Sundergarh	16	7	9
	Total	1409	1013	396
	Previous Pending Cases	613	524	89
	Grand Total	2022	1537	485

C. Histogram of District-wise institution, disposal and no. of pending of cases during the year, 2020

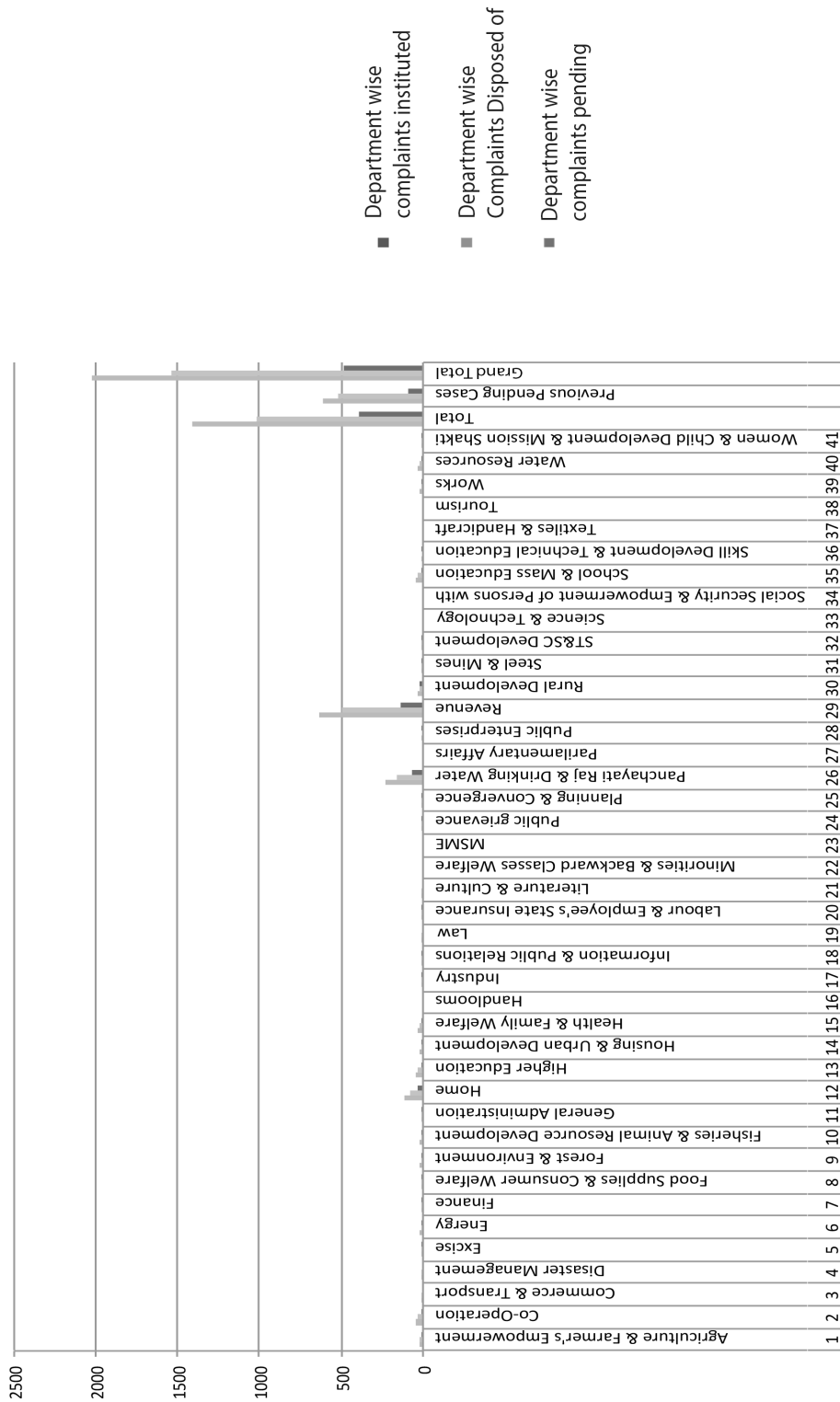


D. Department-wise break-up of complaints received, disposed of and no. of complaints pending during the year, 2020

sl.no	Departments	Total No of Cases Instituted	Total No of Cases Disposed Of	Total No of Cases Pending
1	Agriculture & Farmer's Empowerment	26	18	8
2	Co-Operation	42	34	8
3	Commerce & Transport	1	1	0
4	Disaster Management	2	2	0
5	Excise	2	1	1
6	Energy	21	8	13
7	Finance	6	5	1
8	Food Supplies & Consumer Welfare	4	1	3
9	Forest & Environment	16	12	4
10	Fisheries & Animal Resource Development	26	12	14
11	General Administration	12	7	5
12	Home	108	81	27
13	Higher Education	41	32	9
14	Housing & Urban Development	25	12	13
15	Health & Family Welfare	29	23	6
16	Handlooms	0	0	0
17	Industry	4	2	2
18	Information & Public Relations	5	3	2
19	Law	5	5	0
20	Labour & Employee's State Insurance	11	7	4
21	Literature & Culture	1	1	0

22	Minorities & Backward Classes Welfare	0	0	0
23	MSME	0	0	0
24	Public grievance	9	3	6
25	Planning & Convergence	3	2	1
26	Panchayati Raj & Drinking Water	224	155	69
27	Parilamentary Affairs	0	0	0
28	Public Enterprises	1	0	1
29	Revenue	631	498	133
30	Rural Development	37	19	18
31	Steel & Mines	7	4	3
32	ST&SC Development	3	1	2
33	Science & Technology	0	0	0
34	Social Security & Empowerment of Persons with Disability	0	0	0
35	School & Mass Education	49	34	15
36	Skill Development & Technical Education	2	0	2
37	Textiles & Handicraft	0	0	0
38	Tourism	0	0	0
39	Works	20	8	12
40	Water Resources	28	19	9
41	Women & Child Development & Mission Shakti	8	3	5
	Total	1409	1013	396
	Previous Pending Cases	613	524	89
	Grand Total	2022	1537	485

E. Histogram of Department-wise of institution, disposal and no. of complaints pending during the year, 2020



F. Orders passed by the lokayukta for conducting inquiry by inquiry wing of lokayukta in the year 2020 under section 20 of the odisha lokayukta act, 2014.

Sl. No	Case No.	Date of Order of Lokayukta	Name of the Agency to conduct Inquiry	Date of Submission of Inquiry Report	Name of the Complainant	Name of the Respondent
1	LY-400/2019	03.01.2020	Director of Inquiry, Lokayukta, Odisha	14.02.2020	Simanchala Jena	BDO, Beguniapada
2	LY-214/2019	13.01.2020	Director of Inquiry, Lokayukta, Odisha	10.06.2020	Gopal Charan Roul	Tahsildar, Bhuban
3	LY-615/2019	31.01.2020	Director of Inquiry, Lokayukta, Odisha	05.06.2020	Premananda Swain S/0- K. Swain	Tahsildar, Nimapara
4	LY-613/2019	31.01.2020	Director of Inquiry, Lokayukta, Odisha	05.06.2020	Niranjan Swain	Tahsildar, Nimapara
5	LY-597/2019	31.01.2020	Director of Inquiry, Lokayukta, Odisha	05.06.2020	Ramesh Jena	Tahsildar, Nimapara
6	LY-612/2019	31.01.2020	Director of Inquiry, Lokayukta, Odisha	05.06.2020	Premananda Swain S/0- B. Swain	Tahsildar, Nimapara
7	LY-623/2019	31.01.2020	Director of Inquiry, Lokayukta, Odisha	05.06.2020	Santosh Kumar Swain	Tahsildar, Nimapara
8	LY-611/2019	31.01.2020	Director of Inquiry, Lokayukta, Odisha	05.06.2020	Kanchana Swain	Tahsildar, Nimapara
9	LY-618/2019	31.01.2020	Director of Inquiry, Lokayukta, Odisha	05.06.2020	Nabaghana Bhoi	Tahsildar, Nimapara
10	LY-619/2019	31.01.2020	Director of Inquiry, Lokayukta, Odisha	05.06.2020	Sukanti Biswal	Tahsildar, Nimapara
11	LY-610/2019	31.01.2020	Director of Inquiry, Lokayukta, Odisha	05.06.2020	Manoj Kumar Swain	Tahsildar, Nimapara
12	LY-877/2019	31.01.2020	Director of Inquiry, Lokayukta, Odisha	05.06.2020	Dhrubacharan Pradhan	Tahsildar, Nimapara
13	LY-614/2019	31.01.2020	Director of Inquiry, Lokayukta, Odisha	05.06.2020	Nalini Swain	Tahsildar, Nimapara
14	LY-457/2019	04.02.2020	Director of Inquiry, Lokayukta, Odisha	To be submitted	Debendra Biswal	Laxmidhar Das, Chairman, Basta
15	LY-478/2019	04.02.2020	Director of Inquiry, Lokayukta, Odisha	05.06.2020	Ramesh Chandra Behera	Tahsildar, Nimapara
16	LY-265/2019	06.02.2020	Director of Inquiry, Lokayukta, Odisha	12.06.2020	Pramod Kumar Jena	BDO, Biridi

17	LY-785/2019	26.02.2020	Director of Inquiry, Lokayukta, Odisha	06.10.2020	Pitabas Paltasingh	Tahsildar, Delanga
18	LY-784/2019	26.02.2020	Director of Inquiry, Lokayukta, Odisha	06.10.2020	Shantilata Mohapatra	Tahsildar, Delanga
19	LY- 832/2019	16.03.2020	Director of Inquiry, Lokayukta, Odisha	17.08.2020	Babaji Pradhan	Tahsildar, Pipli
20	LY- 913/2019	17.03.2020	Director of Inquiry, Lokayukta, Odisha	17.08.2020	Abhimanyu Barik & 3 others	Tahsildar, Brahmagiri
21	LY-770/2019	17.03.2020	Director of Inquiry, Lokayukta, Odisha	17.08.2020	Bharat Pradhan	Tahsildar, Pipli
22	LY-764/2019	18.03.2020	Director of Inquiry, Lokayukta, Odisha	To besubmitted	Bijaya Kumar Khotei	Tahsildar, Pipli
23	LY- 769/2019	18.03.2020	Director of Inquiry, Lokayukta, Odisha	17.08.2020	Braja Das	Tahsildar, Pipli
24	LY-959/2019	18.03.2020	Director of Inquiry, Lokayukta, Odisha	17.08.2020	Bibhuti Bhusan Mohanty	Tahsildar, Pipli
25	LY- 774/2019	19.03.2020	Director of Inquiry, Lokayukta, Odisha	17.08.2020	Makara Swain	Tahsildar, Pipli
26	918/2019	09.06.2020	Director of Inquiry, Lokayukta, Odisha	01.10.2020	Kartik Malik	Tahsildar, Satyabadi
27	LY- 635/2019	10.06.2020	Director of Inquiry, Lokayukta, Odisha	11.11.2020	Rajkishore Nayak	BDO, Kaptipada Block, Mayurbhanj
28	LY- 841/2019	11.06.2020	Director of Inquiry, Lokayukta, Odisha	19.08.2020	Ninu Bhoi	Tahsildar, Nimapara
29	LY- 840/2019	11.06.2020	Director of Inquiry, Lokayukta, Odisha	19.08.2020	Niranjan Bhoi	Tahsildar, Nimapara
30	LY- 838/ 2019	11.06.2020	Director of Inquiry, Lokayukta, Odisha	19.08.2020	Gayatri Bhoi	Tahsildar, Nimapara
31	LY-835/2019	11.06.2020	Director of Inquiry, Lokayukta, Odisha	19.08.2020	Purnachandra Mahapatra	Tahasildar, Nimapara
32	LY-1012/2019	11.06.2020	Director of Inquiry, Lokayukta, Odisha	30.09.2020	Bijaya Mallick	Tahsildar, Nimapara
33	LY-843/2019	12.06.2020	Director of Inquiry, Lokayukta, Odisha	01.10.2020	Smt. Manju Bhoi	Tahsildar, Nimapara
34	LY-951/2019	12.06.2020	Director of Inquiry, Lokayukta, Odisha	30.09.2020	Santosh Patra	Tahsildar, Pipli

35	842/2019	17.06.2020	Director of Inquiry, Lokayukta, Odisha	01.10.2020	Smt. Premalata Bhoi	Tahsildar, Nimapara
36	852/2019	17.06.2020	Director of Inquiry, Lokayukta, Odisha	30.09.2020	Dhaneswar Patra	Tahsildar, Nimapara
37	LY- 851/2019	17.06.2020	Director of Inquiry, Lokayukta, Odisha	30.09.2020	Bibhu Prasad Ray	Tahsildar, Nimapara
38	LY- 815/2019	19.06.2020	Director of Inquiry, Lokayukta, Odisha	17.08.2020	Purnachandra Swain	Tahsildar, Nimapara
39	LY- 254/2020	19.06.2020	Director of Inquiry, Lokayukta, Odisha	15.10.2020	Kedar Pradhan	Tahsildar, Baliana
40	LY-807/2019	19.06.2020	Director of Inquiry, Lokayukta, Odisha	17.08.2020	Niranjan Mohanty	Tahsildar, Gop
41	LY-993/2019	24.06.2020	Director of Inquiry, Lokayukta, Odisha	To be submitted	Girish Chandra Swain	Tahsildar, Pipli
42	LY-116/2020	24.06.2020	Director of Inquiry, Lokayukta, Odisha	To be submitted	Pravat Kumar Mohanty	Collector, Kendrapada
43	LY- 1129 & 1127/2019	24.06.2020	Director of Inquiry, Lokayukta, Odisha	21.08.2020	Harapriya Pradhan & Santosh Kumar Pradhan	Tahsildar, Gop
44	LY- 895/2019	26.06.2020	Director of Inquiry, Lokayukta, Odisha	21.08.2020	Rekharani Mitra	Tahsildar, Nimapara
45	LY- 1032/2019	29.06.2020	Director of Inquiry, Lokayukta, Odisha	30.09.2020	Susila Behera	Tahsildar, Nimapara
46	LY-975/2019	30.06.2020	Director of Inquiry, Lokayukta, Odisha	10.09.2020	Balakrushna Saha	Tahsildar, Kanas
47	LY- 25/2020	30.06.2020	Director of Inquiry, Lokayukta, Odisha	30.09.2020	Manju Behera	Tahsildar, Kanas
48	LY- 1034/2019	06.07.2020	Director of Inquiry, Lokayukta, Odisha	01.10.2020	Prakash Chandra Mohapatra	Tahsildar, Nimapara
49	LY- 1042/2019	06.07.2020	Director of Inquiry, Lokayukta, Odisha	01.10.2020	Pramod Behera	Tahsildar, Nimapara
50	LY- 104/2020	06.07.2020	Director of Inquiry, Lokayukta, Odisha	To be submitted	Smt. Debaki Parida	E.E & J. E.E, RWS & S Division, Kendrapada
51	LY- 974/2019	07.07.2020	Director of Inquiry, Lokayukta, Odisha	19.08.2020	Bijaya Kumar Sahoo	Tahsildar, Nmapara
52	LY- 680/2019	08.07.2020	Director of Inquiry, Lokayukta, Odisha	21.08.2020	Sasmita Khotei	Tahsildar, Pipli

53	LY- 40/2020	08.07.2020	Director of Inquiry, Lokayukta, Odisha	06.10.2020	Pramila Sahoo	Tahsildar, Kanas
54	LY-872/2019	09.07.2020	Director of Inquiry, Lokayukta, Odisha	30.09.2020	Kedarnath Ray	Tahsildar, Nimapara
55	LY- 21/2020	10.07.2020	Director of Inquiry, Lokayukta, Odisha	06.10.2020	Santilata Subudhi	Tahsildar, Kanas
56	LY- 817/2019	10.07.2020	Director of Inquiry, Lokayukta, Odisha	22.09.2020	Ramachandra Pradhan	Tahsildar, Nimapara
57	LY- 23/2020	10.07.2020	Director of Inquiry, Lokayukta, Odisha	06.10.2020	Mahendra Biswal	Tahsildar, Kanas
58	LY- 750/2019	10.07.2020	Director of Inquiry, Lokayukta, Odisha	01.10.2020	Sukanti Bhoi	Tahsildar, Nimapara
59	LY-39/2020	15.07.2020	Director of Inquiry, Lokayukta, Odisha	10.09.2020	Sidhi Sahoo	Tahsildar, Kanas
60	LY-809/2019	16.07.2020	Director of Inquiry, Lokayukta, Odisha	03.11.2020	Netrananda Nayak	Tahsildar, Satyabadi
61	LY-548/2019	17.07.2020	Director of Inquiry, Lokayukta, Odisha	02.11.2020	Santosh Mohanty	BDO, Gop
62	LY-957/2019	04.08.2020	Director of Inquiry, Lokayukta, Odisha	18.09.2020	Debendranath Jena	Tahasildar, Mahanga
63	LY-80/2020	10.08.2020	Director of Inquiry, Lokayukta, Odisha	21.09.2020	Pratima Muduli	Tahsildar, Nimapara
64	LY-1044/2019	10.08.2020	Director of Inquiry, Lokayukta, Odisha	22.09.2020	Nrusingha Behera	Tahsildra, Nimapara
65	LY-1045/2019	12.08.2020	Director of Inquiry, Lokayukta, Odisha	01.10.2020	Panchei Moharana	Collector, Puri
66	LY-504/2020	14.08.2020	Director of Inquiry, Lokayukta, Odisha	11.10.2020	Anupama Senapati	Tahsildar, Satyabadi
67	LY-507/2020	14.08.2020	Director of Inquiry, Lokayukta, Odisha	12.10.2020	Sakhimani Bhoi	Tahsildar, Satyabadi
68	LY-505/2020	14.08.2020	Director of Inquiry, Lokayukta, Odisha	12.10.2020	Saraswati Barik	Tahsildar, Satyabadi
69	LY-1006/2019	14.08.2020	Director of Inquiry, Lokayukta, Odisha	12.10.2020	Bijaya Kumar Nayak	Tahsildar, Nimapara
70	LY-506/2020	14.08.2020	Director of Inquiry, Lokayukta, Odisha	12.10.2020	Jyotsharani Pradhan	Tahsildar, Satyabadi

71	LY-734/2019	14.08.2020	Director of Inquiry, Lokayukta, Odisha	20.10.2020	Sriharsa Dash	Tahsildar, Nimapara
72	LY-303/2020	17.08.2020	Director of Inquiry, Lokayukta, Odisha	13.10.2020	Manguli Behera	Collector, Puri
73	LY-299/2020	17.08.2020	Director of Inquiry, Lokayukta, Odisha	14.10.2020	Sita Polei	Collector,Puri
74	LY-296/2020	17.08.2020	Director of Inquiry, Lokayukta, Odisha	13.10.2020	Kunatala Polei	Collector,Puri
75	LY-294/2020	17.08.2020	Director of Inquiry, Lokayukta, Odisha	13.10.2020	Laxmi Behera	Tahsildar, Pipli
76	LY-290/2020	17.08.2020	Director of Inquiry, Lokayukta, Odisha	13.10.2020	Netramani Behera	Tahsildar, Pipli
77	LY-291/2020	17.08.2020	Director of Inquiry, Lokayukta, Odisha	13.10.2020	Purnachandra Behea	Tahsildar, Pipli
78	LY-292/2020	17.08.2020	Director of Inquiry, Lokayukta, Odisha	13.10.2020	Kshetra Mohan Behera	Tahsildar, Pipli
79	LY-302/2020	17.08.2020	Director of Inquiry, Lokayukta, Odisha	13.10.2020	Sankar Palei	Tahsildar, Pipli
80	LY-295/2020	17.08.2020	Director of Inquiry, Lokayukta, Odisha	13.10.2020	Susila Behera	Tahsildar, Pipli
81	LY-298/2020	17.08.2020	Director of Inquiry, Lokayukta, Odisha	14.10.2020	Dhadu Sahoo	Tahsildar, Pipli
82	LY-300/2020	17.08.2020	Director of Inquiry, Lokayukta, Odisha	To be submitted	Pratima Behera	Tahsildar, Pipli
83	LY-1095/2019	18.08.2020	Director of Inquiry, Lokayukta, Odisha	08.01.2021	Pratap Mohanty	Bipin Bihari Mohanty
84	LY-372/2020	18.08.2020	Director of Inquiry, Lokayukta, Odisha	14.12.2020	Bidyadhar Pal	Sarpanch, Huguli
85	LY-978/2019	19.08.2020	Director of Inquiry, Lokayukta, Odisha	To be submitted	Manamohan Behera	Tahsildar, Nimapara
86	LY-976/2019	19.08.2020	Director of Inquiry, Lokayukta, Odisha	14.10.2020	Rama Ranjan Satpathy	Tahsildar, Delanga
87	LY-1020/2019	21.08.2020	Director of Inquiry, Lokayukta, Odisha	06.10.2020	Ramesh Chandra Hota	Tahsildar, Puri
88	LY-996/2019	24.08.2020	Director of Inquiry, Lokayukta, Odisha	To be submitted	Prasanna Ku. Behera	Tahsildar, Nimapara

89	LY-379/2020	25.08.2020	Director of Inquiry, Lokayukta, Odisha	15.10.2020	Urmila Rout	Tahsildar, Nimapara
90	LY-558/2020	28.08.2020	Director of Inquiry, Lokayukta, Odisha	23.11.2020	Alekha Chandra Tripathy	DFO, Dhenkanal
91	LY-110/2020	28.08.2020	Director of Inquiry, Lokayukta, Odisha	14.10.2020	Lalita Bhoi	Tahsildar, Nimapara
92	LY-1068/2019	15.09.2020	Director of Inquiry, Lokayukta, Odisha	03.11.2020	Gagan Bihari Behera	Tahsildar, Nimapara
93	LY-168/2020	23.09.2020	Director of Inquiry, Lokayukta, Odisha	01.12.2020	Budhanath Pradhan	Tahsildar, Nimapara
94	LY-772/2019	24.09.2020	Director of Inquiry, Lokayukta, Odisha	10.11.2020	Niranjan Bharati	Tahsildar, Pipli
95	LY-14/2020	24.09.2020	Director of Inquiry, Lokayukta, Odisha	22.12.2020	Nikhil Nayak	BDO, Balipatna
96	LY- 1102 & 1103/2019	05.10.2020	Director of Inquiry, Lokayukta, Odisha	03.11.2020	Rasmita Panda	Tahsildar, Nimapara
97	LY-59/2020	05.10.2020	Director of Inquiry, Lokayukta, Odisha	03.11.2020	Madhabi Sundaray	Tahsildar, Delanga
98	LY-259/2020	19.10.2020	Director of Inquiry, Lokayukta, Odisha	14.12.2020	Debendra Malik	Tahsildar, Balianta
99	LY-486/2019	19.10.2020	Director of Inquiry, Lokayukta, Odisha	15.12.2020	Bishnu Sethi	Tahsildar, Balipatna
100	LY-265/2020	19.10.2020	Director of Inquiry, Lokayukta, Odisha	14.12.2020	Kailash Dash	Tahsildar, Balianta
101	LY-261/2020	19.10.2020	Director of Inquiry, Lokayukta, Odisha	11.12.2020	Prahlad Mahala	Tahsildar, Balianta
102	LY-263/2020	19.10.2020	Director of Inquiry, Lokayukta, Odisha	15.12.2020	Bishnu Charan Mallick	Tahsildar, Balianta
103	LY-260/2020	19.10.2020	Director of Inquiry, Lokayukta, Odisha	To be submitted	Gouri Bewa	Tahsildar, Balianta
104	LY-258/2020	19.10.2020	Director of Inquiry, Lokayukta, Odisha	11.12.2020	Narayan Panda	Tahsildar, Balianta
105	LY-65/2020	20.10.2020	Director of Inquiry, Lokayukta, Odisha	11.12.2020	Arati Ratha	Tahsildar, Kanas
106	LY-267/2020	21.10.2020	Director of Inquiry, Lokayukta, Odisha	14.12.2020	Trilochan Jena	Tahsildar, Balianta

107	LY-766/2019	21.10.2020	Director of Inquiry, Lokayukta, Odisha	16.12.2020	Iswar Prasad Das Mahatab	Tahsildar, Pipli
108	LY-462/2020	21.10.2020	Director of Inquiry, Lokayukta, Odisha	16.12.2020	Chakradhar Barik	Tahsildar, Kanas
109	LY-284/2020	21.10.2020	Director of Inquiry, Lokayukta, Odisha	17.12.2020	Manarama Behera	Tahsildar, Pipli
110	LY-275/2020	22.10.2020	Director of Inquiry, Lokayukta, Odisha	17.12.2020	Sakhi Behera	Tahsildar, Pipli
111	LY-281/2020	22.10.2020	Director of Inquiry, Lokayukta, Odisha	17.12.2020	Dinabandhu Behera	Tahsildar, Pipli
112	LY-288/2020	22.10.2020	Director of Inquiry, Lokayukta, Odisha	17.12.2020	Niranjan Panda	Tahsildar, Pipli
113	LY-286/2020	22.10.2020	Director of Inquiry, Lokayukta, Odisha	17.12.2020	Sulochana Behera	Tahsildar, Pipli
114	LY-285/2020	22.10.2020	Director of Inquiry, Lokayukta, Odisha	17.12.2020	Basanti Behera	Tahsildar, Pipli
115	LY-277/2020	22.10.2020	Director of Inquiry, Lokayukta, Odisha	17.12.2020	Babuli Behera	Tahsildar, Pipli
116	LY-385/2020	28.10.2020	Director of Inquiry, Lokayukta, Odisha	17.12.2020	Sarat Chandra Badhei	Tahsildar, Nimapara
117	LY-33/2020	03.11.2020	Director of Inquiry, Lokayukta, Odisha	17.12.2020	Basudeba Swain	Tahsildar, Nimapara
118	LY-419/2020	03.11.2020	Director of Inquiry, Lokayukta, Odisha	17.12.2020	Jayakrushan Behera	Tahsildar, Nimapara
119	LY-424/2020	05.11.2020	Director of Inquiry, Lokayukta, Odisha	To be submitted	Pabitra Kumar Pani	Chief District Vetennary Officer, Kendrapara & Block Vetenary Officer, Ga- radpur, Kendrapara
120	LY-356/2019	10.11.2020	Director of Inquiry, Lokayukta, Odisha	17.12.2020	Durgaprasad Das	Simanta Mishra,DY Commisioner,In Charge of Welfare Section BMC, District: Khurda
121	LY-401/2020	11.11.2020	Director of Inquiry, Lokayukta, Odisha	To be submitted	Satyananda Nayak	BDO, Garadpur, Ex- PEO, Madhusudan GP, Asst. Engineer
122	LY-326/2020	11.11.2020	Director of Inquiry, Lokayukta, Odisha	29.12.2020	Rajani Martha	Tahsildar, Kanas

123	LY-323/2020	11.11.2020	Director of Inquiry, Lokayukta, Odisha	29.12.2020	Chhabi Jena	Tahsildar, Kanas
124	LY-324/2020	11.11.2020	Director of Inquiry, Lokayukta, Odisha	29.12.2020	Jhili Baliarsingh	Tahsildar, Kanas
125	LY-205/2020	12.11.2020	Director of Inquiry, Lokayukta, Odisha	29.12.2020	Somanath Mohapatra	Tahsildar Nimapara
126	LY-1117/2019	13.11.2020	Director of Inquiry, Lokayukta, Odisha	To be submitted	Biranchi Dalei	BDO, Dhenkanal Sadar
127	LY-388/2019	17.11.2020	Director of Inquiry, Lokayukta, Odisha	To be submitted	Pabitra Kumar Pani	Tahsildar, Gardarpur
128	LY-338/2020	17.11.2020	Director of Inquiry, Lokayukta, Odisha	31.12.2020	Namita Ray	Tahsildar, Nimapara
129	LY-341/2020	19.11.2020	Director of Inquiry, Lokayukta, Odisha	31.12.2020	Kartik Sahoo	Tahsildar, Baliana
130	LY-329/2020	19.11.2020	Director of Inquiry, Lokayukta, Odisha	31.12.2020	Sulochana Behera	Tahsildar, Pipli
131	LY-381/2020	23.11.2020	Director of Inquiry, Lokayukta, Odisha	To be submitted	Mamina Behera	Tahsildar, Nimapara
132	LY-382/2020	23.11.2020	Director of Inquiry, Lokayukta, Odisha	To be submitted	Radha Behera	Tahsildar, Nimapara
133	LY-91/2020	23.11.2020	Director of Inquiry, Lokayukta, Odisha	To be submitted	Sumitra Bhoi	Tahsildar, Nimapara
134	LY-92/2020	23.11.2020	Director of Inquiry, Lokayukta, Odisha	To be submitted	Laxmi Priya Bhoi	Tahsildar, Nimapara
135	LY-93/2020	23.11.2020	Director of Inquiry, Lokayukta, Odisha	To be submitted	Gopendra Bhoi	Tahsildar, Nimapara
136	LY-207/2020	23.11.2020	Director of Inquiry, Lokayukta, Odisha	To be submitted	Balunki Majhi	Tahsildar, Satyabadi
137	LY-380/2020	23.11.2020	Director of Inquiry, Lokayukta, Odisha	To be submitted	Swornalata Rout	Tahsildar, Nimapara
138	LY-929/2019	25.11.2020	Director of Inquiry, Lokayukta, Odisha	To be submitted	Gadadhar Pradhan	Tahsildar, Satyabadi
139	LY-691/2019	01.12.2020	Director of Inquiry, Lokayukta, Odisha	To be submitted	Bhagaban Barala	Tahsildar, Nimapara
140	LY-707/2019	01.12.2020	Director of Inquiry, Lokayukta, Odisha	To be submitted	Kumudini Parida	Tahsildar, Kanas

141	LY-711/2019	01.12.2020	Director of Inquiry, Lokayukta, Odisha	To be submitted	Hemanta Kumar Sahoo	Tahsildar, Kanas
142	LY-714/2019	01.12.2020	Director of Inquiry, Lokayukta, Odisha	To be submitted	Nirupama Nath	Tahsildar, Kanas
143	LY-708/2020	01.12.2020	Director of Inquiry, Lokayukta, Odisha	To be submitted	Sachala Sahoo	Tahsildar, Kanas
144	LY-262/2020	02.12.2020	Director of Inquiry, Lokayukta, Odisha	To be submitted	Debaraj Panda	Tahsildar, Balianta
145	LY-287/2020	02.12.2020	Director of Inquiry, Lokayukta, Odisha	To be submitted	Amulya Sahoo	Tahsildar, Pipli
146	LY-239/2020	11.12.2020	Director of Inquiry, Lokayukta, Odisha	To be submitted	Malati Swain	Tahsildar, Nimapara
147	LY-241/2020	11.12.2020	Director of Inquiry, Lokayukta, Odisha	To be submitted	Dillip Ojha	Tahsildar, Nimapara
148	LY-257/2020	15.12.2020	Director of Inquiry, Lokayukta, Odisha	14.12.2020	Bijay Kumar Samal	Tahsildar, Balianta
149	LY-274/2020	22.12.2020	Director of Inquiry, Lokayukta, Odisha	To be submitted	Rashmita Jena	Tahsildar, Nimapara
150	LY-301/2020	23.12.2020	Director of Inquiry, Lokayukta, Odisha	To be submitted	Bhimsen Behera	Tahsildar, Pipli
151	LY-365/2020	31.12.2020	Director of Inquiry, Lokayukta, Odisha	To be submitted	Surendranath Mishra	Collector, Puri

**G. ORDERS PASSED BY THE LOKAYUKTA FOR CONDUCTING PRELIMINARY INQUIRY BY VIGILANCE DEPARTMENT
IN THE YEAR 2020 UNDER SECTION 20 OF THE ODISHA LOKAYUKTA ACT, 2014.**

1	LY-331/19	05.02.2020	Director, Vigilance	24.08.2020	Bhagirathi Lenka	Dhruba Charan Behera, DEO, Mayurbhanj & others
2	LY-963/19	11.02.2020	Director, Vigilance	25.09.2020	Dasarath Pradhan	Fakir Karna, Ag.Overseer, Chakulifam, Under DDA Baragarh
3	LY-540/19	18.02.2020	Director, Vigilance	01.07.2020	Pradeep Kumar Sahoo	M.Satya Narayan (IFS), Addl. PCCF, Odisha
4	LY-187/19	27.02.2020	Director, Vigilance	10.11.2020	Ashok Nanda	Tusharkanta Panda
5	LY-1115/19	08.06.2020	Director, Vigilance	14.09.2020	Sudhir Kumar Pradhan	Maheswar Pradhan
6	LY-191/20	29.06.2020	Director, Vigilance	23.09.2020	jagamohan Patra	Sarapanch, Kolathagadia

7	LY-349/19	01.07.2020	Director, Vigilance	02.11.2020	Pabitra Kumar Pani	Ex-Sarapanch, Garadpur & Exe. Engg. Garadapur, Kendrapada
8	LY-1050/20	08.07.2020	Director, Vigilance	To be submitted	Laxmidhar Jena	P.D., Watersheds, Keonjhar
9	LY-654/19	17.07.2020	Director, Vigilance	To be submitted	Puspanjali Mohapatra	Manjulata Kar
10	LY-984/19	21.09.2020	Director, Vigilance	To be submitted	Sarat Kumar Parida	Collector, Cuttack
11	LY-320/19	25.09.2020	Director, Vigilance	To be submitted	Kanhu Charan Panda	Smt. Phulmani Murmu, Principal, DIET, Mayurbhanj
12	LY-162/19	25.09.2020	Director, Vigilance	To be submitted	Krushna Chandra Sahoo	V. Jagarao, Jaypore
13	LY-167/20	01.10.2020	Director, Vigilance	To be submitted	Bindu Naik	DFO, Kalahandi
14	LY-541/19	15.10.2020	Director, Vigilance	To be submitted	Pradeep Kumar Sahoo	DFO, Angul
15	LY-66/20	28.10.2020	Director, Vigilance	To be submitted	Jiten Kumar Swain	Collector, Puri
16	LY-968/19	03.11.2020	Director, Vigilance	To be submitted	Rashmi Ranjan Padhi	Joint Labour Commission, Rourkela
17	LY-420/20	03.11.2020	Director, Vigilance	14.12.2020	Badriprasad Mishra	Ambika Prasad Das
18	LY-583/20	07.12.2020	Director, Vigilance	To be submitted	Sudarshan Das	Hemant Sharma & others
19	LY-1348/20	11.12.2020	Director, Vigilance	To be submitted	Ranjan Kumar Dash	Pradeep Kumar Panigrahi

H. Orders passed by lokayukta for conducting investigation by vigilance department in the year 2020 under section 20 of the odisha lokayukta act, 2014

Sl. No	Case No.	Date of Order of Lokayukta	Name of the Agency to conduct Investigation	Date fixed for Submission of Investigation Report	Name of the Complainant	Name of the Respondent
1	LY-30/14	26.02.2020	Director, Vigilance	04.01.2021	Ramakanta Barik	Laxman Pradhan, Ranger Nilagiri Forest Divn.
2	LY-509/20	12.08.2020	Director, Vigilance	08.03.2021	Sou Moto	Executive Engineer Rural Works Division, Bolangir
3	LY-320/2019	25.09.2020	Director, Vigilance	06.04.2021	Kanhucharan Panda	Smt Phulamani Murmu principal DIET, Mayurbhanj
4	LY-313/20	20.11.2020	Director, Vigilance	18.03.2021	Bansi Nayak & Others	BDO, Dharakote, Ganjam
5	LY-542/19	04.12.2020	Director, Vigilance	08.06.2021	Panchunath Chinara	Siba Prasad Padhi, Project Dy. Director, Soil Conservation, Anugul

I. Disposal of Fani Cases

On 3rd May 2019 cyclone Fani made its landfall near the historic city of Puri, Odisha and it adversely affected the people of Puri district. Their houses and huts in thousands were damaged. The Government of Odisha took immediate steps for providing adequate financial assistance to Fani victims after assessing the extent of damage caused to their houses/huts. Many victims were satisfied with the amount of financial assistance received, but some were also not satisfied. Those not satisfied have filed complaints before the Lokayukta and all such complaints were registered and the complainants have been heard personally.

During previous year, 522 complaints were filed, out of which 343 complaints have been finally decided. Also on the basis of Inquiry reports submitted by the Director of Inquiry, Lokayukta, recommendation in 26 complaints have been made to the concerned authority for immediately providing financial assistance to Fani victims. Some of the complaints were also found to be frivolous and hence were dismissed.

The statement of figure is shown as under:

Complaints Instituted	Complaints finally decided	Complaints in which financial assistance have been recommended	Complaints Dismissed	Complaints Pending
522	343	26	317	179

5. GIST OF SOME IMPORTANT CASES DISPOSED OF BY THE LOKAYUKTA

1.LY Case No.457/2019.

(Debendra Biswal Vs Laxmidhar Das, Chairman,Basta Block)

The present complaint was filed against Sri Laxmidhar Das, Chairman, Basta Block, District-Balasore with an allegation that he has constructed a road on his private land utilising Government fund of Rs.1,00,000/- by resorting to corrupt practice.

Acting upon the complaint, Collector, Balasore was instructed to cause an inquiry about the above allegations. Accordingly, the Collector, submitted his final inquiry report on 02.02.2020 which was in favour of Sri Laxmidhar Das. The complainant, however seriously disputed the findings of inquiry report of the Collector. Therefore, being left with no option, the Director of Inquiry, Lokayukta was ordered to conduct an inquiry on the above allegations. The report of the Director of Inquiry clearly revealed that the road had actually been constructed on a private land by using Government fund in gross violation of the existing Government instructions.

During hearing on being confronted with the subsequent enquiry report, Sri Laxmidhar Das, candidly admitted the mistake of constructing road on a private land by utilising Government fund and submitted that owner Sri Pitambar Das of the land has deposited the spent amount of Rs.95,436/- in the Account of the Block Office.

Considering the fact that the owner of land has refunded the Government fund spent wrongly for private purpose, the Lokayukta, took a lenient view by closing the complaint but with the warning to Sri laxmidhar Das and the Block Development Officer, Basta not to indulge into such practice infuture.

2.LY Case No. 414/2019.

(Rilu Behera Vs Panchayat Executive Officer,Sinduria Gram Panchayat, Jajpur and others)

In this complaint dated 04.10.2019 it was alleged that an amount of Rs.2,00,000/- was sanctioned for a drinking water project in Haradeipur village under Sinduria Gram Panchayat of Dharmasala Block but the amount has been misappropriated by the public officials namely 1) Sri Managovinda Baral, Ex-Panchayat Executive Officer, 2) Smt. Puspajanli Sahu, Ex-G.P.T.A, 3) Sri Debadutta Ray Mohapatra, Ex-Asst. Executive Engineer and 4) Smt. Gayatri Parida, Sarapanch of the aforesaid Gram Panchayat. Having regard to the allegations made, comments were called from the Minister in charge Panchayat Raj & Drinking Water Department who is also the competent authority. The Hon'ble Minister in his reply confirmed that the allegations were true. During the course of hearing, Lokayukta was informed that departmental proceedings have also been initiated against Shri Managovinda Baral, Smt. Puspanjali Sahu and Sri Debadutta Ray Mohapatra, and even the Collector, Jajpur has recommended for initiation of proceedings against Sarapanch Gayatri Parida under section 115 of the Orissa Gram Panchayat Act.

Taking note of this development the Lokayukta, appreciating the immediate action taken by the State Government closed the complaint with an observation that the proceedings initiated against the erring public servants shall be brought to a logical end within a period of five months.

3.LY Case No.48 of 2019

(Suresh Chandra Nayak Vrs. Shantilata Malik)

One Suresh Chandra Nayak lodged a complaint against Smt. Shantilata mallick, Sarapanch, Mousudha Gram Panchayat alleging therein that she along with other public servants are involved in misappropriation and misutilisation of the Gram Panchayat fund in flagrant violation of the provisions of Orissa Gram Panchayat Act,1964. The Lokayukta called for the inquiry report into the allegations and having regard to the findings observed that a prima facie case was made out against Smt. Shantilata Mallick, Sarapanch; Sri D.K.Nayak, Panchayat Executive Officer and Sri P.K.Sahoo, Junior Engineer about their involvement in misappropriation and misutilisation of the Grama Panchayat fund in respect of four different development works. The Lokayukta, therefore, recommended for initiating appropriate proceedings against Shri P.K. Sahoo and Shri D.K. Nayak. The Lokayukta also recommended for initiating proceedings against Smt. Shantilata Mallick under Section 115 of the Orissa Gram Panchayat Act for her removal as Sarapanch. The State Government after receiving the recommendations informed the Lokayukta that appropriate proceedings have been initiated against the wrongdoers. The Lokayukta on being satisfied with the steps taken by the State Government closed the matter with an observation that the proceedings initiated be concluded expeditiously preferably within five months.

4.LY Case No.172 of 2020

(B.Rameswar Rao Vrs. Satyashree Mohapatra, Assistant Engineer, Estimator, Mechanical Division, Bhubaneswar)

In the complaint received from Sri B. Rameswar Rao, it was alleged that Sri Satyashree Mohapatra while posted as Assistant Engineer, Mechanical Division, Hirakud committed theft of copper wire worth Rs.3,00,000/- in the year 2015 and despite finding of committing theft against him in three different back to back inquiries, the Chief Engineer (Mechanical), Water Resources intentionally did not take any action in the matter. In response to the notice, the Chief Engineer filled his reply wherein he stated that despite submission of two inquiry reports against Sri Satyashree Mohapatra regarding his involvement in the commission of theft, the Engineer-in-Chief, Water Resources has unfortunately not taken any action for extraneous reasons.

1) Having regard to the reply filed by the Chief Engineer, the Lokayukta directed for the personal appearance of the Engineer-in-Chief, who informed that on 09.05.2020 Articles of Charges have been framed against Sri Satyashree Mohapatra. The Lokayukta expressed displeasure against the callous attitude of the Engineer-in-Chief for not taking any action in a serious case of theft of Government property for more than five years. Later, the Engineer-in-Chief also reported that an F.I.R. has been lodged against Sri Satyasree Mohapatra on 13.03.2020. The Lokayukta while expressing displeasure for the inordinate delay in taking action against Sri Sathyashree Mohapatra, recommended the Principal Secretary, Water Resources Department to call for an explanation from the Engineer-in-Chief and do the needful in the interest of Department, so that no such delay take place in future. The Lokayukta also recommended for early conclusion of disciplinary proceeding against Shri Satyashree Mohapatra.

5. LY Case No. 551/2019**(Ashok Kumar Paikray vrs. Vishal Dev, Commissioner-cum-Secretary, Department of Sports & Youth Services and others)**

Complaint dated 28.10.2019 was received from Odisha Abhibhabak Mahasangha, alleging therein that Government College of Physical Education, Odisha (in short "Government College") has been shifted from Kalinga Stadium, Bhubaneswar to the premises of private institution NM Institute of Engineering and Technology (NMIET), Sijua, Patrapada on an annual rent of Rs.20,00,000/- with an ulterior motive of wrongful gain by the high officials of Sports Department. According to the complainant, the Government has even constructed 150 bedded gents and 150 bedded girls' hostels in the premises of Kalinga Stadium by spending a huge amount of money, which will go waste with the shifting of College. The complainant also alleged that Rs.10,00,000/- has illegally been spent on the shifting of Government College which should be directed to be recovered from the Commissioner-cum-Secretary, Department of Sports and Youth Services.

The Department of Sports and Youth Services in its reply denied all the allegations of ulterior motive and corruption in the shifting of Government College to the premises of NMIET. The Department also narrated in detail, the circumstances under which the Government College had to be shifted from Kalinga Stadium. The Department even filed a copy of standard rent fixed by the competent authority which is being paid to the Management of NMIET. According to the Department, the hostels constructed in the Stadium are being best used by the Athletes and sports persons.

The Lokayukta, Odisha after carefully examining the allegations made in the complaint as well as the reply filed by the Department, concluded that no case whatsoever of corruption or ulterior motive was made out against any officials of the Sports Department for shifting the Government College from the Kalinga Stadium to the premises of NMIET. The Lokayukta also accepted the stand taken by the Sports Department that the Stadium must be actually used for sports activities and not for running a college. With these findings the complaint was closed and filed.

6. LY Case No. 811/2019**(Manoranjan Jena vrs. Umakanta Nayak, Surpanch, Nahanga Gram Panchayat & others)**

The present complaint was filed against Sri Umakanta Nayak, Surpanch of Nahanga Gram Panchayat alleging that he has installed a tube well meant for the use of the public in the private land of his father by resorting to corrupt practice.

During the course of the proceeding, it was brought to light that the Executive Engineer, Rural Water Supply and Sanitation Division, Kendrapara has already lodged a First Information Report U/s 420/34 of the Indian Penal Code against Sri Umakanta Nayak and Sri Saroj Kumar Mohapatra, Junior Engineer, Rural Water Supply and Sanitation, Derabisi.

The material on record further revealed that Sri Umakanta Nayak had obtained an anticipatory bail order from the Hon'ble High Court on a condition that he will donate the appropriate amount of land where the tube well is installed with ingress and egress of the same from the public road by registered document in the name of Gram Panchayat or in the alternative, he shall make payment of the amount spent by Government for installation of the tube well.

The reply submitted by the Executive Engineer, Rural Water Supply and Sanitation Division, Kendrapara also showed that departmental proceedings have already been initiated against Saroj Kumar Mohapatra, Junior Engineer and he was placed under suspension. He also intimated that Sri Umakanta Nayak has neither donated the land as directed by the Hon'ble High Court nor he has made the payment of the amount spent by the Government in the installation of the tube well.

Taking into account all the attending circumstances, the Lokayukta observed as under: -

“An elected Surpanch of a Gram Panchayat is under a statutory and moral obligation to serve the villagers of his panchayat area. He is supposed to spend the Government fund allocated for public welfare only for that purpose and certainly not for his selfish wrongful gain. In the case at hand there is ample material to show that Umakanta Nayak misused the Government fund by installing a tube well, meant for the public use, in the private land of his father, Gangadhar Nayak. And despite this although disciplinary proceedings have been initiated against Saroj Kumar Mohapatra, surprisingly no action is contemplated against Umakanta Nayak.”

Accordingly, direction was given to the Principal Secretary, Panchayati Raj & Drinking Water Department, Government of Odisha to immediately initiate proceedings U/s 115 of the Odisha Gram Panchayat Act 1964 against Sri Umakanta Nayak, Surpanch, Nahanga Gram Panchayat and conclude the same within five months.

7. LY Case No. 583/2020

(Susanta Kumar Padhi vrs Hemanta Sharma & others)

In this complaint allegation is made regarding wide scale corruption in the procurement of masks, testing kits, Real Time Polymerase, Chain Reaction (PCR) machines, Personal Protection Equipment (PPE) kits, Bi-level Positive Airway Pressure (BiPAP) machines, Nebuliser etc during the Corona pandemic by Odisha State Medical Corporation Ltd. (in short OSMC Ltd.) and Sri Hemanta Sharma, IAS who was especially entrusted by the Government of Odisha to supervise the process of procurement.

The respondents have denied the allegations and submitted that the purchase was duly approved by the Emergency Procurement Committee as well as by the Empowered Group of Ministers. According to them considering the urgency, decision was taken for the above procurements in order to save human life without any ulterior motive

Having regard to the nature of allegations and the extraordinary circumstances under which the procurements have been made, the Lokayukta has ordered for an inquiry by the Vigilance to dig into the special circumstances and unearth the real truth. The case is now ordered to be listed on 15.02.2021 for the submission of preliminary inquiry report.

8. LY Case No. 25/2020

(Smt. Manju Behera vrs Collector, Puri)

In this present complaint it was alleged that though the residential house of complainant was "severely damaged" during Fani cyclone and she being entitled to receive compensation of Rs.95,100/- under State Disaster Relief Fund norms, the concerned Revenue Authorities illegally enlisted her name/household in the category of "no damage" for extraneous reasons and deprived her legitimate claim to seek financial assistance from the State.

Taking cognizance of the complaint notice was issued to the Tahasildar, Kanas who denied the allegations. Accordingly, the lokayukta directed for a preliminary inquiry by the Deputy Director of Inquiry wing of Lokayukta in order to find out: -

Whether the complainant is entitled for the benefit of financial assistance under the category of "severely damage house"?

Whether the complainant has been denied the actual financial assistance due to extraneous reasons by the revenue authorities, and if yes, who are such officials/ authorities?

The Deputy Director of Inquiry after conducting an inquiry submitted the preliminary enquiry report with a specific finding that the complainant was living in a kutcha house which was severely damaged and the assessment of damage caused to her house was not properly made by the revenue officials.

The Lokayukta after going through the preliminary inquiry report agreed with the finding and strongly recommend the Collector, Puri and Tahasildar, Kanas to immediately provide financial assistance to the complainant to the tune of Rs. 95,100/- under severely damage category as per the State Disaster Relief Fund norms. However, in the inquiry no material was found to establish that proper financial assistance was denied to complainant for extraneous reasons. The complaint was therefore allowed to the extent of reference No. 1 only.

9. LY Case No. 840/2019

(Sri Niranjan Bhoi vrs Collector, Puri)

In this case, the complainant claiming himself to be Fani victim alleged that though his kutcha residential house was severely damaged, the district authorities for extraneous reasons provided him only Rs. 3,200/- as financial assistance under the category of "kutcha partial damage" instead of Rs. 95,100/- under "severely damage" category. The allegation made in the complaint was denied by the Tahasildar but on an inquiry ordered by the Lokayukta through the Director of Inquiry, it was found that the house of complainant was,

in fact, severely damaged and he was actually entitled for Rs. 95,100/- and not Rs. 3,200/-. The Lokayukta accordingly recommended the Collector, Puri and Tahasildar, Nimapara to ensure that Rs. 95,100/- is paid to the complainant after deducting the amount if, any, already paid to him.

10. LY Case No. 895/2019

(Rekharani Mitra vrs Collector, Puri)

In this complaint it was alleged by the complainant that her house was severely damaged during Fani cyclone and the district authorities illegally enlisted her name under the category of "no damage" for extraneous reasons. Although the allegation made in the complaint was denied by the Tahasildar, on an inquiry ordered by the Lokayukta, the Director of Inquiry found that the semi-pucca house of complainant was partially damaged and she was entitled for Rs. 5,200/- as financial assistance. Acting upon the inquiry report, the Lokayukta recommended the Collector, Puri and Tahasildar, Nimapara to immediately provide proper financial assistance of Rs. 5,200/- to the complainant.

11. LY Case No. 1012/2019

(Sri Bijaya Malik vrs Collector, Puri)

In this case, the complainant alleged that his residential house was severely damaged during Fani cyclone but the district authorities for extraneous reasons treated the damage under the category of "kutcha partial" and provided him only Rs. 3,200/- as financial assistance instead of Rs. 95,100/-. Although the allegation made in the complaint was denied by the Tahasildar, on an inquiry ordered by the Lokayukta through the Director of Inquiry it was found that the kutcha house of complainant was in fact severely damaged. The Lokayukta therefore relying upon the finding of the Director of Inquiry, recommended the Collector, Puri and Tahasildar, Nimapara to immediately provide Rs. 95,100/- to the complainant.

12. LY Case No. 1014/2019

(Sri Nrusingha Behera vrs Collector, Puri)

In the present complaint, Sri Nrusingha Behera alleged that his kutcha house was severely damaged during Fani cyclone and yet the district authorities did not provide him any financial assistance for extraneous reasons. In reply to the notice, Tahasildar, Nimapara submitted that the kutcha house of Nrusingha Behera was only partially damaged and hence he has been paid Rs. 3,200/-. However, on an inquiry ordered by the Lokayukta through the Director of Inquiry it was found that the kutcha house in question was in fact severely damaged and hence he was entitled for Rs. 95,100/- instead of just Rs. 3,200/-. The Lokayukta agreed with the finding of the Director of Inquiry and recommended the Collector, Puri and Tahasildar, Nimapara to ensure that Rs. 95,100/- is credited into the account of Nrusingha Behera after deducting the amount if, any, already paid to him.

6. RULES & REGULATIONS

The Lokayukta after its functioning has requested the State Government for framing of various rules as required, by submitting draft Rules/Regulations. Accordingly, the State Government has passed the following rules and Regulations:

A. The Odisha Lokayukta (Procedure of filing of Complaint) Rules, 2020

1. Short title and commencement. — (1) These rules may be called the Odisha Lokayukta (Procedure of filing of Complainant) Rules, 2020.

(2) They shall come into force on the date of their publication in the Odisha Gazette.

2. Definitions. — (1) In these rules, unless the context otherwise requires, —

(a) “Act” means the Odisha Lokayukta Act., 2014 (Odisha Act. 12 of 2014);

(b) “complainant” means any person who files a complaint under clause (d) of sub-section (1) of Section 2;

(c) “form” means a Form appended to these rules;

(d) “offence” means an offence punishable under the Prevention of Corruption Act., 1988 (49 of 1988); and

(e) “section” means a section of the Act.

(2) All other words and expressions used but not defined in these rules shall have the meanings, respectively, -assigned to them in the Act.

3. Form and manner of complaint. - (1) For the purposes of clause (d) of sub-section (1) of Section 2 of the Act., a complaint shall be filed in Form-A.

(2) A complaint shall be filed in any of the following manner, namely: -

(i) Electronically, in the manner, as laid down by the Lokayukta; or

(ii) by post; or

(iii) in person:

Provided that where the complaint is filed electronically, the hard copy thereof shall be required to be submitted to the Lokayukta within a period of fifteen days from the date of filing:

Provided further that the Lokayukta shall not keep the said complaint, received electronically, as pending, if the same is complete in all respects.

(3) A complaint shall contain the details of allegations about commission of an offence by the public servant.

(4) Every complaint under the Act shall be made to the Lokayukta in Odia or English language

(5) The following documents shall be appended to the complaint, namely: —

(a) copy of the identity proof as specified in the form of complaint;

(b) registration or incorporation certificate of the organisation, on whose behalf the complaint is being made if it is a board, body, corporation, company, limited liability partnership, authority, society, association of persons or trust;

(c) copy of authorization certificate in favour of the signatory if the complaint is being made on behalf of the board, body, corporation, company, limited liability partnership, authority, society, association of persons or trust;

- (d) an Affidavit in the form as specified in the Part D of Form A; and
- (e) duly signed detailed statement making out the allegation.
- (6) The complaint filed against a public servant referred to in clauses (a), (b) and (c) of sub-section (1) of Section 14 of the Act. shall be decided by the bench as referred to in sub-section (3) of Section 20 of the Act., in the first instance, at the admission stage.
- (7) The Lokayukta may seek such other information and affidavit relating to a complaint, as it deems fit, from the complainant.

4. Processing of complaint. — (1) The Lokayukta may process a complaint in the following manner, namely:

(a) protect the identity of the complainant and the public servant complained against till the conclusion of the inquiry or investigation:

Provided that the protection shall not be applicable in cases where the complainant himself has revealed his identity to any other office or authority while making a complaint to the Lokayukta;

(b) protect the integrity of the process of inquiry or investigation;

(c) dispose of the complaints, in limine, on any of the following grounds, namely: -

where the contents of the complaint are illegible;

where the contents of the complaint are vague or ambiguous;

where the contents of the complaint are trivial or frivolous;

where the complaint does not contain allegation against a public servant;

where the complaint is not filed within the period of limitation under section 52: or

where the cause of the complaint is pending before any other Court or Tribunal or Authority.

(2) The Lokayukta shall dispose of the complaints satisfying the conditions as contained in clause (c) of sub-rule (1) within a period of thirty days:

Provided that the Lokayukta for the reasons to be recorded, in writing, may extend the said period by a further period not exceeding fifteen days at a time.

5. Service of notice to the public servant etc.- Where the Lokayukta is satisfied that there exists a case for an inquiry or investigation against the public servant including any person or institution as mentioned in Section 14, a notice in Form - B shall be served on such public servant, person or institution as mentioned in Section 14 by registered post or by such courier service as may be approved by the Chairperson or by Fax message or by electronic mail service or by any other means as may be decided by the Chairperson calling for explanation from the notice.

6. Filing of reply and other documents. - (1) The notice may file his reply to the complaint in three complete sets, one being signed and two other copies, along with the documents in a paper book with the Secretary within forty-five days of service of notice under rule 5:

Provided that the Lokayukta may, in its discretion, on an application filed by the notice, allow such further time as it may deem fit for filing of reply.

(2) If the notice fails to file reply under sub-rule (1), the Lokayukta may proceed and pass an order on the complaint as it may deem fit and proper.

7. Supply of copies of Orders. — The complainant and affected parties and respective Departments concerned may be supplied a copy of all orders of the Lokayukta that affect them, on an application by the affected-party.

8. Exercise of powers of Civil Court by the Lokayukta. — For the purpose of giving effect to the provisions of the Act. and these rules, the provisions relating to issue and service of summons and examination of witness by the Commission provided in Order V and Order XXVI of the Code of Civil Procedure, 1908, respectively, shall apply.

9. Discontinuance of inquiry. — (1) The Lokayukta may, in their discretion, at any time, after the commencement of any inquiry under the Act, order discontinuance of further inquiry of any complaint involving an allegation or refuse to inquire or cease to inquire any complaint, if in his opinion, -

- (i) there are no sufficient grounds for inquiring or as the case may be, for- continuing the inquiry;
- (ii) other remedies are available to the complainant and in the circumstance of the case, it would be more proper for the complainant to avail of such remedies; or
- (iii) there exists no other reason to continue the inquiry.

(2) In any case where the Lokayukta decides to discontinue any inquiry in respect of a complaint, it shall record the reasons therefor and communicate the same to the complainant and the public functionary concerned.

10. Transmission of letter of request by the Special Court.— On an application made to the Special Court by an officer of the Lokayukta authorized in this behalf under sub-section (1) of Section 36 that any evidence is required in connection with the preliminary inquiry or investigation into an offence, the Special Court being satisfied that such evidence is required for the purpose, It may issue a letter of request in the format specified in Form - C to a Court or an Authority in the contracting State competent to deal with such request by registered post or by such courier service as may be approved by the Chairperson or by Fax message or by electronic mail service or by any other means as may be decided by the Chairperson.

11. Payment of Interest on failure to return assets etc.— If, the assets, proceeds, receipts and benefits confiscated under sub-section (1) of Section 31 cannot be returned to the public servant, after modification or annulment of the order of confiscation or upon his acquittal, he shall be paid the price thereof including the money so confiscated with an interest at the rate of five percent per annum thereof calculated from the date of such confiscation.

12. Manner of forwarding the attachment order. — Where any property is attached under sub-section (1) of Section 29, a copy of the order of attachment and documents relating to such attachment shall be forwarded to the concerned Special Court in a sealed envelope through a Special Messenger duly authorized by the Lokayukta or the Investigating Officer, as the case may be.

B. The Odisha Lokayukta (General) Regulations, 2019

Chapter I

(Preliminary)

1. Short title and commencement. - (1) These regulations may be called the Odisha Lokayukta (General) Regulations, 2019.

(2) They shall come into force on the date of their publication in the Odisha Gazette.

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

(a) "Act" means the Odisha Lokayukta Act, 2014 (Odisha Act 12 of 2018);

(b) "rules" means the rules made under the Act;

(c) "Secretary" means the Secretary of the Lokayukta appointed under sub-section (1) of section 10; and

(d) "section" means the section of the Act.

(2) All other words and expressions used hereinafter, but not defined herein, shall have the same meaning as respectively assigned to them in the Act.

Chapter II

(Conduct of Business)

1. Date and place of hearing to be notified. - The Secretary or any other officer authorized by the Chairperson shall notify the parties of the date and the place of hearing of the complaint.

2. Sitting of the Lokayukta. - The Lokayukta shall ordinarily hold it sitting at Bhubaneswar.

3. Working and sitting hours of the Lokayukta. -

(1) except on non-working Saturdays, Sundays and other public holidays, the office of the Lokayukta shall, subject to any order made by the Lokayukta, remain open from 10:00 A.M. to 05:30 P.M. with half an hour lunch break from 1.30 P.M to 02.00 P.M.

(2) The sitting hours of the Lokayukta shall ordinarily be from 11:00 A.M to 01:15 P.M. and 02:00 P.M. to 03:30 P.M., subject to any order made by the Chairperson.

6. Action on complaint of complainants. - (1) Where, on the date fixed for hearing of the complaint or on any other date to which such hearing may be adjourned, the complainant does not appear when the complaint is called on for hearing, the Lokayukta may, in its discretion, either dismiss the complaint for default or hear and decide it on merit or pass such other order as it may deem fit.

(2) Where complaint has been dismissed for default and the complainant appears afterward within thirty days from the date of dismissal and satisfies the Lokayukta that there was sufficient cause for his non-appearance when the complaint was called on for hearing, the Lokayukta shall make an order setting aside the order of dismissal of the complaint and restore the same.

7. Hearing on complaint ex-parte. - (1) Where on the date fixed for hearing of the complaint or on any other date to which such hearing may be adjourned, the complainant appears and the public servant or the person or institution (hereinafter referred as the respondent) does not appear when the complaint is

called for hearing, the Lokayukta may, in its discretion, adjourn or hear and decide the complaint ex-parte. (2) Where the complaint has been heard ex-parte against a respondent or respondents such respondent or respondents may apply within thirty days from the date of ex-parte order to the Lokayukta for an order to set it aside and if such respondent or respondents satisfy the Lokayukta that the notice was not duly served or that he or they were prevented by any sufficient cause from appearing when the complaint was called for hearing, the Lokayukta may make an order setting aside the ex-parte order as against him or them upon such terms as it may think fit, and shall appoint a day for proceeding with the complaint:

Provided that where the ex-parte hearing of the complaint is of such nature that it cannot be set aside as against one respondent only, it may be set aside as against all or any of the other respondents also.

Adjourned of hearing. - The Lokayukta may, adjourn the hearing of the complaint at any stage of the proceeding on such terms as it may deem fit: Provided that no adjournment shall normally be granted for more than three times to a party during the proceeding before the Lokayukta.

Provided further that no such adjournment shall be allowed merely for asking by a party.

Communication of the order to the Parties. - Every final order passed on a complaint shall be communicated to the complainant and respondent and to the competent authority concerned either in person or by registered post free of cost under the seal and signature of the Secretary.

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

Powers and duties of the Secretary. - (1) The Secretary shall have the custody of the records of the Lokayukta and shall exercise such other functions as are assigned to him by the Chairperson.

(2) Without prejudice to the provisions of sub-regulation (1), the Secretary shall have the following powers and duties, namely: -

to receive all complaints and other documents;

to decide all questions arising out of the scrutiny of the complaints after they are registered;

to require any complaint presented to the Lokayukta to be amended for compliance of any provision of the Act or rules;

subject to the direction of the respective Benches, to fix the date of hearing and to issue notices therefor;

to order grant of copies of documents to the parties to the proceedings;

to grant leave to inspect the records of the Lokayukta;

to dispose of all matters relating to the service of notices or other processes, applications for the issue of fresh notices and for extending the time for filling such applications and to grant time not exceeding thirty days for filing a reply or rejoinder, if any, and to place the matter before the Bench for appropriate orders after the expiry of the aforesaid period; and

to receive and dispose of applications by the parties for return of documents.

- (3) The official seal shall be kept in the custody of the Secretary.
- (4) Subject to any general or special direction by the Chairperson, the seal of the Lokayukta shall not be affixed to any order, summons or other process save under the authority in writing of the Secretary.
- (5) The seal of the Lokayukta shall not be affixed to any certified copy issued by the Lokayukta save under the authority in writing of the Secretary.

Maintenance and Preservation of Records. - (1) All records relating to complaints in which the Lokayukta decides under sub-section (8) of section 20 for filing of charge sheet or initiation of departmental proceedings, shall be classified as Class-I (A) and shall be preserved in the record room permanently.

(2) The records relating to complaint in which the Lokayukta decides to file closure report under sub-section (8) of section 20, shall be classified as Class-I (B) and shall be preserved for three years.

(3) The Record Keeper shall be responsible for the records consigned to the record Room and shall scrutinize the records received by him within three days and prepare an index.

(4) if on scrutiny, any deficiency is found in the records, the Record Keeper shall return the records back to the concerned Branch or Section.

13. Inspection of records of proceedings and supply of certified copies Records of every proceeding, except those parts which, for reasons to be specified by the Lokayukta, are considered to be confidential or privileged or otherwise not to be disclosed to any person, shall be open to inspection either during the proceeding or after the orders have been passed, subject to such person complying with such terms and conditions as the Lokayukta may direct, from time to time, including in regard to time, place and manner of inspection and payment of fees.

Any person may be entitled to obtain certified copies of the orders, decisions and directions given by the Lokayukta as well as the pleadings, papers and other parts of the records of the Lokayukta to which he is entitled to inspect on payment of fee and complying with other terms and conditions which the Lokayukta may direct.

Fee for inspection of records and issue of certified copy. - (1) A fee of fifty rupees per day for a duration not exceeding three hours shall be payable for inspection of complaint records as permissible under these regulations.

A fee of twenty rupees per page shall be payable for issue of certified copies of the documents forming part of the complaint records.

Mode of payment of fees. - All fees payable under these regulations shall be remitted by the applicant in the form of Court fee Stamps affixed to such application.

Seal and emblem. - The official seal and emblem of the Lokayukta shall be such as the Lokayukta may specify.

Chapter III

(Manner of Preliminary inquiry and Investigation)

Manner of conducting Preliminary inquiry. - (1) Where the Lokayukta makes order for holding preliminary

inquiry against the public servant under clause (a) of sub-section (1) of section 20 either by its Inquiry wing or by any agency as may be entrusted by the Lokayukta, such Inquiry wing or agency so appointed shall collect the materials, information's and documents filed by the complainant.

(2) After receipt of the material, information and documents as referred to in sub- regulation (1), the Inquiry wing or agency so appointed shall issue notice by registered post specifying the date, time, place and the purpose of such inquiry seeking comments on the allegations made in the complaint from the public servant concerned and the Competent Authority and after obtaining the comments from the concerned public servant and Competent Authority, shall submit the report to Lokayukta within the time stipulated in the Act.

(3) The Inquiry wing or agency shall complete the inquiry and submit its report to the Lokayukta in terms of reference made to it by the Lokayukta.

18. Manner of conducting investigation. - **(1)** Where the Lokayukta makes an order for conducting investigation against public servant under clause (b) of sub-section (1) of section 20 of the Act by any investigation agency or the authority, the investigating agency or authority so empowered shall collect the materials, information and documents filed by the complainant and also the inquiry report, if any.

(2) The investigating agency or the authority, after receipt of the order from the Lokayukta for investigation into the complaint, shall as far as practicable, follow the procedure relating to commission of cognizable offence under Chapter XII of the Code of Criminal Procedure, 1973 and subject to the orders of the Lokayukta under section 26 of the Act, the investigating agency or the authority shall have power to search and seize any document relevant to the proceeding under the Act and for the purpose of search and seizure, the provisions of the Code of Criminal Procedure, 1973 relating to search and seizure shall, so far as may be, apply to search and seizure made under the Act.

(3) The investigating agency or the authority, after completion of the investigation, shall submit the report to the Lokayukta.

Chapter IV

Miscellaneous

19.Appointment of Authorized Officer. - For the purpose of retaining the documents seized under sub-section (1) of section 26 of the Act, the Lokayukta may, by special order, authorized any of its officer to retain such documents in his custody.

20.Return of Documents.- Any person from whom documents have been seized under section 26 of the Act, desirous of receiving back any such document, may apply to the Lokayukta for its return and the Authorized Officer in whose custody the seized documents are to be kept, on the order of the Lokayukta, before returning such documents, shall make copies of such documents and obtain Signature of the person from whom such documents have been seized and after examining and comparing the copies with the original, certify it to be correct and get authenticated by the Secretary.

21.Display of Status of complaint etc. In Website. - **(1)** For the purpose of information to the public, the

status and number of complaints pending before the Lokayukta and the number of complaints disposed of by it shall be displayed through a Website of Lokayukta (Lokayukta.Odisha.gov.in) in the State Data Centre (SDC); with Cyber Security in accordance with the Guidelines of Indian Government Website (GIGW) Audit and Compliance as may be issued by the Government of India, From time to time.

(2) The Design input and Format for uploading the status of the complaints referred to in sub-regulation (1), in the Lokayukta Portal shall be such as may be decided by the Chairperson, from time to time.

(3) The Secretary or such other officer as may be authorized by the Chairperson shall supervise the work of uploading of the information relating to status of complaint in the Lokayukta Portal on a day-to-day basis.

22.Suits by or against the Lokayukta. - The Lokayukta may sue or be sued by the name of Odisha Lokayukta and the Secretary to the Lokayukta shall represent in such suits or legal proceedings.

23.Fees Payable to legal Practitioners. - **(1)** For the purpose of providing legal assistance to any person as per section 54 of the Act, the Lokayukta shall prepare for a period of three years a panel of legal practitioners: Provided that no legal practitioners shall be eligible to be empanelled under this Regulation unless he or she has active practice experience of minimum of five years to be certified by the District Judge.

(2) The legal practitioner shall be paid of Rs.1,000.00 per appearance for effective hearing and Rs. 750.00 for non-effective hearing subject to maximum of Rs. 7,500.00 per case.

C. The Odisha Lokayukta (Financial & Administrative Power) Rules, 2019

1. Short title and commencement. — (1) These rules may be called the Odisha Lokayukta (Financial and Administrative Power) Rules, 2019.

(2) They shall come into force on the date of their publication in the *Odisha Gazette*.

2. Definitions. — (1) In these rules, unless the context otherwise requires. —

“Act” means the Odisha Lokayukta Act, 2014 (Odisha Act 12 of 2018);

Form” means a Form appended to these rules; and

“section” means a section of the Act.

(2) All other words and expressions used but not defined in these rules shall have the meaning, respectively, assigned to them in the Act.

3. Budget Estimates of the Lokayukta. — (1) The Budget Estimates of the Lokayukta for every financial year shall be prepared in form ‘A’ showing the receipt and expenditure of the Lokayukta and after due approval of such Budget Estimates by the Lokayukta, the same shall be forwarded to the State Government.

(2) The Budget Estimates as approved by the Lokayukta shall be submitted to the State Government normally by the 15th of November but in no case later than the end of December for each year:

Provided that the State Government may, on the request of the Lokayukta, extend the date of submission of Budget Estimate by such period as the Government as it may think fit.

(3) Without prejudice to the provisions of sub-rule (1), the Budget Estimate shall be prepared and forwarded to the State Government in accordance with the instructions and circulars issued by the Finance Department, from time to time.

(4) If during any financial year, for any reasons, substantial modification of Budget Estimate as finally approved by the State Government is likely to be involved, the Lokayukta shall submit for approval of the State Government supplementary estimate in such form and on such date as the State Government may, from time to time, direct.

4. Applicability of the Financial Rules and Administrative Rules, etc.— (1) The provisions of the Delegation of the Financial Power Rules, 1978, the Odisha General Financial Rules, 1959, the General Provident Fund (Odisha) Rules, 1938, the Odisha Travelling Allowance Rules, 1938, Odisha Budget Manual, the Odisha Records Manual, 1964 and the Odisha Treasury Code and Administrative Rules, as amended, from time to time, shall apply *mutatis mutandis* to the establishment of the Lokayukta and the powers shall be exercised in accordance with the provisions of section 34.

Explanation. — (1) For the purpose of this rules, the expression “Administrative rules” means the Odisha Service Code, 1936, the Odisha Civil Service (Classification, Control and Appeal) Rules, 1962 and the Odisha Government Servants’ Conduct Rules, 1959, any other rules as applicable to State Government employees from time to time.

(2) The Lokayukta shall have the same powers as are conferred on Heads of Departments under the rules and manual referred to in sub-rule (1).

5. Maintenance of Accounts. — (1) The Secretary or any officer of the Lokayukta as may be authorized by the Chairperson, shall maintain proper accounts, Books of accounts, Vouchers, other documents and papers of the Lokayukta regularly in accordance with the rules, instructions and circulars issued by the State Government from time to time in consultation with the Accountant General, Odisha.

6. Annual Statement of Accounts. — (1) The annual statement of accounts of Lokayukta shall be prepared every financial year by the Secretary or such other officer of Lokayukta as may be authorized by the Chairperson.

(2) The annual statement of accounts shall be prepared in form 'B' and shall be forwarded by the Secretary duly approved by the Chairperson to the State Government along with the audit report duly certified by the Accountant General.

7. Furnishing of Annual return. — The Lokayukta shall furnish a return in Form 'C' in each Financial year so as to reach the State Government not later than fifteen days of the February of the Financial year which it relates along with the statement or such other particulars as the State Government may require.

FORM-A

(See rule 3)

Budget

Estimates

PART-A

Receipt	Previous Year Actual	Current Year Budget Estimate	Current Year Revised Estimate	Next Year Budget Estimate
(1)	(2)	(3)	(4)	(5)

(A) Grant

- (i) From the State Govt.:
- (ii) Other sources:
(to be specified, if any)

(B) Receipt on Accounts

- (i) Interest on investment
- (ii) Interest on advance to employees
- (iii) Interest on cash at Bank.

(C) Other receipts:

- (i) Fee, if any charged by the Lokayukta
- (ii) Miscellaneous receipts (to be specified)

PART-B

Expenditure (1)	Previous Year Actual (2)	Current Year Budget Estimate (3)	Current Year Revised Estimate (4)	Next Year Budget Estimate (5)
(A) Establishment Charges:				
(i) Salaries (Chairperson and Members of the Lokayukta).				
(ii) Salaries (Officers and other employees)				
(iii) Payment for professional and other services				
(iv) Travel expenses (to be specified)				
(v) Medical expenses				
(vi) Other establishment charges				
(B) Administrative and other expenses:				
(i) Seminar/Conference charges				
(ii) Telephone & Fax expenses.				
(iii) Rent/Rates and Taxes				
(iv) Library, Journals and periodical expenses.				
(v) Postage and process expenses				

- (vi) Stationery and printing expenses
 - (vii) Water and Electricity charges
 - (viii) Publication
 - (ix) Repair and Maintenance (Machinery and equipments)
 - (x) Furniture and Fixture.
 - (xi) Vehicle
 - (xii) Petrol and Lubricant
 - (xiii) Audit and Legal charges
 - (xiv) Other miscellaneous charges
- (C) Provident Fund and other contributions
- (i) Pension, Gratuity and commuted value of pension
 - (ii) Contribution to C.P.F.
 - (iii) Insurance Scheme (to be specified)
 - (iv) Interest on C.P.F
 - (v) Interest on G.P.F
 - (vi) G.I.S
 - (vii) Leave salary and pension contribution
 - (viii) Surrender leave salary, if any.

Form-B

(See rule 6)

Annual Statement of Accounts

Receipt	Programme Expenditure	Administrative Expenditure	Total amount (Rupees)	Payment	Programme Expenditure	Administrative Expenditure	Total amount
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
A. Opening Balance (i) Cash in hand (ii) Cash in Bank B. Grants from the Government. (i) Recurring (ii) Non-Recurring C. Grants from other sources. (i) Recurring (ii) Non-Recurring				1. Recurring A. Establishment charges (i) Salaries (Chairperson and Members) (ii) Salaries (officers and employees) (iii) Payment for professional and other services (iv) Travel expenses (v) Medical and Health care facilities (vi) Other establishment charges.			

<p>D. Receipt of Commission Recurring.</p> <ul style="list-style-type: none"> (i) Fees charged by the Commission (ii) Contribution of medical and health care benefit 		<p>B. Administrative and other expenses.</p> <ul style="list-style-type: none"> (i) Seminar Conference Charges. (ii) Telephone & Fax expenses
<ul style="list-style-type: none"> (iii) Miscellaneous Receipts <p>E. Recovery of advance to staff.</p> <ul style="list-style-type: none"> (i) House Building Advance. (ii) Motor Car/ Scooter/ Motor cycle Advance. (iii) Personal Computer Advance. (iv) Other advances (to be specified) <p>F. Recovery of Contingent Advance</p> <ul style="list-style-type: none"> (i) Advance to suppliers (ii) Other advances (to be specified) <p>G. Other deposits</p> <ul style="list-style-type: none"> (i) Security deposits (ii) Earnest money deposits 		<ul style="list-style-type: none"> (iii) Rent, Rates and Taxes (iv) Newspaper/ periodicals (v) Postage (vi) Liveries (vii) Stationery (viii) Printing (ix) publication (x) Water and Electricity charges (xi) Repair and maintenance (xii) Petrol & Lubricant (xiii) Hospitality expenses (xiv) Audit fees (xv) Legal charges <p>C. Advance to staff</p> <ul style="list-style-type: none"> (i) House Building (ii) Motor car/Scooter/ Motor Cycle/ Computer Advance (iii) Personal Computer Advance
<ul style="list-style-type: none"> (iii) Any other deposits (to be specified) <p>(H) Remittance Receipts</p> <ul style="list-style-type: none"> (i) License fee (ii) Income Tax (iii) G.S.T. 		<ul style="list-style-type: none"> (iv) Other advances (to be specified) <p>D. Contingent Advances.</p> <ul style="list-style-type: none"> (i) advance to suppliers

<p>(iv) OVAT (v) G.I.S.</p> <p>Non-recurring (to be specified)</p>		<p>(ii) Other Advances (to be specified)</p> <p>E. Deposits (i) Security Deposit (ii) Earnest money Deposit</p> <p>F. Other Advances (i) License Fee (ii) Income Tax</p> <p>(iii) G.S.T (iv) OVAT (v) GIS</p> <p>G. Contribution- (i) Pension Gratuity (ii) Other contribution (to be specified)</p> <p>2. Non-recurring (i) Land (ii) Buildings (iii) Furniture, Fixtures (iv) Machinery & equipment (v) Motor vehicle (vi) Books & Publication</p>	
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Form –C*(See rule 7)*

Annual Return for the Financial year, 2020

1. Review of receipt and expenditure :
2. Audit report, if any :
3. Fees paid for different matters :
4. Loss on write-off of assets :
5. Matter relating to Pension :
6. Matter relating to Insurance :
7. Provident Fund :
8. Travelling Expenses:
9. Conveyance :
10. Different allowances and facilities provided to the Chairman, Members,
:Officers and employees of the Lokayukta.

(Secretary)

Lokayukta, Odisha

D. The Odisha Lokayukta (Appointment & Conditions of Service of Secretary, Officers & Staff) Regulations, 2020

1. Short title and commencement. - (1) These regulations may be called the Odisha Lokayukta (Appointment and Conditions of Service of Secretary, Officers and Staff) Regulations, 2020.

(2) It will come into force from the date of its publication in the Odisha Gazette.

2. Definitions. - (1) In these regulations, unless the context otherwise requires, -

- a) "Act" means the Odisha Lokayukta Act, 2014 (Odisha Act. 12 of 2018);
- b) "Chairperson" means the chairperson of the Lokayukta;
- c) "Committee" means committee constituted under sub-regulation (1) of regulation 11 or sub-regulation (1) of regulation 13, as the case may be;
- d) "Existing employees" means the employees who were appointed under the erstwhile Lokpal and continuing prior to commencement of the Act;
- e) "Ex-servicemen" means persons as defined in the Odisha Ex-servicemen (Recruitment to State Civil Services and Posts) Rules, 1985;
- f) "Government" means the Government of Odisha;
- g) "Persons with Disabilities" means persons who have been granted with certificate of disability issued by a certifying authority issued under the provisions of the Rights of Persons with Disabilities Act, 2016 (49 of 2016);
- h) "Section" means the section of the Act;
- i) "Schedules Castes and Schedule Tribes" shall have the same meaning as are assigned to them by clauses (24) and (25) of Article 366 of the Constitution of India;
- j) "Schedule" means Schedule appended to these regulations;
- k) "SEBC" means Socially and Educationally Backward Classes citizens other than Scheduled Castes and Schedules Tribes as defined in clause (a) of Section 2 of the Odisha State Commission for Backward Classes Act, 1993;
- l) "Service" means service constituted under regulation 3; and
- m) "Sportsmen" means persons who have been issued with identity card as Sportsmen by the Director, sports as per Resolution No. 24808/Gen., dated the 18th November, 1985 of the General Administration Department.

(2) All other words and expressions used in these regulations but not defined shall have the same meaning as respectively assigned to them in the Act.

3. Constitutions of Service. - (1) The service shall consist of Secretary and such posts and grades in different cadres as specified in column (2) of Schedule I and such other post or posts as may be decided by the Lokayukta in consultation with the State Government.

(2) Notwithstanding anything contained in these regulations, the existing employees who were appointed prior to the commencement of these regulations under the erstwhile Lokpal established under the Odisha

Lokpal and Lokayukta Act., 1995 so repealed by the Act. and continuing as such shall be deemed to have been appointed in their respective posts in the service from the date of commencement of the Act.

4. Secretary. - (1) The Secretary to the Lokayukta shall be appointed by the Chairperson from a panel of names sent by the State Government from among the officers who is or has been in the rank of Secretary to Government of a Department or District Judge in the State:

Provided that where it is decided to appoint an officer in the cadre of District Judge belonging to Odisha Superior Judicial Service, the said officer shall be either in the pay matrix of Super time Scale or Selection Grade Scale.

(2) The pay, allowance, leave, joining time and age of superannuation and other conditions of service of the Secretary shall be regulated in accordance with such rules and instructions as are, from, time to time, applicable to the officers of the parent cadre to which he belongs.

(3) Where a retired officer in the rank of Secretary to Government or District Judge is appointed as Secretary to Lokayukta, he shall be entitled to, -

(a) salary at the rate of last pay drawn minus pension, if any, with dearness allowance as admissible on such last pay as admissible from time to time;

(b) a Government accommodation or house rent allowance, in lieu thereof as admissible on such last pay drawn:

Provided that if the officer has refused to accept the Government, accommodation offered to him, he shall not be entitled to house rent allowance;

(c) a vehicle:

Provided that in case no vehicle is provided to the Secretary, he shall be given 75 liters of petrol/diesel or equivalent cost thereof per month;

(d) Leave as admissible to a State Government employee on re-employment;

and

(e) T.A. and D.A. as admissible to a Group- 'A' officer of the State Government.

(4) Where a retired officer is appointed as Secretary, he shall hold office, initially, for a term of three years which may be extended for a further period of two years with a term of one year each, subject to satisfactory performance, up to total period of five years or the sixty-five years of age, whichever is earlier:

Provided that the appointment of the Secretary may be terminated by serving one month notice on him by the Chairperson;

Provided further that the Secretary may resign by giving one month notice to the Chairperson. Government Servants Conduct Rules, 1959 and the disciplinary Rules as applicable to his parent cadre.

(5) The retired officer, on his appointment as Secretary shall be governed by the provisions of the Odisha Government Servants Conduct Rules, 1959 and the disciplinary Rules as applicable to his parent cadre.

5. Director of Inquiry and Director of Prosecution. - (1) The Director of Inquiry and the Director of Prosecution shall be appointed by the Chairperson from a panel of names sent by the State Government from among the officers who is in the rank of Additional Secretary to Government or District Judge or equivalent.

(2) The pay, allowance, leave, joining time and age of superannuation and other conditions of service of the Director of Inquiry and Director of Prosecution shall be regulated in accordance with such rules and instructions as are, from time to time, applicable to the officers of the parent cadre to which they belong.

6. Deployment posts. -(1) The posts specified Schedule II shall be filled up on deployment basis from the respective cadres as specified in column (3) thereof.

(2) The pay, allowances and other conditions of service of the officers shall be regulated in accordance with such rules and instructions as are, from time to time, applicable to the officers of the parent cadre to which they belong.

7. Method of Recruitment. -(1) Subject to other provisions made in these Regulations, appointment to different posts in the service at serial Nos. 1,4,6,7,8,11 and 12 of schedule I shall be made by the way of direct recruitment as provided under regulation 11.

(2) The posts at serial Nos.2, 3, 5, 9 and 10 of Schedule I shall be filled up by way of promotion as provided under regulation 12.

8. Minimum Educational qualification. - The Educational qualification for different posts in the service shall be as indicated below: -

(a) In order to eligible for the post of Jr. Driver, a candidate must have passed Higher Secondary School Certificate Examination (10+2) or any equivalent examination from any recognized School, Board or Council having valid driving license authorized to drive light motor vehicle basic knowledge in motor mechanism.

(b) In order to eligible for the post of Librarian, a candidate must have possessed a degree in Library Science or equivalent qualification from a recognized university and having basis knowledge in computer application.

(c) In order be eligible for the post of Data Entry Operator, a candidate must be graduate in any discipline having adequate knowledge in computer application, well versed in the operation of MS-Word, MS-Excel and MS-Power Point (additional) and must have a good typing skill (speed) in a computer.

(d) In order to be eligible for the post of Receptionist, a candidate must be a graduate in any discipline having adequate knowledge in computer application and having good communication skill; and

(e) In order to be eligible for the post of Peon of Chowkidar-cum-Night Watchman, a candidate must have passed at least the Middle School (Class-VII) Examination.

9. Other eligibility criteria for direct recruitment. - (1) Save as provided in these Regulations, a candidate in order to be eligible for direct recruitment must, -

- (a) be a citizen of India;
- (b) bearing a good moral Character;
- (c) not have more than one spouse living, if married:

Provided that the Lokayukta may, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and that there are other grounds for doing so, exempt such person from the operation of this regulation;

- (d) not have been involved or sent up or convicted in any crime;
- (e) be of good mental condition and physical health and free from any physical defect likely to interfere with the discharge of his duties in the service:

Provided that a candidate, who after such medical examination as the Government may prescribe, is not found to satisfy these requirements shall not be appointed to the service;

(f) be able to speak, read and write Odia and has, -

(i) Passed M.E. Examination with Odia as language subject; or

(ii) Passed Matriculation or equivalent examination with Odia as the medium of Examination in non-language subject; or

(iii) Passed in Odia as language subject in the final examination of Class VII or above; or

(iv) passed a test in Odia M.E. School standard conducted by the School & Mass Education Department; and

(g) not be less than twenty-one years and more than thirty-two years of age on the date of application:

Provided that in case of recruitment to Group- 'D' post, a candidate shall not be less than eighteen years of age:

Provided further that the upper age limit in respect of reserved category candidate referred to in regulation 10 shall be relaxed in accordance with the provisions of the Act, Rules, Orders or Instructions made by the Government for the time being in force, for their respective categories.

10. Reservation. - Notwithstanding anything contained in these regulations, reservation of vacancies or posts, as the case may be, for-

(a) Scheduled Caste and Scheduled Tribes shall be made in accordance with the provisions of the Odisha Reservation of Vacancies in Posts and Services (for Scheduled Castes and Scheduled Tribes) Act, 1975 and the rules made thereunder; and

(b) SEBC, women, sportsmen, Ex-servicemen and Persons with Disabilities shall be made in accordance with the provisions made under such Act, rules, orders or instructions issued in this behalf by the Government from time to time.

11. Procedure for Direct recruitment. - (1) The Chairperson shall constitute a committee consisting of not less than three members for the purpose of conducting direct recruitment to the posts in the service as indicated in sub-regulation (1) of regulation 7.

(2) The subject pattern and the scheme of examination for the posts to be filled up by direct recruitment shall be as decided and published by the committee constituted under sub-regulation (1).

(3) The vacancies shall be advertised at least in two widely circulated Odia Dailies inviting applications of the candidates for the purpose of holding recruitment examination.

(4) After holding the recruitment examination, the Committee shall prepare a merit list of candidates, who are successful in such examination and place the same before the Chairperson for approval.

(5) The list after being approved by the Chairperson under sub-regulation (4) shall form the final select list and shall ordinarily be in force for a period of one year from the date of its approval by the Chairperson or until another select list is prepared afresh whichever is earlier.

(6) Appointment to different posts in the service shall be made by the Chairperson or such Member or officer of Lokayukta as the Chairperson may direct.

(7) The pay and allowances of the persons appointed under sub-regulation (6) shall be at par with their counterparts in the State Government.

12. Promotion. - (1) The post of Senior Grade Diarist shall be filled up by way of promotion from amongst the persons holding the post of Junior Grade Diarist on the basis of the principle of merit and suitability with due regard to seniority.

(2) The post of Junior Grade Diarist shall be filled up by way of promotion from amongst the persons holding the post of Record Supplier and Zamadar at least for a period of three years carrying pay in Level-3 in the Pay Matrix.

(3) The post of Record Supplier and Zamadar shall be filled up by way of promotion from amongst the persons holding the post of Peon or Chowkidar-cum-Night Watchman at least for a period of eight Years.

(4) The posts of Senior Driver shall be filled up by way of promotion from amongst the persons holding the post of Junior Driver at least for a period of nine years.

13. Constitution of Committee for consideration of the case of Promotion. -

(1) The Committee constituted under sub-regulation (1) of regulation 11 may consider the case of promotion, if so, directed by the Chairperson or by a committee specifically constituted by the Chairperson for the purpose.

(2) The Committee while considering the promotion cases of the eligible employees and preparing the select list shall follow the provisions of-

(a) The Odisha Reservation of Vacancies in Posts and Services (for Scheduled Castes and Scheduled Tribes) Act, 1975 and the rules made thereunder;

(b) The Odisha Civil Services (Zone of consideration for Promotion) Rules, 1988;

(c) The Odisha Civil Services (Criteria for Promotion) Rules, 1992;

(d) The Odisha Civil Services (Criteria for Selection for Appointment including Promotion) Rules, 2003; and

(e) The Rights of persons with Disabilities Act, 2016.

(3) The Committee constituted under sub-regulation (1) shall, after considering the cases of all eligible candidates, prepare a list of candidates who, in its opinion are suitable and recommend them for appointment on promotion to the next higher grade and the list so prepared shall be submitted to the Chairperson for approval.

(4) The list after being approved by the Chairperson shall form the select list and shall ordinarily be in force for a period of one year from the date of its approval by the Chairperson or until another select list is prepared afresh whichever is earlier.

14. Conduct and Discipline. - In the matter of conduct, discipline and imposition of penalties, the provisions of the OCS (CC&A) Rules, 1962, Odisha Government Servants Conduct Rules, 1959 and instructions issued by the State Government, from time to time, shall apply;

Provided that the persons appointed under regulations 4 and 5 and deployed under regulation 6 shall be governed as per the provisions of the Rules governing conduct and discipline, as applicable to their parent cadre.

15. Applicability other rules. - The provisions in respect of leave, travelling allowance, joining time, medical facilities, fees, house rent allowance, dearness allowance, fixation of pay, grant of increment, age of superannuation and other matters as contained in the rules applicable to the Government employees shall mutatis mutandis apply to the employees of the Lokayukta.

16. Probation and Confirmation. - (1) Every person appointed to any post in the service by direct recruitment shall be on probation for a period of two years and when appointed on promotion shall be on probation for a period of one year from the date of joining the post:

Provided that the Lokayukta may if it thinks fit, in any case or class of cases extend the period of probation but in no case, it shall exceed more than one year:

Provided further that such period of probation shall not include-

Extraordinary leave;

Period of unauthorized absence; or

Any other period held to be not being on actual duty.

(2) The appointment of a probationer may, for good and sufficient reasons to be recorded in writing, be terminated by the Chairperson at any time without previous notice during the period of probation including extended period, if any, in case of a direct recruit and in case of promote, the employee shall be deemed to have been reverted to his former cadre or post.

(3) The period of probation shall be counted from the date of joining the post by the person on his appointment:

Provided that the whole or any part of the period during which a person has previously held continuous officiating or temporary appointment in a post included in the cadre of the service may be allowed by the Chairperson to count towards the period of probation prescribed under these regulations.

(4) An officer shall be confirmed in the service, if the Chairperson finds him suitable in every respect for permanent appointment in the service after satisfactory completion of the probation period subject to availability of a permanent post and the period of probation shall be counted towards annual increment.

17. Inter se-Seniority. - The inter se-seniority of the employees promoted to any grade in the service, after commencement of these regulation in a particular year, shall be in the order in which their names appear in the merit list prepared under sub-regulation (4) of regulation 13 and the inter-se-seniority of the direct recruits shall be fixed as per the order in the merit list drawn under sub-regulation (5) of regulation 11.

18. Other conditions of Service. - The other conditions of service of the officers and employees recruited to the service not covered by the provisions of the Act. and these regulations shall be the same as provided in the existing State Government Rules and Instructions issued, from time to time:

Provided that the other conditions of service of the officers appointed under regulations 4 and 5 and deployed under regulation 6 to the service not covered by the provision of the Act. and these regulations shall be governed as per the provisions of the Rules governing the same in their parent cadre.

19. Relaxation. - Where the Government is of the opinion that it is necessary or expedient to do so in the public interest, it may, by order, for reasons to be recorded in writing, relax any of the provisions of these regulation in respect of any class or category of person.

20. Interpretation. - if any question arises relating to the interpretation of any of the provisions of these regulations, it shall be referred to the Government, whose decision thereon shall be final.

Schedule-I

[See regulation 3 (1)]

Sl.No.	Name of the Posts
(1)	(2)
1	Junior Grade Stenographer
2	Junior Grade Diarist
3	Senior Grade Diarist
4	Junior Driver
5	Senior Driver
6	Librarian
7	Data Entry Operator
8	Receptionist
9	Record Supplier
10	Zamadar
11	Peon
12	Chowkidar-cum-Night Watchman

Schedule-II

[See regulation 6(1)]

Sl.No.	Name of the Posts	Cadre from which the appointment will be made.
(1)	(2)	(3)
1	Additional Secretary	OAS
2	Finance Officer (in the rank of Joint Secretary)	OFS
3	Deputy Director Prosecution (in the Senior Civil Judge rank)	OJS
4	Establishment Officer (in the rank of Deputy Secretary)	OAS
5	Deputy Director, Inquiry	OAS
6	Deputy Director, Finance	OFS
7	Deputy Director, Engineering	In the rank of Executive Engineer, Works Deptt.
8	Deputy Director, Forest	In the rank of Divisional Forest Officer
9	Public Prosecutor	DPP
10	Under Secretary	OSS
11	Deputy Superintendent of Police	OPS
12	Senior Private Secretary	Secretariat Steno Cadre
13	Private Secretary/ Personal Assistant	-DO-
14	Senior Steno/ Junior Steno	
15	Court Master/ Section Officer (in the rank of section officer)	OSS
16	Inspector of Police	Inspector of Police
17	Sub-Inspector of Police	Sub-Inspector of Police
18	Assistant Section Officer/ Assistant to Court Section (in the rank of A.S.O.)	OSS

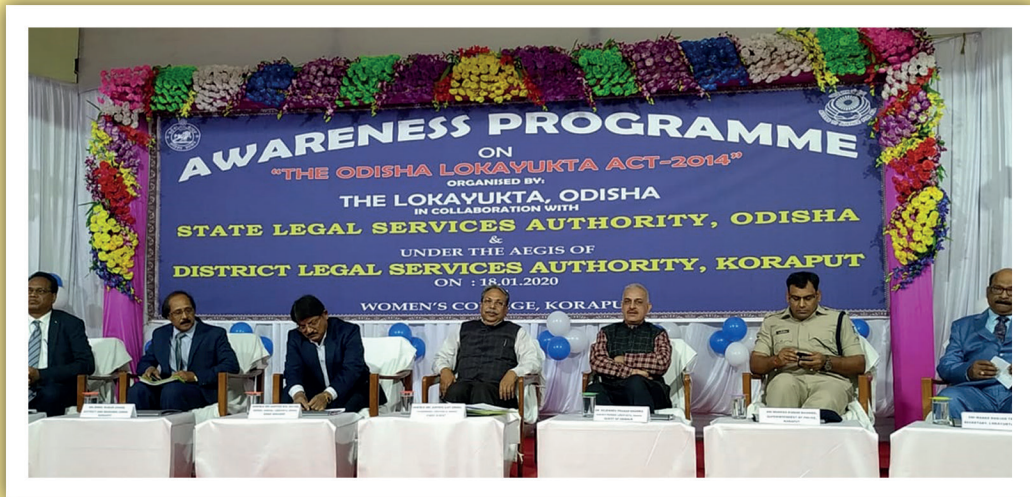
7. SOME SUGGESTIONS FOR IMPROVEMENT

For further strengthening the Lokayukta, the State Government may consider empowering it with the powers of Contempt of Courts Act, 1971 by making suitable amendment in the Odisha Lokayukta Act, 2014.

The Madhya Pradesh Lokayukta Evam Up-Lokayukta Adhiniyam, 1981 vide section 11 (3) has clarified that the Lokayukta shall be deemed to be court within the meaning of Contempt of Court Act, 1971. Likewise, Karnataka Lokayukta Act, 1984 vide section 17 A has conferred Lokayukta with the jurisdiction, power and authority in respect of contempt of itself as a High Court has.

In addition, the Act may be amended so as to make Specific provision for treating wilful disobedience of any process, order or direction of the Lokayukta as a serious misconduct on the part of an official entailing departmental action/disciplinary proceeding on the recommendation of the Lokayukta.

2. For effectively defending the orders passed by the Lokayukta, before the Hon'ble High Court, the State Government may consider empowering the Lokayukta to appoint senior advocates as and when situation may arise and for this purpose appropriate provision be made in the budget.



Awareness Programme on "The Odisha Lokayukta Act'2014" at Koraput and Kendrapada.



Inaguration of official website of Lokayukta, Odisha on 24th June 2020

LOKAYUKTA, ODISHA
Website : www.lokayukta.odisha.gov.in
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