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General Administration and Public Grievance Department

NOTIFICATION

The 7th July, 2018

S.R.O. No.273/18— In exercise of the powers conferred by clause (b) of sub-section (2) of section 57 readwith sub-section (5) of section 4 of the Odisha Lokayukta Act, 2014 (Odisha Act 12 of 2018), the State Government do hereby makes the following rules to provide for the terms and conditions relating to the fees and allowances payable to the members of the Search Committee and the manner of drawing panel of names for consideration of the Selection Committee for appointment of Chairperson and Members of the Lokayukta, namely:—

1. Short title and commencement.— (1) These rules may be called the Odisha Lokayukta (terms of the Search Committee and conditions of appointment of members and fees and allowances payable to its Members) Rules, 2018.

(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 2018);

(b) "member" means a member of the Search Committee;

(c) "Search Committee" means the Search Committee constituted by the Selection Committee under sub-section (3) of section 4 of the Act;

(d) "Selection Committee" means the Selection Committee specified in sub-section (1) of section 4 of the Act.

(2) All other words and expressions used in these rules but not specifically defined shall, unless the context otherwise requires, have the same meaning as respectively

assigned to them in the Act.

3. Constitution of Search Committee.— (1) The Selection Committee shall constitute a Search Committee consisting of at least five persons of standing and having special knowledge and expertise in the fields and from the categories of persons specified in sub-section (3) of section 4 of the Act.

(2) The Selection Committee shall nominate one of the members as the chairperson of the Search Committee.

(3) The Principal Secretary or Special Secretary to the Government of Odisha in the General Administration and Public Grievance Department shall function as the convenor of the Search Committee.

4. Term of the Search Committee.— A member of the Search Committee, including its chairperson, shall hold office for a period of two years from the date of his appointment and shall be eligible for re-appointment:

Provided that the Selection Committee may, where it is of the view that the continuance of a Member of the Search Committee is not expedient in the public interest, may, after giving him an opportunity of being heard, remove such member before the expiry of his term.

5. Resignation of members.— A member of the Search Committee may resign his office by a letter addressed to the Chairperson of the Selection Committee.

6. Absence of members.— If a member of the Search Committee intends to be absent for a continuous period exceeding six months, he shall tender his resignation.

7. Meetings of Search Committee.— (1) The Search Committee shall hold its meetings at Bhubaneswar or at such place in Odisha as may be decided by the chairperson of the Search Committee.

(2) The notice for meeting shall be issued in such manner so as to reach the chairperson and members at least three days in advance.

8. Procedure at meetings.— (1) The chairperson of the Search Committee shall preside over the meetings of the Search Committee:

Provided that if the chairperson is not present, the members of the Search Committee may elect a person from amongst themselves present

in the meeting to preside over the meeting.

(2) In case of a difference of opinion amongst the members of the Search Committee, the matter shall be decided by the majority of the members present and voting.

(3) Each member of the Search Committee shall have one vote, and in case of equality of votes on any question to be decided by the Search Committee, the chairperson or the member presiding over the meeting shall have a casting vote.

9. Fees and travelling allowance for attendance in the meetings.— (1) A non-official member of the Search Committee shall be entitled to a sitting fee of two thousand and five hundred rupees for each day, for attending the meetings of the Search Committee.

(2) A non-official member of the Search Committee shall be entitled to Travelling Allowance and Daily Allowance as are admissible to a Secretary to the Government of Odisha for attending the meetings of the Search Committee.

10. Preparation of panel of names by Search Committee.— (1) The Search Committee shall prepare a panel of the names of five persons to be considered by the Selection Committee for appointment as the Chairperson and a panel of names numbering three times of the number of members to be appointed as Members of the Lokayukta.

(2) The State Government shall provide such assistance as may be required by the Search Committee for efficient discharge of its functions in accordance with the provisions of the Act.

(3) The Search Committee may, for the purpose of short-listing of persons, adopt such short-listing norms as it may consider appropriate.

(4) The Search Committee may devise its own procedure or lay down guidelines for evaluating persons for the purpose of empanelment.

11. Submission of panel or panels of names to Selection Committee.— (1) The Search Committee shall submit the panel or panels of names, as the case may be, for consideration of the Selection Committee within such period as may be decided by the Selection Committee.

(2) While selecting the panel of names to be recommended, the Search Committee shall have due regard to the representation of the persons belonging to the Scheduled Castes, the Scheduled Tribes, Other Backward Classes, Minorities and women in

accordance with the proviso to clause (b) of sub-section (2) of section 3 of the Act.

12. Period for which panel shall be valid.— (1) A panel of names prepared by the Search Committee for consideration of the Selection Committee for the vacancies advertised, shall remain valid for a period of one year from the date of its submission to the Selection Committee or till the appointment of the Chairperson or as the case may be, the Member or Members, is made, whichever is earlier.

(2) If any fresh vacancy arises in the Lokayukta, it shall be filled from a panel of eligible candidates prepared by the Search Committee under rule 10.

13. Residuary matters.— Any residuary matters relating to members of the Search Committee, with respect to any other allowances for which no express provision has been made in these rules, shall be governed by such rules as are applicable to the Secretary to the Government of Odisha.

(No.19214–GAD-SC-CASE2-0001-2015/Gen.)

By order of the Governor

A.K.K. MEENA

Principal Secretary to Government