

मध्यप्रदेश शासन
सामान्य प्रशासन विभाग

क्रमांक सी 5-1/85/3/1

भोपाल, दिनांक 6 मई, 1986

प्रति,

शासन के समस्त विभाग,
अध्यक्ष, राजस्व मंडल, म0प्र0 ग्वालियर,
समस्त सभागायुक्त,
समस्त विभागाध्यक्ष,
समस्त जिलाध्यक्ष,
मध्यप्रदेश ।

विषय:- शासकीय सेवकों द्वारा चल एवं अवल सम्पत्ति का क्रय-विक्रय
बाबत ।

इस विभाग के परिपत्र क्रमांक 614-1131-183860 दिनांक -
27-2-61 एवं क्रमांक 204/49/1838 दिनांक 25-1-62 के द्वारा
शासकीय सेवकों द्वारा चल एवं अवल सम्पत्ति के क्रय एवं विक्रय से संबंधित
निर्देश जारी किये गये हैं । शासन के ध्यान में यह लाया गया है कि
उपर्युक्त परिपत्र विद्यमान म0प्र0 सिविल सेवा आवरण नियम 1965 के
जारी होने के पूर्व के हैं, अतः अधिकांश विभागों की यह धारणा है
कि उपर्युक्त परिपत्र अब लागू नहीं है इसलिये उनके द्वारा निर्देशों को
नजर-अन्दाज करके उनका उल्लंघन किया जा रहा है । अतः उपर्युक्त
परिपत्रों की प्रति संलग्न करते हुए निवेदन है कि कृपया अपने समस्त
अधीनस्थ कर्मचारियों के ध्यान में इन निर्देशों को लाया जाय तथा
इनका कड़ाई से पालन सुनिश्चित किया जाये ।

१/५ श्रीवास्तव
के०एन० श्रीवास्तव
उप सचिव
मध्य प्रदेश शासन
सामान्य प्रशासन विभाग

क्रमांक: 2

3/5/86

GOVERNMENT OF MADHYA PRADESH
General Administration Department

No. 614-1131-I(iii)/60

Dated, Bhopal the 8th Phgn. 82
27th Feby. 61.

To

The President, Board of Revenue,
All Departments of Government,
All Commissioners of Divisions,
All Heads of Departments,
All Collectors,
Madhya Pradesh.

Sub:-Purchase and disposal of immovable property by
Government Servants.

With the promulgation of the Madhya Pradesh Government Servants (Conduct) Rules, 1959 (vide GAD Notification No. 2338-2645-I(iii) dated the 14th November, 1959, published in Part IV of the issue dated the 27th Nov. 1959, of the Gazette) wherein necessary provision has been made regarding purchase/sale etc., of movable or immovable and valuable property, the instructions contained in this department's memorandum No.360-I(3) dated the 18th January 1958, stand automatically superseded.

2. With a view to have uniformity of procedure in all departments relating to matters falling under sub-rules (1) and (2) of rule 18 of the Madhya Pradesh Government Servants (Conduct) Rules, 1959, the following instructions are hereby issued:-

- i) Intimation regarding or application for grant of sanction to the acquisition or disposal of movable or immovable property shall be made by a Government servant to the "prescribed authority" through proper channel.
- ii) Intimation from and application of a class II officer will be dealt with by his head of department and those of a class III and Class IV government servant by the head of office. If any head of department or head of office considers any particular transaction to be prima facie shady, he may refer it to the Collector of the district concerned for opinion whether the transaction is fair and reasonable; differences, if any, in this behalf between a Collector on the one hand and the "prescribed authority" on the other hand will be resolved according to the usual procedure in administrative matters. It may be noted that the orders on these applications shall be passed by the "prescribed authority" and not by the Collector.
- iii) Similar intimation and application from a class I officer shall be routed to Government in the administrative department by the head of department through the Commissioner of the division having jurisdiction at the place where the property

to be acquired or disposed of is located. The administrative department will itself dispose of all these cases except those in respect of a head of department, in whose case orders should be issued with prior consultation with the General Administration Department.

- iv) In respect of Deputy Collector and Secretariat gazetted officer (irrespective of his parent service) the Chief Secretary and in respect of a MFS officer (irrespective of the establishment on which he may for the time being be borne) the Finance Secretary shall be the "prescribed authority" under rule 18 of the Madhya Pradesh Government Servants (Conduct) Rules, 1959.

By order and in the name of the
Governor of Madhya Pradesh

Sd/- L.B. Sarje
Deputy Secretary to Government
Madhya Pradesh
General Administration Department.

No. 615-1131-I(iii)/60

Dated, Bhopal, the 27th Feby. 61.

Copy forwarded to:-

- i) The Registrar, High Court, M.P. Jabalpur,
the Chairman, Public Service Commission, M.P. Indore,
the Secretary/Military Secretary to the Governor,
M.P. Bhopal,
the Secretary, Madhya Pradesh Vidhan Sabha Secretariat,
Bhopal.

for information.

ii) the Establishment Officer/Officer on Special Duty
(Regr.)/Accounts Officer, M.P. Secretariat, Bhopal,
for information and guidance.

iii) the Private Secretaries to the Chief Minister/
Ministers, and Personal Assistants to the
Deputy Ministers
for information of the Chief Minister/
Ministers/Deputy Ministers.

Sd/- M.P. Shrivastava
Under Secretary.

GOVERNMENT OF MADHYA PRADESH
GENERAL ADMINISTRATION DEPARTMENT

Memorandum

No. 204/49/I(iii)

Dated, Bhopal the Magh. 1883
25th Jany. 1962.

To

All Departments of Government,
The President, Board of Revenue,
All Commissioners of Divisions,
All Heads of Departments, and
All Collectors,
Madhya Pradesh.

Subject:- IMMOVABLE PROPERTY- Transactions relating to-

Under rule 15(1) of the All India Services (Conduct) Rules, 1954, no member of the service can, except with the previous knowledge of the Government, acquire or dispose of any immovable property by lease, mortgage, purchase, sale, gift or otherwise either in his own name or in the name of any member of his family provided that any such transaction conducted otherwise than through a regular or reputed dealer shall require the previous sanction of the Government.

2/ A doubt was raised whether or not the expression 'regular and reputed dealer' covered Co-operative House Building Societies. It has been decided that normally a Co-operative Society can be termed as 'regular and reputed dealer' for the purpose of rule 15(1) of the rules ibid, and hence the requirements of that rule will be met if transactions in movable property conducted through such societies are merely reported to the Government.

By order and in the name of the
Governor of Madhya Pradesh,

Sd/- Maheshwari Prasad
Under Secretary to Government
Madhya Pradesh
General Administration Department

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