

R.N.I. TELMUL/2016/73158
HSE No. 1051/2017-2019

[Price : Rs. 3-00 Paise.



తెలంగాణ రాజపత్రము
THE TELANGANA GAZETTE
PART IV-B EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 32] HYDERABAD, SATURDAY, DECEMBER 2, 2017.

**TELANGANA ACTS, ORDINANCES AND
REGULATIONS ETC.**

The following Act of the Telangana Legislature received the assent of the Governor on the 1st December, 2017 and the said assent is hereby first published on the 2nd December, 2017 in the Telangana Gazette for general information:-

ACT No. 31 OF 2017.

**AN ACT FURTHER TO AMEND THE TELANGANA
LOKAYUKTA ACT, 1983.**

Be it enacted by the Legislature of the State of Telangana in the Sixty-eighth Year of the Republic of India, as follows:-

Short title
and
commence-
ment.

1. (1) This Act may be called the Telangana Lokayukta (Amendment) Act, 2017.

(2) It shall come into force on such date as the Government may, by notification, appoint.

2. In the Telangana Lokayukta Act, 1983 (hereinafter referred to as the principal Act), in section 2,-

Amendment
of section 2.
Act No.11 of
1983.

A-254

[1]

(a) in clause (b), after sub-clause (i), the following shall be inserted, namely,-

“(ia) has failed to discharge the functions attached to his post”;

(b) in clause (k), in sub-clause (v), in item (4), the words “which is subject to the control of the Government” shall be omitted;

(c) for clause (l), the following clause shall be substituted, namely :-

“(l) ‘Secretary’ means a Secretary to the Government and includes the Chief Secretary, Special Chief Secretary, Principal Secretary, an Additional Secretary and a Joint Secretary;”.

**Amend-
ment of
section 3.**

3. In the principal Act, in section 3, for sub-section (1), along with proviso thereunder, the following shall be substituted, namely,-

“(1) For the purpose of conducting investigation in accordance with the provisions of this Act, the Governor shall, by warrant under his hand and seal, appoint a person to be known as the ‘Lokayukta’, and one or more persons as ‘Upa-Lokayukta’ or ‘Upa-Lokayuktas’:

Provided that,-

(a) the person to be appointed as Lokayukta shall be a retired Chief Justice of a High Court;

(b) the person to be appointed as Upa-Lokayukta shall be a retired Judge of High Court or a retired District Judge;

(c) the Lokayukta or Upa-Lokayukta shall be appointed on the recommendation of Committee consisting of, -

(i) the Chief Minister of the State;

(ii) the Speaker of Legislative Assembly of the State;

(iii) the Leader of Opposition in the Legislative Assembly;

(iv) the Chairman of the Legislative Council;

(v) the Leader of Opposition in the Legislative Council.”;

4. In the Principal Act, in section 5,-

**Amend-
ment of
section 5.**

(a) for sub-section (3), the following shall be substituted, namely,-

“(3) The Lokayukta or the Upa-Lokayukta appointed under this Act, on ceasing to hold office, shall be ineligible for employment either under the Government or any such local authority, Corporation, Government Company or Society as referred to in sub-clause (v) of clause (k) of section 2.”;

(b) in sub-section (4), for the words “High Court of Andhra Pradesh”, the words “High Court of judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh” shall be substituted;

(c) in sub-section (5), for the words “High Court of Andhra Pradesh”, the words “High Court of judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh” shall be substituted.

5. In the principal Act, after section 21, the following section shall be inserted, namely,-

**Insertion
of
section
21-A.**

“Lokayukta, Upa-Lokayukta, Officers and employees of the Lokayukta to be Public Servants.

21-A. The Lokayukta, Upa-Lokayukta, Officers and other employees of the Lokayukta shall be deemed, when acting or purporting to act in pursuance of any of the provisions of this Act, to be public servants within the meaning of section 21 of the Indian Penal Code, 1860.”

**Central
Act 45 of
1860.**

V. NIRANJAN RAO,
Secretary to Government,
Legal Affairs, Legislative Affairs & Justice,
Law Department.