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THE ANDHRA PRADESH GAZETTE

PART IV-A EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 27] AMARAVATI, THURSDAY, 21st NOVEMBER, 2024.

ANDHRA PRADESH BILLS

ANDHRA PRADESH LEGISLATIVE ASSEMBLY

The following Bill was introduced in the Andhra Pradesh Legislative Assembly on 21st November, 2024.

L. A. Bill No. 27 of 2024

A BILL FURTHER TO AMEND THE ANDHRA PRADESH LOKAYUKTA ACT, 1983.

Be it enacted by the Legislature of the State of Andhra Pradesh in the Seventy-Fifth Year of the Republic of India as follows:-

1. (1) This Act may be called the Andhra Pradesh Lokayukta (Amendment) Act, 2024. Short title and commencement,

(2) It shall come into force on such date as the Government may, by notification in the Official Gazette, appoint, and different dates may be notified for different provisions of this Act.
2. In the Andhra Pradesh Lokayukta Act, 1983 (hereinafter referred to as the principal Act), in section 3, for the proviso to sub-section (1), the following shall be substituted, namely, - Amendment of Section 3.

Act No. 11 of 1983.
“(a) the person to be appointed as the Lokayukta shall be a retired Chief Justice or a retired Judge of the High Court;

(b) a person to be appointed as a Upa-Lokayukta shall be a retired District Judge of the State of Andhra Pradesh;

(c) The appointment and the term of office of Lokayukta and Upa-Lokayukta shall be made on the recommendation of the Selection Committee comprising the following Members -

- (i) Chief Minister - Chairperson;
- (ii) Speaker of the Legislative Assembly - Member;
- (iii) Minister of Home Affairs or Any other Minister nominated by the Chief Minister - Member;
- (iv) Leader of Opposition in the Legislative Assembly - Member ;
- (v) Chairperson of Legislative Council - Member.

Provided that if there is no Leader of Opposition in Legislative Assembly recognized as such, the remaining four members shall constitute the Selection Committee.

(d) The manner and procedure, including the selection of a panel of names to be considered for appointment as the Lokayukta and Upa-Lokayukta by the selection Committee, shall be such as may be prescribed.”.

Amendment of
Section 5.

3. In the Principal Act, In Section 5, in sub-section (1), for Opening paragraph, the following shall be substituted, namely, -

“The Lokayukta and Upa-Lokayukta shall hold office for such term as stipulated in the appointment order by the Governor, which shall not exceed five (5) years from the date of such appointment. ”

STATEMENT OF OBJECTS AND REASONS

The Andhra Pradesh Lokayukta Act, 1983 (Act 11 of 1983) was enacted with the noble objective of establishing an institution to inquire into allegations of corruption and maladministration against public servants. To further strengthen the institution and ensure its effective functioning, certain amendments are proposed.

Firstly, to streamline the appointment process for both the Lokayukta and Upa-Lokayukta, a common Selection Committee is proposed to be introduced. This committee, comprising the Chief Minister, Speaker of the Legislative Assembly, Minister of Home Affairs, Leader of the Opposition in the Legislative Assembly and Chairperson of the Legislative Council, will ensure a uniform and transparent process for both appointments.

Secondly, to ensure the smooth functioning of the Selection Committee, even in scenarios where a particular member has specified, is not available.

Therefore, to enhance the credibility, efficiency, and effectiveness of the Lokayukta institution in serving the public interest, the Government has decided to propose amendments to Sections 3(1) and 5 (1) of the Andhra Pradesh Lokayukta Act, 1983.

The Bill seeks effect to the above decision.

NARA CHANDRA BABU NAIDU,
Chief Minister.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clauses 1 (2) and 2 of the Bill authorizes the Government to issue notification in respect of matters specified therein and generally to carry out the purposes of the Act and such notifications issued which are intended to cover matters mostly of procedural in nature are to be laid on the Table of the both Houses of the State Legislature and will be subject to any modifications made by the Legislature.

The above provisions of the Bill regarding delegated legislation are thus of normal type and are mainly intended to cover matters of procedure.

NARA CHANDRA BABU NAIDU,
Chief Minister.

**MEMORANDUM UNDER RULE 95 OF THE RULES OF PROCEDURE
AND CONDUCT OF BUSINESS IN THE ANDHRA PRADESH
LEGISLATIVE ASSEMBLY.**

The Andhra Pradesh Lokayukta (Amendment) Bill, 2024, after it is passed by the Legislature of the State, may be submitted to the Governor for his assent under article 200 of the Constitution of India.

NARA CHANDRA BABU NAIDU,
Chief Minister.

PRASANNA KUMAR SURYADEVARA,
Secretary-General to State Legislature.