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महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

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असाधारण क्रमांक १०७

प्राधिकृत प्रकाशन

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले
विनियम आणि विधि व न्याय विभागाकडून आलेली विधेयके (इंग्रजी अनुवाद).

In pursuance of clause (3) of article 348 of the Constitution of India, the following translation in English of the Maharashtra Lokayukta (Amendment) Bill, 2025 (L. A. Bill No. CVI of 2025), Introduced in the Maharashtra Legislative Assembly on the 11th December, 2025 is hereby published under the authority of the Governor.

By order and in the name of the Governor of Maharashtra,

SATISH WAGHOLE,
Secretary (Legislation) to Government,
Law and Judiciary Department.

L. A. BILL No. CVI OF 2025.

A BILL

to amend the Maharashtra Lokayukta Act, 2023.

Mah.
XLVI
of 2025.

WHEREAS it is expedient to amend the Maharashtra Lokayukta Act, 2023 for the purposes hereinafter appearing; it is hereby enacted in the Seventy-sixth Year of the Republic of India as follows :—

1. This Act may be called the Maharashtra Lokayukta (Amendment) Short title. Act, 2025.

Amendment
of section 1 of
Mah. XLVI of
2025.

2. In section 1 of the Maharashtra Lokayukta Act, 2023 (hereinafter referred to as “the principal Act”), for sub-section (3), the following sub-section shall be substituted with effect from the 8th December 2025, namely :—

Mah.
XLVI of
2025.

“(3) (i) Sections 1, 3 and 4 shall come into force on the date of publication of this Act in the *Official Gazette*.

(ii) Remaining sections shall come into force on such date, as the State Government may, by notification in the *Official Gazette*, appoint and different dates may be appointed for different provisions of this Act.

Amendment
of section 2 of
Mah. XLVI of
2025.

3. In section 2 of the principal Act, in sub-section (1),—

(1) in clause (f), after paragraph (viii), the following *Explanation* shall be added, namely :—

“*Explanation.*— For the purposes of this Act, the Chairperson or Member or an Officer of any body or board or corporation or authority or company or society or autonomous body (by whatever name called) established or constituted under the Act of the Parliament, means only such Chairperson, Member or person appointed by the State Government under the Act of Parliament.”;

(2) in clause (j), for the words, brackets, letter and figures “under clause (h) of section 2 of the Code of Criminal Procedure, 1973” the words, brackets, letter and figures “clause (l) of sub-section (1) of section 2 of the Bharatiya Nagarik Suraksha Sanhita, 2023” shall be substituted.

2 of
1974.
46 of
2023.

Amendment of
section 12 of
Mah. XLVI of
2025.

4. In section 12 of the principal Act, in sub-section (1), after clause (g), the following *Explanation* shall be added, namely :—

“*Explanation.*— For the purposes of this clause, officers and employees of any body or board or corporation or authority or company or society or trust or autonomous body (by whatever name called) established by an Act of the Parliament, means officers and employees appointed by the State Government or by any authority of the State Government under the Act of Parliament;”.

Amendment of
section 24 of
Mah. XLVI of
2025.

5. In section 24 of the principal Act,—

(1) in sub-section (3), for the words and figures “section 173 of the Code of Criminal Procedure, 1973” the words and figures “section 193 of the Bharatiya Nagarik Suraksha Sanhita, 2023” shall be substituted;

2 of
1974.
46 of
2023.

(2) in sub-section (4), for the words and figures “section 173 of the Code of Criminal Procedure, 1973” the words and figures “section 193 of the Bharatiya Nagarik Suraksha Sanhita, 2023” shall be substituted.

2 of
1974.
46 of
2023.

6. In section 27 of the principal Act,—

Amendment of section 27 of Mah. XLVI of 2025.

1 of 1872.
47 of 2023.

(1) in sub-section (1), for the words and figures “the Indian Evidence Act, 1872” the words and figures “the Bharatiya Sakshya Adhiniyam, 2023” shall be substituted;

45 of 1860.
45 of 2023.

(2) in sub-section (2), in clause (b), for the words “the Indian Penal Code” the words and figures “the Bharatiya Nyaya Sanhita, 2023” shall be substituted.

2 of 1974.

7. In section 30 of the principal Act, in sub-section (2), for the words and figures “section 197 of the Code of Criminal Procedure, 1973” the words and figures “section 218 of the Bharatiya Nagarik Suraksha Sanhita, 2023” shall be substituted.

Amendment of section 30 of Mah. XLVI of 2025.

46 of 2023.

45 of 1860.

8. In section 35 of the principal Act, in sub-section (2), for the words and figures “section 193 of the Indian Penal Code” the words and figures “section 229 of the Bharatiya Nyaya Sanhita, 2023” shall be substituted.

Amendment of section 35 of Mah. XLVI of 2025.

45 of 2023.

9. In section 50 of the principal Act, in sub-section (3), for the portion beginning with the words “The provisions of sub-section (2)” and ending with the words and figures “the said section 199” the following portion shall be substituted, namely :—

Amendment of section 50 of Mah. XLVI of 2025.

46 of 2023.

“The provisions of sub-sections (2) to (5) of section 222 of the Bharatiya Nagarik Suraksha Sanhita, 2023 shall apply in relation to an offence under sub-section (1) or sub-section (2) as they apply in relation to an offence referred to in sub-section (1) of the said section 222”.

45 of 1860.

10. In section 56 of the principal Act, for the words and figures “section 21 of the Indian Penal Code” the words, brackets and figures “clause (28) of section 2 of the Bharatiya Nyaya Sanhita, 2023” shall be substituted.

Amendment of section 56 of Mah. XLVI of 2025.

45 of 2023.

45 of 1860.

11. In section 65 of the principal Act, in clause (a), for the words and figures “section 19 of the Indian Penal Code” the words, brackets and figures “clause (16) of section 2 of the Bharatiya Nyaya Sanhita, 2023” shall be substituted.

Amendment of section 65 of Mah. XLVI of 2025.

45 of 2023.

STATEMENT OF OBJECTS AND REASONS

The Maharashtra Lokayukta Act, 2023 (Mah. XLVI of 2025) is enacted to provide for establishment of a body of Lokyukta for inquiry of administrative actions taken by or on behalf of the Government of Maharashtra or certain public authorities in the State of Maharashtra, in certain cases and to inquire into and investigate allegations of corruption against them and for matters connected therewith or incidental thereto. In section 12 of the said Act, various authorities, officers and employees which are within the jurisdiction of the lokayukta are specified.

2. As per the provisions of different Acts of Parliament various boards, authorities, committees, *etc.*, are constituted or appointed by the Central as well as State Government. Under clause (g) of sub-section (1) of section 12 of the said Act, it is intended to cover within the jurisdiction of the lokayukta only such authorities or officers which are constituted or appointed by the State Government under the Act of Parliament and having their jurisdiction for the whole or part of the State and not the authorities or officers which are constituted or appointed by the Central Government under the Act of Parliament which are within the purview of the Lokpal and Lokayuktas Act, 2013 (1 of 2014).

In order to remove the doubt of overlapping of jurisdiction of Lokpal appointed under the Lokpal and Lokayuktas Act, 2013 and Lokayukta under the said Act in respect of such authorities appointed under the Central Acts, and in view of correspondence of the Ministry of Home Affairs, Government of India in this regard, it is considered expedient to bring clarity in the provisions of the said Act. Therefore, it is proposed to amend section 2 and clause (g) of sub-section (1) of section 12 of the said Act, suitably.

Also, in order to select members of the Lokayukta under the said Act, it is necessary to bring in force sections relating to Selection Committee of the said Act with immediate effect. It is considered expedient to amend the commencement section of the said Act, suitably.

3. An opportunity is also taken to make consequential amendments to substitute references of the repealed Central Acts by existing Central Acts in the Maharashtra Lokayukta Act.

4. The Bill seeks to achieve the above objectives.

Nagpur,
Dated the 10th December 2025.

DEVENDRA FADNAVIS,
Chief Minister.

MEMORANDUM REGARDING DELEGATED LEGISLATION

The Bill involves the following proposal for delegation of legislative power, namely :—

Clause 2.—Under this clause, which proposes to substitute sub-section (3) of section 1 of the Maharashtra Lokayukta Act, 2023, power is taken to the State Government to bring into force the remaining sections of the Act on such date as the State Government may, by notification in the *Official Gazette*, appoint and different dates may be appointed for different provisions of the Act.

2. The above-mentioned proposal for delegation of legislative power is of a normal character.