

Bill No. 11 of 2019

(Authorised English Translation)

**THE RAJASTHAN LOKAYUKTA AND UP-LOKAYUKTAS
(AMENDMENT) BILL, 2019**

(To be introduced in the Rajasthan Legislative Assembly)

*A**Bill**further to amend the Rajasthan Lokayukta and Up-Lokayuktas Act, 1973.*

Be it enacted by the Rajasthan State Legislature in the Seventieth Year of the Republic of India, as follows:-

1. Short title and commencement.- (1) This Act may be called the Rajasthan Lokayukta and Up-Lokayuktas (Amendment) Act, 2019.(2) It shall be deemed to have come into force on and from 6th March, 2019.**2. Amendment of section 5, Rajasthan Act No. 9 of 1973.**- In sub-section (1) of section 5 of the Rajasthan Lokayukta and Up-Lokayuktas Act, 1973 (Act No. 9 of 1973), hereinafter referred to as the principal Act,-

- (i) for the existing expression "eight years" , the expression "five years" shall be substituted;
- (ii) for the existing clause (aa) of the proviso, the following clause shall be substituted, namely:-
 - "(aa) the Lokayukta holding office at the commencement of the Rajasthan Lokayukta and Up-Lokayuktas (Amendment) Ordinance, 2019 (Ordinance No. 2 of 2019) shall be deemed to have demitted that office with effect from such commencement;" and
- (iii) the existing clause (aaa) of the proviso shall be deleted.

3. Repeal and savings.- (1) The Rajasthan Lokayukta and Up-Lokayuktas (Amendment) Ordinance, 2019 (Ordinance No. 2 of 2019) is hereby repealed.

(2) Notwithstanding such repeal, all things done, actions taken or orders made under the principal Act as amended by the said Ordinance shall be deemed to have been done, taken or made under the principal Act as amended by this Act.

STATEMENT OF OBJECTS AND REASONS

Recently, the term of office of Lokayukta was increased from five years to eight years by amending section 5 of the Rajasthan Lokayukta and Up-Lokayuktas Act, 1973. But in most of the States of the country the Lokayukta holds office for a term of five years. Moreover, the term of the Chairperson under the Lokpal and Lokayuktas Act, 2013 (Central Act No. 1 of 2014) is also five years. In order to maintain parity with the term of, Lokayukta in other States of the country and, Chairperson of Lokpal in the centre, it was decided by the State Government that term of five years is adequate for the office of the Lokayukta. Accordingly section 5 of the Rajasthan Lokayukta and Up-Lokayuktas Act, 1973 was proposed to be amended suitably.

Since the Rajasthan Legislative Assembly was not in session and circumstances existed which rendered it necessary for the Governor of Rajasthan to take immediate action, he, therefore, promulgated the Rajasthan Lokayukta and Up-Lokayuktas (Amendment) Ordinance, 2019 (Ordinance No. 2 of 2019) on 6th March, 2019, which was published in Rajasthan Gazette Extraordinary, Part IV(B) dated 7th March, 2019.

The Bill seeks to replace the aforesaid Ordinance.

Hence the Bill.

अशोक गहलोत,
Minister Incharge.

**EXTRACTS TAKEN FROM THE RAJASTHAN
LOKAYUKTA AND UP-LOKAYUKTAS ACT, 1973
(Act No. 9 of 1973)**

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5. Term of office and other conditions of service of Lokayukta and Up-Lokayukas.- (1) Every person appointed as the Lokayukta or an Up-Lokayukta shall hold office for a term of eight years from the date on which he enters upon his office:

Provided that,-

- (a) XX XX XX XX XX XX
- (aa) the Lokayukta holding office at the commencement of the Rajasthan Lokayukta and Up-Lokayuktas (Amendment) Ordinance, 2018 (Ordinance No. 1 of 2018) shall continue to hold that office till the expiry of term of eight years from the date on which he entered upon his office;
- (aaa) the Lokayukta shall, notwithstanding the expiry of his term, continue to hold office until his successor is appointed and enters upon his office;
- (b) to (c) XX XX XX XX XX XX
- (2) to (4) XX XX XX XX XX XX

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राजस्थान लोकायुक्त तथा उप-लोकायुक्त (संशोधन) विधेयक, 2019

(जैसाकि राजस्थान विधान सभा में पुरःस्थापित किया जायेगा)

राजस्थान विधान सभा

राजस्थान लोकायुक्त तथा उप-लोकायुक्त अधिनियम, 1973 को
और संशोधित करने के लिए विधेयक।

(जैसाकि राजस्थान विधान सभा में पुरःस्थापित किया जायेगा)

प्रमिल कुमार माथुर,
सचिव।

(अशोक गहलोट, प्रभारी मंत्री)

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(To be introduced in the Rajasthan Legislative Assembly)

RAJASTHAN LEGISLATIVE ASSEMBLY

A

Bill

further to amend the Rajasthan Lokayukta and Up-Lokayuktas Act, 1973.

(To be introduced in the Rajasthan Legislative Assembly)

Pramil Kumar Mathur,
Secretary.

(Ashok Gehlot, **Minister-Incharge**)