



सत्यमेव जयते

The Arunachal Pradesh Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 488, Vol. XXV, Naharlagun, Tuesday, November 20, 2018 Kartika 29, 1940 (Saka)

GOVERNMENT OF ARUNACHAL PRADESH
LAW, LEGISLATIVE AND JUSTICE DEPARTMENT
CIVIL SECRETARIAT
ITANAGAR

NOTIFICATION

The 20th November, 2018

No. Law/Legn-20/2018.—The following Ordinance which was promulgated by the Governor of Arunachal Pradesh on 11th November is hereby published for general information.

THE ARUNACHAL PRADESH LOKAYUKTA (AMENDMENT) ORDINANCE, 2018 (No. 1 OF 2018) AN

ORDINANCE

WHEREAS, sub-section (2) of section 3 of the Arunachal Pradesh Lokayukta Act, 2014 (Act No.7 of 2014) provides for composition of Lokayukta, consisting of a Chairperson and two other members and clause (c) of the said sub-section prescribes that at least two members shall be from APST and clause (d) provides that at least one of the members shall be woman.

AND WHEREAS, at present there is no serving or retired High Court Judge from APST and, therefore, the State Lokayukta cannot be constituted if both the members are to be from APST category and it may be difficult to get woman candidate as provided in the Act and as such it is felt expedient to amend the Arunachal Pradesh Lokayukta Act, 2014 (Act No. 7 of 2014).

AND WHEREAS, the Arunachal Pradesh Legislative Assembly is not in Session and the Governor is satisfied that circumstances exist which render it necessary for him to take immediate action.

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution of India, the Governor of Arunachal Pradesh is pleased to promulgate in the Sixty-ninth Year of the Republic of India, the following Ordinance, namely,-

- (1) This Ordinance may be called the Arunachal Pradesh Lokayukta (Amendment) Ordinance, 2018. Short title, and commencement.
- (2) It shall come into force at once.
- In the Arunachal Pradesh Lokayukta Act, 2014 (Act No. 7 of 2014) (hereinafter called the principal Act), in sub-section (1) of section 2, clause (g) shall be deleted. ,-
- In the principal Act, (1) in sub-section (2) of section 3,-
 - for clause (b) the following shall be substituted,-

“(b) One non-judicial APST member preferably woman”.
 - Clauses (c) and (d) of sub-section (2) of section 3 shall be deleted.
 - in sub-section (3) of section 3, clause (a) shall be deleted.
 - in clause (b), the words “ other than a Judicial Member” appearing after the word “Member” and before the comma shall be deleted.
- In sub-section (3) of section 10, for the words “such Member” appearing after the word “or” and before the word “or” the words “the Member” shall be substituted.

5. In section 16 of the principal Act,-
 - (1) In sub-section (1),(i) for clause (b), the following shall be substituted,-
 - “(b) a bench may be constituted by the Chairperson with a member as the Chairperson may deem fit”
 - (ii) Clauses (c) and (e) shall be deleted.
 - (2) For sub-section (2) of section 16, for the existing entries, the following shall be substituted,-
 - “(2) The Lokayukta shall notify the areas in relation to which the bench of Lokayukta may exercise jurisdiction”.
 - (3) In sub-section (3), for the word “benches” appearing after the word “reconstitute” and before the word “from” the word “bench” shall be substituted.
 - (4) In sub-section (4), for the entries, “heard by a bench consisting of two or more Members, the case or matter may be transferred by the Chairperson or, as the case may be, referred to him for transfer, to such bench as the Chairperson may deem fit” - the entries,- “heard by a bench of a Member, the case or matter may be transferred by the Chairperson or, as the case may be, referred to him for transfer, to full bench of Lokayukta as the Chairperson may deem fit” shall be substituted.
6. In section 17, for the existing entries, the following entries shall be substituted,-

“Where bench is constituted, the Chairperson may, from time to time, by notification, make provisions as to the distribution of the business of the bench of the Lokayukta and also provide for the matters which may be dealt with by the bench”.
7. In section 18, for the words, “may transfer any case pending before one bench for disposal to any other bench”- the words, “may transfer any case pending before a bench for disposal to the Chairperson bench” shall be substituted.
8. In the principal Act, section 19 shall be deleted.
9. In the principal Act, in sub-sections (3) and (8) of section 20, for the words “A bench consisting of not less than two Members of the Lokayukta” the words “A full bench of Lokayukta” shall be substituted.
10. In the principal Act, in section 34, for the words “such of its Members” appearing after the word “by” and before the word “or” the words “its Member” shall be substituted.
11. In the principal Act, for the words “a Member” wherever appears, the word, “the Member” shall be substituted.
12. In the principal Act, for the word “Members” wherever appears, the word, “Member” shall be substituted.
13. In the principal Act, for the words “every Member” wherever appear, the words “the Member” shall be substituted.
14. In the principal Act, for the word “benches” wherever appears, subject to its cognate grammatical uses, the word “bench” shall be substituted.
15. In the principal Act, for the words “senior most Member” wherever appear, the words, “the Member” shall be substituted.

G.S. Meena, IAS
Commissioner to the
Government of Arunachal Pradesh,
Itanagar.