

THE ODISHA LOKAYUKTA (AMENDMENT) ACT, 2022

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LAW DEPARTMENT

NOTIFICATION

The 8th September, 2022

No.9940—I-Legis-15/2022/L.— The following Act of the Odisha Legislative Assembly having been assented to by the Governor on the 2nd September, 2022 is hereby published for general information.

ODISHA ACT 11 OF 2022

THE ODISHA LOKAYUKTA (AMENDMENT) ACT, 2022

AN

ACT

FURTHER TO AMEND THE ODISHA LOKAYUKTA ACT, 2014.

BE it enacted by the Legislature of the State of Odisha in the Seventy-third Year of the Republic of India as follows: —

Short title. **1.** This Act may be called the Odisha Lokayukta (Amendment) Act, 2022.

Amendment of Section 2. **2.** In the Odisha Lokayukta Act, 2014 (hereinafter called the principal Act), in section 2, in sub-section (1), in clause (c), for sub-clause (iv), the following sub-clause shall be substituted, namely: —

“(iv) an officer or employee in any Department of the Government,—

(A) in case of Chief Secretary, means the Chief Minister;

(B) in case of Secretary of a Department of Government, means the Chief Secretary; and

(C) in case of other officers or employees means the Secretary of a Department under which such officer is serving,

Explanation — For the purpose of this sub-clause, the expression “Secretary” means Secretary-in-Charge of a Department of Government and shall include an Additional Chief Secretary, a Principal Secretary, a Commissioner-*cum*-Secretary or a Special Secretary;”.

Amendment
of Section 14.

3. In the principal Act, in Section 14, in sub-section (1), in clause (h), after the words “in receipt of any donation” and before the words “from any foreign source”, the words “from the public and the annual income of which exceeds such amount as the Government may, by notification, specify or” shall be omitted.

Amendment
of
Section 22.

4. In the principal Act, Section 22 shall be renumbered as sub-section(1) thereof and after sub-section (1), as so renumbered, the following sub-section shall be inserted, namely: —

“(2) For any willful disobedience of any process, order or direction of the Lokayukta by a public servant shall be treated as misconduct for which disciplinary action may be taken up against the concerned officer under the service rules applicable to him on the recommendation of the Lokayukta.”.

Insertion of
new
Section 27 A.

5. In the principal Act, after Section 27, the following Section shall be inserted, namely: —

“ Power to
punish for
contempt.

27A. The Lokayukta shall have, and exercise the same jurisdiction, powers and authority in respect of contempt of itself as a High Court has and may exercise, and, for this purpose, the provisions of the Contempt of Courts Act., 1971 shall have effect subject to the modification that the references therein to a High Court shall be construed as including a reference to the Lokayukta.”.

70 of 1971.

Amendment
of
section 41.

6. In the principal Act, in Section 41,—

(a) for the marginal heading, the following marginal heading shall be substituted, namely:—

“Allocation of fund by the Government.”; and

(b) for the words “make to the Lokayukta grants”, the words “allocate fund to the Lokayukta” shall be substituted.

Amendment
of
Section 42.

7. In the principal Act, in Section 42,—

(a) for the marginal heading, the following marginal heading shall be substituted, namely:—

“Maintenance of Accounts and other records.”;

(b) for sub-section (1), the following sub-section shall be substituted, namely:—

“(1) The Lokayukta shall maintain proper accounts and other relevant records in such manner as may be prescribed.”; and

(c) sub-section (4) shall be omitted.

Amendment
of
Section 57.

8. In the principal Act, in Section 57, in sub-section (2), for clause (i), the following clause shall be substituted, namely:—

“(i) manner of maintenance of accounts and other relevant records under sub-section (1) of Section 42;”.

By Order of the Governor
PRAMOD KUMAR NANDA
Principal Secretary to Government (I/C)