



**KARNATAKA LEGISLATIVE ASSEMBLY  
FIFTEENTH LEGISLATIVE ASSEMBLY  
SEVENTH SESSION**

**THE KARNATAKA LOKAYUKTA (SECOND AMENDMENT) BILL, 2020  
(LA Bill No. 30 of 2020)**

A Bill further to amend the Karnataka Lokayukta Act, 1984.

Whereas, it is expedient further to amend the Karnataka Lokayukta Act, 1984 (Karnataka Act 4 of 1985) for the purposes hereinafter appearing;

Be it enacted by the Karnataka State Legislature in the Seventy First year of the Republic of India as follows:-

**1. Short title and commencement.-** (1) This Act may be called the Karnataka Lokayukta (Second Amendment) Act, 2020.

(2) It shall come into force at once.

**2. Amendment of Section 9.-** In the Karnataka Lokayukta Act, 1984 (hereinafter referred to as the principal Act), in section 9, after sub-section (3), the following shall be inserted, namely:-

“(3A) The preliminary inquiry contemplated by the Lokayukta or the Upalokayukta before ordering an investigation under sub-section (3), shall ordinarily be completed within a period of ninety days and for the reasons to be recorded in writing within a further period of ninety days from the date of receipt of complaint.

(3B) In case the Lokayukta or the Upalokayukta, after making such preliminary inquiry, decides to conduct investigation as referred to in sub-section (3), he shall get the investigation conducted as expeditiously as possible and preferably within a period of six months from the date of the order made by him initiating investigation under sub-section (3).

Provided that, the Lokayukta or the Upalokayukta may extend the said period by a further period not exceeding six months at a time for the reasons to be recorded in writing:

Provided further that, any delay in completion of preliminary enquiry or investigation as stated above shall not vitiate the proceedings or cause prejudice, cannot be taken as a defence.”

**3. Amendment of section 12.-** In section 12 of the principal Act,-

(i) in sub-section (1), after the words “by a report in writing”, the words “within three months or at any event not later than four months from the date of complaint” shall be inserted;

(ii) in sub-section (3),-

(a) after the words “by a report in writing” the words “within six months from the date of commencement of the investigation” shall be inserted; and

(b) after sub-section(3), the following proviso shall be inserted namely:-

“Provided that, the Lokayukta or the Upalokayukta may extend the said period by a further period of not exceeding six months for the reasons to be recorded in writing.”

**STATEMENT OF OBJECTS AND REASONS**

It is considered necessary to amend the Karnataka Lokayukta Act, 1984 (Karnataka Act 4 of 1985) to fix the time frame within which,-

- (a) preliminary inquiry and investigation are to be conducted by the Lokayukta or Upalokayukta; and
- (b) reports are to be submitted to the Competent Authority by Lokayukta or Upalokayukta;  
for speedy disposal of pending grievances or complaints so as to enable the Karnataka Lokayukta to function more effectively.

Hence, the Bill.

**FINANCIAL MEMORANDUM**

There is no extra expenditure involved in the proposed Legislative measure.

**B.S. YADIYURAPPA**  
Chief Minister

**M.K. Vishalakshi**  
Secretary (I/c)  
Karnataka Legislative Assembly

**ANNEXURE****EXTRACT FROM THE KARNATAKA LOKAYUKTA ACT, 1984.,  
(KARNATAKA ACT 4 OF 1985)****XXX****XXX****XXX**

**9. Provisions relating to complaints and investigations.-** (1) Subject to the provisions of this Act, any person may make a complaint under this Act to the Lokayukta or an Upalokayukta.

(2) Every complaint shall be made in the form of a statement supported by an affidavit and in such form and in such manner as may be prescribed.

(3) Where the Lokayukta or an Upalokayukta proposes, after making such preliminary inquiry as he deemed fit, to conduct any investigation under this Act, he,-

(a) shall forward a copy of the complaint to the public servant and the competent authority concerned;

(b) shall afford to such public servant an opportunity to offer his comments on such complaint;

(c) may make such order as to the safe custody of documents relevant to the investigation, as he deems fit.

(4) Save as aforesaid, the procedure for conducting any such investigation shall be such, and may be held either in public or in camera, as the Lokayukta or the Upalokayukta, as the case may be, considers appropriate in the circumstances of the case.

(5) The Lokayukta or the Upalokayukta may, in his discretion, refuse to investigate or cease to investigate any complaint involving a grievance or an allegation, if, in his opinion,-

(a) the complaint is frivolous or vexatious or is not made in good faith;

(b) there are no sufficient grounds for investigating or, as the case may be, for continuing the investigation; or

(c) other remedies are available to the complainant and in the circumstances of the case it would be more proper for the complainant to avail of such remedies.

(6) In any case where the Lokayukta or an Upalokayukta decides not to entertain a complaint or to discontinue any investigation in respect of a complaint he shall record his reasons therefor and communicate the same to the complainant and the public servant concerned.

(7) The conduct of an investigation under this Act against a public servant in respect of any action shall not affect such action, or any power or duty of any other public servant to take further action with respect to any matter subject to the investigation.

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**12. Reports of Lokayukta, etc.-** (1) If, after investigation of any action involving a grievance has been made, the Lokayukta or an Upalokayukta is satisfied that such action has resulted in injustice or undue hardship to the complainant or to any other person, the Lokayukta or an Upalokayukta shall, by a report in writing, recommend to the competent authority concerned that such injustice or hardship shall be remedied or redressed in such manner and within such time as may be specified in the report.

(2) The competent authority to whom a report is sent under sub-section (1) shall, within one month of the expiry of the period specified in the report, intimate or cause to be intimated to the Lokayukta or the Upalokayukta the action taken on the report.

(3) If, after investigation of any action involving an allegation has been made, the Lokayukta or an Upalokayukta is satisfied that such allegation is substantiated either wholly or partly, he shall by report in writing communicate his findings and recommendations along with the relevant documents, materials and other evidence to the competent authority.

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