



The Mizoram Gazette

EXTRA ORDINARY

Published by Authority

RNI No. 27009/1973

Postal Regn. No. NE-313(MZ) 2006-2008

VOL - XLV Aizawl, Friday 22.4.2016 Vaisakha 2, S.E. 1938, Issue No. 93

NOTIFICATION

No. H. 12017/130/2014-LJD, the 18th April, 2016.
general information.

The following Act is hereby published for

The Mizoram Lokayukta (Amendment) Act, 2016

(Act No. 3 of 2016)

{Received the assent of the Governor of Mizoram on the 31st March, 2016}

THE MIZORAM LOKAYUKTA (AMENDMENT) ACT, 2016

AN ACT

to amend the Mizoram Lokayukta Act, 2014 (Act No. 11 of 2014)

It is enacted by the Mizoram State Legislative Assembly of Mizoram in the Sixty-Seventh Year of the Republic of India as follows:-

1. Short title, extend and commencement:

- (1) This Act may be called the Mizoram Lokayukta (Amendment) Act, 2016.
- (2) It shall have the like extent as the Principal Act.
- (3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

2. Amendment of section 3:-

In section 3 of the Mizoram Lokayukta Act, 2014 (hereinafter referred to as the Principal Act),

- (1) In clause (a) of sub-section 2, after the semi-colon, the word "and" shall be substituted by the words "and/or, it appointed,".
- (2) Sub-section 3 shall be substituted by the following namely :-
- (3) A person shall be eligible to be appointed,-

- (a) As a Chairperson or as a Member other than a Judicial member, if he is a person of impeccable integrity outstanding ability having special knowledge and expertise of not less than twenty years in the matters relating to anti-corruption policy, public administration, vigilance, finance including insurance and banking, law, and management;
- (b) As a Chairperson or as a Judicial Member if such person
 - (i) is qualified to be a High Court Judge, or
 - (ii) has a vast knowledge of law and experience in judicial matters or courts."

3. Amendment of section 4:-

In section 4 of the Principal Act,

- 1) In sub-section 1, the words "The Chairperson and Members" shall be substituted by the words "The Lokayukta".
- 2) In sub-section 4, the words "the Chairperson and Members of" shall be omitted.

4. Amendment of section 5:-

Section 5 of the Principal Act shall be substituted by the following, namely :-

"5. Appointment of Chairperson and Members :

- 1) The Governor shall take or cause to be taken all necessary steps for the appointment of a new Chairperson and/or Members at least three months before the expiry of the term of such Chairperson or Members, if there are any Member(s), as the case may be, in accordance with the procedure laid down under this Act.
- 2) If the office of the Chairperson falls vacant due to the reasons specified in such vacancy in accordance with the provisions of the said section, the Governor may, by notification, appoint a new Chairperson in accordance with the procedure laid down under this Act;

Provided that the office of the Chairperson shall not be vacant for a period longer than one year comprising of twelve months from the date of such vacancy".

5. Amendment of section 6:-

In section 6 of the Principal Act, the words "The Chairperson and every Member" shall be substituted by the words "The Lokayukta".

6. Amendment of section 7:-

In section 7 of the Principal Act,

- 1) In clause (ii), after the word "Members", the words and punctuations ", if so appointed," shall be inserted.
- 2) In the proviso, after the word "Member" and before the word "is", the words and punctuations ", if any," , shall be inserted.

7. Amendment of section 8:-

In sub-section 1 of section 8 of the Principal Act, the words "the Chairperson and every Member" shall be substituted by the words "the Chairperson and any Member, if so appointed".

8. Amendment of section 9:-

In section 9 of the Principal Act,

- 1) In sub-section 1, in the last line, after the word "vacancy", the words "if there are any Members." shall be inserted.

- 2) In sub-section 2, the word "available" shall be substituted by the words and punctuations ", if any,".
9. **Amendment of section 19:-**
In sub-section 3 and sub-section 7 of the Principal Act, the words "A bench consisting of at least two members of" shall be omitted.
10. **Amendment of section 56:-**
Section 56 of the Principal Act shall be substituted by the following, namely,-
"56. For the protection of complainant under this Act, the Whistleblowers Protection Act, 2011 (No. 17 of 2014) shall apply".
11. **Amendment of section 57:-**
Clause (a) of sub-section 2 of section 57 shall be omitted.

Secretary,
Law & Judicial Department,
Govt. of Mizoram.