



## The Andhra Pradesh Lokayukta and Upa Lokayukta (Amendment) Act, 1987

Act 39 of 1987

**Keyword(s):**

Action, Allegation, Grievance, Lokpal, Lokayukta, Maladministration, Minister, Public Servant

Amendments appended: 1 of 2001, 1 of 2002, 20 of 2002

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THE ANDHRA PRADESH LOKAYUKTA AND UPA-LOKAYUKTA  
(AMENDMENT) ACT, 1987.

ACT NO. 39 OF 1987\*

[26th August, 1987]

An Act to amend the Andhra Pradesh Lokayukta and  
Upa-Lokayukta Act, 1983.

Be it enacted by the Legislative Assembly  
of the State of Andhra Pradesh in the Thirty-  
eighth Year of the Republic of India as follows:-

1. (1) This Act may be called the Andhra Pradesh Lokayukta and Upa-Lokayukta (Amendment) Act, 1987. Short title  
and com-  
mencement.

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\*Received the assent of the Governor on the 23rd August, 1987. For Statement of Objects and Reasons, please see the Andhra Pradesh Gazette, Part IV-A Extraordinary, dated the 5th August, 1987 at page 3.

(2) It shall be deemed to have come into force on the 1st April, 1986.

Amendment  
of section 5,  
Act II of  
1983.

2. In the Andhra Pradesh Lokayukta and Upa-Lokayukta Act, 1983 (hereinafter referred to as the principal Act), in section 5, for sub-section (4), the following sub-section shall be substituted, namely:—

“(4) The salary payable to the Lokayukta or Upa-Lokayukta in respect of time spent on actual service shall respectively be the same as that of the Chief Justice or a Judge of the High Court of Andhra Pradesh”.

Omission of  
Second  
Schedule.

3. In the principal Act, Second Schedule shall be omitted.

## ANDHRA PRADESH ACTS, ORDINANCES AND REGULATIONS, Etc.

The following Act of the Andhra Pradesh Legislative Assembly received the assent of the Governor on the 24th March, 2001 and the said assent is hereby first published on the 27th March, 2001 in the Andhra Pradesh Gazette for general information:-

ACT No. 1 OF 2001<sup>1</sup>

AN ACT TO AMEND THE ANDHRA PRADESH LOKAYUKTA AND UPA-LOKAYUKTA ACT, 1983.

Be it enacted by the Legislative Assembly of the State of Andhra Pradesh in the Fifty-second Year of the Republic of India as follows:-

1. (1) This Act may be called the Short title and Commencement. Andhra Pradesh Lokayukta and Upa-Lokayukta (Amendment) Act, 2001.

(2) It shall come into force on such date as the State Government may, by notification, appoint.

2. In the Andhra Pradesh Lokayukta and Upa-Lokayukta Act, 1983 (hereinafter referred to as the Principal Act), for sub-section (2) of section 3, the following shall be substituted, namely:- Amendment of Section 3. Act 11 of 1983

(2) (i) Every person appointed to be the Lokayukta shall, before entering upon his office, make and subscribe, before the Governor an oath or affirmation according to the form set out for the purpose in the First Schedule.

(ii) Every person appointed to be the Upa-Lokayukta shall, before entering upon his office, make and subscribe before the Governor or some person appointed in that behalf by him, an oath or affirmation according to the form set-out for the purpose in the First Schedule.

G. BHAVANI PRASAD,  
Secretary to Government,  
Legislative Affairs & Justice,  
Law Department.

STATEMENT OF OBJECTS AND REASONS

According to section 3 of the Andhra Pradesh Lokayukta and Upa-Lokayukta Act, 1983 the Governor shall appoint a Judge or a retired Chief Justice of High Court as Lokayukta and one or more persons as Upa-Lokayukta or Upa-Lokayuktas from among the District Judges of Grade-I. The constitutional convention is that the Governor, administers the oath or affirmation of a person appointed as Chief Justice and the Chief Justice of High Court administers the oath or affirmation of a person appointed as a Judge on being appointed by the Governor for this purpose. On the same analogy it has been decided to require the Lokayukta to make and subscribe an oath or affirmation before the Governor and to enable the Governor to appoint the Lokayukta to swear in the Upa-Lokayukta. Accordingly it has been decided to amend the Act.

This Bill seeks to give effect to the above decision.

NARA CHANDRABABU NAIDU,  
Chief Minister.

**ANDHRA PRADESH ACTS, ORDINANCES AND  
REGULATIONS Etc.,**

The following Act of the Andhra Pradesh Legislative Assembly received the assent of the Governor on the 22nd January, 2002 and the said assent is hereby first published on the 24th January, 2002 in the Andhra Pradesh Gazette for general information :-

**ACT No. 1 OF 2002.**

**AN ACT TO AMEND THE ANDHRA PRADESH  
LOKAYUKTA AND UPA-LOKAYUKTA ACT, 1983.**

Be it enacted by the Legislative Assembly of the State of Andhra Pradesh in the Fifty-second Year of Republic of India as follows :-

1. (1) This Act may be called the Andhra Pradesh Lokayukta and Upa-Lokayukta (Amendment) Act, 2002.

Short title and  
Commence-  
ment.

(2) It shall come into force on such date as the State Government may, by notification, appoint.

2. In the Andhra Pradesh Lokayukta and Upa-Lokayukta Act, 1983, in section 2, in clause (i), for the words, "rupees one thousand one hundred and fifty and below", the words, "rupees seven thousand four hundred and below of the Revised Scales of Pay, 1999 or the corresponding revision of scale of pay as and when such revision takes place from time to time" shall be substituted.

Amendment of  
section 2,  
Act 11 of 1983.

**K.G. SHANKER,**  
*Secretary to Government,  
Legislative Affairs & Justice (FAC),  
Law Department.*

**STATEMENT OF OBJECTS AND REASONS**

According to Clause (i) of Section 2 of the Andhra Pradesh Lokayukta and Upa-Lokayukta Act, 1983, (Act No. 1 of 1983), 'Officer' means a person appointed to a public service, or post in connection with the affairs of the State of Andhra Pradesh, but does not include a person holding a post carrying a minimum scale of pay of rupees one thousand one hundred and fifty and below. Since the aforesaid clause (i) of Section 2 of the said Act was not amended as and when the Revised Pay Scales came into force, it has been decided to enhance the minimum scale of pay from rupees one thousand one hundred and fifty and below to rupees seven thousand four hundred and below of the Revised Pay Scales of 1999 or the corresponding scale of pay as and when revision takes place from time to time. Accordingly, it has been decided to amend the said Act.

The Bill seeks to give effect to the above decision.

**NARA CHANDRABABU NAIDU,**  
*Chief Minister.*

**ANDHRA PRADESH ACTS. ORDINANCES AND  
REGULATIONS Etc.**

The following Act of the Andhra Pradesh Legislative Assembly received the assent of the Governor on the 17th August, 2002 and the said assent is hereby first published on the 20th August, 2002 in the Andhra Pradesh Gazette for general information.

**ACT NO. 20 OF 2002.**

**AN ACT FURTHER TO AMEND THE ANDHRA  
PRADESH LOKAYUKTA AND UPA-LOKAYUKTA  
ACT, 1983.**

Be it enacted by the Legislative Assembly of the State of Andhra Pradesh in the Fifty-third Year of the Republic of India as follows:-

1. (1) This Act may be called the Andhra Pradesh Lokayuktha and Upa-Lokayuktha (Second Amendment) Act, 2002.

Short title and  
Commencement

(2) It shall come into force on such date as the State Government may, by notification, appoint.

2. In the Andhra Pradesh Lokayukta and Upa-Lokayukta Act, 1983, in section 2, in clause (k), in sub-clause (iv) for item (1), the following shall be substituted:-

Amendment of  
Section 2. Act  
11 of 1983.

“(1) Every Chairperson and every Vice-Chairperson of a Zilla Parishad and every President of a Mandal Parishad constituted by or under the Andhra Pradesh Panchayat Raj Act, 1994.”

Act No. 13 of  
1994.

**K.G. SHANKAR,**  
*Secretary to Government,*  
*Legislative Affairs & Justice (FAC),*  
*Law Department.*



**STATEMENT OF OBJECTS AND REASONS**

According to Section 2 (k) (iv) (1) of Andhra Pradesh Lokayukta and Upa-Lokayuka and Upa-Lokayukta Act, 1983 (Act XI of 1983), every Chairman of a Zilla Parishad and every President of a Panchayat Samithi constituted by or under Andhra Pradesh Panchayat Samithis and Zilla Parishads, Act, 1959 shall come under the purview of Lokayukta. On the same analogy, it has been decided to bring every Chairperson and Vice-Chairperson of a Zilla Parishad and President of a Mandal Parishad constituted by or under Andhra Pradesh Panchayat Raj Act, 1994 under the purview of Lokayukta. Accordingly, it has been decided to amend the Act. As the said Act of 1959 has been repealed and it is no more in force and the Chairman and Vice-Chairman of Zilla Parishad and President of a Mandal Parishad are constituted under the Andhra Pradesh Panchayat Raj Act, 1994, it is necessary to amend section 2 (k) (iv) (1) of Andhra Pradesh Lokayukta and Upa-Lokayukta Act, 1983 suitably.

The Bill seeks to give effect to the above decision.

**NARA CHANDRABABU NAIDU,**  
*Chief Minister.*