THE MEGHALAYA LOKAYUKTA (AMENDMENT) BILL, 2024

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Bill

Further to amend the Meghalaya Lokayukta Act, 2014 (as amended).

Be it enacted by the Legislature of the State of Meghalaya in the Seventy-Fifth Year of the Republic of India as follows:-

Short title & commencement	1.	(a) This Bill may be called the Meghalaya Lokayukta (Amendment) Bill, 2024. (b) It shall come into force from the date of publication in the Official Gazette.
Scope of Amendment	2.	The amendments laid out in this Meghalaya Lokayukta (Amendment) Bill, 2024 shall be in relation to the provisions of the Meghalaya Lokayukta Act, 2014 as amended by the Meghalaya Lokayukta (Amendment) Act, 2019 and the Meghalaya Lokayukta (Amendment) Act, 2021.
Amendment of Section 3	3.	(a) In clause (a) of sub-section 2, after the semi-colon, the word "or" shall be substituted with the word "and"; (b) In clause (b) of sub-section 2, after the semi-colon, the words "out of whom fifty percent shall be Judicial Members" shall be added; (c) Clause (c) of sub-section 2 shall be deleted; (d) Sub-section 5 shall be deleted.
Amendment of Section 5	4.	(a) Section 5 shall be substituted by the following, namely – "The Governor shall take or cause to be taken all necessary steps for the appointment of a new Chairperson and Members at least three months before the expiry of the term of such Chairperson or Member, as the case may be, in accordance with the procedure laid down in this Act." (b) The proviso to Section 5 shall be deleted.

STATEMENT OF OBJECT AND REASONS

The Meghalaya Lokayukta (Amendment) Act, 2021 has diluted the effective functioning of the institution of Lokayukta in the state as originally envisaged by the principal enactment of Meghalaya Lokayukta Act, 2014. By allowing option of a single member body of just the Chairperson alone, and without the mandatory appointment of Judicial Member(s) in what is a statutorily a judicial body, and to hear and decide cases of corruption by a single

member Bench, the said Amendment Act of 2021 has practically weakened the role of the Lokayukta in the state.

The Meghalaya Lokayukta Act (as amended) has been robbed of the essential provisions that were originally in place at per the principal enactment in 2014; essential provisions which flowed from the Lokpal and Lokayuktas Act, 2013 and mirrored not just the objective but the provisions as well.

Now this proposed enactment seeks to fulfill the following purpose:-

1. To strengthen the institution of Lokayukta in the state, so as to effectively deal with cases of corruption by public functionaries.
2. To re-enact the essential provisions of the Lokpal and Lokayuktas Act, 2013 that were deleted and substituted by the Meghalaya Lokayukta (Amendment) Act, 2021.
3. To amend the Meghalaya Lokayukta Act, 2014 (as amended).

Hence this Bill.

Bah Adelbert Nongrum
MLA, 17 North Shillong

FINANCIAL MEMORANDUM

Proposed amendment of Meghalaya Lokayukta Act, 2014 (as amended) shall involve certain expenditure, and such expenditure is already suitably addressed in Section 13 of the said Act.