



# കേരള ഗസറ്റ് KERALA GAZETTE

## അസാധാരണം EXTRAORDINARY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്  
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Thiruvananthapuram,  
Thursday

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31st March 2022  
1197 മീനം 17  
17th Meenam 1197  
1944 ചൈത്രം 10  
10th Chaithra 1944

നമ്പർ  
No. } 1093

### GOVERNMENT OF KERALA Law (Legislation-E) Department NOTIFICATION

No. 1482/Leg.E2/2022/Law.

*Dated, Thiruvananthapuram, 31st March, 2022  
17th Meenam, 1197  
10th Chaithra, 1944.*

The following Ordinance promulgated by the Governor of Kerala on the 31st day of March, 2022 is hereby published for general information.

By order of the Governor,

V. HARI NAIR,  
Law Secretary.



**ORDINANCE No. 8 OF 2022****THE KERALA LOK AYUKTA (AMENDMENT)  
ORDINANCE, 2022**

Promulgated by the Governor of Kerala in the Seventy-third Year of the Republic of India.

*AN*

*ORDINANCE*

*further to amend the Kerala Lok Ayukta Act, 1999.*

*Preamble.*—WHEREAS, the Kerala Lok Ayukta (Amendment) Ordinance, 2022 (3 of 2022) was promulgated by the Governor of Kerala on the 7th day of February, 2022;

AND WHEREAS, a Bill to replace the said Ordinance by an Act of the State Legislature could not be introduced in, and passed by, the Legislative Assembly of the State of Kerala during its session which commenced on the 18th day of February, 2022 and ended on the 18th day of March, 2022;

AND WHEREAS, under sub-clause (a) of clause (2) of article 213 of the Constitution of India, the said Ordinance will cease to operate on the 1st day of April, 2022;

AND WHEREAS, difficulties will arise if the provisions of the said Ordinance are not kept alive;

AND WHEREAS, the Legislative Assembly of the State of Kerala is not in session and the Governor of Kerala is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor of Kerala is pleased to promulgate the following Ordinance:—

1. *Short title and commencement.*—(1) This Ordinance may be called the Kerala Lok Ayukta (Amendment) Ordinance, 2022.

(2) It shall be deemed to have come into force on the 7th day of February, 2022.



2. *Act 8 of 1999 to be temporarily amended.*—During the period of operation of this Ordinance, the Kerala Lok Ayukta Act, 1999 (8 of 1999) (hereinafter referred to as the principal Act) shall have effect subject to the amendments specified in sections 3 to 7.

3. *Amendment of section 3.*—In section 3 of the principal Act,—

(i) in sub-section (2) after the words “or that of the Chief Justice of a High Court”, the words “or that of a Judge of the High Court” shall be inserted;

(ii) in sub-section (3) the words “holds or” shall be omitted;

4. *Amendment of section 5.*—In sub-section (1) of section 5 of the principal Act,—

(a) after the words “a term of five years” the words and symbols “or till he completes the age of seventy years, whichever is earlier”, shall be inserted;

(b) before the existing proviso the following proviso shall be inserted, namely:—

“Provided that, the Lok Ayukta and the Upa-Lok Ayukta appointed before the commencement of the Kerala Lok Ayukta (Amendment) Ordinance, 2022 (Ordinance No. 8 of 2022) shall continue to be governed by the provisions of this Act and rules made thereunder as if the Kerala Lok Ayukta (Amendment) Ordinance, 2022 (Ordinance No. 8 of 2022) had not come into force:”;

(c) in the existing proviso, for the words “Provided that” the words “Provided further that” shall be substituted;

5. *Amendment of section 7.*— In section 7 of the principal Act, after sub-section (5), the following sub-sections shall be inserted, namely:—

“(5A) In the event of occurrence of any vacancy in the office of the Lok Ayukta by reason of his death, resignation or otherwise, the Governor may, by notification, authorise the senior most Upa-Lok Ayukta to act as the Lok Ayukta until the appointment of a new Lok Ayukta to fill such vacancy.

(5B) When the Lok Ayukta is unable to discharge his functions owing to absence on leave or otherwise, the Governor may, by notification, authorise in this behalf, the senior most



Upa-Lok Ayukta available to discharge the functions of the Lok Ayukta until the date on which the Lok Ayukta resumes his duties.”;

6. *Amendment of section 14.*—In section 14 of the principal Act,—

(i) in sub-section (1), for the second and third sentences the following sentences shall be substituted, namely:—

“Where the competent authority is the Governor, or the Chief Minister or the Government of Kerala, he or it may either accept or reject the declaration, after giving an opportunity of being heard. In other cases, the competent authority shall send a copy of such report to the Government which may either accept or reject the declaration after giving an opportunity of being heard. If it is not rejected within a period of three months from the date of receipt of the report or the copy of the report, as the case may be, it shall be deemed to have been accepted on the date of expiry of the said period of three months.”;

(ii) in sub-section (2), for the words “When the declaration so made is accepted, the fact of such acceptance” the words “If the declaration so made is accepted or is deemed to have been accepted, the fact of such acceptance or the deemed acceptance” shall be substituted;

7. *Amendment of section 15.*—In section 15 of the principal Act, the words, figures and symbol “Notwithstanding anything contained in section 14,” shall be omitted.

8. *Repeal and Saving.*—(1) The Kerala Lok Ayukta (Amendment) Ordinance, 2022 (3 of 2022) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Ordinance.

ARIF MOHAMMED KHAN,  
GOVERNOR.

