

INSTITUTION OF LOK AYUKTA OF TELANGANA : HYDERABAD

CITIZENS CHARTER

In order to deal with complaints of maladministration, favoritism, misuse and abuse of power and position and to improve the efficiency in Public Services, the Government of Telangana had adopted the A.P. Lokayukta and Upa-Lokayukta Act XI of 1983 as “The Telangana Lokayukta Act, 1983” vide G.O.Ms.No. 45 Law (F) Department dated 01-06-2016 and the Institution of Lokayukta started functioning from 23rd December, 2019 onwards after bifurcation of the State of Andhra Pradesh.

Who may approach the Institution of Lokayukta:

Any person aggrieved by maladministration or misuse of power by Public Servant/s may approach this Institution by filing a complaint in the prescribed Forms I & II along with the details of his grievance or allegations against such Public Servant/s duly paying the complaint fee of Rs.150/- by way of cash/M.O./Banker’s Cheque/D.D. drawn in the name of “the Registrar of the Institution or any bank having a branch at Hyderabad.

Public Servants against whom the complaints can be made before the Lokayukta.

- The Ministers (other than the Chief Minister), which includes a Deputy Minister or a Parliamentary Secretary.
- Member of either House of the State Legislature including the Chief Whip.
- Any person appointed to a public service in connection with the affairs of the State of Telangana.
- Every Chairperson, Vice Chairperson and Members of a Zilla Praja Parishad and every President and Members of Mandal Praja Parishad and Sarpanch, Upa-Sarpanch and Members of a Gram Panchayat, constituted under the Andhra Pradesh Panchayat Raj Act, 1994.
- Every Mayor, Deputy Mayor and Elected Members of a Municipal Corporation, constituted by or under the relevant law for the time being in force.
- Every Chairperson, Vice-Chair Person and Elected Members of a Municipal Council, constituted or, deemed to be constituted under the Andhra Pradesh Municipalities Act, 1965.
- Every Chairman or President, by whatever name called of the Governing Body to which the management is entrusted and every Director or Member, if any, in respect of,-
 - (1) Any local authority in the State of Telangana;

(2) Any statutory body or Corporation (not being a local authority) established by or under a State Act and owned or controlled by the Government of Telangana and any other Board or Corporation as the Government may have regard to its financial interest therein specify by notification in the Gazette from time to time;

(3) Any Government company within the meaning of Section 617 of the Companies Act, 1956 in which not less than 51 percent of its paid up share capital is held by the Government of Telangana or any Company which is a subsidiary of such company;

(4) Any society registered under the Telangana Societies Registration Act, 2001 which is subject to the control of the Government;

(5) Any Co-operative Society registered or deemed to be registered under the Telangana Co-operative Societies Act, 1964 and the Telangana Mutually Aided Cooperative Societies Act, 1995, having its area of operation in the State either whole or in part.

(6) Member of a Committee or Board, statutory or non-statutory, constituted by the Government of Telangana.

- Every Vice Chancellor and Registrar of a University in the State established by law made by the State Legislature.
- Officer in the Service or pay of a local authority, University, Statutory Body or Corporation, Society or other institutions.

Officers outside the jurisdiction of this Institution (Section 21):

- The Chief Justice or any Judge of the High Court or a member of the Judicial service as defined in Clause (b) of Article 236 of the Constitution.
- Any Officer or Servant of any Court in the State.
- The Accountant General, Telangana.
- The Chairman or a Member of the Telangana Public Service Commission.
- The Chief Election Commissioner, the Election Commissioners and the Regional Commissioners referred to in Art.324 of the Constitution and the Chief Electoral Officer of the State of Telangana.
- The Speaker and the Deputy Speaker of the Legislative Assembly and the Chairman and the Deputy Chairman of the Legislative Council and the staff of Legislature Secretariat.
- The Chairman or member of the Telangana Administrative Tribunal.
- Any Officer or Servant of the Telangana Administrative Tribunal.

Procedure in respect of investigation (Section 10):

(1) Where the Lokayukta or Upa-Lokayukta after making such preliminary verification as he deems fit, proposes to conduct any investigation under this Act, he, -

- (a) Shall forward a copy of the complaint or, in the case of any investigation which he proposes to conduct on his own motion, a statement setting out the grounds therefor, to the public servant concerned and the competent authority concerned;
- (b) Shall afford to the public servant concerned an opportunity to offer his comments on such complaint or statement; and
- (c) May make such orders as to the safe custody of documents relevant to the investigation as he deems fit.

(2) (a) Every preliminary verification referred to in sub-section (1) shall be conducted in private and in particular, the identity of the complainant and of the public servant affected by the said preliminary verification shall not be disclosed to the public or the press, whether before or during the preliminary verification, but every investigation referred to in sub-section (1) shall be conducted in public;

Provided that the Lokayukta or Upa-Lokayukta may conduct any such investigation in private, if he, for reasons to be recorded in writing thinks fit to do so.

(b) The Lokayukta or Upa-Lokayukta as the case may be shall make an endeavour to complete the investigation within a period of one year from the date of issue of notice in Form No.VII as prescribed in the rules to the public servants; and where it is unable so to do he shall record his reasons for such inability.

(3) Save as aforesaid, the procedure for conducting any investigation shall be such as the Lokayukta or, as the case may be, the Upa-Lokayukta considers appropriate in the circumstances of each case.

(4) The Lokayukta or Upa-Lokayukta may, in his discretion, refuse to investigate or discontinue the investigation of any complaint involving any allegation if in his opinion,-

- (a) The complaint is frivolous or vexatious, or is not made in good faith; or
- (b) There are no sufficient grounds for investigation 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.

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

Prosecution of false complaints (Section 13):

- Notwithstanding anything in Section 10 or any other provisions of this Act, whoever wilfully or maliciously makes any false complaint under this Act, shall, on conviction, be punished with imprisonment for a term which may extend to one year and shall also be liable to fine.
- No Court, except a Court of the Judicial Magistrate of the First Class shall take cognizance of the offence under sub-section (1).
- No such Court shall take cognizance of any such offence except on a complaint made by a person against whom false complaint was made, and after obtaining the previous sanction of the Lokayukta or Upa-Lokayukta, as the case may be.
- Such Court, on conviction of the person making false complaint, may award, out of the amount of the fine, to the complainant such amount of the compensation as it thinks fit.

Reports of the Hon'ble Lokayukta or Hon'ble Upa-Lokayukta (Section 12):

- If, after investigation of any allegation in respect of any action under this Act, the Lokayukta or Upa-Lokayukta is satisfied that such allegation is substantiated either wholly or partly, he shall by a report in writing, communicate his findings and recommendations along with the relevant documents, materials or other evidence to the competent authority.
- The competent authority shall examine the report forwarded to it under sub-section (1) and without any further inquiry take action on the basis of the recommendation and intimate within three months of the date of receipt of the report, the Lokayukta or, as the case may be, the Upa-Lokayukta, the action taken or proposed to be taken on the basis of the report.
- Where, in a report forwarded by the Lokayukta or Upa-Lokayukta, any recommendation imposing the penalty of removal from the office of a public servant falling within sub-clause (iv) or sub-clause (v) of Clause (k) of Section 2 has been made, it shall be lawful for the Government without any further inquiry to take action on the basis of the said recommendation for the removal of such public Servant from his office and for making him ineligible for being elected to any office specified by the Government in this behalf, notwithstanding anything contained in any law for the time being in force.

- If the Lokayukta or Upa-Lokayukta is satisfied with the action taken or proposed to be taken on his findings and recommendations referred to in sub-section (1), he shall close the case under intimation to the complainant, the public servant and the competent authority concerned; but where he is not so satisfied and if he considers that the case so deserves, he may make a special report upon the case to the Governor and also inform the complainant.
- The Lokayukta and the Upa-Lokayukta shall present annually a consolidated Report on the work done under this Act to the Governor.
- On receipt of the special report under sub-section (4) or the annual report under sub-section (5), the Governor shall cause a copy thereof together with an explanatory memorandum to be laid before each House of the State Legislature.
- Subject to the provisions of sub-section (2) of Section 10, the Lokayukta may, at his discretion make available, from time to time, the substance of cases closed or otherwise disposed of by him or by the Upa-Lokayukta, which may appear to him to be of a general, public, academic or professional interest in such manner and to such persons as he deem appropriate.

All the complaints/communications have to be sent to the following address:

The Registrar,
Institution of Lokayukta of Telangana,
D.No.5-9-49, Basheerbagh,
Hyderabad – 500 063.
Tel. Nos. 040-23232877,
23226946.
Fax No. 040-23241614

Email : ts.lokayukta@gmail.com
Website : www.Lokayukta.telangana.gov.in
