

THE TWENTY SEVENTH
CONSOLIDATED REPORT OF THE
INSTITUTION OF
LOK AYUKTA
OF ANDHRA PRADESH

FOR THE PERIOD FROM
1ST JANUARY, 2011 TO 31ST DECEMBER, 2011

**INSTITUTION OF LOK AYUKTA
OF ANDHRA PRADESH**

5-9-49, Basheerbagh,
Hyderabad-500 063.

Date: 10th October, 2012

ANNUAL REPORT

I have the pleasure and honour of presenting this 27th Consolidated Report on the work done by the Lokayukta and the Upa Lokayukta for the year 2011, under Sub-Section (5) of Section 12 of Andhra Pradesh Lokayukta Act, 1983.

**JUSTICE S. ANANDA REDDY
LOK AYUKTA**

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PREFACE

It is a matter of great privilege and honour to submit the 27th Consolidated Annual Report of the Institution of Lokayukta of Andhra Pradesh as statutorily required under Sub-Section 5 of Section 12 of the A.P. Lokayukta Act, 1983.

This Institution has successfully completed 28 years by 15.11.2011, which has received and disposed of thousands of complaints, redressing the grievances of an equal number of complaints, fulfilling the objectives of the Institution.

It is matter of great satisfaction for the Institution that innumerable grievances of complainants were redressed speedily in various matters, such as settlements of pensions, irregular transfers, payment of compensation to farmers for lands acquired, payment of pending bills to Contractors, recovery of excess payments made to Contractors, rectification of substandard engineering works, cancellation of Pattas of Government land issued to ineligible pensions, payment of arrears of rents on buildings hired by Government agencies etc. Specific suggestions for reforms in administrative procedures and technical matters which were made by the Lokayukta and Upa-Lokayukta were carried out by various Government Departments, Local Bodies, Corporations, etc.

The scope of the work of the Institution clearly reflects the verification and solution of the individual complaints normally constituting the most evident activity of the Institution in relation to the public as one of the functions of primary importance. Every endeavour is being made to acquaint the people with their rights so that they could

complain about the violations. Likewise, it is important to appraise them about the performance and activities of this Institution so that the people are not reluctant or afraid of trying to ventilate their grievances.

Undeterred by the sublime and casual approach by some of the public functionaries, this Institution had been attempting to promote within the departments the idea that every contact between the citizen and the public servant should be imbued with a sincere desire to communicate clearly, courteously and fearlessly. The response from the public servants should contain sensible and well-grounded explanations relevant to the issues concerned as well as the actions, inactions or measures taken by the respective bodies.

In all important decisions of public interest made by the Hon'ble Lokayukta and Hon'ble Upa-Loakayukta, Press Releases are being issued for the information and guidance of the public. The Institution is making concerted efforts to give wide publicity on the useful role it can play to curb the evils of corruption and mal administration.

During the year under report, 3060 complaints were received, in addition to the 2286 complaints that were pending at the beginning of the year. Out of 5346 complaints available for disposal, 1769 complaints were disposed of during 2011 leaving a balance of 3577 complaints.

This Institution is now undoubtedly the most effective forum, easily accessible to the people with least expenditure for redressing their grievances speedily and for checking and curbing maladministration and corruption in various executive agencies of the State in a proper,

effective, efficient and expeditious manner. Persons aggrieved by all types of actions of maladministration and inaction on the part of the authorities, have been approaching this Institution for prompt and adequate relief. The Lokayukta and Upa-Lokayukta, being independent statutory authorities, have been verifying and investigating such complaints arising from administrative actions and inactions by effectively utilizing the services of the Investigation Cell and Legal Section of the Institution.

A proposal was sent to the Government in July, 2010 for allocating additional budget of Rs.68,51,500/- (non-recurring expenditure) for purchase of vehicles and also Rs.2,01,05,088/- per annum (recurring expenditure) for establishing Investigation Wings in Districts, duly sanctioning additional strength (staff), to facilitate to conduct investigations speedily and effectively in respect of complaints received from all over the State. The said proposal is still pending with the Government in spite of furnishing requisite information in February, 2011 itself, as called for by the Government.

Further, since no vehicle is provided to the Investigation Wing, which consists of five (5) Deputy Directors (Investigation), (of the cadre of Deputy Superintendent of Police) and four (4) Investigation Officers (of the cadre of Inspector of Police), the Officers of the Investigation Wing have been facing much difficulty to go to Districts and conduct investigation in respect of the complaints received from different Districts, resulting in undue delay in submission of enquiry reports. As such, proposals were sent to the Government in May, 2011 for according permission to hire nine (9) private vehicles for the use of the

Officers of the Investigation Wing. But, the Government in their letter dated 16-11-2011 negated the said proposal.

During the year under Report the Institution of Lokayukta of Andhra Pradesh has become Full Member in Asian Ombudsman Association, Islamabad, Pakistan as accepted by its Board of Directors in its 12th Annual General Meeting held on 26.08.2012 at Manila, Philippines.

In the light of the experience gained for over two decades of implementation of the Act and with a view to make the Act and Rules more effective and comprehensive to check, control and curb corruption and maladministration among public-men holding elective posts and senior Officials on the one hand and to provide for speedy and cost free resolution of peoples' grievances, this Institution proposed various amendments to the Government (Annexure-H). Out of said amendments the Government is kind enough to accept some minor amendments as shown in the Annexure, vide G.O.Ms.No.219 Genl. Admn. (Spl.C), dated 5-5.2011. I hope that the Government will consider the remaining amendments also and take appropriate steps to strengthen this Institution, which in turn will help to strengthen the administration in the State.

Date. 08.10.2012

(JUSTICE S. ANANDA REDDY)

JUDICIAL WORK AND STATISTICAL DATA

During the year under report, 3060 complaints were received, in addition to the 2286 complaints that were pending. Out of 5346 complaints available for disposal, 1769 complaints were disposed of during 2011 leaving a balance of 3577 complaints. Out of the above, in 2 complaints final investigation has to be conducted and in 214 complaints grievances have been redressed.

The total collection of complaint fee during the year 2011 is Rs. 76,713/-, besides last year balance of Rs. 57,284/-. Out of which, a sum of Rs. 48,209/- was remitted to the Government Account and Rs.9,075/- was returned to the parties. An amount of Rs. 76,713/- is to be remitted to the Government Account.

Along with this report the following Annexures are enclosed.

Annexure "A" contains a brief resume of some of the cases disposed of by the Hon'ble Lokayukta.

Annexure "B" contains a brief resume of some of the cases disposed of by the Hon'ble Upa Lokayukta.

Annexure "C" shows the statistics in respect of the complaints received, disposed of and pending during the year 2011.

Annexure "D" shows the region wise break up of the complaints.

Annexure "E" shows the department wise particulars of the complaints received and disposed of during the year 2011.

Annexure "F" is the statement showing the complaints (Final Investigation) received, disposed of and pending during the year 2011.

Annexure "G" is the sanctioned strength of the Officers and Staff of this Institution.

ADMINISTRATION

1. OFFICERS AND STAFF:

Annexure-G shows the cadre strength of the Institution. The administration of the Institution is under the charge of the Registrar who is declared as the Head of the Department. During the year under report, Sri P. Dayakar Reddy, District Judge (Retired) is working as Registrar. The administrative structure consists of four wings viz., (i) Administration, (ii) Judicial, (iii) Legal and (iv) Investigation.

(i) ADMINISTRATION WING:

The Registrar, with the assistance of the Deputy Registrar, supervises the Administration Wing, which consists of the Establishment and Accounts Section. The Establishment Section is headed by a Section Officer and it deals with the work relating to Conditions of Service of the Employees, Library, Stores, Furniture, Maintenance of Motor Vehicles, Stationery, Roneo, Inward, Dispatch, etc. The Accounts Section functions under the supervision of Assistant Registrar (Accounts), who is assisted by Accounts Officer and other staff, and deals with financial matters such as budget, salary, T.A., and other related matters.

(ii) JUDICIAL WING:

For the sake of convenience, the Bench of the Hon'ble Lokayukta is identified as B-1 and that of the Hon'ble Upa-Lokayukta as B-2. The Complaints Section receives the complaints, scrutinizes the same and registers as per the orders of the Hon'ble Lokayukta. This Section is headed by the Assistant Registrar, who is assisted by a Section Officer and two other staff members. After registration of complaints, the complaints are taken up by the staff of the B-1 Section and B-2 Section, respectively, headed by the Section

Officers with supporting staff. Besides, the Senior Stenographers would assist in taking down dictation of the orders on Bench of the Hon'ble Lokayukta and Hon'ble Upa-Lokayukta. This apart, there is usual Process Sections separately for B-1 and B-2 sections so as to process and dispatch the orders passed by the Hon'ble Lokayukta and Hon'ble Upa-Lokayukta, without giving scope of any delay, with the support of dispatching Assistant.

(ii) **LEGAL WING:**

Legal Wing consists of Sri D. Isaac Prabhakar, Director (Legal) and Sri G. Kabardhi, Deputy Director (Legal). Both assist the Hon'ble Lokayukta and the Hon'ble Upa-Lokayukta, respectively, in all legal matters such as processing the reports received and presenting them before the respective Benches and render assistance to the complainants in conducting the proceedings. Even if a complainant is not having the legal assistance, that deficiency is filled up by the Legal Wing. The Director (Legal) and the Deputy Director (Legal) also perform the duties of Presenting Officers in the Courts and would assist in conducting final investigations by the Hon'ble Lokayukta and Hon'ble Upa-Lokayukta, by way of submitting written comments and written briefs during the preliminary verification stage and draft statement of allegations when it reaches the investigation stage.

(iii) **INVESTIGATION WING:**

The Director (Investigation), who is of the rank of Inspector General of Police, is heading this Wing, with the assistance of (4) Deputy Directors, (5) Investigating Officers and (13) Police Constables. Sri K. Narasimha Reddy, I.P.S., (Retd) is working as Director (Investigation). This Agency probes into such of the complaints that are referred to it, by the Hon'ble Lokayukta

and Hon'ble Upa-Lokayukta and after collecting necessary material by conducting discreet enquiries, submits a report which is of immense help in determining as to whether it is a fit case to investigate into the allegations levelled in the complaints or otherwise. This Agency maintains the confidentiality and secrecy of information during the discreet enquiry and conducts the probe impartially.

ACCOMMODATION

The Institution of Lokayukta is presently accommodated in the Government Building bearing Door No.5-9-49, Basheerbagh, Hyderabad. The building consists of two parts. Nearly half of the built up area consists of heritage structure and the remaining is subsequently constructed. In the heritage building, Court Hall & Chambers of the Hon'ble Upa-Lokayukta and also staff rooms are located. Due to seepage of rainy water into the walls of the heritage building and its slab, flakes of the roof are falling now and then, which may lead to collapse of building and loss of human lives. Though several letters have been addressed to the Roads & Buildings Dept., through H.M.D.A. for repairs/renovation of the Heritage Building, so far there is no response from the Dept.

Further, in subsequently constructed building Court Hall & Chambers of the Hon'ble Lokayukta, Bench Section, Legal Section, Complaints Section, Establishment & Accounts Sections, Chambers of the Director (Investigation) and 3 rooms for Investigation Wing are located. Since the Investigation wing consists of five (5) Deputy Directors (Investigation), (of the cadre of Deputy Superintendent of Police) and four (4) Investigation Officers (of the cadre of Inspector of Police) and 13 Constables they have been facing much difficulty for want of sufficient accommodation. There are no rooms to examine the complainants, witnesses or public servants during the course of investigation in respect of the complaints entrusted to the Investigation

Officers by the Hon'ble Lokayukta or the Hon'ble Upa-Lokayukta. Further, there are no rooms to accommodate the Officers, Advocates and the complainants attending the Courts regularly and they have been facing much embarrassing situation.

Therefore, the Government may consider the feasibility of construction of a separate building in the open land available to accommodate the Officers of the Investigation Wing and also the visitors attending the Courts as stated above, to avoid embarrassing situation.

VACATIONS AND HOLIDAYS

During the year 2011, 23 holidays (excluding Sundays and Second Saturdays) and 18 Optional Holidays were declared and observed as Holidays besides Sankranti Vacation from 03.01.2011 to 13.01.2011 (9) working days, Summer Vacation from 02.05.2011 to 27.05.2011 (20) days and Dasara Vacation from 03.10.2011 to 07.10.2011 (2) working days.

DESTRUCTION OF RECORDS

The records ripe for destruction of the cases disposed of till 31.12.2004 have been identified and the destruction process was completed.

BUDGET PROVISION

For the financial year 2010-11 the budget provision for this Institution under various Heads of Account was Rs. 4,86,37,000/-. While the total expenditure incurred during the year was Rs. 5,51,46,000/- excluding the expenditure booked through book adjustment by the Accountant General, Andhra Pradesh, Hyderabad, from time to time towards Railway Warrants.

A sum of Rs.5,67,07,000/- has been provided for the year 2011-12. Out of the said Budget provision, a total sum of Rs.4,45,12,064/- was spent leaving a balance of Rs.1,21,94,936/- by the end of December, 2011.

S.N o.	Head of Account	Amount
1	010 – Salaries	4,07,20,727
	020 - Wages	
	110 - Domestic Travel Expenses	
	111 - Travelling Allowance	5,60,566
	112 -Bus Warrants	17,987
	130 - Office Expenses: UTILITY PAYMENTS:	
(a)	131 – Service Postage & Telegram and Telephone charges	4,14,971
(b)	132 - Other Office Expenses	7,85,714
(c)	133 - Water Charges and Electricity Charges	3, 26,070
	200 - Other Administrative Expenses	3,750
	240 - Petrol, Oil and Lubricants	7,24,679
	270 - Minor Works	1,28,013
	272 – Maintenance	--
	280 - Professional Service:	--
	281 - Pleaders fee	59,000
	284 - Other Payments	--
	310 - Grants-in-Aid	--
	311 - Grants-in-Aid towards salaries	--
	312 - Obsequies charges, Grants in Aid towards interim relief	--
	410 - Secret Service Expenditure	--
	500 - Other Charges	
	503 - Other Expenditure	
	510 - Motor Vehicles	7,70,385
		4,45,12,064

INSTITUTION OF LOKAYUKTA OF ANDHRA PRADESH
HYDERABAD

Sl. No.	Particulars	Amounts Rs.
1	Total amount received towards complaint fee for the year - 2011	76,713.00
2	Last year balance B/f. (as on 31-12-2010)	57,284.00
3	Amount of complaint fee remitted to State Funds	48,209.00
4	Amount of complaint fee returned to the Parties	9,075.00
5	Amount of complaint fee pending as on 31.12.2011	76,713.00

ANNEXURE - A

**BRIEF NOTE ON CERTAIN IMPORTANT
CASES DISPOSED OF BY
HON'BLE LOKAYUKTA**

COMPLAINT NO.673/2008/B1

SRIKAKULAM DISTRICT

Sri S.Simmanna of Srikakulam District has filed this complaint against (1) The Principal Secretary to Govt., Panchayat Raj & Rural Development Dept., Secretariat, Hyderabad, (2) The Commissioner, PR&RE Dept., Hyderabad, (3) The Chief Executive Officer, Zilla Parishad, Srikakulam and (4) The District Collector, Srikakulam district, requesting this Institution to issue directions to the Public Servants to permit him to retire from service on Medical invalidation grounds and settle his pensionary benefits, besides providing job to his Son, on compassionate grounds.

On verification, it is found that the complainant while working as Record Assistant in Zilla Parishad High School, Nivagam, Srikakulam District, made a Representation in the month of December, 1998 to the Chief Executive Officer, Zilla Parishad, Srikakulam requesting for his retirement on medical invalidation grounds and also for providing job to his Son Mr. S.Venkata Ramana. As there was no response from the Department, the complainant filed O.A. No.637/2001 before the Hon'ble A.P.A.T. and the Hon'ble Tribunal, vide Orders dt.27.04.2001, directed the Public Servants to permit the complainant to retire on medical invalidation grounds and also to provide job to his Son on compassionate grounds. In spite of that the Department has not taken any action in the matter.

After registering the complaint, the Hon'ble Lokayukta called for a report from the P.S.No.1, i.e. the Principal Secretary to Govt., PR&RD Dept., who in his turn has submitted a report stating that the Government filed a Writ Petition before the Hon'ble High Court of A.P. against the orders of the Hon'ble APAT and the same was dismissed by the Hon'ble High Court. On the said orders of the Hon'ble High Court the Government is intending to file the S.L.P. before the Hon'ble Supreme Court of India.

Thereupon, on continuous persuasion by the Hon'ble Lokayukta, finally the Principal Secretary to Government submitted a report stating that the S.L.P. filed by the Government was dismissed by the Hon'ble Supreme Court of India.

In view of the above report, the Hon'ble Lokayukta directed the Government to see that the orders passed by the Hon'ble APAT and confirmed by the Hon'ble High Court of A.P. are implemented expeditiously and submit a compliance report. Accordingly, the Principal Secretary to Government submitted a report stating that the Government issued orders in G.O.Rt.No.531, PR&RD Dept., dated 24-04-2010 for implementing the orders of the Hon'ble APAT and confirmed by the Hon'ble High Court of A.P. He also informed that the Commissioner, PR&RE Dept., (P.S.No.2) and the C.E.O., ZP, Srikakulam (PS.No.3) are directed to implement the orders of the Government.

On considering the above report, on being directed by the Hon'ble Lokayukta, P.S.Nos.2 & 3 have submitted reports, duly implementing the orders passed in the above G.O., besides appointing the son of the complainant on compassionate grounds as Junior Assistant in Mandal Praja Parishad, Ichapuram. It is also stated that the complainant was entitled only for contributory pension as per the G.O.Ms.No.653, Finance (Pen.1) Dept., dated 22-09-2004.

Thereupon, on being directed by the Hon'ble Lokayukta, the C.E.O. has submitted another report stating that orders were issued for fixing up the pay of the complainant as per the revised pay scales, 1999. It is also stated that the complainant was sanctioned pension amount of Rs.1,965/- p.m., Gratuity amount of Rs.64,838/- and pension arrears amount of Rs.4,58,803/-.

Thus, on the intervention of this Institution and on continuous persuasion by the Hon'ble Lokayukta, the Department paid all the retrial benefits, including the arrears of pension to the complainant, besides providing job to his Son on compassionate grounds. Thus the grievance of the complainant, which was pending for about a decade, was fully redressed and the complaint was closed.

COMPLAINT NO.744/2008/B1.

NELLORE DISTRICT

Sri D.Sivakota Reddy of Nellore District has filed this complaint against (1) The District Collector, SPSR Nellore, (2) The Revenue Divisional Officer, Nellore, (3) The Mandal Revenue Officer, Thotapalli Guduru Mandal, SPSR Nellore, (4) Vemareddy Sivaranjan Reddy, Nellore and (5) The Gram Panchayat, Papireddypalem Panchayat, SPSR Nellore district, requesting this Institution to issue directions to the concerned Public Servants to prevent Sri Vema Reddy Sivaranjan Reddy to draw water illegally from the said Pond and also for conversion of Sailendra Doruvu into percolation tank and do justice to the Villagers.

On verification, it is found that the Pond "Sailendra Doruvu" situated in Government poramboke land, was the only the source of drinking water to the cattle of surrounding Villages of Papireddypalem. But, one Sri Vema Reddy Sivaranjan Reddy, who is having lands adjacent to the said Pond, has been lifting water illegally from the said Pond by erecting three electrical service connections to raise wet crops and also prawn culture. On making several representations to the District Collector and also on the directions of the Hon'ble High Court, the District Collector, Nellore issued Orders dt.16.12.2003 directing the Mandal Revenue Officer, T.P. Gudur to remove the encroachments in Doruvu Poramboke and fix the boundaries. In spite of directions no action is taken to remove the encroacher.

After registering the complaint, the Hon'ble Lokayukta called for a report from the District Collector, Nellore district, who in turn has submitted a report stating that the work of conversion of Sailendra Doruvu into percolation Tank under NREGS Scheme was executed by spending an amount of Rs.3,01,198/-.

Thereupon, the Hon'ble Lokayukta directed the District Collector, Nellore to issue necessary instructions to the APSPDCL for shifting of the 11 KV electrical poles from the water body to any other suitable place without causing any burden to the Grama Panchayat which is not having any funds to meet the said expenditure. As directed by the Hon'ble Lokayukta, the District Collector submitted a report stating that the Superintending Engineer, Operation Circle, APSPDCL, Nellore has reported that the 11 KV line passing over Sailendra Doruvu at Papireddypalem Village was shifted along with 16 K.V.A. 3 PH Distribution Transformer.

Thus, on the intervention of this Institution and continuous persuasion by the Hon'ble Lokayukta, the work of conversion of Sailendra Doruvu into percolation tank was completed by spending an amount of Rs.3,01,198/- and the 11 KV line, was shifted along with the transformer and thereby water source is protected to the Villagers and their cattle. Thus, the inaction on the part of the concerned Public Servants was rectified and hence, the complaint was closed.

COMPLAINT NO.925/2008/B1.

GUNTUR DISTRICT

Sri Kodali Siva Nageswara Rao of Guntur District has filed this complaint stating that an extent of Ac.0.24 cts., of land belonging to the ancient Sivalayam Temple, situated at Moparru Village, Amruthaluru Mandal, Guntur District has been taken over by the Drainage Department in 1985, but the compensation amount has not been paid to the said Temple inspite of making several representations. Hence, the complainant requested this Institution to initiate necessary action for payment of compensation amount to the said Temple.

After registering the complaint, the Hon'ble Lokayukta called for a report from the Tahsildar, Amruthaluru Mandal, Nellore district, who in his turn has submitted a report stating that an extent of Ac.0.89 cts. in Sy.No.532/1A of Moparru village, Amruthaluru Mandal was acquired by Tenali Drainage Division, which includes an extent of Ac.0.17 cts., in Sy.No.567/1, belongs to Sri Chennakesava Swamy Temple and an amount of Rs.1,634.53 was ordered to be kept in Civil Court.

Thereupon, on being directed by the Hon'ble Lokayukta, the Assistant Commissioner of Endowments, Guntur has submitted a report stating that the said amount of compensation was deposited in the name of Sri Chennakesava Swamy Temple, Moparru Village, but there was no Temple with that name in that Village and the two Temples that are existing are Sri Venugopala Swamy Temple and Sri Chowdeswara Swamy Temple.

Thereafter, on being directed by the Hon'ble Lokayukta, the Additional Commissioner, Endowments Department and the Executive Officer, Sri Chowdeswara Swamy Temple have submitted reports stating that a cheque petition was filed before the Hon'ble Senior Civil Judge's Court, Tenali and

the said Court issued cheque for Rs.25,009/-, being the principal amount and interest, representing the compensation amount and that the said amount was kept in fixed deposit in Andhra Bank, Morispet, Tenali in the name of Sri Chowdeswara Swamy Temple, Moparru.

Thus, on the intervention of this Institution and on the continuous persuasion by the Hon'ble Lokayukta, the compensation amount to be payable to Sri Chowdeswara Swamy Temple, towards the Temple land acquired by the Government in the year 1985, has been paid and the same was deposited in the name of the said Temple. As the inaction on the part of the concerned Public Servants was rectified, the complaint was closed.

COMPLAINT NO.52/10/B1

CHITTOOR DISTRICT

Sri K.Raghu of Chittoor district has filed this complaint against the husband of Smt.M.Nagarathnamma, President, Mandal Praja Parishad, Valmikipuram, Chittoor district making the following allegations

- (1) Harassment of staff working in Mandal Praja Parishad.
- (2) Misuse of Gram Panchayat funds.
- (3) Foisting false cases against the staff of Gram Panchayat and blackmailing them.
- (4) Misutilization of staff quarters for his personal use by treating it as his private Guest House for doing illegal activities.
- (5) Sale of Motor Pump sets, cooking utensils, teakwood doors, etc., belongs to Gram panchayat Office.
- (6) Misappropriation of Panchayat funds without passing any resolution.

Hence, the complainant requested this institution to enquire into the matter and take necessary action against the Public Servant, in public interest.

After registering the complaint, the Hon'ble Lokayukta called for a report from the District Panchayat Officer. Accordingly the District Panchayat Officer has enquired into the above allegations and submitted a report stating that the public servant has not only indulged in irregular activities but also abused her position as President of Mandal Praja Parishad.

Thereupon, on being directed by the Hon'ble Lokayukta, the District Collector has submitted a report to the Principal Secretary to Government, Panchayat Raj & Rural Development Department to take appropriate action against the President.

Thereafter, on being directed by the Hon'ble Lokayukta, the Principal Secretary to Government, PR& RD Dept., issued orders removing Smt. M. Nagaratnamma from the post of President, Mandal Praja Parishad, Valmikipuram Mandal, Chittoor district with immediate effect, vide G.O.Ms.No.91 PR&RD (Mandal-II A) Department dated 27-4-2011.

Thus, on the intervention of this Institution, Smt. M.Nagaratnamma, who has committed several irregularities, along with her husband, has been removed from the post of President, Mandal Praja Parishad, Chittoor district.

Hence, the complaint was closed.

COMPLAINT NO.764/10/B1VISAKHAPATNAM DISTRICT

Sri M. Ananda Rao of Visakhapatnam district has filed this complaint against the Principal Secretary to Government, Municipal Administration & Urban Development Department, A.P., Hyderabad, requesting this Institution to issue necessary directions to the Government for regularization of NMRs working in Visakhapatnam Municipal Corporation.

On verification, it is found that that there were 61 NMRs working in Visakhapatnam Municipal Corporation since 1987-88 and though their services have to be regularized as per Act 2/1994, their services have not been regularised on the ground that they are not able to read and write. In view of the above lacuna, they learnt to read and write and obtained Akshara Jyothi Certificates. Basing on the said Certificates the Department has sent the file to the Government for regularization of the services of the NMRs in the month of September, 2009. Insite of repeated representations to the Government, there is no response till the date. In the mean while, out of 61 NMRs, 7 NMRs were died without regularization of their services. As such their family members are deprived of the service benefits and sustained irreparable loss.

After registering the complaint, the Hon'ble Lokayukta called for a report from the Commissioner, G.V.M.C. Accordingly the Commissioner submitted a report stating that a detailed report with reference to regularization of services of NMRs was submitted to the Principal Secretary to Government, M.A. & U.D. Dept., and the matter is pending with the Government.

Thereupon, on being directed by the Hon'ble Lokayukta, the Principal Secretary to Government, M.A.&U.D. Dept. issued proceedings permitting the Commissioner and Director of Municipal Administration to regularize the services of 51 eligible NMRs of GVMC.

In view of the above report, on being directed by the Hon'ble Lokayukta, the Commissioner and Director of Municipal Administration submitted a report stating that proceedings were issued on 22-10-2010 duly implementing the orders of the Government.

Thereupon, on being directed by the Hon'ble Lokayukta, the Commissioner, GVMC submitted a report stating that out of the 51 NMRs, in respect of 48 workers their services were regularized as public health workers. As regard the remaining 3 NMRs, it is stated that they have expired, whereas with reference to third one he was unauthorisidely absented himself from 7-11-2007 onwards and hence his name was excluded.

Thus, on the intervention of this Institution the services of the 48 NMRs have been regularized. As the grievance, which is pending since 1987-88, has been fully redressed, the complaint was closed.

COMPLAINT NO.922/2010/B1

MAHABOORNAGAR DISTRICT

Sri B.Sai Kumar, Social Worker of Mahaboobnagar District filed this complaint against (1) The DM&HO, Mahaboobnagar, (2) The Principal Secretary to Government, Medical, Health & Family Welfare Department, A.P., Hyderabad and (3) The District Collector, Mahaboobnagar, requesting this Institution to issue necessary directions to the public servants for regularization of the services of Smt.Bharatamma, who has been working as full time contingent Dhobi, since 1st April, 1984.

On verification, it is found that Smt.Bharatamma is working as full time contingent Dhobi in PP Unit Area Hospital, Wanaparthy since April, 1984. Since the complainant is fully eligible for regularization of her services in terms of G.O.Ms.No.212, Finance & Planning Dept., dated 22-04-1994, P.S.No.1 addressed a letter dated 18-02-2006 to the P.S.No.2 requesting to consider the services of the Smt. Bharatamma for regularization, duly furnishing the vacancy position. On the request of the complainant, again P.S.No.1 sent a reminder dated 08-01-2010 to the P.S.No.2, but there is no response from the P.S.No.2.

After registering the complaint, the Hon'ble Lokayukta called for a report from the District Medical & Health Officer, Mahaboobnagar (P.S.No.1). Accordingly the D.M. & H.O. submitted a report stating that the case of the complainant was referred to the Director of Health, on which, certain clarification was sought for by the Director of Health and the same was also answered by the D.M. & H.O.

Thereupon, on being directed by the Hon'ble Lokayukta, the Director of Health addressed a letter to the Principal Secretary to Government, HM&FW Dept., (PS.No.2) requesting to issue necessary orders for regularization of services of the complainant in originally sanctioned post of Dhobi.

Thereafter, on being directed by the Hon'ble Lokayukta, P.S.No.2 submitted a report stating that the Government issued G.O.Rt.No.1467, dt.25.10.2010 according permission to the Director of Public Health and the District Medical & Health Officer, Mahaboobnagar to regularize the services of Smt.Bharatamma against the post of Office Subordinate in terms of G.O.Ms.No.212, Finance Department, dt.22.04.1994.

On considering the above report and on being directed by the Hon'ble Lokayukta, the District Medical & Health Officer submitted a report stating that Smt.Bharathamma was posted as Office Subordinate in the existing vacancy extending usual allowances, vide proceedings dated 11-04-2011. The Administrative Officer of P.S.No.1, who appeared in person on the date of hearing, reported that the complainant joined as Office Subordinate in PHC Kothakota, Mahaboobnagar District on 15.04.2011.

Thus, on the intervention of this Institution and the continuous persuasion by the Hon'ble Lokayukta, the services of the poor contingent employee, which issue was pending since 1984, have been regularized and she was appointed as Office Subordinate on regular basis. As the grievance of the complainant was fully redressed, the complaint was closed.

COMPLAINT NO.1092/2010/B1

KADAPA DISTRICT

Smt. Velpula Narayanamma of Kadapa district has filed this complaint against the District Collector, Kadapa, requesting this Institution to issue directions to the Government for sanction of freedom fighters family pension at an early date.

On verification, it is found that the complainant's husband Sri V.Subbaiah, who was a freedom fighter, has applied for sanction of freedom fighters pension on 29-01-1981 and he fought for several years with the Government for sanction of freedom fighters pension and finally died on 10-09-2002 due to ill-health. After his death, the complainant also made several representations to the Government for sanction of freedom fighters family pension. As there was no response from the Government, the complainant approached the Registrar of the Hon'ble High Court, who addressed a letter to the Government to take necessary action for redressal of the grievance of the complainant. On the approach of the complainant, the public servant also addressed a letter dated 06-06-2001 to the Principal Secretary to Government, Revenue (FF.III) Dept. recommending for sanction of family pension to the complainant. But still the Government have not taken any action in the matter.

After registering the complaint, the Hon'ble Lokayukta called for a report from the Principal Secretary to Government, Revenue (F.F.III) Dept., who in turn, submitted a report stating that the claim of the complainant is under consideration at the Government level and appropriate action would be taken and requested for sanction of time for finalization of the case.

Accordingly, while giving time, the Hon'ble Lokayukta directed the Prl. Secretary to Government to see that the matter is decided expeditiously in one way or the other as it is freedom fighters' family pension which issue is pending since more than a decade.

On further continuous persuasion by the Hon'ble Lokayukta by passing several orders from time to time, finally, the Prl. Secretary to Government has submitted a report stating that the Government issued G.O.Ms.No.181, revenue (FF.III) Dept., dt.26.02.2011 sanctioning freedom fighters' family pension @ Rs.2,000/- per month to the complainant, in relaxation of the existing rules.

Thus, on the intervention of this Institution the grievance of the complainant, which is pending since 2002, has been redressed fully and the complaint was closed.

COMPLAINT NO.1123/10/B1EAST GODAVARI DISTRICT

Sri G. Huthasen, S/o. G. Sambaiah of East Godavari district has filed this complaint requesting to direct the concerned to pay the retrial benefits.

On verification, it is found that though the complainant retired from service on 31-07-2007 while working as Watchman in Panchayat Raj Sub-Division, Rampachodavaram, East Godavari district, the following Penesionario benefits were not paid to him in spite of making repeated representations.

- | | | |
|--------------------------------------|---|---------------|
| 1. Encashment of Earned Leave amount | - | Rs.1,00,000/- |
| 2. Gratuity amount | - | Rs.1,21,853/- |
| 3. Commutation of pension amount | - | Rs.1,73,873/- |

After registering the complaint, the Hon'ble Lokayukta called for a report from the Chief Executive Officer, Zilla Parishad, East Godavari District, who in turn, has submitted a report stating that an amount of Rs.1,21,853/- towards gratuity and Rs.1,29,563/- towards commutation of pension amount were paid to the complainant.

Thereupon, on being directed by the Hon'ble Lokayukta, the Chief Executive Officer has submitted another report stating that an amount of Rs.96,781/- towards encashment of leave amount was paid to the complainant.

Thus, on the intervention of this Institution and on continuous persuasion by the Hon'ble Lokayukta, the retiral benefits due to the complainant since 2007 have been paid to him. As the grievances of the complainant were fully redressed, the complaint was closed.

COMPLAINT NO.1232/2010/B1

GUNTUR DISTRICT

Sri P.Rama Mohan Rao of Guntur District has filed this complaint requesting to issue necessary directions to the concerned for payment of the retiral benefits due to him at an early date.

On verification, it is found that the complainant he retired from service on 30-06-2005 while working as Manager in Nuzvid Municipality, but so far an amount of Rs.6,94,673/- towards encashment of Earned Leave, Gratuity and commutation value of pension has not been paid to him in spite of making repeated representations. Hence the complainant

After registering the complaint, the Hon'ble Lokayukta directed the Commissioner, Nuzvid Municipality, to submit a report. Accordingly, the Commissioner submitted a report stating that the complainant was entitled for payment of Rs.6,94,673/- towards leave salary, encashment of Earned Leave, Gratuity and commutation value of pension and as such he addressed a letter to the Commissioner and Director of Municipal Administration, seeking sanction for payment of the said amounts.

On considering the above report, the Hon'ble Lokayukta directed the Commissioner and Director of Municipal Administration to take necessary action and submit his report. Accordingly, the Commissioner and Director of Municipal Administration submitted a report stating that necessary authorization has been issued to the Commissioner, Nuzvid Municipality for payment of Rs.6,94,673/- as per the operational guidelines issued in G.O.Ms.No.300, M.A. & U.D. Department, dt.02.05.2009.

On considering the above report, the Hon'ble Lokayukta directed the Commissioner, Nuzvid Municipality to see that the amounts due to the complainant are paid and submit a compliance report to this institution.

Accordingly, the Commissioner submitted a report stating that the complainant was paid encashment of leave amount of Rs.1,42,219/- and leave salary amount of Rs.9,367/-. It is further stated that the proposals were sent to the District Treasury Officer, Machilipatnam for issuing Pension Payment Order for payment of Gratuity and commutation value of pension to the complainant and soon after receipt of the proceedings, action would be taken for effecting payment to the complainant.

Thereupon, on being directed by the Hon'ble Lokayukta, the Commissioner, Nuzvid Municipality submitted a report stating that the complainant was paid Rs.5,42,990/- towards Gratuity and commutation value of pension amount.

Thus, on the intervention of this Institution, an amount of Rs.6,94,623/- towards retirement benefits, which amount was due since more than five years, has been paid to the complainant. As the grievance of the complainant was fully redressed, the complaint was closed.

COMPLAINT Nos.1309/2010/B1,
2205/2010/B1 & 2218/2010/B1

KRISHNA DISTRICT

Smt. Gaddam Mariyamma of Krishna District has filed this complaint against (1) The Superintending Engineer/Operation, Southern Power Distribution Company of A.P. Limited (APSPDCL), Circle Office, Vijayawada, Krishna District and (2) The Managing Director, Southern Power Distribution Company of A.P. Limited (APSPDCL), Tirupathi, Chittoor District requesting this Institution to direct the Public Servants for sanction and payment of exgratia amount of Rs.1.00 lakh to her, at an early date.

On verification, it is found that the complainant's husband Sri Satyam, Sentry Labour, while attending Sentry works in the house of Sri Gorrepati Venkaiah, was electrocuted on 11.05.2009 due to loose and hung 11KV High Tension line and while undergoing treatment, he died on the same day. As per the norms fixed by the Government, an exgratia amount of Rs.1,00,000/- has to be paid to the family victim. The Assistant Engineer, Operation, APSPDCL, Penuganchiprolu, Krishna District conducted an enquiry and submitted report stating that there was deficiency of service on the part of the Electricity Department and hence, the complainant is eligible to the exgratia amount. In spite of it, the Public Servants resorted to victimization and harassment while defying instructions of the Government.

After registering the complaint, the Hon'ble Lokayukta called for a report from the Superintending Engineer/Operation, Southern Power Distribution Company of A.P. Limited (APSPDCL), Circle Office, Vijayawada, Krishna District (P.S.1). Accordingly, the Counsel for P.S.1 submitted a report stating that the husband of the complainant was died due to electrical shock, but there was no negligence on the part of the Department

and hence they are not liable to pay any exgratia amount and the exgratia amount would be payable whenever the Department is negligent. Hence, P.S.1 requested this Institution to close the complaint.

Whereas, the complainant made a representation enclosing a copy of the Judgment of the Hon'ble High Court passed in W.P. No.511/2006, dt.29.07.2006.

On considering the principle laid down in the Judgment, the Hon'ble Lokayukta directed P.S.1 to pay the exgratia amount to the complainant and submit a compliance report to this Institution. Accordingly, the Superintending Engineer has submitted a report stating that the complainant was paid exgratia amount of Rs.1,00,000/- by way of cheque.

Thus, on the intervention of this Institution and as per the directions of the Hon'ble Lokayukta, the exgratia amount of Rs.1,00,000/- which was due to the complainant since May, 2009, has been paid to her and her grievance was fully redressed. Hence, the complaint was closed.

Similarly, in C.No.2205/2010/B1 filed by Smt. Manchala Laxmi Devi of Karimnagar District the Divisional Engineer, Electrical, Operation Circle, Jagityal has sanctioned exgratia amount of Rs.1,00,000/- only on the intervention of this Institution as her husband Sri M.Chandraiah was died due to electrocution at Thatipally Village, Malyala Mandal, Karimnagar District, As the grievance of the complainant was also fully redressed, the complaint was closed.

Similarly, in yet another case in C.No.2218/2010/B1 filed by Smt.Muppasani Siva Parvathi of Krishna District, the Superintending Engineer, Operations, APSPDCL, Vijayawada has paid exgratia amount of Rs.1,00,000/- as her husband Sri M.Rambabu who was Sheep Rearer was also died due to electrocution in Penuganchiprolu Mandal, Krishna District. As the grievance of the complainant was also fully redressed, the complaint was closed.

COMPLAINT NO.1451/2010/B1

KURNOOL DISTRICT

Sri K.Hari Hara Rao of Kurnool District has filed this complaint requesting to issue necessary directions to the concerned Public Servants for payment of commutation of pension amount due to him.

On verification, it is found that the complainant retired from service on 31-05-2008 while working as Sanitary Inspector in Kurnool Municipal Corporation. He was sanctioned all pensionary benefits, except commutation of pension amount. The Commissioner and Director of Municipal Administration vide Proceedings dated 01-08-2008 accorded administrative sanction and the District Audit Officer has fixed commutation value of Rs.4,24,886/-. In spite of making repeated representations, the said amount has not been paid to him.

After registering the complaint, the Hon'ble Lokayukta called for a report from the Commissioner and Director of Municipal Administration. Accordingly, the Commissioner has submitted a report stating that the Department has sent proposals to the Deputy Director of Treasuries and Accounts through Proceedings dated 18-11-2010 and the same has been forwarded to the Sub-Treasury Officer, Kurnool for arrangement of payment to the complainant.

Thereupon, on being directed by the Hon'ble Lokayukta, the Sub Treasury Officer submitted a report stating that he paid Rs.4,24,886/- to the complainant towards commutation value of pension and the complainant also acknowledged the same.

Thus, on the intervention of this Institution and continuous persuasion by the Hon'ble Lokayukta, the commuted value of pension amount of Rs.4,24,886/-, which was pending since more than three years, has been paid to the complainant. As the grievance of the complainant has been fully redressed, the complaint was closed.

COMPLAINT NO.1681/2010/B1

VISAKHAPATNAM DISTRICT

Sri Bonela Lakshmu of Visakhapatnam District has filed this complaint against (1) The Executive Engineer, SMI Division, Maharanieta, Visakhapatnam; (2) The Executive Engineer, SMI Division, ITDA Quarters, Paderu, Visakhapatnam and (3) The Pay and Accounts Officer, Maharanieta, Visakhapatnam requesting this Institution to issue necessary directions to the Public Servant for payment of the GPF amount due to him, at an early date.

On verification, it is found that the complainant retired from service in April, 2008 while working as L.V.Driver in the Office of the Deputy Executive Engineer, SMI Division, Paderu, Visakhapatnam on attaining the age of superannuation. As on the date of retirement and as per the G.P.F. slip issued, there was an amount of Rs.61,708/- at his credit, but the A.G. sanctioned only Rs.30,669/- towards GPF amount stating that an amount of Rs.30,000/- was recovered towards arrears of GPF advance and further there were missing credits of Rs.12,000/-. In spite of making several representations, the said amounts have not been paid to the complainant.

After registering the complaint, the Hon'ble Lokayukta called for a report from the Executive Engineer, SMI Division, ITDA Quarters, Paderu, Visakhapatnam (P.S.2). In response to it, P.S.2 has submitted a report stating that after reconciliation of the PF account of the complainant, the A.G. Office has given authorization for payment of Rs.73,918/- and he secured a copy of the same from the Office of P.A.O.

In view of the above report, the Hon'ble Lokayukta directed the P.S.2 to see that the payment is effected as per the authorisation issued by the A.G. and submit a compliance report to this Institution. Accordingly, P.S.2 submitted a report stating that the authorization from the A.G. was received and an amount of Rs.73,918/- was paid to the complainant towards balance amount of G.P.F. The complainant also acknowledged the receipt of the said amount.

Thus, on the intervention of this Institution, the balance GPF amount of Rs.73,918/-, which was pending since more than three years, has been paid to the complainant. As the grievance of the complainant has been fully redressed, the complaint was closed.

COMPLAINT NO.1904/2010/B1HYDERABAD DISTRICT

Basing on News-item published in 'Andhra Jyothi' Daily, dt.10.10.2010 regarding encroachment of Ac.20.00 of grave yard situated at Krishnanagar, Bolakpur, Secunderabad, the Hon'ble Lokayukta registered the complaint suomotu and called for report from the Zonal Commissioner, Circle No.18, Secunderabad. In response to it, the Zonal Commissioner has submitted a report stating that out of the said land, 222 Sq, mtrs. Of Grave Yard was classified as "Government land vested with Municipality" and since the same was under illegal occupation of one Smt.Manemma, who raised five huts and let out the same to tenants, the Tahsildar, Secunderabad Mandal issued Notice and after considering the explanation submitted by Smt. Manemma, Orders were passed and Notice was served giving 24 hours time for eviction to the said encroacher. He further stated that on the said notice, Smt. Manemma filed a Writ Petition before the Hon'ble High Court and the same was disposed off directing the petitioner to approach the Appellate Authority i.e., Revenue Divisional Officer and the Appeal filed by Smt.Manemma before the Revenue Divisional Officer, Secunderabad is pending.

On considering the above report, the Hon'ble Lokayukta directed the R.D.O., to dispose off the appeal filed by Smt.Manermma. Accordingly, the R.D.O. submitted a report stating that the appeal filed by Smt. Manemma was disposed off, confirming the Order issued by the Tahsildar, Secunderabad Mandal.

Thereupon, on being directed by the Hon'ble Lokayukta, the Tahsildar, Secunderabad Mandal has submitted a report stating that the revision petition filed before the District Collector by Smt.Manemma was dismissed and thereafter as per the instructions of the District Collector, Hyderabad, Smt. Manemma and others were evicted from the encroached land and handed

over the vacant possession of the said land to the Education Department since the said land was required by the Government School, Mekala Mandi, Secunderabad.

Thus, on the intervention of this Institution and as per the directions of the Hon'ble Lokayukta, the encroachers were evicted from the Grave Yard and the land was resumed and handed over to Education Department. Hence, the complaint was closed.

COMPLAINT NO.2119/2010/B1.

NELLORE DISTRICT

Sri K.Srinivasulu Reddy of Nellore District has filed this complaint against the Sarpanch of Grama Panchayat, Iskapalem, Buchireddypalem Mandal, Nellore District making the following allegations:

1. Misuse of SGRY, SFC and TFC funds;
2. Approval of illegal lay-outs without the approval of the Grama Panchayat by collecting bribes.
3. Swallowing of Grama Panchayat funds in collusion with the Health Assistant.
4. Selling of Motor Pumpsets, Pipes, Waste material, etc., of Grama Panchayat, without calling for tenders.
5. Swallowing of salaries of Sweepers working in Grama Panchayat.

Hence, the complainant requested this Institution to enquire into the matter and to take necessary action against the Sarpanch.

After registering the complaint, the Hon'ble Lokayukta called for a report from the District Panchayat Officer, SPSR Nellore District, who in turn, submitted a report stating that the matter was got enquired into by the Divisional Panchayat Officer, Kavali, who submitted a report stating that the allegation relating to mis-use of Rs.90,394/- of the Grama Panchayat funds was proved against the Sarpanch. He further stated that on being issued a notice, the Sarpanch has deposited the said amount to the account of the Grama Panchayat. The report further shows that a notice under CCA Rules was issued to the Panchayat Secretary for not taking action with reference to the illegal lay-outs as well as continuing the contract workers beyond 18 months period.

As the District Panchayat Officer has failed to initiate action against the Sarpanch for approving the lay-outs without approval from the Director of Country & Town planning, the Hon'ble Lokayukta directed the District

collector to initiate appropriate action against the Sarpanch and submit a compliance report. In response to it, the District Collector (Panchayat Wing), has submitted a report stating that with reference to the illegal layouts approved by the Grama Panchayat, action could not be initiated against the Sarpanch as his term has been expired. He further stated in his report that in so far as the Panchayat Secretaries during whose period these illegal layouts were approved, action was initiated and notice dt.12.09.2011 was issued to show cause as to why action could not be initiated against them and awaiting for their explanation.

In view of the above report, on being directed, the District Collector submitted his further report stating that after conducting enquiry, Orders were passed initiating action against Sri N.Srinivasulu Reddy, former Panchayat Secretary, Iskapalem Grama Panchayat, presently working as Panchayat Secretary of Minagallu Gram Panchayat, Buchireddypalem Mandal imposing punishment of stoppage of two annual grade increments without cumulative effect. Similarly, with reference to Sri K.Radhakrishnaiah, Panchayat Secretary, Iskapalem Gram Panchayat, Buchireddypalem Mandal, punishment of stoppage of one annual grade increment was imposed.

Thus, on the intervention of this Institution action was initiated against the erring officials apart from recovery of misused amount of Rs.90,394/- from ex-Sarpanch. Hence the complaint was closed.

COMPLAINT NO.2305/2010/B1.

NELLORE DISTRICT

Sri K.Ramana Reddy & 4 others of Nellore District have filed this complaint against the District Collector, SPSR Nellore District & 5 others stating that the Public Servants have allotted pattas in Sy. Nos.605/2, 605/3, 608/2, 296/3, 626/1 and 835/7 of Budawada Village, MARRIPADU Mandal, SPSR Nellore District in favour of the ineligible persons, who belonged to some other villages and hence they requested this Institution to cancel the said pattas allotted in favour of the ineligible persons.

After registering the complaint, the Hon'ble Lokayukta called for a report from the Revenue Divisional Officer, Kavali, who in turn, submitted a report stating that the matter was enquired into by the Tahsildar, MARRIPADU Mandal and found that the assignments were made in favour of 10 persons. He further stated in his report that out of them, the assignments were made in favour of the persons shown at Sl. No.1 to 5 long back and the assignments were made in favour of the persons shown at Sl.No.6 to 10 during the month of January, 2008, after the approval of the Udayagiri Assembly Constituency Review Committee. The Tahsildar further reported that except Smt. Galiboyina Penchamma, W/o. Lakshmi Narasaiah, the other 9 persons are not the residents of MARRIPADU Mandal. It is further reported that the Tahsildar, MARRIPADU Mandal is preparing proposals for cancellation of assignment in favour of the non-residents of MARRIPADU Mandal for submitting the same to the District Collector, SPSR Nellore District.

In view of the above report, on being directed by the Hon'ble Lokayukta, the District Collector submitted a report stating that the proposals submitted by the Tahsildar have been considered and after hearing the said 9 non-residents and duly considering the records available, the assignments made in favour of the said 9 ineligible persons have been cancelled.

Thus, on the intervention of this Institution and on continuous persuasion by the Hon'ble Lokayukta, the inaction on the part of the concerned Officials was rectified and the pattas allotted in favour of 9 ineligible persons of Marrispadu Mandal have been cancelled. Hence, the complaint was closed.

COMPLAINT NO.2334/2010/B1.

HYDERABAD DISTRICT

Sri Md.Asghar Ali of Hyderabad has filed this complaint, on behalf of his cousin brother's wife, Smt.Sirajunnisa Begum, requesting to issue necessary directions to the concerned for payment of family pension to her w.e.f. 10.03.2007.

On verification, it is found that Smt. Sirajunnisa is a widow, aged 71 years, sick and cannot walk even few yards. The complainant's cousin brother Sri Mohd. Ibrahim Quadri worked as Inspector in the Office of the Assistant Director, Survey & Land Records, Mahaboobnagar and retired from service on 06.10.1972 and he used to draw pension vide PPO No.065007122. He expired on 10.03.2007 leaving behind him Smt. Sirajunnisa Begum and others. She submitted the requisite papers to the Asst. Director, Survey & Land Records, Mahaboobnagar for payment of family pension to her w.e.f. 10.03.2007. The Asst. Director addressed a letter to the Asst. Pension Payment Officer expressing the non-availability of Records and requested to furnish the Record available with him. He also addressed another letter to the Commissioner, Survey, Settlement and Land Records, Hyderabad seeking necessary instructions to proceed further in the matter. As there was no response from them, in spite of making several Representations, the complainant has approached this Institution.

After registering the complaint, the Hon'ble Lokayukta called for the report of the Assistant Pension Payment Officer, Seethaphalmandi at Tarnaka, Hyderabad. In response to it, the Asst. Pension Payment Officer submitted a report stating that due to some technical problem, i.e., not tallying the signature of the second wife of the deceased pensioner with the earlier signatures, the family

pension could not be released and paid. It is also reported that now all the formalities have been completed and family pension would be paid to the complainant at an early date.

Thereupon, on being directed by the Hon'ble Lokayukta, the Assistant Pension payment Officer submitted another report stating that the preaudited claim has been received from the Joint Director, Pension Payment Office, Hyderabad and indent has been prepared and sent to the Joint Director for arranging payment through ECS and the same would be remitted to her account.

Thereafter, on being directed by the Hon'ble Lokayukta, the Assistant Pension Payment Officer has submitted a final report stating that the family pension arrears amount of Rs.1,83,000/- has been paid to the wife of the deceased pensioner. The complainant also submitted a representation acknowledging receipt of the said amount.

Thus, on the intervention of this Institution and as per the directions of the Hon'ble Lokayukta, the family pension arrears amount of Rs.1,83,000/-, which was pending since March, 2007, has been paid to Smt.Sirajunnisa Begum. As the grievance has been fully redressed, the complaint was closed.

COMPLAINT NO.169/2011/B1.

VISAKHAPATNAM DISTRICT

Sri Mandapalli Nanaji of Visakhapatnam District has filed this complaint requesting this Institution to issue necessary directions to the concerned Public Servants to appoint him as Police Constable under SC Quota of Visakhapatnam District.

On verification, it is found that the complainant has applied for the post of Police Constable as per the Notification, 2008 and he was selected in physical tests and also secured 81 marks out of 200 marks in written test. The cut off marks fixed for S.C.s in Visakhapatnam District was 79. Since the complainant's name was shown in Vizianagaram District instead of Visakhapatnam District in the selection list by the Department, the complainant was treated as non-local in Visakhapatnam District and he lost the appointment as Police Constable under S.C. quota. In spite of making repeated representations to the Commissioner of Police, Visakhapatnam and Director General of Police, Hyderabad, requesting them to consider his name as local candidate in Visakhapatnam District, there was no response from them.

After registering the complaint, the Hon'ble Lokayukta called for a report. In response to it, the Chairman, State Level Police Recruitment Board, Hyderabad has submitted a report stating that the representation of the complainant was verified and the Commissioner of Police, Visakhapatnam has stated that the complainant is not a local candidate to Vizianagaram District, but a local candidate to Visakhapatnam District. He further stated in his report that the complainant is provisionally selected to the post of SCT Police Constable (Civil) (Men) in Visakhapatnam (Rural) and an Order was issued to that extent. He further stated that the persons responsible for the lapse are dealt with on the charge memos by the C.P., Visakhapatnam.

On considering the above report, the Hon'ble Lokayukta directed the Chairman, Police Recruitment Board to submit a copy of the Order issued to the complainant as stated in the above report. Accordingly, the Chairman while enclosing a copy of the Appointment Order given to the complainant, submitted a report stating that pursuant to the said orders, the complainant reported to duty as Police Constable at District Training Centre, Khammam.

Thus, on the intervention of this Institution the complainant was appointed as Police Constable under S.C. Quota in Visakhapatnam District. As the grievance of the complainant was fully redressed, the complaint was closed.

COMPLAINT NO.412/2011/B1

KRISHNA DISTRICT

Sri G.Maqbool Ahmed of Krishna District has filed this complaint requesting to issue directions to the Commissioner, Kurnool Municipal Corporation for payment of Rs.1,12,740/- due to him for conducting the door to door survey, at an early date.

On verification, it is found that the complainant has taken up the door to door survey work of 9395 property tax assessments by 30-04-2007, as per the work order issued by the Commissioner, Kurnool Municipal Corporation and handed over all the records to the concerned and also submitted bills for payment of Rs.1,12,740/-. But, there was no response from the Commissioner for payment of the said amount in spite of making repeated representations.

After registering the complaint, the Hon'ble Lokayukta directed the Commissioner, Municipal Corporation to submit a report. Accordingly, the Commissioner, Kurnool Municipal Corporation has submitted his report stating that though the complainant has completed the door to door survey work of 9395 assessment, all the relevant records have been washed away during the floods and hence he sought for a direction to the complainant to produce duplicate copies of the survey sheets relating to 9385 houses to the Municipal Corporation, so as to enable the Corporation to verify the same and make the payment to avoid audit objections.

In view of the above report, the Hon'ble Lokayukta observed as under:

“When once the complainant has executed the work as admitted by the Corporation, if the records are not properly kept or maintained, the complainant is no way responsible and the payment ought to have been effected for the work which he had executed. In any case, the Corporation ought to have requested the complainant even before the presentation of the complaint to this Institution for providing copies of the report or record which he had submitted to the Corporation.”

While observing as above, the Hon'ble Lokayukta directed the complainant to comply with the request of the Commissioner and on receipt of the duplicate copies from the complainant, the Commissioner is directed to see that the payment is made to the complainant and submit a compliance report.

As per the directions of the Hon'ble Lokayukta, the Commissioner, Kurnool Municipal Corporation submitted a report stating that the complainant was paid Rs.1,12,740/- towards the work executed by him. The complainant also acknowledged the receipt of the said amount.

Thus, on the intervention of this Institution the amount payable to the complainant, which was pending since June, 2007, has been paid to him. As the grievance of the complainant was fully redressed, the complaint was closed.

COMPLAINT No.565/2011/B1

KARIMNAGAR DISTRICT

Sri G.Sai Charan of Karimnagar district has filed this complaint against (1) the Assistant Director, Survey and Land Records, Karimnagar and (2) the District Collector, Karimnagar District, requesting this Institution to issue directions to the P.S.1 to issue appointment orders as Office Subordinate in his Office on compassionate grounds.

On verification, it is found that the complainant's father Sri G.Ramesh was permitted to retire from service on medical invalidation grounds on 4-5-2010 while working as Office Subordinate in the Office of the Assistant Director, Survey and Land Records, Karimnagar, with left over service of 7 years 9 months and 25 days. The complainant is Graduate with distinction and hence he was fully eligible for appointment on compassionate grounds as Junior Assistant in the Office of the Assistant Director. In spite of making repeated representations, the Public Servants have not considered the case of the complainant.

After registering the complaint, the Hon'ble Lokayukta called for a report from the Assistant Director, Survey and Land Records, Karimnagar (PS-1), who in his turn, has submitted a report stating that the Joint Collector, Karimnagar has issued orders appointing the complainant as Junior Assistant in OC General Vacancy on compassionate grounds, through proceedings dated 28-4-2011 and the complainant also reported for duty as Junior Assistant on 29-4-2011.

Thus, on the intervention of this Institution, the complainant got appointment as Junior Assistant on compassionate grounds as his father was retired from service on medical invalidation grounds. Since the grievance of the complainant was fully redressed, this complaint was closed.

COMPLAINT NO.1711/2011/B1.

NELLORE DISTRICT

Based on the news item published in 'Eenadu' on 04.08.2011 regarding non-functioning of Ayurvedic Hospitals in Nellore district for want of Doctors, the Hon'ble Lokayukta registered Suomotu complaint and called for report from the Regional Deputy Director, Department of AYUSH, Ongole, Prakasam district.

Accordingly, the Regional Deputy Director has submitted a report stating that out of the 25 Ayurvedic Dispensaries, only 9 Medical Officers were working and the remaining 16 posts of Medical Officers were vacant. However, the Para-Medical staff are rendering services to the public at the Dispensaries without causing any inconvenience to the public.

In view of the above deplorable state of affairs, the Hon'ble Lokayukta passed the following Order:

“It is unfortunate that an Officer of cadre of the Regional Deputy Director states that the Para-Medical staff is rendering services to avoid inconvenience to the public. If Para Medical staff is allowed to render the service in the place of the Medical Officers, the same would cause serious incidents.”

It is also reported by the Regional Deputy Director that the Commissioner, Department of AYUSH has issued Notification for filling up the posts of Medical Officers and the selection process was under process.

In view of the above, the Hon'ble Lokayukta directed the Commissioner to see that the selection of Medical Officers was completed expeditiously and appoint them to the vacant posts and submit compliance report to this Institution. Accordingly, the Commissioner submitted compliance report stating that the provisional selection of Medical Officers has been completed and Posting Orders have been issued on 04.02.2012 and they will report for duty within 30 days. The report also shows that out of 25

Ayurvedic Dispensaries in Nellore District, 8 Medical Officers were working and 15 candidates have been appointed and posted in the vacant Ayurvedic Dispensaries and the health care delivering system would improve once they join duty.

Thereupon, on being directed, the Regional Deputy Director, Department of AYUSH, Ongole has submitted a report stating that the vacancy position of Para-Medical staff was informed to the Commissioner, Department of AYUSH, for according permission for direct recruitment and the same was under consideration of the Government, and the posts would be filled up in Nellore District soon after receipt of permission.

On considering the above report, the Hon'ble Lokayukta directed the Principal Secretary to Government, Health, Medical & Family Welfare Department to see that necessary permission was accorded at the earliest for filling up the vacant Para-Medical posts since proposals have been sent. Accordingly, appointments were also made by the Government.

Thus, on the intervention of this Institution and on continuous persuasion by the Hon'ble Lokayukta, the Government appointed 15 Medical Officers for Ayurvedic Dispensaries in different Mandals of Nellore District and the Department also appointed Para-Medical staff for improving the Health Care Delivering System in Nellore District. Since the inaction on the part of the concerned Officials was rectified this complaint was closed.

ANNEXURE - B

**BRIEF NOTE ON CERTAIN IMPORTANT
CASES DISPOSED OF BY
HON'BLE UPA-LOKAYUKTA**

COMPLAINT NO.980/2007/B2.

SRIKAKULAM DISTRICT

Sri Teeda Ramana and 7 others of Srikakulam District have filed this complaint against the Revenue Divisional Officer, Srikakulam and the District Collector, Srikakulam requesting this Institution to issue necessary directions to the Public Servants for payment of compensation amount due to them for dismantling their houses and do justice to them.

On verification, it is found that in the year 2001-2002, the Officials of Roads & Buildings Department have dismantled the house of the complainants for the purpose of widening of NH-5, on the assurance that the complainants would be paid compensation. But, in spite of making several representations, they have not paid compensation amount to them.

After registering the complaint, the Hon'ble Upa-Lokayukta called for a report from the District Collector, Srikakulam district. Accordingly the District Collector has submitted a report stating that the complainants are entitled for the structural values since the said structures have been demolished while widening NH-5 by the Roads and Buildings officials and the issue of payment of compensation of amount was pending with the Revenue Department.

Thereupon, on being directed by the Hon'ble Upa-Lokayukta, the Revenue Divisional Officer, Srikakulam submitted a report stating that the supplementary Award has been passed for payment of Rs.5,51,307/- towards compensation amount to the complainants based on the estimates furnished by the Roads & Buildings Department and the said amount was paid to the complainants. The complainants also have acknowledged the payment of the compensation amount to their satisfaction.

Thus, on the intervention of this Institution and on continuous persuasion by the Hon'ble Upa-Lokayukta, the compensation amount, which was pending since 2001-2002, has been paid to the complainants. As the grievance of the complainant has been fully redressed, the complaint was closed.

COMPLAINT NO.211/2008/B2.

KRISHNA DISTRICT

Smt. G.Annapurnamma of Krishna District has filed this complaint against the Tahsildar, Kalidindi, Krishna district requesting this institution to take necessary action against the public servant for issuing erroneous Pattadar Pass Book and Title Deeds in favour of Smt.Ch.Lakshmi Parvathi, cancel the same and protect her Prawn Tank raised in the land allotted to her.

On verification, it is found that the Government assigned an extent of Ac.1.28 cents of Government land in Bhaskararaopet Village in the year 1978 to the complainant for the purpose of cultivation and the Revenue Authorities have also issued Pattadar Pass Book and Title Deeds in respect of the said land. Later, the complainant converted the said land into Prawn Tank.

While so, one Sri Chinthapalli Chandra Rao, in collusion with the public servant, erroneously obtained pass Book and Title Deeds in respect of the same land allotted to the complainant herein, in favour of his Daughter-in-law, Smt. Chinthapalli Lakshmi Parvathi, without the knowledge of the complainant. Under the guise of the said erroneous Patta, Smt.Ch.Lakshmi Parvathi tried to trespass into the land of the complainant.

After registering the complaint, the Hon'ble Upa-Lokayukta called for a report from the District Collector, Machilipatnam. Accordingly, the District Collector has submitted a report stating that the matter was got enquired into by the Revenue Divisional Officer, Gudiwada, who submitted his enquiry report stating that the complainant is the original assignee and the land is in her possession and enjoyment, and that smt.Ch.Lakshmi Parvathi of Pedalanka village, Kalidindi mandal is not cultivating the above land and the patta issued in favour of Smt.Ch.Lakshmi Parvathi was cancelled and the rights of the complainant in respect of the land allotted to her have been restored.

Whereas the counsel for the complainant submitted a Memo stating that the pattadar passbooks and title deeds issued in favour of smt. Ch.Lakshmi Parvathi are still in existence and hence requested to issue directions to the District Collector to see that the patta passbooks and title deeds issued in favour of Smt. Ch.Lakshmi Parvathi are cancelled.

Thereupon, on being directed by the Hon'ble Upa-Lokayukta, the District Collector submitted a report stating that the patta passbooks and title deeds issued in favour of Smt. Ch.Lakshmi Parvathi are cancelled and that the three individuals by name (1) Sri M.S.Prakasa Rao, the then Tahsildar, Kalidindi as Authorised Officer & Special Tahsildar (Land Reforms) Bandar, (2) Sri N.Srinivasa Murthy, Mandal Revenue Inspector, Kalidindi and (3) Sri K.Lakshmaiah, the then Panchayat Secretary, Bhaskararaopet and presently working as Panchayat Secretary in Kommallapudi of Kruthivenu Mandal are responsible for issuing Pattadar Pass Book and title deeds in the name of Smt. Ch.Lakshmi Parvathi. Since the Government is the competent Authority to initiate disciplinary action against the said three individuals, the District Collector addressed a letter to the Principal Secretary to Government (Vigilance) Department, along with Draft Articles of Charge against the above three individuals, for initiating disciplinary action under common Proceedings U/r.24 of the APCS (CCA) Rules, 1991 together with a copy of the report of the Enquiry Officer.

Thus, on the intervention of this Institution and as per the continuous persuasion by the Hon'ble Upa-Lokayukta, the poor complainant could resume the land allotted in her name and necessary disciplinary Proceedings have been initiated against the erring Revenue Officials for issuing erroneous Pattadar Pass Book and Title Deed. As the grievance of the complainant was fully redressed, the complaint was closed.

COMPLAINT No.410/2008/B2

KRISHNA DISTRICT

Sri Batraju Nagamalleswara Rao of Machilipatnam, Krishna district has filed this complaint against the Municipal Commissioner, Machilipatnam, Krishna district requesting this Institution to issue directions to the Public Servant for payment of retiral benefits due to him at an early date.

On verification, it is found that the complainant retired from service on 30-06-2007 while working as Sanitary Maistry in Municipal Corporation, Machilipatnam. Except pension all other retiral benefits, i.e. Gratuity, Commutation of pension, Encashment of Earned leave, GIS, PF etc. have been withheld by the Public Servant.

After registering the complaint the Hon'ble Upa-Lokayukta called for a report from the Municipal Commissioner, Machilipatnam, Krishna district. Accordingly, the Municipal Commissioner has submitted a report stating that in view of the paucity of funds only an amount of Rs.53,723/- was paid towards encashment of E.L. amount out of the total amount of Rs.1,03,723/-. As regards the F.B.F. amount, the claim is pending with the District Treasury, Krishna district. As regards G.I.S. amount, the claim is pending with the District Audit Officer, State Audit, Krishna district. Further an amount of Rs.1,86,469/- was paid towards commutation of pension amount and Rs.10,312/- was paid towards pension arrears to the complainant.

On the above report, on being called for by the Hon'ble Upa-Lokayukta, the Commissioner has submitted his further report stating that the balance encashment of leave amount of Rs.50,000/- was also paid to the complainant.

Thereafter, on being directed by the Hon'ble Upa-Lokayukta, the Commissioner has submitted his final report stating that an amount of Rs.8,081/- was paid to the complainant towards GIS amount and that there are no amounts due to the complainant.

Thus, on the intervention of this Institution and as per the continuous persuasion by the Hon'ble Upa-Lokayukta, the retiral benefits due to the complainant, which were pending since 2007, have been paid to him. As the grievance of the complainant was fully redressed, the complaint was closed.

COMPLAINT No.1161/2008/B2

KURNOOL DISTRICT

Sri H.Shabbir Ali, Adoni, Kurnool district has filed this complaint against the Commissioner, Adoni Municipality, Kurnool requesting this Institution to issue necessary directions to the Public Servant for payment of the amounts due to him, at an early date.

On verification, it is found that the complainant retired from service on 31-05-2008 while working as Head Master of New Bharat Urdu Elementary School, Khooni, Mohallah, Adoni, Kurnool. The Public Servant has not taken any action for payment of Group Insurance Scheme amount of Rs.10,000/-, Provide Fund amount of Rs.10,000/- and LIC Policies amount of Rs.50,000/- in spite of making repeated representations.

After registering the complaint, the Hon'ble Upa-Lokayukta called for a report from the Municipal Commissioner, Adoni Municipality. Accordingly, the Commissioner has submitted a report stating that the proposals would be sent to the Audit Officer, Kurnool for payment of Rs.21,998/- towards GIS amount and that an amount of Rs.13,164/- was paid to the complainant towards PF amount.

Thereafter, on being directed by the Hon'ble Upa-Lokayukta, the Commissioner has submitted a report stating that the payment of maturity value of Rs.1,00,000/- and Rs.48,000/- interest, as claimed by the complainant towards LIC Policies, is under process and it would be paid within one month. It is further stated that GIS claim amount of Rs.21,998/- was paid to the complainant.

Thereupon, on being directed by the Hon'ble Upa-Lokayukta, the public servant submitted a further report stating that he paid Rs.1,48,000/- towards maturity amount of LIC policy, along with interest, as claimed by the complainant. The complainant also acknowledged the receipt of the said amount.

Thus, on the intervention of this Institution and as per the continuous persuasion of the Hon'ble Upa-Lokayukta, all the above amounts, which were due to the complainant since 2008, have been paid to him. As the grievance of the complainant was fully redressed, the complaint was closed.

COMPLAINT NO.1197/2008/B2.

KRISHNA DISTRICT

Sri Madireddy Nagabushana Rao of Krishna District has filed this complaint against the Commissioner, Machilipatnam Municipality, Krishna district requesting this Institution to issue necessary directions to the Public Servant for payment of the amount due to him for the work done by him.

On verification, it is found that the complainant entered into an agreement with the Commissioner, Machilipatnam Municipality for supply of Tractors along with the labour as required by the Municipality for the year 2006-07. As per the agreement, the rate for each trip of Tractor was Rs.275/-. The Municipality paid bills to the complainant upto January, 2007 and an amount of Rs.5,28,550/- was due him from February, 2007 to June, 2007. Though the complainant made several representations to the Public Servant, there was no response from the Commissioner for payment of the amount due to him.

After registering the complaint, the Hon'ble Upa-Lokayukta called for a report from the Commissioner, Machilipatnam Municipality, Krishna District. Accordingly, the Commissioner has submitted a report stating that the request of the complainant for payment of the arrears bill amount would be considered in part payments along with the other bills due to various contractors and other miscellaneous bills in his Municipality, subject to availability of funds and on receipt of non-plan grants from the Government.

In view of the above, on being directed by the Hon'ble Upa-Lokayukta, the Commissioner submitted his further report stating that the Municipality has paid Rs.1,17,425/- to the complainant as part payment on receipt of L.O.C. from the District Treasury, Machilipatnam and action is being taken to clear off the pending bills along with the other contractors.

Thereupon, on being directed by the Hon'ble Upa-Lokayukta, the Commissioner submitted another report stating that an amount of Rs.1,14,400/- was paid to the complainant as part payment along with the other bills pending since long time. Whereas the complainant made a representation stating that he received Rs.1,02,966/- and still he has to receive Rs.4,25,584/- and though the authorities have received LOC for more than one crore rupees they have not paid the amounts due to him.

Thereafter, on being directed by the Hon'ble Upa-Lokayukta the Commissioner submitted another report stating that an amount of Rs.1,01,390/- was paid to the complainant and the balance amount would be cleared whenever LOC is received from the District Treasury, Machilipatnam. Whereas the complainant made a representation stating that he has received Rs.4,05,918/- and still he has to receive Rs.1,22,632/- from the Municipality.

Thereupon, on being directed by the Hon'ble Upa-Lokayukta, the Commissioner submitted his final report stating that the Municipality has paid the balance amount of Rs.1,10,762/- to the complainant. The complainant also gave acknowledgment to the effect that he received the said amount and requested to close the complaint.

Thus, on the intervention of this Institution and on continuous persuasion by the Hon'ble Upa-Lokayukta, the amount due to the complainant since June, 2007, has been paid to him in four installments. As the grievance of the complainant was fully redressed, the complaint was closed.

COMPLAINT NO.1246/2008/B2.

KAKINADA DISTRICT

Smt. Shaik Hamdi of Kakinada, East Godavari District has filed this complaint against the Tahsildar, Kakinada (Urban), East Godavari district requesting this Institution to issue directions to the Public Servant for allotment of house under Indiramma Housing Scheme under Muslim Weaker Sections Quota.

On verification, it is found that the complainant belongs to Muslim Weaker Section community and her husband was a casual labour doing Tailoring work and they are suffering a lot with minimum income and unable to pay even the house rent and also to feed their children. She is also holding White Ration Card. She applied for allotment of house under Indiramma Scheme by paying Rs.1,000/- towards enrolment fees on 01.05.2008. But, so far, she has not received any information regarding allotment of house from the Tahsildar, Kakinada or from any other authorities.

After registering the complaint the Hon'ble Upa-Lokayukta called for a report from the District Collector, East Godavari District. Accordingly, the District Collector has submitted a report stating that the complainant has taken a DD for Rs.1,000/- and handed over the same to Smt.P.Venkata Lakshmi along with her application, but not to the Housing Corporation as required.

In view of the above, the Hon'ble Upa-Lokayukta directed the complainant to submit fresh application for allotment of house along with a DD for Rs.1,000/- to the Tahsildar, Kakinada (Urban), East Godavari district and the Tahsildar was also directed to process the application and submit a report to this Institution through the District Collector.

Accordingly, the District Collector submitted a final report stating that the complainant was allotted a House under phase-II under Muslim minorities and Weaker Sections Quota and the same fact was also acknowledged by the complainant to this Institution while expressing her gratitude.

Thus, on the intervention of this Institution and also on continuous persuasion by the Hon'ble Upa-Lokayukta, the grievance of the poor complainant, which was pending since 2008, has been redressed fully and she was allotted house under Weaker Sections Quota and the complaint was closed.

COMPLAINT NO.166/2009/B2.

VISAKHAPATNAM DISTRICT

Sri Pyla Appa Rao of Visakhapatnam has filed this complaint against (1) The Tahsildar, Paravada Mandal, Visakhapatnam District, (2) The Deputy Executive Engineer, Irrigation, Department, Paravada Mandal, Visakhapatnam District and (3) The Executive Engineer, Irrigation Department, Visakhapatnam requesting this Institution to take necessary action against the Public Servants for illegal quarrying.

On verification, it is found that the authorities have identified the Mantrivani Cheruvu, situated in Sy.No.132 of Tanam Village under National Rural Employment Guarantee Scheme for development and also for issuing job cards to 120 labourers, but no work was entrusted to them. On the contrary, some private persons were digging the mud upto 5 meters depth with heavy machinery and doing injustice to the 120 labourers. In spite of making repeated representations, the Public Servants have not taken any action to stop illegal quarrying.

After registering the complaint, the Hon'ble Upa-Lokayukta called for a report from the District Collector & Chairman, District Water Management Agency, Visakhapatnam. Accordingly the District Collector has submitted a report stating that the Assistant Director, Mines & Geology, Visakhapatnam, the Tahsildar and the Station House Officer, Paravada have initiated action against the persons who were responsible for illegal quarrying as complained by the complainant.

Thereafter, on being directed by the Hon'ble Upa-Lokayukta, the District Collector submitted another report stating that in view of the filing of the case by the Assistant Director before the 5th Metropolitan Magistrate Court, Anakapalli on 18.06.2009 with DDR No.1804 against M/s.Nagarjuna Constructions Company Limited, Pharmacy, Paravada for their illegal

excavation and transportation of earth and also remittance of seigniorage fee charges by M/s.Nagarjuna Constructions Company Ltd., to Mines Department, further action would be pursued in the above Court.

Thus, on the intervention of this Institution and continuous persuasion by the Hon'ble Upa-Lokayukta, action has been initiated against the concerned, who are responsible for illegal excavation of the mud, basing on the complaint filed by the complainant. As the inaction on the part of the concerned Government officials has been rectified, the complaint was closed.

COMPLAINT NO.244/2009/B2.

VISAKHAPATNAM DISTRICT

Smt. B.V.Ramanamma of Visakhapatnam has filed this complaint against (1) The Regional Director, Medical and Health Department, Visakhapatnam, (2) The Director of Medical Education, Hyderabad and (3) The Director of Health, Hyderabad requesting this Institution to issue directions to the Public Servants to retain her at King George Hospital, Visakhapatnam or to post her in any Hospital at Visakhapatnam District.

On verification, it is found that the complainant was appointed as Staff Nurse and posted to Srikakulam District and served in various Primary Health Centres and presently working at King George Hospital, Visakhapatnam. She underwent three major Operations and her husband, who is an Advocate and Notary, aged about 55 years, was also suffering from B.P., Diabetes and nervous problem and recently he was affected with Bone-T.B. and taking long treatment at Visakhapatnam. Further, she has to look after her two female School going children and aged parents at Visakhapatnam. In general transfers, the complainant was transferred to Srikakulam. She made representations to the Regional Director, Medical & Health Department, Visakhapatnam, Director of Medical Education, A.P., Hyderabad and Director of Health, A.P., Hyderabad requesting them to retain her in the same King George Hospital or post her in any another Hospital at Visakhapatnam, to enable her to look after her husband, children and also the aged parents. In spite of it there is no response from the Public Servants.

After registering the complaint, the Hon'ble Upa-Lokayukta called for a report from the Regional Director of Medical & Health Services, Visakhapatnam. After issuing several reminders the Regional Director submitted a final report stating that the complainant was retransferred and posted in King George Hospital, Visakhapatnam and she has reported to duty.

Thus, on the intervention of this Institution and on continuous persuasion by the Hon'ble Upa-Lokayukta, the complainant was transferred back to Visakhapatnam to enable her to look after her husband, children and also her old aged parents. As the grievance of the complainant was fully redressed, the complaint was closed.

COMPLAINT NO.280/2009/B2.

GUNTUR DISTRICT

Sri Yarlagadda Madhusudana Rao of Guntur District has filed this complaint against the Director of Treasuries & Accounts, A.P., Hyderabad requesting this institution to issue necessary directions to the Public Servant for sanction and payment of the retiral benefits due to him, at an early date.

On verification, it is found that the complainant was permitted to retire from service on 31.12.2006 on attaining the age of superannuation, while working as Sub-Treasury Officer, Sattenapalli, Guntur District, without prejudice to the disciplinary Proceedings pending against him, vide Proceedings dt.12.12.2006 issued by the Public Servant. The Accountant General was also requested to withhold all the pensionary benefits of the complainant until further orders. The Public Servant has addressed a letter to the Secretary to Government, Finance Department requesting to intimate the action taken against the complainant for processing the fraudulent withdrawal of the FBF and GIS bills of the District Educational Officer, Guntur and also for release of the pensionary benefits due to the complainant. In spite of it, there was no response from the Government.

After registering the complaint, the Hon'ble Upa-Lokayukta called for a report from the Principal Secretary to Government, Finance Department. Accordingly the Principal Secretary to Government has submitted a report stating that the Government have sanctioned provisional Pension to the complainant pending finalisation of the disciplinary case initiated against him in respect of fraudulent withdrawal of FBF funds and GIS amounts at Sub-Treasury, Guntur, vide G.O.Rt.No.4122, Finance (Admn.III) Dept., dated 19-11-2009.

Thereafter, on being directed by the Hon'ble Upa-Lokayukta, the complainant submitted a representation stating that the Gratuity amount of Rs.2,47,913/- has been released, but the recovery of Rs.56,517/- has not been finalized and requested to issue directions for release of recovered amount of Rs.56,517/-, without further delay.

On the above representation, the Director of Treasuries and Accounts Department was requested to submit his report. Accordingly the Director of Treasuries and Accounts submitted a report stating that the pension papers have been forwarded to the A.G., A.P., Hyderabad, duly sanctioning all pensionary benefits on the basic pay of Rs.15,500/- without recommending for any recovery. But on the contrary the A.G. has released pensionary benefits basing on basic pay of Rs.15,100/- instead of Rs.15,500/- and ordered for recovery of Rsr.56,517/- from DCRG. Further the A.G. has been requested to release the pensionary benefits basing on the basic pay of Rs.15,500/-, besides according permission to repay the recovered amount of Rs.56,517/-.

Thereupon, on being directed by the Hon'ble Upa-Lokayukta, the Director of Treasures and Accounts has submitted a report stating that orders were issued to draw the amount by presenting a refund bill at the treasury. Accordingly the Deputy Director, district Treasury, Guntur has informed that an amount of Rs.56,517/- was paid to the complainant.

Thus, on the intervention of this institution and on continuous persuasion by the Hon'ble Upa-Lokayukta, all the retiral benefits, which were due to him since 2006, have been paid to the complainant. As the grievance of the complainant was fully redressed, the complaint was closed.

COMPLAINT NO.573/2009/B2.

CHITTOOR DISTRICT

Sri K.Chalapathi of Srikakulam, Chittoor District has filed this complaint against (1) Sri T.Balashankaraiah, Village Revenue Officer, Samiguntapally village, Kuppam Mandal, Chittoor district and (2) The District Panchayat Officer, Chittoor district requesting this Institution to enquire into the matter and take necessary action against the Village Revenue Officer, who is continuing basing on the false Date of Birth Certificate.

On verification, it is found that though the original Date of Birth of Sri P.Bala Sankaraiah, Village Revenue Officer, Samiguntapalli Village, Kuppam Mandal, Chittoor District was 30.08.1948, but he produced bogus Date of Birth Certificate showing his Date of Birth as 04.08.1952 and secured the job of Village Revenue Officer in the year 2004 and he is continuing in the said post.

After registering the complaint, the Hon'ble Upa-Lokayukta called for a report from the District Collector, Chittoor. Accordingly, the District Collector has submitted a report stating that the matter was referred to the Tahsildar, Srikalahasti for enquiry and report and the final report would be submitted after receipt of the enquiry report from the Tahsildar, Srikalahasti. Since the complainant made allegations against the Village Revenue Officer, Kuppam mandal and the District Panchayat Officer, Chittoor district, the District Collector was directed to appoint a person who is superior than the District Panchayat Officer to conduct discrete enquiry and submit his report.

Accordingly, the District Collector submitted a report stating that he has appointed the District Revenue Officer as Enquiry Officer, who conducted enquiry and submitted enquiry report. According to the enquiry report the Date of Birth of Sri P.Balashankaraiah, Village Revenue Officer has proved as

Bogus. Hence, notice was issued to the Village Revenue Officer for his compulsory retirement and the explanation of the individual is awaited.

Thereupon, on being directed by the Hon'ble Upa-Lokayukta, the District Collector has submitted final report stating that the explanation offered by the delinquent officer was not found to be convincing and hence, orders were issued imposing the punishment of compulsory retirement from service on the delinquent Village Revenue Officer . Aggrieved by the said orders, the delinquent has preferred an appeal before the Hon'ble A.P.A.T. and the same was dismissed.

Thus, on the intervention of this Institution, the Village Revenue Officer, who was appointed on producing a false Date of Birth Certificate, was awarded with the punishment of compulsory retirement from service and the complaint is accordingly closed.

COMPLAINT No.1141/2009/B2VISAKHAPATNAM DISTRICT

Sri Logudu Paidiyyanaidu of Narsipatnam, Visakhapatnam district has filed this complaint against (1) The Superintending Engineer, I&CAD Department, Visakhapatnam, (2) The Executive Engineer, I&CAD Dept., Visakhapatnam, and (3) The Deputy Executive Engineer, I&CAD Dept., Narsipatnam, Visakhapatnam district requesting this Institution to issue necessary directions to the Public Servants for payment of the balance amount due to him in respect of the work executed by him.

On verification, it is found that the complainant was given Ravanapalli Reservoir Channel System Construction Works, with an estimated cost of Rs.1,20,000/-, by way of Agreement and as per the terms and conditions of the Agreement the complainant has executed the entire work well with in the time and the same was also recorded in Measurement Books. The final bill was also approved and sanctioned. But so far the complainant was paid only Rs.52,614/-, leaving balance amount of Rs.67,386/- by the officials of I&CAD Department since 2001 in spite of making repeated representations.

After registering it as complaint, the Hon'ble Upa-Lokayukta called for a report from the Executive Engineer, I&CAD Department. Accordingly, the Executive Engineer has submitted a report stating that soon after receipt of the funds from the Government payment would be made to the complainant.

Thereupon, on being directed by the Hon'ble Upa-Lokayukta, the Executive Engineer submitted his further report stating that the bill amount relating to the complainant is pending with the PAO, YR Scheme (I.W.), Visakhapatnam and soon after receipt of the bill amount from the PAO, the amount would be paid to the complainant.

Thereafter, on being called for by the Hon'ble Upa-Lokayukta, the Executive Engineer submitted his final report stating that the balance amount of Rs. 66,676/- has been paid to the complainant for the work executed by him and the complainant also has acknowledged the same.

Thus, on the intervention of this Institution and on continuous persuasion by the Hon'ble Upa-Lokayukta, the amount due to the complainant since 2001, has been paid to him. As the grievance of the complainant was fully redressed, the complaint was closed.

COMPLAINT NO.1178/2009/B2.

RANGA REDDY DISTRICT

Sri G.Mallaiah of Ranga Reddy District has filed this complaint against the Tahsildar, Mominpet Mandal, Ranga Reddy District requesting this Institution to issue necessary directions to the District Collector to take necessary action against the Public Servant for non-issuance of pattedar pass books and Title Deeds in respect of the land purchased by him and his brothers and also to initiate necessary action against the Tahsildar for non-compliance of the directions of the District Collector and do justice to them.

On verification, it is found that the complainant and his brothers have purchased Ac.4.00 of land in Sy.No.78 of Yenkepalli Village, Mominpet Mandal, Ranga Reddy District through Registered Sale Deed dated 18.03.2006 from Sri Syed Hyder Ali Hussain and 2 others. The complainant made a representation to the Public Servant for mutation of the said land in their names and also for issue of pattedar pass book and Title deeds on which the District Collector directed the Tahsildar to effect mutation in favour of the complainant & others and also issue pattedar pass books and Title Deeds in their names in respect of the land purchased by them. In spite of that, the Tahsildar failed to comply with the Orders of the District Collector and the matter was kept pending.

After registering the complaint, the Hon'ble Upa-Lokayukta called for a report from the District Collector, Ranga Reddy District. Accordingly, the District Collector has submitted a report stating that inspite of the instructions issued by the Collector to take action under appropriate Act to sanction succession in respect of the lands purchased by the complainant and implement the registered sale document No.1636/2005 dated 18-03-2006 duly following section 5 of R.O.R. Act r/w rule 9 of R.O.R. Rules, 1989 and also follow instructions issued by the Sub-Collector, Vikarabad Division to effect

mutation in favour of the complainant - Sri Golla Mallaiah by virtue of the registered Sale deed duly following the procedure under the provisions of A.P. Records in Land & Pattedar Passbooks Act, 1971. As the Tahsildar has not obeyed the said instructions of the District Collector and the Joint Collector, the Tahsildar has been again instructed to issue final orders within a week and submit compliance report.

On the above report, on being directed by the Hon'ble Upa-Lokayukta the District Collector submitted his further report stating that the Tahsildar issued pattedar passbooks and title deeds to the complainant. It is further reported that Articles of Charge have been framed against the Tahsildar, Mominpet Mandal for disobeying the orders of the higher authorities and in response to it the delinquent officer has submitted his explanation.

The complainant submitted a Memo stating that he has received the Pattedar Passbooks and title deeds.

Thus, on the intervention of this Institution and on continuous persuasion by the Hon'ble Upa-Lokayukta, the complainant & his brothers were issued pattedar pass books and Title Deeds in respect of the land purchased by them, which issue was pending since 2006. As the grievance of the complainant was fully redressed, the complaint was closed. Further, disciplinary action was also initiated against the Tahsildar, Mominpet Mandal for disobedience of the orders of the District Collector.

COMPLAINT NO.1242/2009/B2.

VISAKHAPATNAM DISTRICT

Smt. G.Sarada, W/o. Late Sri G.Srinivasa Rao of Visakhapatnam has filed this complaint against the Special Grade Deputy Collector (Land Acquisition), Indirasagar Project, Polavaram, C.M.C.Unit, Yelamanchili, Visakhapatnam District requesting this Institution to issue necessary directions to the Public Servant for payment of the amounts due to her at an early date.

On verification, it is found that the complainant's husband Sri G.Srinivasa Rao was expired due to ill-health on 27.08.2007 while working as Surveyor in the Office of the Public Servant. After his death, the complainant was appointed as Sweeper in Government Chest Hospital on compassionate grounds. Though the complainant's husband worked for 18 years 9 months as Surveyor, the pay fixation arrears in the Revised pay Scales, 2005, Family Pension, Gratuity, Group Insurance, etc., have not been sanctioned and paid to the complainant in spite of making several representations to the Public Servant.

After registering the complaint, the Hon'ble Upa-Lokayukta called for a report from the Special Grade Deputy Collector (Land Acquisition), Indirasagar Project, Polavaram, C.M.C.Unit, Yelamanchili, Visakhapatnam District. Accordingly the Special Grade Deputy Collector (Land Acquisition) has submitted a report stating that the pending pension proposals along with the service register of Sri G.Srinivasa Rao were submitted to the A.G., Hyderabad through registered post.

Thereupon, on being directed by the Hon'ble Upa-Lokayukta, the Special Grade Deputy Director (Land Acquisition) has submitted his final report stating that the complainant was paid Rs.73,530/- towards Gratuity amount, Rs.1,87,470/- towards Family Pension arrears from 28-02-2007 to

September, 2010, Rs.30,000/- towards Group Insurance amount. It is further reported that as the individual is not having Earned Leave at his credit, he is not entitled for encashment of Earned Leave amount. The complainant also submitted a representation stating that he has received all the amounts for which she is eligible.

Thus on the intervention of this Institution and on continuous persuasion by the Hon'ble Upa-Lokayukta what all the arrears amount due to the complainant since 2007 have been paid to the complainant. As the grievance of the complainant was fully redressed, the complaint was closed.

COMPLAINT NO.1273/2009/B2.

KURNOOL DISTRICT

Sri S.B.Hameed of Kurnool District has filed this complaint against (1) The District General Manager, Industries Department, Kurnool district, (2) The Sarpanch, Kodumuru Village Panchayat, Kurnool district and (3) The Sub-Inspector of Police, Kodumuru Police Station, Kodumuru, Kurnool district requesting this Institution to enquire into the matter and direct the public servants to remove M/s. Ameer Carpentry Unit and to stop further health hazards to the complainant and the surrounding people of Kodumur, Kurnool District.

On verification, it is found that Sri Hameed, Corporator and his father Sri Abdul Kadar have been running M/s.Ameer Carpentry Unit at Kodumuru, Kurnool District with the capacity of 3HP Motor and 2 Nos. of handhold Motors for cutting the wood, without obtaining any permission from the District Industries Centre, Kurnool, to operate the said Unit at D.No.18-12-2, Bellary Road, Kodumur, Kurnool District, as required U/s.25/26 of (Prevention and Control of Pollution) Act, 1974 and U/s.21/22 of Air (prevention and Control of Pollution) Amendment Act, 1987 and thereby created sound and air pollution in the surrounding areas and also creating health hazards to the surrounding residents.

After registering the complaint, the Hon'ble Upa-Lokayukta called for a report from the General Manager, District Industries Centre, Kurnool District. The General Manager has submitted a report stating that the Unit holder of M/s. Ameer Carpentry Works, Bellary road, Kodumur, Kurnool district has changed the location of the Unit from Bellary Road, Kodumur to D.No.18-12-2, Kodumur. But no permission is issued for such change of the location by the department. Hence, the unit is unauthorisedly working at D.No.18-12-2, Kodumur. Further, it is submitted that the unit was inspected

by the General Manager, District Industries Centre, Kurnool on 20-08-2011. At the time of inspection the unit is not working, and also noticed that the Joint Chief Environmental Engineer, APPCB, Zonal Office, Kurnool was issued "Closure Orders" to the unit holder on 12-08-2011 to close the unit.

Thereupon, on being directed by the Hon'ble Upa-Lokayukta, the Joint Chief Environmental Engineer, A.P., Pollution Control Board, Kurnool has submitted a report dated 24-8-2011 stating that since the industry did not comply with Board's directions, conforming to Board's prescribed limits in respect of (i) suspend particulate matter (ii) Noise limit for Residential Zone, the industry was issued Closure Order, along with disconnection of electricity supply u/s 31 of Air (Prevention and Control of Pollution) Amendment Act, 1987. Based on the directions given by the Board, the APCPDCL disconnected the power supply to M/s. Ameer Carpentry Works, Kodumur, Kurnool on 21.08.2011. The complainant also appeared before this Institution on 22.08.2011 and confirmed the fact that the said Unit was closed.

Thus, on the intervention of this Institution and as per the directions of the Hon'ble Upa-Lokayuktra, the inaction on the part of the concerned Public Servant was rectified, the complaint was closed.

COMPLAINT NO.1311/2009/B2.

SRIKAKULAM DISTRICT

Smt.A.Ramanamma of Srikakulam District has filed this complaint against the Commissioner, Srikakulam Municipality requesting this Institution to issue necessary directions to the Public Servant for payment of commutation of pension amount at an early date.

On verification, it is found that the complainant retired from service on 31.03.2006 while working as Typist in Srikakulam Municipality. Immediately, after retirement, she submitted proposals for sanction of pension and also commutation of pension amount. As per the proposal of the District Audit Officer, Srikakulam, the Director of Municipal Administration accorded administrative sanction for payment of Pension and Gratuity amount and directed the Public Servant to obtain Council's resolution for payment of commuted value of pension amount of Rs.1,55,520/-. But, so far, the Public Servant has not taken any action for payment of commuted value of pension amount in spite of making repeated representations.

After registering the complaint, the Hon'ble Upa-Lokayukta called for a report from the Commissioner, Srikakulam Municipality. Accordingly, the Commissioner has submitted a report stating that the District Audit Officer, Srikakulam has accorded Rs.1,55,520/- towards commutation amount of pension and the same was placed before the Municipal Council.

Thereafter, on being directed by the Hon'ble Upa-Lokayukta, the Commissioner and Director of Municipal Administration submitted a report stating that the Municipal Council passed necessary resolution for payment of commutation value of pension amount to the complainant and accordingly, the said amount of Rs.1,55,520/- was paid to the complainant.

Thus, on the intervention of this Institution and as per the directions of the Hon'ble Upa-Lokayukta, the commutation amount of pension, which was due to the complainant since 2006, was paid to him. As the grievance of the complainant was fully redressed, the complaint was closed.

COMPLAINT NO.1413/2009/B2.

KRISHNA DISTRICT

Sri Totakura Murali Dhanumjaya Rao of Krishna District has filed this complaint against (1) The District Educational Officer, Krishna District, (2) The Principal , Government Junior College, Kanchikacherla, Krishna, (3) The Principal, Government Junior College, Pamarru, Krishna district and (4) The Regional Joint Director of Intermediate Education, Arts College Campus, Rajahmundry, East Godavari district requesting this institution to direct the Public Servants to revise his pay in the cadre of Junior Lecturer and also to pay him consequential benefits at an early date.

On verification, it is found that initially the complainant was appointed as Special Teacher through District Selection Committee, 1983 and later absorbed as Secondary Grade Teacher and subsequently promoted as B.Ed. Assistant on 28.08.1990 and posted at Z.P. High School, Mallaparajudem. Prior to his promotion, his Junior, Sri N.J.Wilson, Secondary Grade Teacher was promoted as B.Ed. Assistant on 15.10.1987. As such, the complainant made several representations to the D.E.O. requesting to fix his pay on par with his Junior, Sri N.J.Wilson, w.e.f. 15.10.1987. Accordingly, the D.E.O. fixed his seniority above Sri N.J.Wilson by Proceedings dt.22.11.2004. Based on the said Proceedings, the complainant's pay was also revised in the cadre of B.Ed. Assistant. Later, the complainant made representation to the Principal, Government Junior College, Kanchikacherla to revise his pay in the cadre of Junior Lecturer, w.e.f. 07.03.2001, i.e., the date on which he joined as Junior Lecturer. As per the directions of the Regional Joint Director of Intermediate Education, the Principal revised the pay of the complainant in the cadre of Junior Lecturer, vide Proceedings dt.28.10.2005, but the arrears amount arose due to increase in the pay in the cadre of School Assistant upto 06.03.2001 was paid to him only on 17.03.2006. Still the complainant's pay

has to be revised in the cadre of Junior Lecturer w.e.f. 18.03.2006. In spite of making several representations, the Public Servants have not taken any action in the matter.

After registering the complaint the Hon'ble Upa-Lokayukta called for a report from the Principal, Government Junior College, Pamarru, Krishna district. Accordingly, the Principal has submitted a report stating that as per the clarification Proceedings of Regional Joint Director, Intermediate Education, Rajahmundry, Proceedings for fixation of pay in the cadre of Junior Lecturer in English were issued on 30.12.2010 and the pay fixation bill was presented to the Sub-Treasury Officer, Pamarru on 20.01.2011. The pay of the complainant was also fixed in the cadre of Junior Lecturer and the arrears arose due to fixation was also drawn and paid to him on 08.04.2011. The complainant also acknowledged the receipt of the arrears due to him.

Thus, on the intervention of this institution and on continuous persuasion by the Hon'ble Upa-Lokayukta, the pay of the complainant was refixed in the cadre of Junior Lecturer and consequential arrears amount was also paid to him. As the grievance of the complainant was fully redressed, the complaint was closed.

COMPLAINT NO.682/2010/B2.

EAST GODAVARI DISTRICT

Sri Boola Chitti John of East Godavari District has filed this complaint against the Superintending Engineer, Irrigation Circle, Dowleiswaram requesting this institution to issue directions to the public servant for giving promotion to him as Fitter Grade-II on par with his Junior, Sri Konda Suryanarayana and do justice to him.

On verification, it is found that the complainant belongs to S.T.Caste and working as Fitter Grade-III since 13.02.1995 in PWD Workshop, Dowleiswaram, East Godavari District and though he was fully qualified for promotion to the post of Fitter Grade-II, his case was not considered by the Superintending Engineer, Irrigation Circle, Dowleiswaram. On the other hand, he promoted his Junior Sri Konda Suryanarayana, who belongs to Open Category as Fitter Grade-II, though he was not at all qualified for the said promotion.

After registering the complaint, the Hon'ble Upa-Lokayukta called for a report from the Superintending Engineer, Irrigation Circle, Dowleiswaram. Accordingly, the Superintending Engineer has submitted a report stating that the case of the complainant was considered and he was promoted as Fitter Grade-II w.e.f. 29.07.2008, on par with his Junior, Sri Konda Suryanarayana, Fitter Grade-II.

Thus, on the intervention of this Institution, the inaction on the part of the Public Servant was rectified. As the grievance of the complainant, which is pending since 2008, was fully redressed, the complaint was closed.

COMPLAINT NO.1945/2010/B2.

EAST GODAVARI DISTRICT

Miss Y.Indira of Rajahmundry, East Godavari District has filed this complaint against the Station House Officer, One Town Police Station, Rajahmundry, East Godavari District requesting this Institution to enquire into the matter and take necessary action against the Public Servant for their inaction and do justice to her.

On verification, it is found that the complainant has filed a complaint before the Sub-Divisional Police Officer, Rajahmundry against Sri K.Syamala Rao, who sexually cohabitated with her putting her under the belief as if she was his married wife, but deceived her and married one Chandrakala and when the complainant questioned Mr.K.Syamala Rao, he manhandled her and threatened with dire consequences. Basing on the Orders of the Sub-Divisional Police Officer the Public Servant registered the crime, arrested the said Syamala Rao, later, he was enlarged on bail. But, so far, the Public Servant has not taken any further action in the matter in spite of making repeated representations by the complainant.

After registering the complaint, the Hon'ble Upa-Lokayukta called for a report from the Superintendent of Police, Rajahmundry Urban. Accordingly, the Superintendent of Police has submitted a report stating that a Memo has been filed in the Hon'ble Court to record the Statements of the Witnesses of PWs.1, 5, 6 and 7 under Sec.164 Cr.P.C. In turn, the Hon'ble Chief Judicial Magistrate, Rajahmundry endorsed to the Hon'ble III AJFCM, Rajahmundry to record the statements of the witnesses U/s.164 Cr.P.C. Accordingly, the Hon'ble Court summoned the LW-1 to attend the Court on 21.03.2011. In view of the above, the Charge Sheet would be filed in the Hon'ble Court after completion of recording statements of the witnesses.

Thereupon on being directed by the Hon'ble Upa-Lokayukta, the Superintendent of Police submitted further report stating that the case in Cr.No.35/2010 U/s.506, 323 r/w 34 IPC and Sec.3 (1) (xi) of SC, ST (POA) Act, 1989 was charged on 25.04.2011 in the Hon'ble II AJFCM, Rajahmundry vide PRC No.18/2011. It was committal to Sessions on 29.06.2011 and SC Number and date of postings are awaited from the Hon'ble Sessions Court, Rajahmundry.

Thus, on the intervention of this Institution and on continuous persuasion by the Hon'ble Upa-Lokayukta, the inaction on the part of the concerned Public Servant was rectified. As the grievance of the complainant was redressed, the complaint was closed.

COMPLAINT NO.2247/2010/B2.

EAST GODAVARI DISTRICT

Sri Lanke Bhyravaswamy & 8 others of East Godavari District have filed this complaint against the Officials of Fisheries Department requesting to issue necessary directions to the Public Servants for supply of subsidised diesel to their mechanised boats so as to enable them to do their fishing business and do justice to them.

On verification, it is found that they are having mechanised boats for fishing purpose and the Fisheries Department has recognised them as beneficiaries, but so far the Department has not released subsidised diesel for running the mechanised boats, which was the only source of their livelihood.

After registering the complaint, the Hon'ble Upa-Lokayukta called for a report from the Deputy Director, Fisheries Department, Kakinada, East Godavari District. Accordingly the Deputy Director has submitted a report stating that the Assistant Director of Fisheries Department issued subsidy diesel pass books to the complainants duly obtaining the receipts from them and they are requested to submit HSD oil bills for claiming the HSD oil subsidy like reimbursement of sales tax and Central Excise Duty after receipt of the bills. Along with the report, the Deputy Director has enclosed the original receipts showing the acknowledgement of receipt of pass books by the complainants.

Thus, on the intervention of this Institution, the poor fishermen could get their subsidy pass books for supply of subsidised diesel for their mechanised boats for running their fishing business, which issue was pending since 2008. As the grievance of the complainant was fully redressed, the complaint was closed.

ANNEXURE – C

STATISTICS SHOWING THE NUMBER OF COMPLAINTS RECEIVED,
DISPOSED AND PENDING DURING THE PERIOD
FROM 01.01.2011 TO 31.12.2011.

Sl.No.	Description	Lokayukta	Upa-Lokayukta	Total
1	Complaints carried forward from 2010	1205	1081	2286
2	Complaints received during 2011	2264	796	3060
3	Total available for disposal	3469	1877	5346
4	Disposed off by Lokayukta and Upa-Lokayukta during 2011	1103	666	1769
5	Pending on 31.12.2011	2366	1211	3577
6	Grievances Redressed	163	51	214

ANNEXURE - D**REGION-WISE BREAK-UP OF THE COMPLAINTS RECEIVED
DURING THE YEAR 2011**

S.NO	PARTICULARS	TOTAL
1.	Coastal Andhra Area	1,080
2.	Rayalaseema Area	761
3.	Telangana Area	345
4.	Twin Cities	294
5.	Suo-Motu	412
6.	Other-States Complaints	9
7.	Anonymous Complaints	159
	Grand Total	3,060

ANNEXURE – E

**DEPARTMENTWISE PARTICULARS OF COMPLAINTS
RECEIVED, DISPOSED OFF AND PENDING DURING THE YEAR-
2011**

Sl. No.	Department Name	Pending As on 31.12.2010	Received During the year 2011	Rejected in limine	Closed after P.V.	Closed after grievance redressed	Closed after F.I.	Pending as on 31.12.2011
1.	Agriculture	25	24	01	10	02	-	36
2.	Animal Husbandry	01	04	-	02	-	-	03
3.	Boards	37	56	-	27	07	-	59
4.	Co-Operation	19	37	-	24	05	-	27
5.	Commercial Taxes	03	04	-	03	-	-	04
6.	Corporation	25	83	02	35	06	-	65
7.	Education	122	168	06	69	09	-	206
8.	Elected Persons	10	21	02	02	01	-	26
9.	Employment & Training	04	02	-	02	-	-	04
10.	Endowments	109	56	01	44	02	-	118
11.	Excise	13	07	-	08	01	-	11
12.	Fire Service	-	-	-	-	-	-	-
13.	Fisheries	10	03	01	07	-	-	05
14.	Forest	23	22	-	16	01	-	28
15.	Industries	26	06	01	01	02	-	28
16.	Irrigation	72	79	05	31	05	-	110
17.	Labour	20	18	-	14	03	-	21
18.	Local Funds	01	02	-	02	-	-	01
19.	Marketing	07	10	-	05	-	-	12
20.	Medical & Health	90	125	02	50	07	-	156

21.	Mines & Geology	07	13	01	16	-	-	61
22.	Miscellaneous	195	296	43	85	27	-	278
23.	Municipal Administration	280	298	10	146	52	01	369
24.	Panchayat Raj	199	253	08	105	16	-	323
25.	Police	90	147	18	78	10	-	131
26.	Printing & Stationery	-	01	-	01	-	-	-
27.	Public Libraries	04	05	-	02	01	-	06
28.	Revenue	760	1187	51	520	49	-	1327
29.	Transport, Roads & Buildings	33	34	02	17	03	-	45
30.	Registration & Stamps	30	26	02	20	01	-	33
31.	Social Welfare	36	34	05	23	02	-	40
32.	Technical Education	01	15	-	-	-	-	16
33.	Treasuries & Accounts	16	06	02	11	02	-	07
34.	Tribal Welfare	08	06	-	04	-	-	10
35.	Information & Public Relations	10	12	-	11	-	-	11
	Totals :	2286	3060	163	1391	214	01	3577

ANNEXURE - F

STATEMENT SHOWING THE NUMBER OF COMPLAINTS (FINAL INVESTIGATION) PENDING, RECEIVED AND DISPOSED OFF DURING THE YEAR 2011.

S.No.		LOKAYUKTA	UPA- LOKAYUKTA	TOTAL
1.	Number of complaints pending as on 31.12.2010	12	02	14
2.	Number of complaints in which final Investigation ordered during the year 2011.	08	01	09
3.	Number of complaints available for disposal during year 2011	20	03	23
4.	Number of complaints disposed of during the year 2011	01	-	01
5.	Number if complaints pending as on 31.12.2011	19	03	22
6.	Number of complaints pending in Courts i) Stayed by the High Court - 01 ii) Pending in Supreme Court- 01	02	-	02
7.	Number of complaints in which Punishments recommended	-	-	-

ANNEXURE – G

SANCTIONED CADRE STRENGTH OF POSTS

S.No.	Name of the Post	Scale of Pay	No. of Posts
1	Registrar	25600-30765	1
2	Director (Legal)	21550-30765	1
3	Deputy Registrar	16925-30765	1
4	Deputy Director (Legal)	- do -	1
5	Secretary to Lokayukta	- do -	1
6	Director (Investigation)	Cadre Post	1
7	Assistant Registrar	12385-27750	1
8	Assistant Registrar (Judl.)	- do -	1
9	Assistant Registrar (Accounts)	- do -	1
10	Deputy Director (Investigation)	10845-22955	4
11	P.A. to Lokayukta	9285-21550	1
12	P.A. to Upa Lokayukta	- do -	1
13	P.A. to Registrar	- do -	1
14	Section Officer	- do -	5
15	Accounts Officer	- do -	1
16	Investigating Officer	- do -	5
17	Special Category Stenographer	7385-17475	4
18	U.D. Stenographer	6675-15500	4

19	Assistant Section Officer	6675-15500	10
20	Librarian	6195-14175	1
21	U.D. Accountant	6195-14175	1
22	Steno-Typist	5470-12325	4
23	Typist	4825-10845	6
24	Assistant	- do -	12
25	Drivers	4370-9775	7
26	Motor Cycle Messenger	- do -	1
27	Record Assistants	4260-9520	3
28	Roneo Operator	- do -	2
29	Police Constable and Orderly	4825-10845	13
30	Jamedar	4260-9520	2
31	Attender	3850-8600	24
32	Chowkidar	- do -	4
33	Sweeper-cum-Scavenger	- do -	4
34	Gardener	- do -	2
	Total		131

(One hundred and thirty one only)

ANNEXURE - H

**AMENDMENTS PROPOSED TO THE
ANDHRA PRADESH LOKAYUKTA ACT, 1983
&
AMENDMENTS ACCEPTED BY THE GOVERNMENT**

AMENDMENTSAMENDMENT No.1:EXISTINGPROPOSED

(Amendment to Section 2 by inserting Sub-section 2(bb))

Sec.2(bb):

‘Grievance’ means a claim by a person that he sustained injustice or undue hardship in consequence of maladministration.

EXPLANATORY NOTE:

Availability of a quick and inexpensive grievance redressal system is sine quo non for good governance. This was realized by the Scandinavian Countries, particularly, Sweden, as early as in 1809 – when they have established the Institution of Ombudsman – and in our own country by the administrative Reforms Commission, which has submitted its interim report some time in 1966, on the basis of which the Andhra Pradesh Lokayukta and Upa lokayukta Act was enacted in the year 1983. But there are vital gaps in the Act regarding redressal of grievances arising out of mal-administration. Though, Section 7 of the act read with the preamble authorizes investigation into administrative action by the Lokayukta or Upa Lokayukta, there is no mention about filing a complaint of grievance with reference to administrative action or maladministration under Section 9 or submission of a report for redressal of grievance under Section 12 of the Act. It is true, that proviso to Rule 5(6) of the A.P. Lokayukta and Upa Lokayukta (Investigation) Rules do mention of the grievance redressal, but, it is found that it is wholly inadequate in the absence of statutory provisions. Proposed amendment Nos.1, 2, 8, 10 to 12 are intended to fill up this gap in the Act.

AMENDMENT NO.2:

After Section-2(bb) Sub-section 2(bbb) shall be added as follows;

“Mal-administration’ means action taken or purporting to have been taken in the exercise of administrative function in any case where:

- (i) such action or the administrative procedure or practice governing such action is un-reasonable, unjust, oppressive or improper or discriminatory; or
- (ii) there has been willful negligence or undue delay in taking such action.

AMENDMENT NO.3:**Section 2(i)**

‘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 Seven Thousand Four Hundred and below:

Section 2(i)

‘Officer means a person appointed to a public service in connection with the affairs of the State of Andhra Pradesh.

EXPLANATORY NOTE:

In the present Section there is salary embargo stipulating that a person holding a post carrying a minimum scale of pay Rs.7,400/- and below are not within the purview of this Institution. In view of this, the Officers in the cadre of Revenue Divisional Officer, Dy. Superintendent of Police, Inspector of Police, Mandal Revenue Officer, Mandal Development Officer, etc., stood excluded from the purview of the Act. In view of the judgment of the High Court of Andhra Pradesh in “J.Papa Rao, Senior Stenographer, Office of the Engineer-in-Chief Vs. Government

of Andhra Pradesh & others (2004 (2) ALT 663 (Division Bench)'' holding a post carrying a minimum scale of pay of Rs.1,150/- and below'' in section 2(i) of the Act as unconstitutional. The amendment is necessary. Hence proposed.

AMENDMENT NO.4:

Section 2 (k)

Section 2(k) (iv) (1)
Chairman and Vice-Chairman of a Zilla Parishad and President of a Mandal Parishad, constituted under the Andhra Pradesh Panchayat Raj Act, 1994 (Act 13 of 1994).

(2) Mayor of the Municipal Corporation constituted by or under the relevant law for the time being in force.

(3) Chairman of a Municipal Council constituted under the Andhra Pradesh Municipalities Act, 1965 (Act 6 of 1965), other than of second and third grade municipalities.

(-) (to be omitted)

Section 2(k)(v)(2): any statutory body or Corporation (not being a local authority) established by or under a State Act, owned or controlled by the Government of Andhra Pradesh and any other Board or Corporation as the Government may having regard to its financial interest therein specify by notification in the Gazette from time to time.

Section 2(k)(v)(5) any Co-operative Society registered or deemed to be registered under the Andhra Pradesh Co-operative Societies Act, 1964 whose area of operation extends to the whole of the State or is confined to a part of the State extending to an area not less than a District.

iv) (1) Chairman, Vice-Chairman and Members of a Zilla Parishad and President and Members of a Mandal Parishad constituted by or under the Andhra Pradesh Panchayat Raj Act, 1994 (Act 13 of 1994).

(2) Mayor and Corporators of the Municipal Corporation constituted by or under the relevant law for the time being in force;

(3) Chairman, Vice Chairman and Councillors of a Municipal Council constituted under the Andhra Pradesh Municipalities Act, 1965 (Act 6 of 1965).

(4) any statutory body or Corporation (not being a local authority) established by or under a State or a Central Act, owned or controlled by the Government of Andhra Pradesh and any other Board or Corporation as the Government may having regard to its financial interest therein specify by notification in the Gazette from time to time.

(5) any Co-operative Society registered or deemed to be registered under the Andhra Pradesh Co-operative Societies Act, 1964 having its area of operation in the State either whole or in part.

EXPLANATORY NOTE:

Though this provision has been amended by Act 1 of 2007 inadvertently or by oversight omitted to add the words 'Central Act' in Section 2(k)(v)(2) since number of Corporations or Statutory bodies constituted/incorporated under the Central Act are functioning in the State and are being controlled by the State Government, but however, they are excluded from the purview of this Institution without there being any justifiable reasons and number of complaints are being received and they are being returned for want of jurisdiction of this Institution.

AMENDMENT No. 5:

(Amendment to Section 3 by inserting sub-Section (4))

Section 3(4)

After proviso 3(3) of the existing Act it is proposed to insert Sub-Section (4) to the following effect.

A vacancy occurring in the office of the Lokayukta or Upa Lokayukta by reason of his death, resignation, retirement or removal shall be filled in as soon as possible, and in any event not later than three months from the date of occurrence of such vacancy.

EXPLANATORY NOTE:

Unless the vacancy of Lokayukta/Upa Lokayukta is filled up immediately, the credibility of the Institution will be greatly affected. Hence, the proposed Amendment.

AMENDMENT No.6:

(Amendment to Section 5 by inserting sub-Section (6))

Section 5(6)

The expenditure in respect of the salaries and allowances of the Lokayukta and the Upa Lokayukta and the administrative expenses of the office of the Lokayukta and the Upa Lokayukta including all salaries, allowances and pensions payable to or in respect of the persons serving in that office shall be charged on the Consolidated Fund of the State.

EXPLANATORY NOTE:

The main object of establishing the Institution of Lokayukta is to promote good governance. This would be clear from the preamble of the Act itself. The scheme of the Act would reveal that Lokayukta is a representative of the Legislature but not part of any Department of the Government. Further, Lokayukta has to enquire into the administrative actions taken by all the Departments of the Government. Therefore, the Institution of Lokayukta must be independent and shall not be part and parcel of any other department of the Government. To maintain that independence, the staff working under the Lokayukta shall also be independent of Government department control. It is not, therefore, advisable to make the Institution dependent upon any Department of Government for its budgetary needs. It is therefore desirable that necessary funds to run the Institution shall be charged to the consolidated fund of the State. It may also be noted here that a similar provision exists in other State Acts viz. in sub-section (5) of section 5 of Karnataka Lokayukta Act, 1984, in sub-section (5) of section 5 of Kerala Lokayukta Act, 1999, in Section 20-A of Uttar Pradesh Lokayukta & Upa Lokayukta Act, 1975 and in Section 17 of Punjab Lok Pal Act, 1996.

AMENDMENT No.7:Section 8(2)

The Lokayukta or Upa-Lokayukta shall not investigate any complaint involving an allegation, if the Complaint is made after the expiry of six years from the date on which the action complained against is alleged to have been taken place.

Section 8(2)

The Lokayukta or Upa-Lokayukta shall not investigate any complaint involving an allegation, if the complaint is made after the expiry of six years from the date on which the action complained against is alleged to have been taken place or after the expiry of a period of one year from the date on which the action complained against becomes known to the complainant, whichever is later.

AMENDMENT No.8:Section 9 Provision relating to complaints:-

(1) Subject to the provisions of this Act, a complaint may be made by any person under this Act to Lokayukta or Upa-Lokayukta relating to an allegation in respect of any action:

Section 9 Provision relating to complaints:-

(1) Subject to the provisions of this Act, a complaint may be made under this Act to Lokayukta or Upa-Lokayukta in the case of an allegation by any person, or in the case of a grievance by a person aggrieved, in respect of any action.

AMENDMENT No. 9:

(Amendment to Section 10 by inserting Section 10-A)

Section 10-AIssue of Search warrants etc.,:

1) Where in consequence of information in his possession the Lokayukta or Upa Lokayukta -
a) has reason to believe that any person to whom a summon or notice under this Act has been/might be issued or likely to be issued, may not produce or cause to be

produced or may tamper with any property, document or thing which will be necessary or useful for or relevant to any inquiry or other proceedings to be conducted by him.

- b) Considers that the purposes of any enquiry or other proceedings to be conducted by him will be served by a general search or inspection, he may by a Search warrant authorize any officer subordinate to him or any officer of the Institution of Lokayukta or any person or agency referred to in Section 14 or any Commissioner appointed by him under clause (e) of sub-section (2) of section 11 to conduct a search or carry out an inspection in accordance therewith and in particular to:
 - i) enter and search any building or place where he has reason to suspect that such property, document is kept.
 - ii) Break open the lock of any door, box, locker, safe, almirah or other receptacle for exercising the powers conferred by item (i) where the keys thereof are not available.
 - iii) Seize or seal any such property, or document, found as a result of such search;
 - iv) Place marks of identification on any property or document or make or cause to be made extracts or copies there-from; or
 - v) Make a note or an inventory of any such property or document.
- 2) The provisions of the Code of Criminal Procedure, 1973 relating to search and seizure shall mutatis mutandis apply to searches and seizures under sub section (1).
- 3) A warrant issued under sub-section (1) shall, for all purposes, be deemed to be a warrant issued by a court under section 93 of the Code of Criminal Procedure 1973.

EXPLANATORY NOTE:

The Act in its present form does not authorize the Lokayukta or the Upa Lokayukta to issue warrants for search and seizure, on account of which it is becoming increasingly difficult to take prompt action and seize incriminating material which would establish the allegation made against a public servant. Unless powers of search and seizure are conferred on the Lokayukta and Upa Lokayukta it will be difficult to act effectively. It may be noted here that such powers of search and seizure are conferred upon the Lokayukta and Upa Lokayukta under Section 10 of the Karnataka Lokayukta Act.

AMENDMENT No. 10:

(Amendment to Section 10 by inserting sub-Section 10-B)

Section 10-B**Power of inspection:**

The Lokayukta and Upa Lokayukta or any officer authorized by him shall have the power to inspect any office of the State Government, local authority, corporation, Government company, society, university, as is referred to in sub-clauses (iv) to (vi) of clause (k) of section 2, in connection with preliminary verification or investigation of any complaint involving a grievance or an allegation under this Act.

EXPLANATORY NOTE:

This new provision is proposed to be inserted for achieving the object of impartial, unbiased and fair investigation and to gather evidence on the spot.

AMENDMENT No. 11:

(Amendment to Section 11 by inserting Section 11-A and 11-B)

Section 11:

If, during the course of preliminary verification or investigation under this Act, the Lokayukta or Upa Lokayukta is prima facie satisfied that allegation or grievance against any action is likely to be substantiated either wholly or partly he may, by an interim order in writing, direct to the public functionary concerned to stay the implementation or enforcement of the decision or action complained against or to take such mandatory or preventive action on such terms and conditions as he may specify.

Section 11-B

- 1) The Lokayukta or Upa Lokayukta as the case may be forward an interim report to the competent authority recommending grant of interim relief to the complainant if he is satisfied at any stage of preliminary verification or investigation that the complainant has sustained injustice or undue hardship in consequence of any decision or action of a public functionary and that the grievance complained of should be redressed expeditiously;
- 2) The Lokayukta or Upa Lokayukta, as the case may be, may at any stage of preliminary verification or investigation under this Act, forward an interim report to the competent authority recommending to take such action as may be considered necessary by him against the public functionary pending inquiry or investigation.

- a) to safeguard wastage or damage of public property or public revenue by the administrative acts of the public functionary;
- b) to prevent further acts of misconduct of the public functionary;
- c) to promote public interest.

EXPLANATORY NOTE:

At present there is no provision in the Act providing for submission of interim reports recommending urgent interim orders in suitable cases. Without such power the object of the Act can not fully be achieved. Hence, the proposed amendments.

AMENDMENT No. 12:

(Amendment to Section 12 by inserting sub-Section 12 (4-a) and 12 (4-b))

Section 12 (4)(a):

If, after investigation of any action involving a grievance has been made, the Lokayukta or Upa Lokayukta is satisfied that such action has resulted in injustice or undue hardship to the complainant or to any other person, the Lokayukta and Upa Lokayukta shall, by a report in writing recommend to the competent authority concerned that such injustice or hardship shall be remedied or redressed in such manner and within such time as may be specified in the report.

Section 12 (4)(b): The competent authority to whom a report is sent under Sub-Section (A) shall within two months of the expiry of the period specified in the report, intimate or cause to be intimated to the Lokayukta or the Lokayukta the action taken on the report.

AMENDMENT No.13

(Inserting Section 13-(A) after Section 13)

Section 13-A

Imposition of costs by Lokayukta to be recoverable as an arrear of revenue –
 In case the complaint is found malicious, vexatious or false, the Lokayukta or Upa-Lokayukta may impose suitable costs against the complainant and similarly against the Opposite party for inaction or non-response and the same shall be recoverable as an arrear of revenues or otherwise. Similarly may award costs to the complainant.

EXPLANATORY NOTE:

Since there is possibility of misusing by the petition monger who are not genuine aggrieved or raisin a genuine cause in the public interest. In order to check such false or vexatious claims it would be proper and appropriate to provide such power to impose costs on such complainants. Similar provision is incorporated as Section 12 A of the Bihar Lokayukta Act, 1973.

AMENDMENT No. 14:

- (i) any officer or investigation agency of the State Government; or (ii) any Officer or investigation agency of the Central Government with its concurrence; or
- (iii) any other person or agency.

AMENDMENT No. 15:

(Amendment to Section 16 by inserting sub-Section 16-A)

Section 16-APower to punish for contempt:

- (1) The Lokayukta or Upa Lokayukta shall have and exercise the same jurisdiction, powers and authority in respect of contempt of itself as High Court has, and may exercise and for this purpose, the provisions of the Contempt of Courts Act, 1971, shall have the effect subject to the modification that:-
- a) the reference therein to High Court shall be construed as including a reference to the Lokayukta or Upa Lokayukta as the case may be;
 - b) Section 18 and sub-sections (2) and (3) of section 19 of the Act shall not apply to the Lokayukta or Upa Lokayukta, and
 - c) The reference in the provisio to sub-section (1) of Section 19 of that Act to Judicial Commissioner in any Union Territory shall be construed as including a reference to the Lokayukta or Upa Lokayukta as the case may be;
- (2) The Lokayukta or Upa Lokayukta shall be deemed to be Court within the meaning of Contempt of Courts Act.

EXPLANATORY NOTE:

The proposed amendment is intended to uphold the dignity and authority of the Lokayukta and the Upa Lokayukta, who are given the status of Chief Justice of High Court and Judge of High Court respectively.

It may be noted here that such powers are existing in Section 17-A of the Karnataka Lokayukta Act, 1984, Section 11-A of Himachal Pradesh Lokayukta Act, 1983, Section 19 of Kerala Lokayukta Act 1999, and 11(3) of Madhya Pradesh Lokayukta Evan Upa-Lokayukta Adhiniyam, 1981.

AMENDMENT No. 16:

(Inserting Section 17 – A after Section 17) :

Section 17-A.

- (1) Every Public servant, other than a Government servant, shall within six months after the commencement of this Act, and thereafter before the 30th June of every year submit to the competent authority in the prescribed form, a statement of his assets and liabilities and those of the member of his family.
- (2) If no such statement is received by the competent authority from any such public servant, within the time specified in sub-section (1), the competent authority shall make a report to that effect to the Lokayukta or Upa-Lokayukta, as the case may be, and send a copy of the report to the Public Servant concerned. If within two months of such report, the public servant concerned does not submit such statement, the Lokayukta or the Upa Lokayukta, as the case may be, shall publish, or cause to be published, the name of such public servant in three newspapers having wide circulation in the State.

Explanation: In this section “family” means the spouse and such children and parents of the Public Servant as are dependent on him.

EXPLANATORY NOTE:

Similar requirements are found in other State Acts, which would act as guidance for easy and prompt verification in respect of any allegation against the Public Servants. Similar provision is incorporated as Section 22 of the Kerala Lokayukta Act, 1999 and Section 22 of the Karnataka Lokayukta Act, 1984.

AMENDMENTS ACCEPTED BY THE GOVERNMENT

Out of the above amendments, some of them were accepted by the Government, vide G.O. Ms.No.219, General Administration (Spl.C) Department, dt.05.05.2011 by way of A.P. Lokayukta (Amendment) Act, 2011 and the same was published in the Andhra Pradesh Gazette (Part-I Extraordinary) on 23.05.2011 and came into force from 05.05.2011. The accepted amendments are as under:

1. Short title and commencement:- (1) This Act may be called the Andhra Pradesh Lokayukta (Amendment) Act, 2011.

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

2. Amendment of Section 2:- In the Andhra Pradesh Lokayukta Act, 1983 (Act 11 of 1983), (herein after referred to as the Principal Act), in Section 2,-

(1) after clause (e) the following shall be inserted, namely:-

“(ea) ‘Grievance’ means a claim by a person that he sustained injustice or undue hardship in consequence of maladministration”,

(2) after clause (f), the following shall be inserted namely:-

“(fa) ‘Mal administration’ means action taken or purporting to have taken in exercise of administrative function in any case where,-

(i) such action or the administrative procedure or practice governing such action is unreasonable, unjust, oppressive or improperly discriminatory; or

(ii) there has been willful negligence or undue delay in taking such action or the administrative procedure or practice governing such action involving undue delay”.

(3) for clause (i), the following shall be substituted, namely:-

“(i) ‘Officer’ means a person appointed to a public service in connection with the affairs of the State of Andhra Pradesh.”

(4) In clause (k),-

(i) in sub-clause (iv),-

(a) for item (1), the following shall be substituted, namely:-

“(1) Every Chair-person, Vice Chair-person and Members of Zilla Praja Parishad and every President and Members of Mandal Praja Parishad and Sarpanch, Upa-Sarpanch and Members of a Gram Panchayat, constituted by or under the Andhra Pradesh Panchayat Raj Act, 1994”;

(b) In item (2), after the words ‘Every Mayor’, the words ‘every Deputy Mayor and elected members’ shall be inserted;

(c) for item (3), the following shall be substituted, namely:-

“(3) Every Chair-person, Vice Chair-person and elected members of a Municipal Council constituted under the Andhra Pradesh Municipalities Act, 1965.”

(ii) In sub-clause (v),-

(a) in item (2), for the words “a State Act”, the words “a State Act or a Central Act” shall be substituted.

(b) For item (5), the following shall be substituted, namely:-

“(5) any Co-operative Society registered or deemed to be registered under the Andhra Pradesh Co-operative Societies Act, 1964 and the Andhra Pradesh Mutually aided Co-operative Societies Act, 1995 having its area of operation in the State either whole or its part”.

(iii) in sub-clause (vii) after the words ‘Other Institutions’ the words “as is referred to in sub-clauses (iv) to (vi)” shall be added.

3. Amendment to Section 8:- In Section 8 of the Principal Act, for sub-section (2), the following, shall be substituted, namely:-

“(2) The Lokayukta or Upa-lokayukta shall not investigate any complaint involving an allegation, if the complaint is made after the expiry of six years from the date on which the action complained against is alleged to have been taken place or after the expiry of a period of one year from the date

on which the action complained against becomes known to the complainant, whichever is later”.

4. Amendment of Section 9:- In Section 9 of the Principal Act, for sub-section (1) the following shall be substituted namely:-

“(1) Subject to the provisions of this Act, a complaint may be made under this Act to the Lokayukta or Upa-lokayukta in the case of an allegation by any person, or in the case of a grievance by a person aggrieved, in respect of any action.”

5. Insertion of New Section 13-A:- after Section 13 of the Principal Act, the following shall be inserted, namely:-

“**13-A. Imposition of costs:-** (1) In case any complaint made is found malicious, vexatious or false, the Lokayukta or Upa-Lokayukta may impose suitable costs against the complainant and the same shall be recoverable as arrears of land revenue.

(2) The Lokayukta or Upa-Lokayukta may award costs to the complainant.”
