

EXTRAORDINARY

REGD. NO. JK-33



**THE  
JAMMU AND KASHMIR GOVERNMENT GAZETTE**

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Separate paging is given to this part in order that it may be filed as a  
separate compilation.

**PART III**

**Laws, Regulations and Rules passed thereunder.**

GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT—DEPARTMENT OF LAW, JUSTICE AND  
PARLIAMENTARY AFFAIRS  
(Legislation Section)

Srinagar, the 25th October, 2018.

The following Act has been assented to by the Governor on  
25th October, 2018 and is hereby published for general information :—

**THE PREVENTION OF CORRUPTION  
(AMENDMENT) ACT, 2018**

(Governor Act No. XXII of 2018)

[25th October, 2018.]

Enacted by the Governor in the Sixty-ninth Year of the Republic of  
India.

An Act to amend the Prevention of Corruption Act, Samvat 2006.

In exercise of the powers vested under Proclamation No. P-1/18 of 2018 dated 20th June, 2018, the Governor is pleased to enact as follows :—

1. *Short title and commencement.*—(1) This Act may be called the Prevention of Corruption (Amendment) Act, 2018.

(2) It shall come into force from the date of its publication in the Government Gazette.

2. *Amendment in section 2, Act No. XIII of 2006.*—In section 2, in sub-section (1) of the Prevention of Corruption Act, Samvat 2006 (hereinafter referred to as ‘the principal Act’),—

(I) clauses (a), (aa) and (b) shall be re-numbered as clauses (b), (c) and (d) respectively ;

(II) before clause (b) as so re-numbered, following clause shall be inserted, namely :—

“(a) **“Anti-Corruption Bureau”**, shall mean the Anti-Corruption Bureau established under sub-section (1) of section 10” ;

(III) clause (aa) so re-numbered as clause (b) shall be substituted by the following clause, namely :—

“(b) **“Director”**, shall mean the Director of Anti-Corruption Bureau appointed under section 22 of the Jammu and Kashmir State Vigilance Commission Act, 2011” ; and

(IV) existing clause (c) shall be omitted.

3. *Amendment in section 3, Act No. XIII of 2006.*—In section 3 of the principal Act, in second proviso thereto, for the words “Vigilance Organization” wherever occurring, the words “Anti-Corruption Bureau” shall be substituted.

4. *Amendment in section 8-A, Act No. XIII of 2006.*—In section 8-A of the principal Act, for the words, “Vigilance Organization”, the words “Anti-Corruption Bureau” shall be substituted.

5. *Amendment in section 8-B, Act No. XIII of 2006.*—In section 8-B of the principal Act,—

(I) in sub-section (1),—

(a) for the words, “Vigilance Organization”, “Commissioner of the Organization” and “Vigilance Commissioner”, the words, “Anti-Corruption Bureau”, “Director of the Anti-Corruption Bureau” and “Director”, shall respectively be substituted ; and

(b) in proviso thereto, for the words “ninety days” the words “one year” shall be substituted ; and

(II) in sub-section (3) for the words “thirty days” the words “ninety days” shall be substituted.

6. *Amendment in section 8-C, Act No. XIII of 2006.*—In section 8-C, in sub-section (1), for the words “sixty days” the words “ninety days” shall be substituted.

7. *Amendment in section 9, Act No. XIII of 2006.*—In section 9 of the principal Act in sub-section (1),—

(I) for the words “Government”, the words “Director, Anti-Corruption Bureau” shall be substituted ;

(II) for the words “Vigilance Organization”, the words “Anti-Corruption Bureau” shall be substituted ; and

(III) the words “in the State” shall be omitted.

8. *Amendment in section 9-A, Act No. XIII of 2006.*—In section 9-A of the principal Act and in its marginal heading, for the words “Vigilance Organization” wherever occurring, the words “Anti-Corruption Bureau” shall be substituted.

9. *Substitution of section 10, Act No. XIII of 2006.*—Section 10 of the principal Act, shall be substituted by the following section, namely :—

**“10. Establishment of Anti-Corruption Bureau.**—(1) The Government shall, by notification in the Government Gazette, establish a Bureau for investigation of offences under this Act under the name of ‘Anti-Corruption Bureau’.

(2) The Bureau shall consist of the Director and such other officers and staff subordinate to him as the Government may from time to time think fit to appoint.

(3) The qualification of officers (other than the Director) shall be such as may be prescribed by the Government by rules made under this Act :

Provided that till such rules are made, the qualification of officers (other than the Director) shall be governed by the rules notified by the Government in this regard before the commencement of Prevention of Corruption (Amendment) Act, 2018 and such rules shall be deemed to have been issued under the provisions of this Act.

(4) The Director and the officers and staff subordinate to him shall hold office for such term and on such conditions as the Government may from time to time determine.”

10. *Amendment in section 11, Act No. XIII of 2006.*—In section 11 of the principal Act and in its marginal heading, for the words, “Vigilance Organization” and “Organization” wherever occurring, the words, “Anti-Corruption Bureau” shall be substituted.

11. *Substitution of section 13, Act No. XIII of 2006.*—Section 13 of the principal Act, shall be substituted by the following section, namely :—

**“13. Construction of references to the Anti-Corruption Organization and Vigilance Organization in any other laws, orders etc.**—Any reference in any other law, order, rule or notification, in force in the State immediately before the commencement of the Prevention of Corruption (Amendment) Act, 2018 to the Anti-Corruption Organization or Vigilance Organization shall unless context otherwise requires be construed as reference to the Anti-Corruption Bureau.”

SATYA PAL MALIK,  
Governor.

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(Sd.) ASHISH GUPTA,  
Deputy Legal Remembrancer,  
Department of Law, Justice and Parliamentary Affairs.