



Mains Practice Question

Q. Recent changes in filing complaints with Lokpal can significantly curb corruption. Critically analyse. (250 words)

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Approach

- Briefly highlight what Lokpal is.
- Highlight recent changes in filing complaints.
- Highlight persisting lacunae.
- List out some measures to improve them.

Introduction

Lokpal is the ombudsman that inquires allegations against public servants on charges of corruption as per Lokpal and Lokayukta Act, 2013. Jurisdiction of Lokpal includes Prime Minister, Ministers, members of Parliament, Groups A, B, C and D officers and officials of Central Government. It was formed due to problems of internal transparency and accountability in other anti-corruption bodies like CBI.

Body

Since its formation there were many issues that withheld its effective functioning which have been addressed like recent changes in filing complaint procedure. This can help reduce corruption.

- The complaint may ordinarily be made in English, electronically, in the manner as laid down by Lokpal; by post or in person.
- The Lokpal shall not keep the said complaint, received electronically, as pending, if the same is complete in all respects.
- Lokpal can also entertain a complaint in any of the 22 languages, including Hindi, Gujarati, Assamese and Marathi, referred to in the Eighth Schedule to the Constitution.
- The Lokpal shall dispose of a complaint within 30 days.
- The anti-corruption ombudsman may have to protect the identity of the complainant or the public servant complained against until the conclusion of the inquiry or investigation.

This will smoothen the process by enabling the body with structured disposal of cases in a speedy manner. But there are still issues that need to be addressed.

- Lokpal is **not free from political influence** as the appointing committee itself consists of members from political parties.
- The 2013 Act **did not provide concrete immunity to the whistleblowers**. The provision for initiation of inquiry against the complainant if the accused is found innocent will only discourage people from complaining
- **Exclusion of judiciary from the ambit of the Lokpal.**
- **Lokpal is not given any constitutional backing** and there is no adequate provision for appeal against the Lokpal.

Way Forward

- Lokpal and Lokayukta must be financially, administratively and legally independent of those whom they are called upon to investigate and prosecute.
- Lokpal and Lokayukta appointments must be done transparently so as to minimize the chances of the wrong sorts of people getting in.

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