



Mains Practice Question

Q. “The appointment of the first Lokpal, though delayed, is an important step towards the cause of fighting graft in the government.” Comment. (150 words)

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Approach

- Give a brief overview of the recent appointment of the first Lokpal of India.
- Discuss how Lokpal is an important step towards the cause of fighting corruption.
- You can also highlight some of its limitations.
- Conclude with some suggestions.

Introduction

Justice Pinaki Chandra Ghosh was appointed as India's first Lokpal after five years of the enactment of the Lokpal and Lokayuktas Act. The Act envisaged the appointment of a Lokpal at the Centre and Lokayuktas in the States to look into cases of corruption against certain categories of public servants.

Body

The appointment of the Lokpal, though delayed, is an important step towards the cause of fighting corruption because:

- Lokpal has a wide jurisdiction; it has jurisdiction to inquire into allegations of corruption against anyone who is or has been Prime Minister, or a Minister in the Union government, or a Member of Parliament, as well as officials of the Union government under Groups A, B, C and D.
- It also covers chairpersons, members, officers and directors of any board, corporation, society, trust or autonomous body established by an Act of Parliament or wholly or partly funded by the Centre. It also covers any society or trust or body that receives foreign contribution above ₹10 lakhs.
- The Lokpal can initiate a preliminary investigation after it receives a complaint under the Prevention of Corruption Act, 1988. If the complaint is found to be true, the Lokpal can ask the government to take disciplinary action against the public servant and also file a case in a special court to be set up by the Centre.
- Lokpal has the power of superintendence and direction over any investigation agency like CBI, CVC while investigating and prosecuting cases under the direction of Lokpal.
- It also empowers citizens to complain to the Lokpal against corruption by public officials.

However, the institution of Lokpal faces certain limitations such as:

- The Lokpal cannot inquire into any corruption charge against the Prime Minister if the allegations are related to international relations, external and internal security, public order, atomic energy and space.
- The Act also provides that the Lokpal shall not inquire or investigate into any complaint made after seven years from the date on which the offence has been committed. This restricts the scope of Lokpal.

- The Lokpal has been deprived of the authority of taking suo moto cognizance of the cases of corruption and maladministration.

Conclusion

Despite its limitations, appointment of the Lokpal is an important step towards curbing evils prevalent in the administrative machinery, especially to deal with corruption and maladministration. In future, the institution of Lokpal can be given constitutional status to ensure greater autonomy.

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