



drishti

The Big Picture - Lokpal & Lokayuktas

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The Supreme Court on 17th January 2019 fixed a February- end deadline for the search committee on Lokpal to recommend a panel of names for appointment of the country's first anti-graft ombudsman. The Lokpal and Lokayukta Act came into effect in 2013, but India still doesn't have any Lokpal at Centre and Lokayukta in states as well.

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Why is there no Lokpal yet?

- **The idea of Lokpal and Lokayukta has become a political issue, that's why it has been unsolved for such a long time.**
- Presence of so many other agencies: There has been apprehension in the minds of people at large, particularly the political class, regarding the final shape of this

institution as there are already so many institutions like CAG, CVC, CBI, and Enforcement Directorate to scrutinize government corruption.

- **Continuous Debates:** Since the inception of the idea, setting up of Lokpal has always remained fraught with so many debates like whether Prime Minister should be part of it or not, whether Lokpal should be a single member forum or multi-member forum, public hearing of the special courts etc.
- **Vacancies:** Despite SC's ruling in 2017 that a vacancy in the selection panel will not vitiate the selection, the selection process has got delayed due to the vacancies.
- **Experience of states with Lokayuktas:** In states, it has been seen that most of the complaints were related to misgovernance, non- governance rather than to the corruption charges. Scrutiny becomes difficult in that case.
- Widespread Apprehension in the Political Crowd that Lokpal and Lokayuktas could be misused by successive governments when they come into power, followed by media trials.

Way Forward

- **CBI is too burdened; Lokpal should have its own investigation agency.** Also, first, present investigation agencies should be strengthened.
- People based on merit should comprise the non- judicial members of Lokpal.
- **There cannot be two power centers in the country.** Prime Minister should be kept out of its purview.
- People need to be made aware of the objectives of Lokpal to avoid frivolous complaints.
- Cases ultimately have to go to judiciary through special courts, so Judiciary needs to be strengthened by filling the vacancies.
- **There should be such a provision that powers of members of Lokpal can be diluted, when required, to avoid the situation that CBI recently faced (quarrel between the no.1 and no.2).**
- India scored 40 out of 100 in Global Corruption Perception Index 2017. An institution like Lokpal can be tried to solve the problem of Corruption. Also, The Lokpal and Lokayukta Act can be changed with the time i.e. as per different situations.