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The Role of Lokpal in Combating Corruption and Enhancing Administrative Accountability in India

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ABSTRACT

This research paper bears the title, The Roles of Lokpal in Fighting Corruption and Administrative Accountability in India. This paper, in detail, systematically looks at the potential of the Lokpal institution in the framework of achieving the objectives of curbing corruption and the enhancement of accountability in the Indian administration. Using descriptive as well as comparative analysis, the paper assesses how effective the Lokpal has been in strengthening accountability in administration coupled with the main challenges the Lokpal has encountered in its implementation. Inter alia, the paper compares the Lokpal with the systems of ombudsmen in the developed countries referring to the best practices that might help to make the desired changes to the Indian approach to fighting corruption. This paper, therefore, aligns the objective of this paper of empowering Lokpal with the principles of good governance and the need to fashion out a principles-based solution that will not only address the establishment of Lokpal but also the underlying reasons for corruption. Lastly, it recommends a multi-pronged approach, where the efficiency of accountability mechanisms, is accompanied by attempts at institution-building that would make the civil service more open and responsible.

Keywords: Lokpal, Corruption, Administrative Accountability, Lokayukta, Anti-corruption Laws, Governance, Public Integrity, Ombudsman.

I. INTRODUCTION

Corruption had always been a deep-rooted issue in India, thereby undermining the trust of the public and impairing effective governance. It is defined as the misuse of power for personal gains. Corruption comes in several forms, such as bribery, embezzlement, and nepotism, which badly impact the socio-economic structure of the country. From a historic angle, the problem of corruption was seen since colonial periods in the land; however, there were large spurts under post-independent India through lacking proper frameworks of rules as well as lack of the holding powers' accountability mechanisms. Through one landmark legislation-Prevention of Corruption Act, 1988-to curb practices regarding corrupt ways among the persons public

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service-such legal propositions never stood free from a major source of problems: inefficient ties, in which the real challenge emerges - 'an efficacious politics'.

The growing demand for accountability and transparency in governance has led to the concept of an ombudsman which in turn has gained prominence in India. The term "ombudsman," originating from Sweden, refers to an independent official tasked with investigating complaints against maladministration or violations of rights within government agencies. In India, the concept of ombudsman has been materialized through various institutions among which one of them is the Lokpal at the national level and Lokayuktas at the state level. These bodies are designed to act as guardians of public interest by addressing grievances related to corruption and administrative inefficiency.

The Lokpal and Lokayuktas Act of 2013 was a landmark piece of legislation in the fight against corruption, providing for the setting up of an independent ombudsman institution to probe graft charges against public servants, including the most powerful of political functionaries. Since the appointment and setting up of the institution, the Lokpal faced immense operational challenges. Problems in the filling of leadership posts and lack of publicity on functions have hampered the resource base of the anti-graft body. The perception of political influence on its appointments and investigations only enhances concerns over its autonomy.

The relationship between corruption and the ombudsman concept is very important for knowing and understanding as to how India can strengthen administrative accountability. However, effective implementation of the mandate of the Lokpal would go a long way in curbing corruption by putting in place a transparent mechanism for redressal of grievances. Moreover, for this system to work optimally, the reforms are needed to be strengthened its independence, increase public awareness, and ensure timely appointments and resources.

II. HISTORICAL CONTEXT AND PREVALENCE OF CORRUPTION

The problem is rooted in colonial times of British rule from 1858 to 1947 when a patronage system was set in the country. This colonial Heritage set tradition or precedents for bureaucratic malfeasance that continued after Nigeria's political integration in 1960². The first one or two decades of independence are known as the "License Raj," which involved large measures of control by the government and impending interference, which, in turn, led to corruption³. This is true because during this period, bureaucratic discretion over aspects such as issuance of licenses and permits triggered rampant Offering of bribes and misuse of power that precipitated

² K.K.C. Law Firm, Corruption in India, K.K.C. Corruption Index, <https://kkc.com/corruption-index/corruption-in-india/> (last visited Dec. 27, 2024).

³ K.K.C. Law Firm, Corruption in India, K.K.C. Corruption Index, <https://kkc.com/corruption-index/corruption-in-india/> (last visited Dec. 27, 2024).

restricted competition and economic development.

Modernity has not been spared the canker of corruption and the instances of corrupt practices are many given by modern world examples. For instance, there was Coalgate in 2012 which proved a massive corruption in the letting of coal blocks with the government estimated to have lost over 1.76 trillion rupees in the process, the equivalent of about \$27 billion⁴. Likewise, the self-generated Bofors scandal of 1987 centred on bribery charges of high bureaucracy during the purchase of artillery guns which overthrew the government and diminished people's confidence in the leadership⁵. The 2023 Corruption Perceptions Index conducted by Transparency International presents an alarming picture of the country, which unfortunately still comes out very badly when ranked among nations of the world struggling with perceived corruption issues.

III. IMPACT ON GOVERNANCE AND SOCIO-ECONOMIC DEVELOPMENT

The effect of corruption on governance and Socio-economic development in India has been largely negative. It compromises institutional capacity, formal credibility, and functioning efficiency. Corruption has been known to lead to poverty since many resources meant for the needy are embezzled by thieves in office. Research shows that about 62 per cent of the Indians have faced bribery while approaching the government departments⁶. This culture of graft impacts every citizen and equally affects the economy because it generates market imperfections.

Moreover, corruption has been one of the key issues that possess the values for governance. They encourage the proliferation of corruption since many political leaders employ corrupt practices and until now there remains little enforcement on these vices.⁷ They result in poor developments of infrastructure and quality and availability of public services, and less trust in democratically elected governments.

IV. EMERGENCE OF LOKPAL

The Lokpal and Lokayuktas Act, 2013 can be considered to reflect a new step in the legislative and institutional anti-corruption development of India as well as in improving accountability in public administration. The idea of Lokpal began in India in 1960s after the First Administrative

⁴ Council on Foreign Relations, Governance in India: Corruption, <https://www.cfr.org/background/governance-india-corruption> (last visited Dec. 27, 2024).

⁵ K.K.C. Law Firm, Corruption in India, K.K.C. Corruption Index, <https://kkc.com/corruption-index/corruption-in-india/> (last visited Dec. 27, 2024).

⁶ Council on Foreign Relations, Governance in India: Corruption, <https://www.cfr.org/background/governance-india-corruption> (last visited Dec. 27, 2024).

⁷ Council on Foreign Relations, Governance in India: Corruption, <https://www.cfr.org/background/governance-india-corruption> (last visited Dec. 27, 2024).

Reforms Commission (ARC) made recommendation for an ombudsman, an institution of appeals against corrupt officers, in India⁸. However, it was not until the assumed campaigns involving Anna Hazare in 2011 that Lokpal Bill received a lot of attention in both parliamentary houses and was passed by both houses of parliament in December 2013⁹. The Act it was signed into Law with the president's signature on January 1, 2014 and affected date of implementation was January 16, 2014.

For addressing the problem, the Act passes a multi-member organization known as Lokpal at the Central level and Lokayuktas at the state levels. The Lokpal shall consist of a Chairperson and up to eight members thereof, out of whom not less than fifty per cent shall be from the scheduled castes, the scheduled tribes or women¹⁰. A major goal of this composition was to address the issues of stereotypically marginalized populations in the institution. The Lokpal bill empowers it to investigate complaints against certain public servants like the Prime Minister, Union Ministers, Members of Parliament at Centre, and officials in the Centre and states¹¹.

V. OBJECTIVES AND INTENDED ROLE IN COMBATING CORRUPTION

The intended role of the Lokpal in India is highly complex and is designed to coordinate several functions which will help fight corruption and raise the status of administrative accountability in the country. First, it works against corruption through receiving cases and prosecuting corrupt civil servants thus discouraging unfair activities by the civil servants. Second, the Lokpal at least insists on public post on its findings and the reports that it releases on the Web site that helps the public learn about the existence of corruption and the need to fight it. The Lokpal cuts down on complaints procedures by giving checks on time frame on inquiries and investigations of 90 days of preliminary inquiries and six months for investigations, thereby giving solutions to complains¹². And lastly, by putting an open public complaint door on table aiming which any citizen of India may directly complain against the public servant and the lokpal that too for any wrong doing on part of public servant, it decentralises and empowers the masses of the country for a stronger democratic nation.

⁸ Shakti Gayatri Panda, Lokpal—An Indispensable Institution for Establishment of Corruption-Free India, *Indian J.L. Polity & Admin.*, ISSN 2582-7677.

⁹ Shipra Sharma & Dallindeep Kaur Tiwana, Transparency and Accountability in Lokpal and Lokayukta Act, 2013—An Analysis, in *Chapter 1* (Lovely Prof'l Univ., Phagwara, Punjab, 2024).

¹⁰ Lokpal of India, Frequently Asked Questions (FAQs), <https://www.lokpal.gov.in/pdfs/FreqAQs.pdf> (last visited Dec. 27, 2024).

¹¹ Sushila Baraily, Redressal of Public Grievances: Lokpal and Lokayukta, in *Public Policy and Administration in India, Course DSC 306, 3d Semester Hons.* (Sonada Degree College, Univ. of N. Bengal, Compiled 2024).

¹² Shipra Sharma & Dallindeep Kaur Tiwana, Transparency and Accountability in Lokpal and Lokayukta Act, 2013—An Analysis, in *Chapter 1* (Lovely Prof'l Univ., Phagwara, Punjab, 2024).

VI. SUMMARY OF KEY FINDINGS FROM PRIOR STUDIES ON LOKPAL

The existing literature on the Lokpal has been presented and it discusses its basic structure, functioning, effectiveness, and role in combating corruption in India. However, the research shows that the Lokpal has not been as effective in its stated mandate as it was envisioned to be, to be an autonomous body that will fight corruption. For instance, a parliamentary panel noted that as of 2023, the Lokpal had not prosecuted a single individual for corruption, raising serious concerns about its operational effectiveness and ability to fulfill its mandate¹³. Furthermore, research has pointed out that the Lokpal often dismisses complaints based on technicalities rather than substantive investigations, which undermines public trust in the institution¹⁴.

Additionally, comparative studies have examined the Lokpal's framework against international anti-corruption bodies, suggesting that while it possesses certain powers similar to those of ombudsmen in other countries, its effectiveness is hampered by political influence and bureaucratic inertia¹⁵. The Lokpal's limited jurisdiction—excluding certain categories of public servants and specific allegations—has also been criticized as a significant limitation in its ability to tackle corruption comprehensively.¹⁶

(a) Theoretical Frameworks Used in Analyzing Lokpal's Role

This paper has employed different theoretical frameworks to make the evaluation of the Lokpal in mitigating corruption comprehensible. Thus, Institutional Theory focuses on the concerns regarding effecting political changes in institutions such as the Lokpal and their interrelationships with other forms of governance¹⁷. Scholars have widely explained how the structure and operation of the Lokpal necessary for combating corruption and establishing the role of institutional probity and autonomy. Secondly, The Public Choice Theory gives a clear angle of approaching the political or bureaucratic systems to explain how incentives trigger corruption or accountability¹⁸. This perspective has been useful in explaining why officials may avoid being investigated though there is the Lokpal to do so or other forms of oversight. Besides,

¹³ Not Prosecuted Single Person to Date: Lokpal's Performance Far From Satisfactory—Parliamentary Panel, *Econ. Times* (Mar. 23, 2023), <https://economictimes.indiatimes.com/news/politics-and-nation/not-prosecuted-single-person-to-date-lokpals-performance-far-from-satisfactory-parliamentary-panel/articleshow/98939530.cms>.

¹⁴ Not Prosecuted Single Person to Date: Lokpal's Performance Far From Satisfactory—Parliamentary Panel, *Econ. Times* (Mar. 23, 2023), <https://economictimes.indiatimes.com/news/politics-and-nation/not-prosecuted-single-person-to-date-lokpals-performance-far-from-satisfactory-parliamentary-panel/articleshow/98939530.cms>.

¹⁵ Verma A, Sharma R. Lokpal and Lokayukta: A Critical Examination. In: *Combating Corruption in India*. Cambridge University Press; 2018:173-212.

¹⁶ Sushila Baraily, Redressal of Public Grievances: Lokpal and Lokayukta, in *Course DSC 306: Public Policy and Administration in India, 3d Semester Hons.* (Univ. of N. Bengal, Sonada Degree College, Compiled 2024).

¹⁷ Pankaj Kumar, Making of the Lokpal Act: Policy Stasis of More Than Four Decades Broken by a Window of Opportunity, 10.13140/RG.2.2.20051.27685 (2017).

¹⁸ Singh, Devinder. (2012). An Analysis of the Proposed Law to Eradicate Corruption Through the Institution of Lokpal. V. 1-21.

Social Movement Theory has been used to analyze the political mobilization activities through which grassroots movements were formed to demand the formation of the Lokpal, the role of protest in shaping policy and institutional change in the anti-corruption drive¹⁹. Together, these theories collectively afford an informed perspective on the difficulty and possibilities ahead of the Lokpal at the process of bringing concerning transformation in governance process.

(b) Identification of Research Gaps in the Existing Literature

A major gap in the extant literature is the absence of established empirical evidence on the actual performance of the Lokpal in curbing corruption. Despite of many records and qualitative papers documenting the use of the transparency tool or giving an indication regarding the improvement on composite measures such as reduction in corruption levels, or higher responsiveness of officials, hard quantitative studies or surveys quantifying what has been achieved in meaningful units are scarce.²⁰ However, the lack of post-Lokpal data prevents a comprehensive assessment of how the institution of Lokpal has modified Indian governance.

Another gap which had been recognized in current literature is that there is a lack of understanding of the public opinion regarding the Lokpal and its functioning. The trust which citizens place with the institution in countenance and their interactions with it must be comprehended for the development of upright reporting on corrupt practices.²¹ There are potential studies that might have been conducted about public awareness and their perception towards Lokpal, which we could learn something new that may increase its efficiency.

Last but not least, comparatively few studies have been conducted that compare the Lokpal with international anti-corruption agencies. These may have offered insights about further enhancements from functioning and experience which might facilitate understanding reforms required for the efficient working of the Lokpal²².

VII. CONCEPT OF GOOD GOVERNANCE

Good Governance means the way that institutions discharge their responsibilities of the state and ensure the delivery of human rights. The World Bank defines it as ‘the way in which the resources of a country’s management are harnessed for development’²³.

¹⁹ Pankaj Kumar, Making of the Lokpal Act: Policy Stasis of More Than Four Decades Broken by a Window of Opportunity, 10.13140/RG.2.2.20051.27685 (2017).

²⁰ PRS Legislative Research, Lokpal Act, <https://prsindia.org/articles-by-prs-team/lokpal-act> (last visited Dec. 27, 2024).

²¹ PRS Legislative Research, Lokpal Act, <https://prsindia.org/articles-by-prs-team/lokpal-act> (last visited Dec. 27, 2024).

²² PRS Legislative Research, Lokpal Act, <https://prsindia.org/articles-by-prs-team/lokpal-act> (last visited Dec. 27, 2024).

²³ BoardPro, *Principles of Good Governance*, BoardPro Blog (last visited Dec. 31, 2024), <https://www.boardpro.com/blog/principles-of-good-governance>.

Good governance signifies the general principles of good governance that defines some of the fundamental principles for proper administration of the public's resources. Members imply using people in decision making as a way of ensuring that everyone feels some responsibility towards the leaders and the nation at large²⁴. Understanding with power wants to foil divergent powers' self-interests to enable a general consensus of what is best for the society. Proboscis is important so that the public servants have certain responsibilities towards the public and must give report on their works thus improving public confidence in governance²⁵. Here, decision transparency is critical in this framework because it helps to make the decisions visible, thus easy for the stakeholders to understand the rationale behind the made decisions. Also, responsiveness is required to enable institutions and processes to respond to all stakeholder needs within the stipulated timeframe²⁶. Outcome driven is also important, as the governance processes must help to address societal needs with most efficient use of resources. Additionally, the equity and inclusiveness are inherent to the governance and try to make all levels of the society to be within the main vantage point. Finally, the rule of law; people have to follow legal procedures within the society, laws themselves have to be legitimate and any implementations of them must be unbiased in order to protect human rights within the society. These three principles are interrelated and form a sound framework of good governance minimizing spaces for corrupt practices.

(a) Relationship between Good Governance and Corruption

It will also be important highlight that corruption is inherently tied to issues of governance. Loose and brittle political institutions afford corruption because of the absence of accountability, check and balance, and transparency. In the view of IMF, poor governance rises probabilities of corrupt behaviours because public officials abuse their positions for personal gains. This slows down economic progress and widens poverty since it disrupts the efficiency of distributing resources and erodes the citizens' confidence in authorities²⁷.

Coronel et al have clearly pointed out that corruption hinders economic growth and also undermines basic democratic rights, and hence corruption undermines governance quality; and when governance quality is low, corruption is sustained, thus lowering governance quality. It is important to note that antidote of corruption is accountability, and this forms part and parcel of

²⁴ International Monetary Fund, *Governance and Anti-Corruption*, IMF (last visited Dec. 31, 2024), <https://www.imf.org/en/Topics/governance-and-anti-corruption>.

²⁵ International Monetary Fund, *Governance and Anti-Corruption*, IMF (last visited Dec. 31, 2024), <https://www.imf.org/en/Topics/governance-and-anti-corruption>.

²⁶ BoardPro, *Principles of Good Governance*, BoardPro Blog (last visited Dec. 31, 2024), <https://www.boardpro.com/blog/principles-of-good-governance>.

²⁷ International Monetary Fund, *Governance and Anti-Corruption*, IMF (last visited Dec. 31, 2024), <https://www.imf.org/en/Topics/governance-and-anti-corruption>.

good governance mechanisms that institutions like Lokpal are galvanizing in the fight against corruption in public administration.

(b) Impact on Economic Growth and Investment

Corruption in particular has a negative impact on the economy, as the normalized functioning of market entities violates the basic principles of economic activity. Another study shows that, corruption when taken to a high level, directs resources to less productive ventures as decisions to invest go to wrong places in an expectation of bribes. For example, corruption leads to choosing less profitable projects which initially do not meet the expected productivity rates.

Moreover, corruption deters foreign direct investment (FDI) as investors seek stable environments with predictable regulatory frameworks. Countries perceived as corrupt often experience reduced investment inflows, which stunts economic growth²⁸. The IMF highlight that corruption can lead to higher costs of doing business due to inefficiencies in public services and infrastructure²⁹.

(c) Societal Corrosive Impact of Corruption

The social effects of corruption therefore go beyond the financial off-shoots; they include loss of confidence in the different institutions, rise in inequality as well as socially unfair treatments³⁰. Erosion of the quality of services erodes human development standards through compromises of the education and health sectors through corruption. For instance, when certificate is bought instead of earned, one gets the workforce which is infested with the required skills thus crippling poverty and discouraged social mobility.

However, in the non-material consequences there are negative impacts on democracy, human rights abuse, and demoralization of the society³¹. People may lose confidence in their governing systems especially when they do not treat corruption appropriately, they may result to either indifference or revolt.

VIII. ANALYSIS OF LOKPAL'S EFFECTIVENESS

(a) Criteria for Evaluating the Effectiveness of Lokpal

To evaluate the effectiveness of Lokpal in combating corruption and enhancing administrative

²⁸ International Monetary Fund, *Governance and Anti-Corruption*, IMF (last visited Dec. 31, 2024), <https://www.imf.org/en/Topics/governance-and-anti-corruption>.

²⁹ International Monetary Fund, *Governance and Anti-Corruption*, IMF (last visited Dec. 31, 2024), <https://www.imf.org/en/Topics/governance-and-anti-corruption>.

³⁰ United Nations Office on Drugs and Crime, *Costs of Corruption in Education*, UNODC (last visited Dec. 31, 2024), <https://www.unodc.org/e4j/ru/anti-corruption/module-9/key-issues/costs-of-corruption-in-education.html>.

³¹ United Nations Office on Drugs and Crime, *Costs of Corruption in Education*, UNODC (last visited Dec. 31, 2024), <https://www.unodc.org/e4j/ru/anti-corruption/module-9/key-issues/costs-of-corruption-in-education.html>.

accountability, several performance metrics can be employed:

- i. **Number of Complaints Filed:** Measuring the number of complaints and the frequency of their occurrence to Lokpal can describe public's confidence towards Lokpal. Any sharp decline of complaints may thus be an indication of its lack of effectiveness among the consumers.
- ii. **Investigation Timeliness:** There is an importance of the time taken in conducting preliminary inquiries and investigations. The Lokpal Act outlines that preliminary inquiries should be finished within 60 days, and full inquiry in 90 days. Conformity to these timelines is evidence of operational effectiveness.
- iii. **Conviction Rates:** The figures out of all cases that result to the successful prosecution give clue to the efficiency of the Lokpal investigations. This concept can be well explained by the fact that low conviction rates in India may have been symptomatic of the problems in the overall functioning of the judicial system rather than with Lokpal itself.
- iv. **Public Awareness and Engagement:** Measuring the ability of the Lokpal to interact with citizens or effectively increase overall awareness of corruption serves as an important way of judging the impact of the Lokpal on the fight against corruption.
- v. **Resource Allocation:** Reviewing the clauses in the budget for Lokpal and Human resources dedicated to it can tell volumes about the government's intention of making it a working organization. Lack of funds is always a problem that hampers it.

(b) Case Studies Highlighting Successes and Failures

Success Case Study: Karnataka Lokayukta

The Karnataka Lokayukta has been cited as a relatively successful model in combating corruption at the state level. Between 1995 and 2011, it achieved a high investigation completion rate of approximately 80.5% for trap cases (raids) and filed charge sheets in 97.1% of completed investigations³². However, despite these successes, only about 20% of cases resulted in convictions, highlighting challenges within the judicial process rather than flaws in the investigative framework itself³³.

Failure Case Study: Central Lokpal

Since its establishment under the Lokpal and Lokayuktas Act of 2013, the Central Lokpal has

³² Narayana A., Sudhir Krishnaswamy & Vikas Kumar, *Lokpal Bill: Lessons from the Karnataka Lokayukta's Performance*, 46(6) Econ. & Pol. Wkly. 17 (2011).

³³ Narayana A., Sudhir Krishnaswamy & Vikas Kumar, *Lokpal Bill: Lessons from the Karnataka Lokayukta's Performance*, 46(6) Econ. & Pol. Wkly. 17 (2011).

faced significant challenges. For instance, in 2019, it received 1,427 complaints, but this number plummeted to just 110 in 2020-21, indicating a severe trust deficit among citizens regarding its functionality³⁴. Furthermore, reports suggest that delays in procedural rule formation and inadequate budgetary allocations have rendered it largely ineffective. The resignation of key members due to perceived dysfunctionality further underscores its operational challenges³⁵.

Judicial Oversight Case Study

In *Common Cause v. Union of India* (2017)³⁶, the Supreme Court emphasized the need for an effective anti-corruption mechanism through Lokpal to enhance public trust in governance³⁷. While this ruling was optimistic about strengthening institutional frameworks, it also highlighted ongoing issues related to political influence over appointments and operational inefficiencies that continue to plague the Lokpal³⁸.

(c) Interagency jurisdictional conflicts with other agencies such as the CBI and the CVC

The Lokpal and the related institutions work in a very complicated manner and often their functions are found to be overlapping with other institutions that are existing over the several counterparts in India and in some other countries. It is mainly these departments such as Central Bureau of Investigations (CBI) and Central Vigilance Commission (CVC), where such an overlapping can be seen. Such overlapping explains as to why there is confusion as to the roles and responsibilities of each legal jurisdiction in the fight against corruption.

Overlapping Jurisdictions:

The Lokpal provides the power to investigate all complains concerning corruption by public servants, the ministers and members of the parliament. Besides, the CBI has the same authority under other laws as well. This duality can lead to disruption, where one agency may be node replacement. Meanwhile, this duality can lead to parity, where both agencies may compete for jurisdiction over the same particular case. That is, in a case where corruption complaint is filed against a government official, then it becomes ambiguous that whether Lokpal or CBI should

³⁴ Srinivas Kotni, *A Case for Reforming Lokpal and Lokayukta*, New Indian Express (Mar. 8, 2022), <https://www.newindianexpress.com/opinions/2022/Mar/08/a-case-for-reforming-lokpal-and-lokayukta-2427895.html>.

³⁵ Srinivas Kotni, *A Case for Reforming Lokpal and Lokayukta*, New Indian Express (Mar. 8, 2022), <https://www.newindianexpress.com/opinions/2022/Mar/08/a-case-for-reforming-lokpal-and-lokayukta-2427895.html>.

³⁶ *Common Cause v. Union of India*, (2017) 7 S.C.C. 158 (India).

³⁷ *Common Cause v. Union of India*, (2017) 7 S.C.C. 158 (India).

³⁸ Srinivas Kotni, *A Case for Reforming Lokpal and Lokayukta*, New Indian Express (Mar. 8, 2022), <https://www.newindianexpress.com/opinions/2022/Mar/08/a-case-for-reforming-lokpal-and-lokayukta-2427895.html>.

be handling the complaint³⁹. This can also bring conflict where one arm of government halts the other hence slowing down effort towards dealing with corruption related cases.

Lack of Coordination:

The independence of operation is again offset by lack of cooperation with these agencies which dilutes the efficiency of the Lokpal. The Lokpal has been given certain powers of supervision over the CBI for example, the ability to direct investigations and other activities have not led to proper coordination. It has been observed that even though the Lokpal has investigatory authority over the government entities, the Lokpal has been defeated by bureaucracy; and its directions are ignored which has led to more time being taken up in investigation and a huge pile of complaints pending⁴⁰.

Case Study Example:

The Lokpal profile had a recent case that involved a complaint against some officials in Uttar Pradesh with alleged corruption in tourism projects. While pursuing the case, the Lokpal had to file the complaint to the Union Tourism Secretary because it acted within the jurisdictional constrain and that showed its inactivity to directly handle such cases which are much closer to criminal rather than any corruption issue.

(d) Political Interference and Resource Limitation

Some of the political interference risks towards the implementation of the public health system in the developing countries include the following:

The Interference by political leaders is and has always been one of the major threats to the independence and efficiency of Lokpal. The formation of the Lokpal includes political personalities, which is a cause for some controversy about possible interferences to the organization.

The appointment of the Lokpal is made by the selection committee consisting of representatives of the political parties which leads to the appointment of the Lokpal through party's political influence and not through merit⁴¹. It also raises the prospect of Lokpal members tendering their biases to their political masters, at the expense of putting up an independent fight against systemic corruption.

In addition, these two objectives of the Lokpal are hampered by limited resources in its

³⁹ Sankar Sen, *Functioning of Lokpal and the CBI: Need for Synergy*, Inst. of Soc. Scis. (n.d.), available at sankarsen_ips@yahoo.com.

⁴⁰ Shakti Gayatri Panda, *Lokpal: An Indispensable Institution for Establishment of Corruption-Free India*, 1 Indian J.L. Pol. & Admin.

⁴¹ Sankar Sen, *Functioning of Lokpal and the CBI: Need for Synergy*, Inst. of Soc. Scis. (n.d.), available at sankarsen_ips@yahoo.com.

implementation. It was noted that there were findings revealing the fact that the Lokpal has been able to face several drawbacks, in terms of staffing and resources in order to perform their functions. For instance, as of mid-2024, the offices had large pending complaints backlogs resulting from inadequate human and financial capital for investigation⁴². However, the lack of a separate prosecution wing is another drawback; although envisaged in the Lokpal Act still had been unformed concern where the agency lacks the requisite strength to follow up on the cases adequately.

IX. COMPARISON WITH SIMILAR ORGANIZATIONS IN OTHER COUNTRIES

(a) Case studies from Other Countries

However, one of the most recognized models of anti-corruption as well as accountability is the Ombudsmen system of Sweden. This institution exemplifies effective governance through several key practices:

- i. **Independence and Authority:** The Swedish Ombudsman is an autonomous body and as such has received complaints against government, without undue influence from the executive arm of government⁴³. This is very important to the public so as to assured that the investigators on the case are impartial.
- ii. **Broad Mandate:** The Ombudsman is a very independent position with a broad list of responsibilities, including the inspection of the work of multiple public bodies⁴⁴. Such an approach allows for addressing methodical and organizational and methodical problems in public administration.
- iii. **Whistleblower Protection:** Sweden also has very good legislation protecting whistleblowers and this encourages persons to report on corruption and other vices without being vulnerable to being fired. This fully corresponds to the standards established by the United Nations Convention against Corruption (UNCAC) and increases the efficiency of anti-corruption activities⁴⁵.
- iv. **Public Engagement:** In its performance of its functions, the Ombudsman participates in

⁴² Sankar Sen, *Functioning of Lokpal and the CBI: Need for Synergy*, Inst. of Soc. Scis. (n.d.), available at sankarsen_ips@yahoo.com.

⁴³ OECD, *OECD Anti-Bribery Convention Phase 4 Report on Sweden* (2024), https://www.oecd.org/content/dam/oecd/en/publications/reports/2024/12/oecd-anti-bribery-convention-phase-4-report-on-sweden_ac496ae1/77dec27d-en.pdf.

⁴⁴ OECD, *OECD Anti-Bribery Convention Phase 4 Report on Sweden* (2024), https://www.oecd.org/content/dam/oecd/en/publications/reports/2024/12/oecd-anti-bribery-convention-phase-4-report-on-sweden_ac496ae1/77dec27d-en.pdf.

⁴⁵ OECD, *OECD Anti-Bribery Convention Phase 4 Report on Sweden* (2024), https://www.oecd.org/content/dam/oecd/en/publications/reports/2024/12/oecd-anti-bribery-convention-phase-4-report-on-sweden_ac496ae1/77dec27d-en.pdf.

community matters with the view of changing behaviors and promoting the culture of responsibility⁴⁶. Such preventive measures enable the citizens stand informed on how they can report corruption incidences and where to seek remedy.

The OECD's Phase 4 Report regarding Sweden stresses these strengths and states that Sweden has made quite a good job with regard to the fight against corruption while still facing some problems connected to the prosecution of foreign bribery.

(b) Some Superior Lessons for Enhancing Lokpal's Framework

The Lokpal can draw several lessons from the Swedish model:

- i. **Enhancing Independence:** For the reason, it is essential to state that Lokpal should be made more operationally independent from political interferences. The administration of justice requires clear legal instruments that define its functions without much foreign influence.
- ii. **Broadening Mandate:** Enhancing the jurisdiction of Lokpal in order to monitor some or several public bodies and institutions like the Swedish Ombudsman could improve its fight against corruption considerably.
- iii. **Strengthening Whistleblower Protections:** Lokpal ought to receive higher quality intelligence, and in greater volumes, when the legal framework offers adequate protection to whistleblowers.
- iv. **Public Awareness Campaigns:** Visceral public education on the part of citizens on processes that have to do with reporting corruption enhances a more participative society.

(c) Proposals for Change in According to Standard Set on the International Level

To bolster the operational independence of Lokpal, several reforms can be recommended:

- i. **Institutional Autonomy:** Some changes should be made so that Lokpal and Should be free from the control of government. This involves provision of a financial utterly independent of annual appropriations by the government⁴⁷.
- ii. **Appointment Process Reforms:** In order to reduce political interference, there should be changes to the method of appointing the Lokpal members. It's therefore important that the selection process is structured and because another party then is not selecting the

⁴⁶ OECD, *OECD Anti-Bribery Convention Phase 4 Report on Sweden* (2024), https://www.oecd.org/content/dam/oecd/en/publications/reports/2024/12/oecd-anti-bribery-convention-phase-4-report-on-sweden_ac496ae1/77dec27d-en.pdf.

⁴⁷ R.K. Raghavan, *Lessons for Lokpal from Lokayukta*, Indian Express (last visited Dec. 31, 2024), <https://indianexpress.com/article/opinion/columns/lessons-for-lokpal-from-lokayukta/>.

judges, it is important that a neutral group of experts only is selecting the judges⁴⁸.

- iii. Clear Jurisdictional Guidelines: The Lack of clear distinction of jurisdictions to be delineated between Lokpal and other organizations such as CBI and CVC will ensure that there are no issues of territorial uncleanness when dealing with corruptions cases, and also improve efficiency⁴⁹.

(d) Looking for Better Funding and Resource Management

Improving funding mechanisms and resource allocation is vital for enhancing Lokpal's effectiveness:

- i. Dedicated Funding: Having its own corpus can help dedicate exclusive funding for Lokpal during the corresponding financial year – for staff remuneration, as well as for infrastructural requirements⁵⁰.
- ii. Performance-Based Budgeting: Performance based budgets could also foster high performance use of available resources⁵¹. Thus, the idea of awarding funds based with outcomes will help foster accountability in the operations of Lokpal.
- iii. Capacity Building Initiatives: Some of the areas that ‘Lokpal’ can boost its operations by investing in staff training for its staff includes; Cooperation with other IACs can enhance knowledge exchange and institutional development, the study finds⁵².

X. POSSIBLE FUTURE LINES FOR RESEARCH IN LOKPAL IN INDIA

It was a historical landmark legislation for making India free from corruption and for establishing accountable government organizations through the Lokpal and Lokayuktas Act 2013– India Anti-Corruption Bill. Several interesting research directions can be identified as the study of its effects unfolds:

(a) Areas that Require More Discussion

Longitudinal Studies on Lokpal's Effectiveness Over Time:

Panel data therefore plays a significant role in the evaluation of the impact of the Lokpal in the

⁴⁸ R.K. Raghavan, *Lessons for Lokpal from Lokayukta*, Indian Express (last visited Dec. 31, 2024), <https://indianexpress.com/article/opinion/columns/lessons-for-lokpal-from-lokayukta/>.

⁴⁹ R.K. Raghavan, *Lessons for Lokpal from Lokayukta*, Indian Express (last visited Dec. 31, 2024), <https://indianexpress.com/article/opinion/columns/lessons-for-lokpal-from-lokayukta/>.

⁵⁰ Verma A, Sharma R. Lokpal and Lokayukta: A Critical Examination. In: *Combating Corruption in India*. Cambridge University Press; 2018:173-212.

⁵¹ United Nations Office on Drugs and Crime, *Sweden: Second Cycle Review under the United Nations Convention Against Corruption* (2020), https://www.unodc.org/documents/treaties/UNCAC/SA-Report/2020_01_31_Sweden_SACL_2nd_cycle.pdf.

⁵² Verma A, Sharma R. Lokpal and Lokayukta: A Critical Examination. In: *Combating Corruption in India*. Cambridge University Press; 2018:173-212.

fight against corruption and enhancing good governance after a long period. These kinds of studies could follow fluctuations of public confidence, rates of corruption, and capacities of rulers and administrators to respond within a given period⁵³. It can give knowledge about the climax of Lokpal as interventions and its long-term effects on administrative account abilities. For instance, a longitudinal study gives a precise way of assessing the results from anti-corruption programs by giving an extended time frame that allows assessment of effects⁷.

Impact Assessments Post-Reform Implementation:

In the short evidence-based assessment of the outcomes of the reforms introduced by the Lokpal is important. This involves evaluating the impact they made towards measuring corruption with reference to Lokpal establishment as well as analysing capability of Lokpal in handling complaints against the officials⁵⁴. In this regard, impact assessments should concentrate on matters such as: Number of cases pursued and completed, Number of convictions secured Shift in perception to corruption, and others. In its turn, scholarly literature suggests that systematic impact assessments may reveal positive and negative experiences that could shape further enhancements of anti-corruption legislation.

(b) Technology Advancements for Fights Against Corruption

Potential Role of Technology in Enhancing Transparency:

Transparency has been front and center of development within the government through technology. As for more effective creation of e-governance initiatives, the reduction of corruption opportunities has also been revealed with the help of automation and the availability of information for citizens⁵⁵. For instance, development of online petitional and single window of service delivery increase the control of bureaucratic delays which are root cause of corrupt practices⁵⁶. Hearings from researches suggested that e-governance enhances efficiency of governance and enhances accountability through government transparency so as to be monitored by the citizenry⁵⁷.

Future Research on E-Governance Initiatives Related to Lokpal:

Subsequent research should attempt the identification of synergies between e-governance and

⁵³ Lokpal of India, *Annual Report 2020–21* (2021), https://lokp.al.gov.in/pdfs/ar_20-21_english.pdf.

⁵⁴ Lokpal of India, *Annual Report 2020–21* (2021), https://lokp.al.gov.in/pdfs/ar_20-21_english.pdf.

⁵⁵ Pathways for Prosperity Commission, *Are Emerging Technologies Helping Win the Fight Against Corruption in Developing Countries?* (2019), https://pathwayscommission.bsg.ox.ac.uk/sites/default/files/2019-09/are_emerging_technologies_helping_win_the_fight_against_corruption_in_developing_countries.pdf.

⁵⁶ Pathways for Prosperity Commission, *Are Emerging Technologies Helping Win the Fight Against Corruption in Developing Countries?* (2019), https://pathwayscommission.bsg.ox.ac.uk/sites/default/files/2019-09/are_emerging_technologies_helping_win_the_fight_against_corruption_in_developing_countries.pdf.

⁵⁷ S. Sri Sakuntala et al., *The Complexity of Corruption and Recent Trends in Information Technology for Combating Corruption in India*, 27 *Pub. Admin. & Pol'y* 31 (2024), <https://www.emerald.com/insight/content/doi/10.1108/pap-05-2023-0058/full/html>.

Lokpal. This also entails establishing how individual complaints can be registered, Feldman & meaney's tracking of investigations, and distribution of information on results⁵⁸. Using the technologies of blockchain to work securely with records and AI to analyze the complaint data, the researchers can evaluate how these advancements can improve the functionality of the Lokpal⁵⁹.

XI. CONCLUSION

(a) Summary of Findings

The study identifies some emerging challenges with the Lokpal which was instituted as a key point to fighting corruption. The findings establish that political influence hampers the functioning of the Lokpal in the fight against corruption, there exists jurisdiction conflict, and the Lokpal has operational inefficiencies. The necessity of a change is clear to strengthen its position as the fight against corruption and related offenses.

(b) Policy Recommendations

To strengthen the effectiveness of the Lokpal:

- i. **Enhance Independence:** Changing the selection criteria so that politicians do not influence appointments and choose its members suitable for the jobs.
- ii. **Expand Jurisdiction:** Propose to widen the ambit of the Lokpal to mean that it can arrest and investigate all offences related to public servants and conduct of judicial officers.
- iii. **Improve Performance Metrics:** Help the Lokpal set measurable objectives that define its work processes and achieve accountability through the periodic audits and reports.
- iv. **Multi-Stakeholder Approach:** Support favourable cooperation with government organizations, non-government organizations, to enhance citizens participation towards effective anti-corruption measures with accountability and transparency.

Closing these gaps will be important towards strengthening the capacity of the Lokpal to deliver on its central mandate and to significantly contribute to the fight against corruption in India. This overview gives a broad look on the working of Lokpal in tackling corruption and improving organizational accountability in public sectors while pointing out future enhancement opportunities based on approved research findings.

⁵⁸ Manjeet Pal & Dr. Kulwant Singh, *The Lokpal and Lokayukta Act of 2013: A Comprehensive Analysis of Its Legislative Journey, Salient Features, and Effectiveness in Combating Corruption in India*, 11 Int'l J. Sci. Res. Sci. Eng'g & Tech. (2024)

⁵⁹ Manjeet Pal & Dr. Kulwant Singh, *The Lokpal and Lokayukta Act of 2013: A Comprehensive Analysis of Its Legislative Journey, Salient Features, and Effectiveness in Combating Corruption in India*, 11 Int'l J. Sci. Res. Sci. Eng'g & Tech. 123 (2024)