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Dr. Ram Manohar Lohia College of Law (RMLCL), Bengaluru, established in 1986 and affiliated to Karnataka State Law University, is a Bar Council of India-approved institution committed to delivering quality legal education through rigorous academics and practical training. It offers integrated and conventional law programmes supported by experienced faculty, moot court exercises, and professional skill development to prepare students for litigation, corporate practice, and judicial services.

Vakil Paathashala is an academic initiative aimed at bridging the gap between theoretical legal education and practical training by providing a platform for students, academicians, and practitioners to engage in skill-oriented discussions, workshops, and programmes on emerging legal areas. It emphasizes professional ethics, capacity building, and innovative legal pedagogy through seminars, FDPs, and collaborative events to nurture competent and well-rounded legal professionals.

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NATIONAL CONFERENCE ON LOKAYUKTA AS A CONSTITUTIONAL GUARDIAN AGAINST CORRUPTION: PROSPECTS AND CHALLENGES (AN IQAC INITIATIVE)

NATIONAL CONFERENCE ON **LOKAYUKTA** AS A CONSTITUTIONAL GUARDIAN AGAINST **CORRUPTION**: PROSPECTS AND CHALLENGES (AN IQAC INITIATIVE)



PROF. VIJAYALAKSHMI K.KORADHANYAMATH
MRS. VINUTHA ARUN
MRS. ZARENA P

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FOREWORD

It is with great pride and scholarly satisfaction that this conference volume, *National Conference on Lokayukta as a Constitutional Guardian Against Corruption: Prospects and Challenges*, is presented to the academic and legal community. At a time when transparency, accountability, and institutional integrity are central to democratic governance, this compilation of research papers offers timely and critical reflections on the evolving role of anti-corruption mechanisms in India. The contributions in this volume collectively examine constitutional mandates, institutional challenges, and reform-oriented perspectives, thereby enriching contemporary legal discourse.

This book stands as a testament to the collaborative academic vision of Dr. Ram Manohar Lohia College of Law (RMLCL), Gottigere B.G.Road, Bangalore and Vakil Paathashala, institutions dedicated to advancing legal education through rigorous scholarship and practical engagement. Under the leadership of Prof. Vijayalakshmi K. Koradhanyamath, The Principal of Dr. Ram Manohar Lohia College of Law, Bangalore, and the editorial stewardship of distinguished legal professionals including Mrs. Vinutha Arun and Mrs. Zareena P., this volume reflects a synthesis of academic excellence, professional experience, and commitment to ethical legal practice. Their combined expertise in constitutional law, ADR, corporate governance, environmental law, and legal pedagogy has ensured a publication that is both intellectually rigorous and practically relevant.

The editors have successfully curated diverse perspectives from scholars, practitioners, and researchers, fostering a multidisciplinary dialogue on the Lokayukta's role as a constitutional watchdog. By addressing structural gaps, jurisdictional complexities, and comparative frameworks, this volume not only contributes to scholarly literature but also serves as a valuable resource for policymakers, legal practitioners, academicians, and students committed to strengthening India's anti-corruption framework.

It is hoped that this work will inspire further research, informed debate, and meaningful reforms that reinforce the rule of law and uphold the constitutional promise of accountable governance.

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A Comparative Analysis of the Lokpal and Lokayukta Institutions in India

Introduction

Corruption in India remains a pervasive and deeply entrenched challenge, undermining economic development, eroding public trust in governance, and distorting administrative processes.¹ A 2005 study by Transparency International found that over half of Indians had firsthand experience with bribery to access public services.² In response to this systemic malaise, the concept of an independent ombudsman—a "protector of the people"—has been a recurring theme in India's political discourse for over half a century. This culminated in the enactment of The Lokpal and Lokayuktas Act, 2013, a landmark legislation born from intense public pressure, notably the "India Against Corruption" movement led by Anna Hazare.³

The 2013 Act provides for a dual framework: the establishment of the Lokpal for the Union and the mandate for states to establish a Lokayukta to inquire into allegations of corruption against public functionaries.⁴ While often discussed in the same context, the Lokpal and the various state Lokayuktas are distinct entities with significant differences in their legislative origins, structural composition, jurisdictional reach, and operational effectiveness. The Lokpal is a singular, national body created by a central statute, intended to be a powerful regulator over the highest echelons of the central government. In contrast, Lokayuktas are state-specific institutions, whose powers and autonomy are dictated by disparate state-level legislations, leading to a lack of uniformity across the country.⁴

This paper seeks to conduct a detailed comparative analysis of the Lokpal and Lokayukta institutions. It moves beyond the simplistic federal-state contradiction to explore the minute differences in their historical evolution, legal frameworks, appointment mechanisms, powers, and practical performance. By examining these distinctions, the paper aims to evaluate whether this dual structure has created a cohesive anti-corruption architecture or a fragmented system with critical gaps in accountability. The

¹ J Gopika and SLSR Subaash, 'A Study on Lokpal Bill and its Effectiveness in Current Scenario' (2024) 4(2) Indian Journal of Legal Review 164, 164.

² *ibid* 164

³ 'Lokpal and Lokayukta | Ombudsman | UPSC Governance & Transparency' (Drishti IAS, 26 February 2019) <<https://www.drishtiiias.com/important-institutions/drishti-specials-important-institutions-nationalinstitutions/lokal-lokayukta-ombudsman-upsc-governance-transparency>> accessed 1 November 2025 ⁴The Lokpal and Lokayuktas Act 2013, Long Title.

⁴ 'Critically Analyzing the Productivity of the Lokayukta System in India' (iPleaders blog, 25 June 2021) <<https://blog.iplayers.in/critically-analyzing-productivity-lokayukta-system-india/>> accessed 3 November 2025.

analysis will draw upon the foundational 2013 Act, recommendations from Administrative Reforms Commissions, scholarly articles, and recent empirical data on the performance and public perception of these bodies to assess their respective roles and limitations in India's ongoing struggle against corruption.

Historical and Legislative Genesis: Parallel Tracks to a Common Goal

The conceptual journey of the ombudsman in India reveals two parallel yet distinct evolutionary tracks for the Lokpal and the Lokayukta, reflecting the complexities of India's federal structure. The idea of an ombudsman, originating in Sweden in 1809,⁵ was first formally proposed for India in the early 1960s. The term 'Lokpal' was coined by Dr. L. M. Singhvi in 1963 during a parliamentary debate.⁶

The institutional blueprint was laid down by the First Administrative Reforms Commission (ARC) in 1966. Headed by Morarji Desai, the ARC recommended a twotiered system: the 'Lokpal' at the central level to investigate complaints against Union ministers and secretaries, and 'Lokayuktas' at the state level for complaints against statelevel functionaries.⁷ This recommendation marked the formal beginning of a long and arduous legislative journey for the Lokpal. The first Lokpal Bill was introduced in the Lok Sabha in 1968 but lapsed with the dissolution of the House. Over the next four decades, numerous attempts were made to pass the bill—in 1971, 1977, 1985, 1989, 1996, 1998, and 2001—all of which failed due to a lack of political consensus or the dissolution of Parliament.⁸ It was only after the massive public mobilization of the 2011

India Against Corruption movement that the political establishment was compelled to act, leading to the eventual passage of The Lokpal and Lokayuktas Act in December 2013, which came into force on 16 January 2014.⁹

In stark contrast, the establishment of Lokayuktas followed a more decentralized and proactive path, predating the central Lokpal Act by several decades. While the ARC had recommended their creation in 1966, states were left to enact their own legislation. Odisha was the first state to pass a Lokayukta Act in 1970, though it only came into force in 1983.¹⁰ Maharashtra became the first state to actually establish the institution in 1971 through The Maharashtra Lokayukta and Upa-Lokayuktas Act,

⁵ 'Lokpal and Lokayukta' (BYJU'S) <<https://byjus.com/free-ias-prep/lokpall-and-lokayukta-act-2013/>> accessed 1 November 2025.

⁶ibid.

⁷ibid.

⁸ibid.

⁹ibid.

¹⁰ibid.

1971.¹¹ Following this, several other states, including Rajasthan (1973), Bihar (1974), and Uttar Pradesh (1975), established their own Lokayuktas.

This divergence in legislative origin is the most fundamental difference between the two.

The Lokpal is a product of a single, overarching central law—The Lokpal and Lokayuktas Act, 2013.

This Act not only established the Lokpal but also mandated that every state must establish a Lokayukta within one year of the Act's commencement if one was not already in place.¹⁵ However, the Act did not prescribe a uniform model for the state bodies, leaving the structure, powers, and jurisdiction of Lokayuktas to the discretion of individual state legislatures.¹² This has resulted in a heterogeneous landscape where the Lokayukta of one state, such as Karnataka, may be a powerful investigative body, while in another, it may be a weak, purely advisory entity.¹³ Thus, while the Lokpal's genesis was a protracted struggle for a unified national law, the Lokayuktas emerged as a patchwork of our quasi-federal system, a distinction that continues to define their respective characters and capabilities.

A Dichotomy Appointment and Composition

The structural frameworks governing the Lokpal and Lokayuktas reveal a significant deviation, particularly in their composition and the processes for appointing members.

This disparity is deep rooted in their legislative foundations: a uniform central statute for the Lokpal as opposed to varied state laws for the Lokayuktas.

The Lokpal: A Standardised Federal Model

The Lokpal and Lokayuktas Act, 2013, accurately details the composition of the Lokpal. It is a multi-member body consisting of

- one Chairperson and
- a maximum of eight members.¹⁴

The Act prescribes stringent eligibility criteria. The Chairperson must be a former Chief Justice of India, a former Judge of the Supreme Court, or an eminent person of impeccable integrity with at least 25 years of expertise in fields like anti-corruption policy, public administration, or law. Of the members, 50% must be judicial members (former Supreme Court judges or former High Court Chief Justices), while the other 50% must be non-judicial members with similar expertise as required for

¹¹ *ibid.*

¹² . 'A Critical Appraisal on the Powers and Function of the Lokpal & Lokayukta in India' (Law Gratis, 15 September 2025) <<https://www.lawgratis.com/blog-detail/a-critical-appraisal-on-the-powers-and-functionof-the-lokpal-lok-ayukta-in-india>> accessed 20 November 2025

¹³ 'Critically Analyzing the Productivity of the Lokayukta System in India' (n 6) 18. The Lokpal and Lokayuktas Act 2013, s 3(1).

¹⁴ *ibid.*, s 3(3)(a) ¹⁶ *ibid.*, s 3(2)(b) ¹⁷ *ibid.*, s 4(1).

the Chairperson. Furthermore, the Act mandates diversity, requiring that at least 50% of all members come from Scheduled Castes, Scheduled Tribes, Other Backward Classes, minorities, and women.¹⁶ The appointment process is equally consistent and high-powered. Members are appointed by the President of India based on the recommendations of a Selection Committee. This committee is chaired by the Prime Minister and includes the Speaker of the Lok Sabha, the Leader of Opposition in the Lok Sabha, the Chief Justice of India (or a Supreme Court Judge nominated by the CJI), and one eminent jurist nominated by the President on the recommendation of the other committee members.¹⁷ This structure, while intended to be comprehensive, has been criticized for potential political influence, as the executive has a significant presence on the committee.¹⁵ The five-year delay in appointing the first Lokpal chairperson after the Act's passage is often looked at as evidence of a lack of political will, undermining the institution's intended independence from its inception.¹⁶

The Lokayuktas: An Assortment of State-Level Variations

In sharp contrast to the Lokpal's uniformity, the composition and appointment of Lokayuktas are marked by significant heterogeneity across states. Since each state has its own Lokayukta Act, there is no single model.¹⁷ This variation is evident in several aspects:

- **Structural Form:** Some states, like Maharashtra, Karnataka, and Rajasthan, have a two-tier structure with both a Lokayukta and one or more Upa-Lokayuktas. Other states, such as Uttar Pradesh and Bihar, have only the office of the Lokayukta.²¹
- **Qualifications:** While states like Uttar Pradesh, Karnataka, and Gujarat prescribe judicial qualifications for the Lokayukta (typically a retired High Court Chief Justice or Supreme Court Judge), others like Bihar and Maharashtra have no specific qualifications laid down in their statutes.²²
- **Appointment Process:** The appointment is made by the Governor in all states, but the consultation process varies. Most states require the Governor to consult the Chief Justice of the state High Court and the Leader of the Opposition in the Legislative Assembly.¹⁸ However, the weight of this consultation is not uniform. In some states, a selection committee, often chaired

¹⁵ S Sharma, 'Ombudsman (Lokpal) Institution in India and Sweden: A Comparative Analysis' (2024) 6(3) Indian Journal of Law and Research.

¹⁶ 'Is India's Lokpal an Independent Ombudsman or a Political Tool? A Comparative Study with Sweden and the UK' (2025) 7(5) International Journal for Multidisciplinary Research.

¹⁷ 'Lokpal and Lokayukta' (Vision IAS, 22 February 2025) <<https://visionias.in/current-affairs/monthlymagazine/2025-02-22/polity-and-governance/lokpal-and-lokayukta>> accessed 12 November 2025 ²¹ 'Lokpal and Lokayukta' (n 7) ²²ibid.

¹⁸ibid.

by the Chief Minister, makes the recommendation, mirroring the Lokpal's structure but with state-level functionaries.¹⁹ This again opens the door to executive influence in appointments.

This lack of uniformity was a point of concern even before the 2013 Act, with the 11th All India Lokayukta Conference in 2012 recommending standardisation.²⁵ The 2013 Act mandated the creation of Lokayuktas but failed to enforce a uniform structure, perpetuating a system where the strength and independence of a Lokayukta are contingent on the political will of the respective state government. This fundamental structural difference means that while the Lokpal operates under a single, predictable framework, the Lokayuktas function as a fragmented array of institutions with widely differing capacities and levels of independence.

Jurisdiction and Powers: A Tale of Two Mandates

The mandates of the Lokpal and Lokayuktas, in terms of their jurisdiction and powers, present one of the most critical areas of divergence. While both are designed to investigate corruption, the scope of their authority, the officials they can scrutinise, and their investigative capabilities differ substantially.

Lokpal: Broad but Circumscribed Central Authority

The Lokpal and Lokayuktas Act, 2013 grants the Lokpal a wide-ranging jurisdiction over functionaries of the Central Government. This includes:

- The Prime Minister of India.
- All Union Ministers and Members of Parliament (MPs).
- All categories of public servants, from Group 'A' to 'D' officers and employees of the Central Government.
- Officials of any body or society established by a central act or financed/controlled by the central government.
- Entities receiving foreign donations above ₹10 lakh per year under the Foreign Contribution (Regulation) Act.²⁰

However, this broad jurisdiction is subject to significant exceptions and procedural safeguards. Investigations against the Prime Minister are excluded if they relate to international relations, external and internal security, public order, atomic energy, and space.²¹ Furthermore, any inquiry against the PM requires the approval of a full bench of the Lokpal, with at least a two-thirds majority.²² Similarly,

¹⁹ 'Critically Analyzing the Productivity of the Lokayukta System in India' (n 6).²⁵ 'Lokayukta' (n 12).

²⁰ 'Lokpal and Lokayukta' (n 7).

²¹ The Lokpal and Lokayuktas Act 2013, s 14(1)(a)

²² 'The Lokpal and Lokayuktas Act, 2013' (n 3)

the Lokpal has no jurisdiction over MPs concerning anything said or a vote given in Parliament.²³ A crucial limitation is the seven-year time bar; the Lokpal cannot inquire into any matter that is more than seven years old.³⁰

In terms of powers, the Lokpal has the power of superintendence and direction over any investigation agency, including the Central Bureau of Investigation (CBI), for cases referred to it.²⁴ The Inquiry Wing of the Lokpal is vested with the powers of a civil court, including the ability to summon persons and documents.²⁵ It can also recommend the transfer or suspension of an accused public servant and attach assets acquired through corrupt means during the preliminary inquiry stage.³³ However, a significant weakness identified by critics is its lack of *suo motu* power; the Lokpal cannot initiate an investigation on its own initiative and must act on a complaint.³⁴ This reactive nature, combined with the fact that it relies on the CBI—an agency often termed a "caged parrot" for its perceived subservience to the executive—for investigations, fundamentally constrains its operational autonomy.²⁶

Lokayuktas: A Spectrum of State-Level Powers

The jurisdiction and powers of Lokayuktas are not uniform and depend entirely on the specific Act passed by each state legislature. This results in a wide spectrum of authority.²⁷

In some states, the Lokayukta has a broad mandate. For instance, the Karnataka Lokayukta has jurisdiction over the Chief Minister, all other ministers, and all public servants.³⁷ It also possesses *suo motu* powers to initiate investigations, a crucial tool for proactive anti-corruption action that the central Lokpal lacks.³⁸

In other states, the Lokayukta is a much weaker institution. Many state Acts keep the Chief Minister outside the Lokayukta's purview. The powers are often merely recommendatory, meaning the Lokayukta can investigate and suggest action, but the state government is not bound to accept these recommendations.²⁸ This renders the institution a "toothless tiger," dependent on the very government it is supposed to hold accountable.

²³ 'Lokpal and Lokayukta | Ombudsman | UPSC Governance & Transparency' (n 4) ³⁰ The Lokpal and Lokayuktas Act 2013, s 53

²⁴ *ibid*, s 25

²⁵ 'Lokpal and Lokayukta' (n 24). ³³ Sharma (n 22) ³⁴*ibid*.

²⁶ 'Lokpal and Lokayukta | Ombudsman | UPSC Governance & Transparency' (n 4)

²⁷ 'A Critical Appraisal on the Powers and Function of the Lokpal & Lokayukta in India' (n 16) ³⁷ 'Critically Analyzing the Productivity of the Lokayukta System in India' (n 6) ³⁸ *ibid*.

²⁸ 'A Critical Appraisal on the Powers and Function of the Lokpal & Lokayukta in India' (n 16)

Furthermore, many Lokayuktas lack their own independent investigation wing and must rely on state government agencies, mirroring the Lokpal's dependency on the CBI.²⁹ A study based on public opinion in Chennai highlighted several perceived weaknesses that apply to both, but are particularly acute at the state level where awareness is lower. Respondents noted that the prohibition on anonymous complaints and heavy penalties for "false or frivolous" complaints can deter citizens from coming forward out of fear of reprisal.⁴¹ The lack of *suo motu* powers in many states was also seen as making the body less authoritative.⁴² This variation means that a citizen's ability to seek redressal against corruption depends heavily on their state of residence, a stark contrast to the uniform (though flawed) mandate of the Lokpal at the central level.

Effectiveness and Challenges: Promise vs. Performance

More than a decade after the enactment of the 2013 Act, the effectiveness of both the Lokpal and the Lokayuktas remains a subject of intense debate. While established with great public expectation, their performance has been largely underwhelming, plagued by systemic challenges that differ in nature and scale but converge on a common outcome of limited impact.

The Lokpal: An Institution in Inertia

The Lokpal's journey has been marred by what critics describe as "institutional slowness" and a "purposeful political strategy of institutional incapacitation."³⁰ The most glaring issue was the five-year delay in its operationalisation, with the first Chairperson, Justice Pinaki Chandra Ghose, being appointed only in March 2019 after repeated interventions by the Supreme Court.⁴⁴

Since becoming operational, its performance data paints a grim picture. By early 2025, the Lokpal had received over 2,400 complaints but had granted prosecution sanction in only four cases.³¹ A staggering 90% of complaints are reportedly dismissed at the registration stage, often on technical grounds such as not being in the prescribed format.⁴⁶ This has led to accusations that the Lokpal has become the "god of small things," focusing on lower-level bureaucrats and bank officials while avoiding high-profile political cases.⁴⁷ For instance, while it ordered a CBI investigation against TMC leader Mahua Moitra, it has achieved no convictions in major corruption cases.⁴⁸

Several structural flaws contribute to this ineffectiveness. The lack of an independent investigation wing and its reliance on the CBI remains a primary handicap.⁴⁹ Financial autonomy is also a concern; for the fiscal year 2025-26, the Lokpal's budget was reduced by 34% to ₹44.32 crore, signalling

²⁹ 'Lokpal and Lokayukta' (n 24) ⁴¹ Gopika and Subaash (n 1) 170, 180 ⁴² *ibid* 170, 181.

³⁰ 'Is India's Lokpal an Independent Ombudsman or a Political Tool?' (n 23) ⁴⁴ *ibid*

³¹ 'Lokpal's Promise vs. Performance: The Vanishing Edge of India's Anti-Corruption Watchdog' (AIM Media, 23 October 2025)

<[https://aimamedia.org/newsdetails.aspx?nid=520992&state=Bhubaneswar,%20Orissa%20\(OR\)&title=Lo](https://aimamedia.org/newsdetails.aspx?nid=520992&state=Bhubaneswar,%20Orissa%20(OR)&title=Lo)

declining government priority.⁵⁰ This was ironically compounded by a controversy over the Lokpal's decision to purchase a fleet of luxury cars, which damaged its public credibility.⁵¹ The resignation of a judicial member, Justice Dilip B. Bhosale, citing the institution's "dysfunctionality," served as a powerful internal indictment of its systemic failures.⁵²

Lokayuktas: A Mixed Bag of Success and Failure

The effectiveness of Lokayuktas is a story of stark contrasts, dictated by the strength of their respective state acts and the political environment in which they operate. As of late 2025, several states, including Tamil Nadu, Tripura, and West Bengal, still lack a functional Lokayukta, despite the 2013 mandate.⁵³ In states where they exist, their impact varies widely.

kpals%20Promise%20vs.%20Performance%20The%20Vanishing%20Edge%20of%20India
%20Anti-Corruption> accessed 7 November 2025

⁴⁶ 'Lokpal's Promise vs. Performance: The Vanishing Edge of India's Anti-Corruption Watchdog' (AIM Media, 23 October 2025)

⁴⁷ 'In five years, Lokpal ordered probe in 24 cases, granted prosecution sanction in six' (The Hindu, 17 January 2025) <<https://www.thehindu.com/news/national/in-five-years-lokpal-ordered-probe-in-24-casesgranted-prosecution-sanction-in-six/article69109878.ece>> accessed 25 November 2025

⁴⁸ 'Five years on, Lokpal is now 'god of small things' — it's been catching 'tiny fish'' (The Print, 7 July 2025) <<https://theprint.in/judiciary/five-years-on-lokpal-is-now-god-of-small-things-its-been-catching-tinyfish/2681750/>> accessed 26 November 2025

⁴⁹ 'Is India's Lokpal an Independent Ombudsman or a Political Tool?' (n 23)

⁵⁰ 'Lokpal's Promise vs. Performance' (n 49)

⁵¹ *ibid*

⁵² 'The Lokpal's Broken Promise: How Political Sabotage and Budget Cuts Neutered India's Top AntiCorruption Watchdog' (The 420, 28 October 2025) <<https://the420.in/lokpal-bmw-controversy-brokenpromise-anti-corruption-budget/>> accessed 26 November 2025

⁵³ 'The Lokpal and Lokayuktas Act, 2013' (n 3). The list of states without Lokayuktas includes Tamil Nadu and Tripura. West Bengal established one in 2003 but its current functionality is debated

The Karnataka Lokayukta is often cited as one of the most powerful and active, having conducted successful sting operations and exposed corruption at high levels, partly due to its *suo motu* powers and dedicated investigation wing.³² Similarly, the Lokayukta in Uttar Pradesh played a key role in unearthing disproportionate assets cases against ministers.³³

However, these are exceptions rather than the rule. In many states, the Lokayukta is a weak, advisory body with no real power to enforce its recommendations. They suffer from similar challenges as the

³² 'Critically Analyzing the Productivity of the Lokayukta System in India' (n 6)

³³ 'Effectiveness of Lokpal and Lokayukta Institutions in Practice' (PWOnlyIAS)

<<https://pwonlyias.com/upsc-notes/lokpal-lokayuktas-challenges/>> accessed 25 November 2025

Lokpal, including inadequate funding, understaffing, and political interference in appointments and functioning.³⁴ The empirical study by Gopika and Subaash found that a significant portion of the public believes the Lokpal/Lokayukta framework is underutilised and ineffective due to bureaucratic hurdles and a lack of public awareness.⁵⁷ Respondents expressed fear of filing complaints due to the lack of anonymity and the threat of penalties for "frivolous" cases, and a majority felt the institution was not free from political influence.³⁵ This perception gap highlights a fundamental failure to build public trust, a prerequisite for any ombudsman's success. The lack of uniformity means that while a citizen in Karnataka might find a responsive anti-corruption body, a citizen in another state might find a defunct or powerless one, undermining the goal of equitable justice.

Conclusion

The establishment of the Lokpal and the mandate for state Lokayuktas represented a watershed moment in India's anti-corruption journey, promising a robust, two-tiered institutional framework for accountability. However, this comparative analysis reveals a profound disjuncture between this promise and the prevailing reality. The core difference lies not just in their federal versus state domains, but more fundamentally in their legislative design, structural uniformity, and operational autonomy. The Lokpal, conceived as a singular, powerful national watchdog, has been systematically weakened by political inertia, delays in appointment, a dependency on other agencies for investigation, and a lack of proactive powers. Its performance record, marked by a high rate of procedural dismissals and a near-total absence of convictions in high-level cases, suggests it has become more of a symbolic entity than an effective deterrent.

Conversely, the Lokayuktas present a fragmented and inconsistent picture. Their existence predates the central Act, and their powers are contingent upon the whims of state legislatures. This has created a "postcode lottery" for justice, where some states host relatively effective ombudsmen while others have rendered them toothless or failed to establish them at all. The lack of a uniform legal framework for Lokayuktas, a key omission in the 2013 Act, remains the single greatest impediment to creating a cohesive national anti-corruption strategy. The challenges of political influence in appointments, inadequate resources, and procedural deterrents for complainants are common to both, but are often amplified at the state level where oversight is weaker.

Ultimately, the distinction between the Lokpal and Lokayuktas is that of a standardised but hobbled national institution versus a heterogeneous and uneven collection of state bodies. The intended synergy between the two tiers has failed to materialise. Instead of a fortified, dual-layered shield

³⁴ 'A Critical Appraisal on the Powers and Function of the Lokpal & Lokayukta in India' (n 16) ⁵⁷ Gopika and Subaash (n 1) 164

³⁵ *ibid* 181

against corruption, India has a national "paper tiger" and a patchwork of state-level guardians of varying strengths. To revitalise this framework, reforms must address the core issues of independence, resources, and power. Granting constitutional status, ensuring depoliticised appointments, providing independent investigative machinery, and empowering these bodies with *suo motu* jurisdiction are essential steps. Without such fundamental changes, both the Lokpal and the majority of Lokayuktas will likely remain what they currently are: symbols of a promise unfulfilled, rather than the formidable guardians of integrity they were envisioned to be.

Bibliography

Primary Sources

Legislation

- The Lokpal and Lokayuktas Act 2013

Cases

- *Common Cause v Union of India*(2017) 9 SCC 499
- *State of MP v Ram Singh*(2000) 5 SCC 88
- *Vineet Narain v Union of India*(1998) 1 SCC 226

Secondary Sources

Books and Journal Articles

- Anant TCA and Mitra NL, 'The Role of Law and Legal Institutions in Asian Economic Development: The Case of India: Patterns of Change in the Legal System and Socio-Economy' (1998)
- Gopika J and Subaash SLSR, 'A Study on Lokpal Bill and its Effectiveness in Current Scenario' (2024) 4(2) Indian Journal of Legal Review 164
- 'Is India's Lokpal an Independent Ombudsman or a Political Tool? A Comparative Study with Sweden and the UK' (2025) 7(5) International Journal for Multidisciplinary Research
- Sadashivam T and Tabassum N, 'The Lokpal in India: An Analysis of Its Functioning and Prospects' (2024) 69(4) Indian Journal of Public Administration 648
- Sapru RK, **Administrative Theories And Management Thought** (2nd edn, PHI Learning 2008)
- Sharma S, 'Ombudsman (Lokpal) Institution in India and Sweden: A Comparative Analysis' (2024) 6(3) Indian Journal of Law and Research
- Tanzi V, 'Corruption Around the World: Causes, Consequences, Scope, and Cures' (1998) IMF Working Paper WP/98/63

Websites and Blogs

- 'A Critical Appraisal on the Powers and Function of the Lokpal & Lokayukta in India' (Law Gratis, 15 September 2025) <<https://www.lawgratis.com/blog-detail/a-criticalappraisal-on-the-powers-and-function-of-the-lokpal-lok-ayukta-in-india>> accessed 25 November 2025
- 'Critically Analyzing the Productivity of the Lokayukta System in India' (iPleaders blog, 25 June 2021) <<https://blog.ipleaders.in/critically-analyzing-productivitylokyukta-system-india/>> accessed 25 November 2025
- 'Five years on, Lokpal is now 'god of small things' — it's been catching 'tiny fish'' (ThePrint, 7 July 2025) <<https://theprint.in/judiciary/five-years-on-lokpal-is-nowgod-of-small-things-its-been-catching-tiny-fish/2681750/>> accessed 25 November 2025
- 'In five years, Lokpal ordered probe in 24 cases, granted prosecution sanction in six' (The Hindu, 17 January 2025) <<https://www.thehindu.com/news/national/in-fiveyears-lokpal-ordered-probe-in-24-cases-granted-prosecution-sanction-insix/article69109878.ece>> accessed 25 November 2025
- 'Lokpal and Lokayukta' (BYJU'S) <<https://byjus.com/free-ias-prep/lokpal-andlokyukta-act-2013/>> accessed 25 November 2025
- 'Lokpal and Lokayukta' (Vision IAS, 22 February 2025) <<https://visionias.in/currentaffairs/monthly-magazine/2025-02-22/polity-and-overnance/lokpal-and-lokyukta>> accessed 25 November 2025
- 'Lokpal and Lokayukta | Ombudsman | UPSC Governance & Transparency' (Drishti IAS, 26 February 2019) <<https://www.drishtias.com/important-institutions/drishtispecials-important-institutions-national-institutions/lokpal-lokyukta-ombudsmanupsc-governance-transparency>> accessed 25 November 2025
- 'Lokpal's Promise vs. Performance: The Vanishing Edge of India's Anti-Corruption Watchdog' (AIM Media, 23 October 2025) <[https://aimamedia.org/newsdetails.aspx?nid=520992&state=Bhubaneswar,%20Orissa%20\(OR\)&title=Lokpal%E2%80%99s%20Promise%20vs.%20Performance:%20The%20Vanishing%20Edge%20of%20India%E2%80%99s%20Anti-Corruption](https://aimamedia.org/newsdetails.aspx?nid=520992&state=Bhubaneswar,%20Orissa%20(OR)&title=Lokpal%E2%80%99s%20Promise%20vs.%20Performance:%20The%20Vanishing%20Edge%20of%20India%E2%80%99s%20Anti-Corruption)> accessed 25 November 2025
- 'The Lokpal and Lokayuktas Act, 2013' (Wikipedia) <https://en.wikipedia.org/wiki/The_Lokpal_and_Lokayuktas_Act,_2013> accessed 25 November 2025

- 'The Lokpal's Broken Promise: How Political Sabotage and Budget Cuts Neutered India's Top Anti-Corruption Watchdog' (The 420, 28 October 2025) <<https://the420.in/lokpal-bmw-controversy-broken-promise-anti-corruption-budget/>> accessed 25 November 2025

Anti-Corruption Architecture in India: A Comparative Legal Study of Lokayukta, Lokpal, CVC & CBI TC-17

Abstract

“Let us awaken the social conscience of the nation, for only then can true freedom and justice survive.” — Jayaprakash Narayan

Corruption is still and will be one of the main troubles the democratic system in India has to face; it has a nationwide impact on government openness, responsibility, and trust in institutions. Thus, India has established various statutory and investigative bodies that include—they are: the Lokayukta, the Central Vigilance Commission (CVC), the Lokpal, and the Central Bureau of Investigation (CBI)—putting them all in the same argument and goal of fighting against this evil.

The main aim of these institutions is to maintain professionalism in public service, but they differ in the legislative basis, the structure, and in most of the aspects of their work. This research is based on the discovery of the four mentioned bodies and their comparative study.

Furthermore, it evaluates their power in the struggle against corruption and cooperation in governance. The study looks into the legal frameworks, judicial interpretations, policy analyses, and academic literature to present the bodies' merits and shortcomings in the institutional aspect.

This research paper is revealing that while Lokpal, Lokayukta, CVC & CBI are designated as independent Ombudsman bodies for inquiry into public complaint against government officials, the slow into public complaint against government officials, the slow-moving nature of the processes and lack of power in implementation hold back their potential.

Keywords: Lokayukta, whistle blower, Civic participation, Digital Transparency, Ethical Responsibility

Introduction

“Corruption flourishes where laws do not exist and where no one strong enough to enforce them stepping into their place.”

Public life corruption is a phenomenon that gargles with legal or administrative issues. It is a Challenge that challenges and even degrades democracy, economic development, and people's trust in institutions. India has an anti-corruption system that has been developing gradually for the last several decades, playing by the rules and at the same time being influenced by political battles, judicial interventions, public movements, and administrative changes. Each of these factors has contributed to the formation of a mixed bag of different institutions, each with its own purpose and

roots. Lokpal and state Lokayuktas, which were modeled after the Scandinavian Ombudsman, are the institutions that were created to facilitate accountability in the higher ranks and simultaneously give the people an independent channel which to take their grievances about the government. The Central Bureau of Investigation is the main body that conducts investigations into important corruption and economic offenses, while the Central Vigilance Commission operates in a supervisory and advisory capacity alongside the former. The effectiveness of these measures has been often limited by such factors as overlapping authorities, political meddling, and lack of consistent operable independence which invariably underscore the need for stronger coordination, institutional autonomy, and systemic reforms to ensure that transparency and public confidence are upheld.

2. How did the Anti-Corruption bodies historically evolve in India?

2.1 Origins of the Ombudsman Model

The introduction of the Sweden Ombudsman in 1809 was an event that significantly impacted the world and the development of the system for dealing with complaints. A certain observer has said, “the Scandinavian Ombudsman turned into a sign of democratic control, providing the people a straightforward and cheap way to confront the administrative injustice.”¹

¹Walter Gellhorn, *Ombudsmen and Others: Citizens' Protectors in Nine Countries* 13–15 (Harvard Univ. Press 1966)

This model, which eventually got adopted by Denmark, Norway, Finland, New Zealand, and the UK, was essentially based on a democratic principle: people should always have somewhere independent to complain to if the government violates their rights. India’s openness to the Ombudsman model was a consequence of public discontent with bureaucratic non-transparency and long judicial remedies. Academic commentators have noted that “the Indian state’s early postIndependence administration took over from the British the rigidity of the latter but at the same time had to contend with the growing alienation of the citizen.”³⁶The policymakers considering the Ombudsman institution to bring back public trust, and the Introduction of a culture of administrative accountability, have begun to view it as in this context. This philosophical basis, subsequently, brought about the thinking for the Lokpal and Lokayukta.

2.2 ARC Reforms and the Indian Ombudsman

In the year 1966, a very important turning point came with the formation of the First Administrative Reforms Commission (ARC). The ARC's findings on “Redress of Citizens’ Complaints” unflinchingly maintained that an institution of Ombudsman-type was a must for a democracy that was ready to respond. The Commission noted that “the present systems were not up to the mark for

³⁶ B. P. Jeevan Reddy, *Administrative Law and the Indian State*, 42 *Indian J. Pub. Admin.* 101, 103 (1996).

dealing with the complaints” that were the result of administrative actions,”³⁷ highlighting the need for independent oversight.

The ARC recommended a two-tier framework:

- Lokpal at the Union level and Lokayukta at the State level.
- Its emphasis was not merely structural but philosophical. The report stressed that such bodies must be “impartial, independent and easily accessible to the public,”³⁸ and should possess credibility sufficient to oversee even the highest levels of government. The ARC further recommended that these institutions be insulated from political pressure, have their own investigative personnel, and follow procedures consistent across jurisdictions. Several scholars have noted that the ARC’s proposals represented “one of the earliest and clearest acknowledgements that the Indian administrative state required internal correctives to sustain democratic legitimacy.”³⁹

The institution of Lokpal and Lokayukta as envisaged by ARC would afford closure of the gap between the powers conferred upon the state and confidence reposed by the public.

2.3 Evolution of the Central Vigilance Commission (CVC)

During the early 1960s concerns about corruption in public administration more and more pronounced, the idea of a central vigilance organization gradually emerged. The Government of India in 1962 appointed the Committee on Prevention of Corruption chaired by K. Santhanam for the purpose to study the structural causes of corruption in the government. The first report of the Committee declared that “the current vigilance measures were not enough to cope with the increasing incidence of administrative corruption”⁴⁰ The Central Vigilance Commission (CVC) was formed as an executive resolution in 1964, following the recommendations, with a purpose to operate as an independent body checking the vigilance activities in the ministries and public sector undertakings. The Santhanam Committee thought of the CVC as a controlling authority that would offer supervision in case of departmental vigilance, make disciplinary procedures consistent across departments, and handle corruption complaints against government employees.

Nevertheless, the Commission’s power was confined for years to a large extent because of its non-legislative nature. It was not allowed to carry out searches or seizures on its own and relied a lot

³⁷First Administrative Reforms Commission, Report on Redress of Citizens’ Grievances 3 (1966).

³⁸*Id.* at 6.

³⁹ Subhash C. Kashyap, *Institutions of Governance in India* 214 (National Book Trust 2010).

⁴⁰ Committee on Prevention of Corruption (Santhanam Committee), Report of the Committee on Prevention of Corruption 5-6 (1964)

on ministers' support. Then came *Vineet Narain v. Union of India* case where the apex court highlighted the necessity to shield the Commission from political meddling, so as to secure the CVC's freedom and stability, the court ruled that it should be given statutory status.⁴¹ The Central Vigilance Commission Act, 2003, which not only granted the Commission statutory status but also reinforced its influential function in overseeing the CBI in matters relating to corruption, was the outcome of this process.

2.4 Evolution of the Central Bureau of Investigation (CBI)

Policing in WWII marked the beginning of the CBI. The Indian government set up the Special Police Establishment (SPE) in 1941 to scrutinize prevalent corruption in the buying of goods and services for the military. This entity was recognized with legal power by the Delhi Special Police Establishment Act, 1946, post-independence, which became the foundation of the anti-corruption enforcement system in India.⁴² A decree from the Indian government through the Ministry of Home Affairs established the Central Bureau of Investigation (CBI) in 1963 considering the need for a central body to deal with the complex crimes oftentimes crossing state borders. CBI was meant for the investigation of big corruption cases, serious economic crimes, and crimes with inter-state or international aspects.⁴³ The CBI's autonomy has been a matter of constant argument despite the widening of its mandate. The Supreme Court in the *Vineet Narain* case pointed out the agency's exposure to political control and remarked that control exercised by the government had already affected the impartiality of the inquiry.⁴⁴ The CBI's institutional journey, as some scholars have put it, is a reflection of the tension between the central investigative competence and the political oversight, and this balance is still at the core of the reform debates.⁴⁵ The agency has been instrumental in carrying out major corruption investigations, but at the same time, its subjection to government approval and bureaucratic oversight has been a major factor affecting its power regarding the curbing of corruption which is already firmly rooted. The agency has been instrumental in carrying out major corruption investigations, but at the same time, its subjection to government approval and bureaucratic oversight has been a major factor affecting its power regarding the curbing of corruption which is already firmly rooted.

⁴¹ *Vineet Narain v. Union of India*, (1998) 1 SCC 226

⁴² Delhi Special Police Establishment Act, No. 25 of 1946

⁴³ Ministry of Home Affairs, Government of India Resolution No. 4/31/61-T, dated Apr. 1, 1963 (establishing the CBI).

⁴⁴ *Vineet Narain*, (1998) 1 SCC at 240–42 11 N. Ramachandran, CBI and the Politics of Investigation, 45 *Economic & Political Weekly* 18, 20 (2010)

⁴⁵ N. Ramachandran, CBI and the Politics of Investigation, 45 *Economic & Political Weekly* 18, 20 (2010).

3. How Are the Legal Status and Institutional Character of India's Anti-Corruption Bodies Constructed, and Why Do They Matter?

3.1. Lokpal

The Lokpal, a statutory body with several members, was established by the Lokpal and Lokayukta Act of 2013 and holds the power to examine the alleged corruption cases against the President and the Prime Minister, putting the latter under its jurisdiction. Nevertheless, the Act provides certain immunity concerning national security, foreign relations, and other delicate issues. These limitations embody a legislative approach that seeks to find a midpoint where executive accountability and sovereignty's vital functions' protection coexist. Besides, the Act also provides for financial independence by attaching its expenditure to the Consolidated Fund of India and detailing an elaborate process for its appointments that is designed to insulate the organization from being influenced by daily political considerations.⁴⁶

3.2. Lokayukta

Lokayukta is the state-level equal to Lokpal but, unlike the central law, state regulations are different in design and strength to a great extent. Some localities have made their Lokayukta an important investigative power with independent staff, which allows the office to work as a dynamic accountability mechanism. It should be noted that the Lokayukta of Karnataka is frequently quoted as an excellent example, the Lokayukta historically possessed extensive investigative power and enjoyed high public trust. On the other hand, some states have given the office only advisory powers or have leaned upon the existing police for investigation to a high degree, which has, in effect, impeded the office's ability to handle corruption complaints. These differences in law have led to a very different picture of anti-corruption efforts across the states.⁴⁷

3.3. Central Vigilance Commission (CVC)

The Central Vigilance Commission was created through an executive resolution back in 1964, but it got its legal recognition through the Vigilance Commission Act of 2003. The primary functions of the Commission have not changed, they are still supervisory and advising, even though the act has given it better formal standing and defined its role more clearly within the Union's vigilance framework. The Commission prescribes the vigilance administration in the central ministries, public sector enterprises, and banks, besides regularly checking the progress of the CBI's investigations into corruption cases that are governed by the Prevention of Corruption Act. But, on the other hand, the CVC's suggestions and its independent criminal prosecution are not awfully Possible. The

⁴⁶ Lokpal and Lokayuktas Act, No. 1 of 2014, §§ 8–14 (India).

⁴⁷ Maharashtra Lokayukta and Upa-Lokayuktas Act, No. 38 of 1971 (India); Karnataka Lokayukta Act, No. 4 of 1984 (India).

departments may not always agree with the Commission's recommendations; however, they are required to state the reasons for their disagreement. This advisory nature is often mentioned as one of the reasons for its limited effectiveness in accountability promotion.⁴⁸

3.4. Central Bureau of Investigation (CBI)

Instead of a particular foundation act, the Delhi Special Police Establishment Act, 1946, grants investigation powers to the CBI. It is definitely in the executive branch as it functions administratively under the Department of Personnel and Training. Its institutional independence has been questioned for a long time. Judicial and scholarly commentary has often noted that the agency's design makes it quite susceptible to executive power—especially with regard to appointments, transfers, and case prioritization. The Supreme Court's remarks in *Vineet Narain v. Union of India*, where it compared the agency to a “caged parrot,” reflect these worries. Though, the Court ordered a number of reforms to the structure, including modification to appointment processes and supervisory monitoring, the critics maintain that the agency still does not have the necessary insulation for the independent investigation of high-level corruption. Moreover, the fact that it needs state approval for its jurisdiction in a state adds more complexity to its operations in politically sensitive cases.⁴⁹

4. What Is the Jurisdiction and Scope of Authority of India's Key Anti-Corruption Bodies?

4.1. Lokpal

The Lokpal's vast authority allows it to investigate, investigate, and impose penalties for violations of the Prevention of Corruption Act (PCA). Statutory limitations regarding national security, public order, foreign relations, and atomic energy do restrict this power somewhat in order to carry out necessary executive functions, yet the jurisdiction reaches even the Prime Minister. Besides, covering Union Ministers, MPs, Group A–D officials, the Lokpal also includes employees of public sector undertakings and NGOs that receive substantial grants from the government or foreign sources, which is a clear indication that the governing today has a blended public-private nature more than ever before.⁵⁰

4.2. Lokayukta

Lokayuktas are empowered to supervise a variety of governmental authorities at the state level, such as Chief Ministers, Ministers, Members of Legislative Assembly, municipal authorities, and state employees.⁵¹ The powers of the Lokayukta, however, differ greatly from state to state. Moreover, Karnataka's Lokayukta, for example, has always been given immense power to

⁴⁸ Central Vigilance Commission Act, No. 45 of 2003, §§ 8–12 (India).

⁴⁹ *Vineet Narain v. Union of India*, (1998) 1 SCC 226; Delhi Special Police Establishment Act, No. 25 of 1946

⁵⁰ P. Srivastava, *The Lokpal and Its Expanding Mandate*, 56 *Econ. & Pol. Wkly.* 42 (2021).

⁵¹ Karnataka Lokayukta Act, No. 4 of 1984 (India).

investigate and even to raid and file cases independently, leading to remarkable results in the fight against corruption. On the other hand, in several states, the Lokayukta is limited to making recommendations only, which results in wide variations in the strength of institutions and the enforcement of laws throughout India.⁵² The differences bring to light that the political will at the state level and the legal structure, by either the one or the other, dominate the impression of the institution.

4.3 Central Vigilance Commission

The supervision of the CVC covers vigilance administration at public sector undertakings (PSUs), public sector banks, central government departments, and even autonomous organizations.⁵³ Additionally, it keeps track of the inquiries carried out by the CBI under the PCA. The CVC maintains its advisory role in spite of the law's statement of its powers, given that it is still unable to prosecute or discipline government officials on its own.²⁰ Multiple researchers have pointed out that this limitation in structure hampers the Commission's power to combat systemic corruption because the different departments can ignore its suggestions without being legally punished.⁵⁴

4.4. Central Bureau of Investigation (CBI)

The CBI is responsible for the investigation of cases related to corruption, economic frauds and other crimes which are of special nature such as inter-state criminal activities and cases that are directed by the courts or state governments.⁵⁵ Nonetheless, the CBI's jurisdiction is still very much influenced by the federal system in India. The Delhi Special Police Establishment Act mandates that the CBI is required to get the approval of the respective state in order to exercise its powers in that particular state—either through general consent (which permits regular investigations) or through specific consent (which is granted on a case-to-case basis).⁵⁶ The recent withdrawal of general consent by several states has intensified debates over federalism and executive overreach.⁵⁷ Although, the Supreme Court has held that constitutional courts may direct CBI investigations even without state consent,⁵⁸ tensions persist regarding the agency's autonomy. Additional worries about executive

⁵² Maharashtra Lokayukta and Upa-Lokayukta Act, No. 38 of 1971 (India)

⁵³ Central Vigilance Commission Act, No. 45 of 2003, §§ 8–12 (India) ²⁰

Id. § 11.

⁵⁴ N. Gupta, *The Limits of Advisory Vigilance Mechanisms: A Critical Study of the CVC*, 12 *J. Indian Pub. Admin.* 113 (2020).

⁵⁵ CBI Manual, Central Bureau of Investigation (2021)

⁵⁶ Delhi Special Police Establishment Act, No. 25 of 1946, §§ 5–6 (India).

⁵⁷ N. Mehta, *Federalism and the Withdrawal of General Consent to the CBI*, Scroll.in (Nov. 20, 2022).

⁵⁸ (1998) 1 SCC 226

meddling are raised by the CBI's administrative position under the Department of Personnel and Training (DoPT).⁵⁹

5. How Do the Functional Powers of Anti-Corruption Bodies shape their Limitations?

5.1. Lokpal

The Lokpal has a wide range of statutory powers that include search and seizure, attachment of properties, and initiation of prosecution along with conducting preliminary inquiry or full investigation. Moreover, it may instruct the CBI to conduct the investigation and monitor the progress of such investigations which in theory would lead to a very strong oversight mechanism. However, the operational autonomy of the Lokpal is greatly limited by the fact that it does not have its own investigative team and has to depend on officers posted from the CBI, Enforcement Directorate, and other departments under the control of the executive.⁶⁰

5.2. Lokayukta

The differences among the various Lokayuktas across the states in terms of power, budget and institutional design are very noticeable. In some states—particularly Karnataka—the Lokayukta has the power to take action on his/her own accord, has a separate police department, and can carry out large-scale raids and prosecutions.²⁸ The state can investigate extensively with the help of these Models. On the contrary, several other states have introduced much less potent models of Lokayukta, which are not staffed properly, have limited investigative powers, and lack a Compliance enforcement mechanism for its suggestions. Consequently, an unbalanced AntiCorruption system at the sub-national level has been created, where the institution's capability is determined more by political will and financial allocation than by legal framework.

5.3. Central Vigilance Commission (CVC)

In Union government ministries, public sector businesses, public sector banks, and other central organizations, the CVC serves as the highest vigilance body overseeing disciplinary and vigilance proceedings. In accordance with the Prevention of Corruption Act, it supervises CBI investigations and provides suggestions for systemic changes or disciplinary measures. However, its statutory authority remains largely advisory: ministries are free to depart from the CVC's recommendations by giving recorded reasons. This undermines its disciplinary impact and allows bureaucratic resistance to dilute its oversight function. Consequently, the CVC often operates more as a coordinator of vigilance efforts than as an independent authority capable of enforcing accountability.

⁵⁹ D Raghavan, CBI's Administrative Control and Executive Influence, *Indian Express* (Oct. 10, 2020).

⁶⁰ Prashant Bhushan, "The Lokpal: An Institution Without Teeth?", *Economic & Political Weekly* (2014)

5.4. Central Bureau of Investigation (CBI)

The Prevention of Corruption Act, 1988 allows the CBI to conduct investigations into economic crimes via the full use of its police powers, as well as in the case of some interstate offenses and corruption. Nevertheless, CBI's freedom of action is somewhat²⁹ restricted by organizational factors. The Supreme Court's metaphor of the CBI as a 'caged parrot' has been interpreted as a warning about political interference because the agency is under the Department of Personnel and Training, which gives the government a lot of power over the selection and management of personnel. Moreover, the stipulation of state approval under the DSPE Act prevents the CBI from exercising its powers in states that have revoked general consent and thus curtails its ability to conduct nationwide investigations. Besides, the lack of manpower and the dependence on deputation also have an impact on the continuity and specialization of personnel. All these factors together make it impossible for the CBI to fully use its legal powers and, at the same time, be an independent and efficient investigative body.

6. How Is Accountability Ensured Within India's Anti-Corruption Institutions?

The accountability mechanisms that govern these organizations are varied and their efficacy is not the same. The Lokpal and the Central Vigilance Commission (CVC) are obliged to submit annual reports to Parliament, which not only promotes transparency but also enables legislative control. The Lokayuktas, in contrast, are obliged to submit their reports to the corresponding state assemblies, but the frequency, content, and public access to these reports vary a lot among the states and thus the standards of disclosure are not the same. The CBI which mainly acts as an investigative agency, is responsible to the Union Government while working under the oversight of the CVC in corruption matters. At the same time, judicial review by constitutional courts also acts as a control on investigative excesses or abuse of power. However, there are still areas of improvement, especially when the reporting practices are not uniform or the executive influence is strong, resulting in the accountability framework's overall strength being reduced.

²⁸ B.PAC, "Strengthening the Karnataka Lokayukta System," Policy Paper (2018).

²⁹ Government of India, Ministry of Personnel, Public Grievances & Pensions, "Role and Functions of the CVC" (Official Report, 2020).

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8. What Findings Emerge, and What Reforms Could Strengthen These Anti-Corruption Institutions?

A comparative evaluation shows that the four bodies comprising Lokpal, Lokayukta, CVC, and CBI have really large legal or operational powers but they are all involved in a system that limits their ability to be independent and effective. The major findings disclose that Lokayuktas were not uniformly implemented across the states, the advisory nature of the CVC restricted its influence, the Lokpal was reliant on outside investigative agencies, and there were still doubts about political interferences in CBI's activities. To fill these voids, a number of reforms could be introduced such as forming independent investigative units for the Lokpal and more powerful police divisions for Lokayuktas; giving the CVC limited binding authority in matters involving serious procedural errors; making appointments and tenures across the institutions transparent and fixed; and looking into the CBI's administrative situation for a possible improvement in its autonomy. Advancing punctual reporting standards, inter-agency cooperation, better staffing and technical capabilities would in totality bolster India's anti-corruption framework.

8. Conclusion

The structure against corruption in India, which is made up of Lokpal, Lokayukta, CVC, and CBI is one of the major institutions that has been set up for the purpose of fostering accountability and integrity in the government. The four organizations together have a wide range of powers, but their effectiveness is frequently affected by their interdependence, political interference, and the nonuniformity of rule application in different regions. They need more independence, uniform authority, and better resources based on the current situation. The independent investigative mechanisms can be made stronger, organizational appointments made clearer, and uniform reporting standards can be enforced which will then allow the institutions to move from being quasi-advisory or limited to being proactive and trusted anti-corruption protectors. As Mahatma Gandhiji rightly said, "An ounce of practice is worth more than tons of preaching."

CONSTITUTIONAL EQUILIBRIUM IN ANTI-CORRUPTION INSTITUTIONS: A FEDERAL ANALYSIS OF LOKAYUKTA GOVERNANCE IN INDIA

Suha Shaikh

*“WITHOUT STRONG WATCHDOG INSTITUTIONS IMPUNITY BECOMES THE VERY
FOUNDATION UPON WHICH SYSTEMS OF CORRUPTION ARE BUILT”*

- RIGOBERTA MENCHU

Abstract

The Constitution of India is the supreme law of land. It is a living document an instrument which makes the government system work. corruption is the dishonest or illegal behavior of those in positions of power, such as government officials or company managers, who abuse their authority for personal gain. This paper provides the common forms of corruption; they are bribery, embezzlement, extortion, abuse of functions, illicit enrichment, trading in influence. Anti-corruption institutions are created to investigate and find out the corruption within the public officials to maintain the transparency. There are many types of corruption carried out in India these anti-corruption institutions check and control the different types of corruption within the authorities. This research helps you to know the different anti-corruption institutions which work to provide fair and transparent working of the authorities. Among them Lokpal and lokayukta are the anti-corruption institutions in India which regulates corruption by taking proper actions. Lokayukta is state level Ombudsmen institution in India that investigates corruption and maladministration complaints against public functionaries at the state level. It is same as lokpal at the national level but has the jurisdiction over the state level bodies. This paper provides the structure of appointment of lokayukta body. The appointment of lokayukta is done by the governor of the state after the consultation with the chief justice of high court and the leader of opposition of the state assembly with the chief ministers' advice as the key process. This research paper helps you to know the functions and power of the lokayukta. The lokayukta helps in carrying front the corruption activities of the authorities and has the power to raid. The main function of lokayukta is to investigate the grievance, inquiry about the corruptions carried out by the authorities, check on the authorities. This paper provides the needs of anti-corruption institutions and the federal analysis of lokayukta.

Key words: Constitution, Supreme law, Corruption, Dishonest, Personal gain, Abuse, Authorities, Lokpal, Lokayukta, Grievance.

Introduction

The Constitution of India functions as the foundation of the legal framework. That outlines the political authority the governing structure for the institutions and legal and fundamental rights and the duties. The Indian Constitution is the detailed and lengthiest Constitution in the world. Corruption is the misuse of power for personal gain or benefit. It is an illegal activity. It is considered a crime in India. The Constitution prohibits corruption. It is an act to cheat on democracy. The corruption in India is more compared to some of the nations in the world. India's score of corruption is 38. To curb corruption in India, anti-corruption institutions are established. This works for the transparency and accountability in governance by investigating complaints against the authorities and preventing corrupt activities through vigilance and oversight. They operate both at the national and state levels to prohibit corruption, which is carried out by the authorities. Lokayukta is state state-level Ombudsman institution in India. It works within the state. It examines the maladministration and the complaints against the public authorities.

Meaning

The word Constitution is derived from the Latin term *constituera*, which means 'to form', 'to create', 'to establish', 'to organise'. The Constitution is a set of foundational rules and institutional arrangements through which a state organises its political system and the institutions exercise its duties and responsibilities. It determines the scope of governmental power and regulates the connection between the state and its citizens.

The word corruption originates from the Latin word *corruptus*, meaning 'to break', 'to destroy'. Corruption is the misuse or manipulation of official power for non-official purpose. It can manifest through financial misconduct, abuse of ethical norms that compromise public interest.

Definition

According to Aristotle,

“Constitution is the way in which citizens or the parts of the state are arranged in relation to one another”.

The Prevention of Corruption Act 1988

Defines corruption through the concept of "*undue advantage*," which is any gratification other than legal remuneration, whether monetary or non-monetary. Corruption involves a public servant accepting such an "*undue advantage*" for an official act, or taking it to improperly influence other public servants.

Types of corruption

These are the types of corruption carried out by the public authorities through the misuse of the power that is entrusted to them.

1. Bribery

The offering and accepting the money, gifts or other forms of favours to change or influence the decision or actions. The terms are also used as kickbacks, sweeteners, and pay-offs.

2. Embezzlement

This type of corruption is done by the middle authorities in India, where large fund is allocated to some project, but they misuse or steal the funds or assets that were entrusted to someone else.

3. Extortion

In this, corruption is done by the authorities by threatening, forcing, or coercing others, by the method of violence or by blackmailing them that the unknown or confidential matters will be exposed.

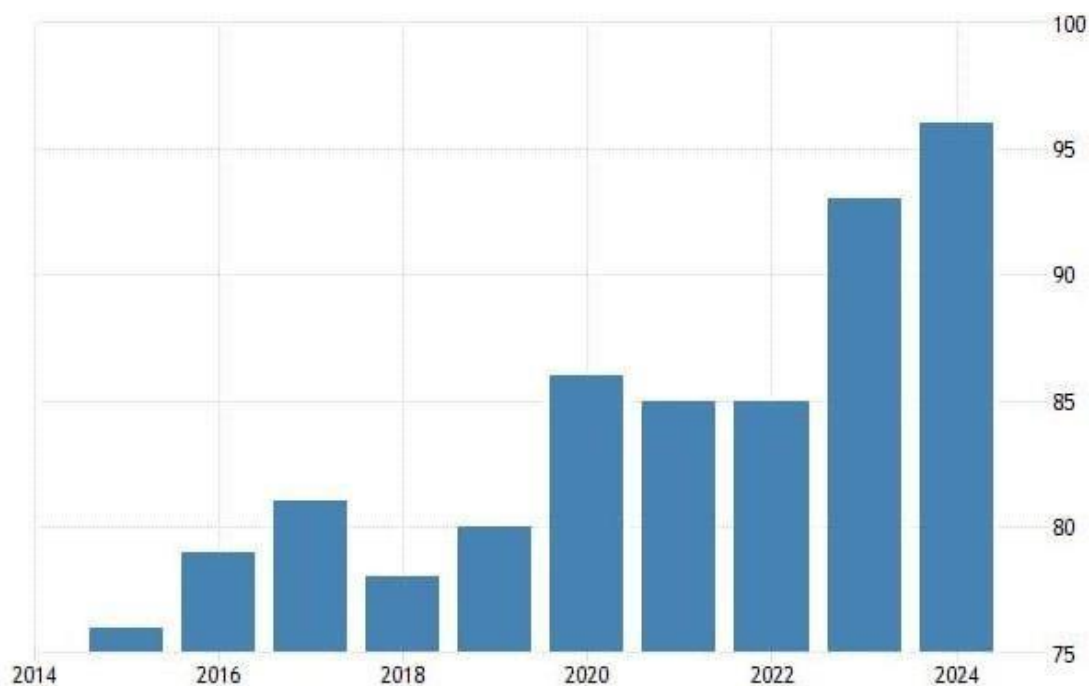
4. Fraud

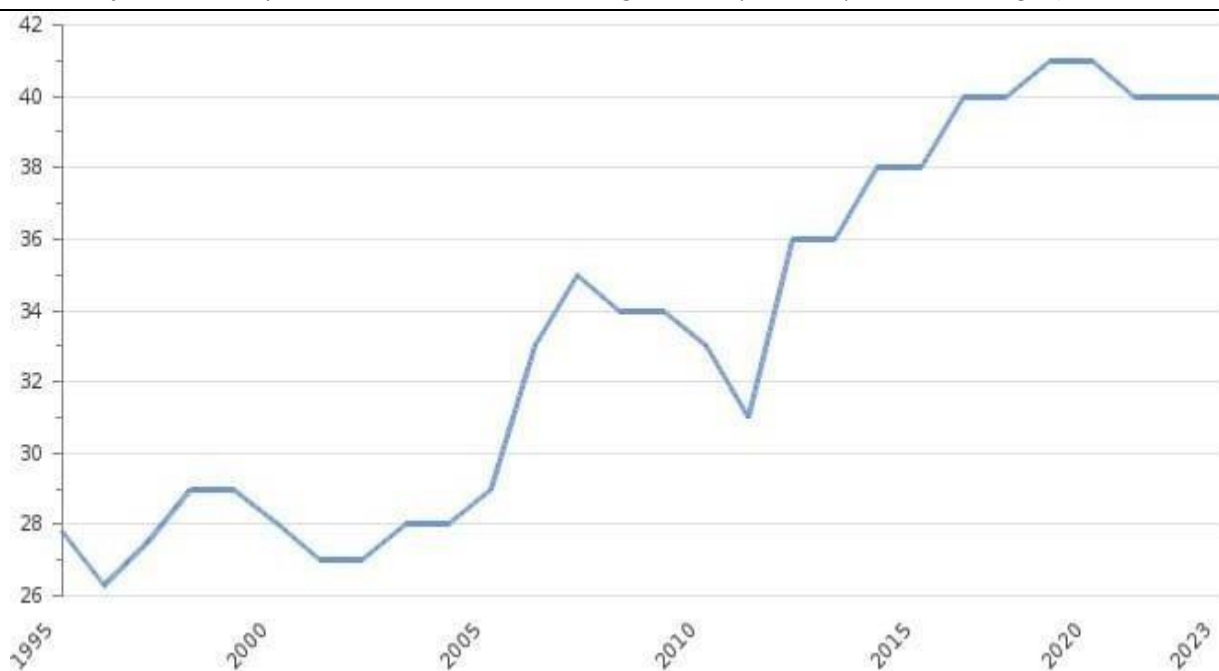
It is the deception of funds or assets, forging economic files or business invoices to get a monetary benefit.

5. Graft

It is a political corruption where politicians use their position of power for personal gain, like the misuse of public funds, etc.

Statistical data representing Corruption in India:





From the above statistical report, we conclude that, corruption has increased in India compared to the previous year.

Reasons for the corruption

1. Lower wages

The authorities take bribes because of the low salary or the wages of the public authorities or the position holders, when compared to the large private sector, in order to get a monetary benefit, they take bribes.

2. Clearance of the matters

This is one of the main causes of corruption in India; citizens bribe the public authorities to get their work done or clearance of their files quickly and speedily procedures without delays.

3. Lack of transparency in funding

The large funds are the cause of the corruption; the funds are misused by the authorities for their personal benefit and gain. The public funds that are released are not transparent enough for the general public to know about the allocation of the funds.

4. Rising aspirations

The desire of the individuals for a good lifestyle, but they are paid low, so. They seek bribes to afford the things for their better lifestyle.

5. Socialise acceptance

A common culture of acceptance of a small amount of bribery, which is known as "chai paani", is known in a normalized way.

Anti-corruption institutions in India**1. Central Vigilance Commission (CVC)**

In 1964, the Central Vigilance Commission was formed. It is India's top anti-corruption institution, which works for the Central government, and it addresses governmental corruption. It watches vigilance administrations, conducting and ordering inquiries and investigations of the corrupt or alleged corrupt authorities. It also acts as an advisory body for the vigilance matters.

2. Central Bureau of Investigation (CBI)

The Central Bureau of Investigation came into existence in 1963. It is a central agency that investigates corruption and other offences against public authorities. It is responsible for conducting criminal investigations.

3. Internal Vigilance Wings

It is a government ministry, department or agency, which is headed by the Chief Vigilance Officer. These are the agencies that investigate and inquire into the corruption activities within the particular department, autonomous bodies, etc. It is guided by the Central Vigilance Commission.

4. Lokpal

It is an Ombudsman for the central government. It has the power to investigate public authorities in the central government, like ministers, top officials, etc. It has the power to investigate the Prime Minister, but it has an exception in international corruption matters.

5. Lokayukta

The word 'lok' means people 'ayukta' means authority. The Lokayukta is an anti-corruption institution that is established at the state level. It claims corruption and maladministration against the public authorities within the state. It helps with the speedy procedures within the state.

Federal Analysis of Lokayukta Governance in India**Appointment**

The appointment procedure varies from state to state. The general appointment includes 3 main authorities:

1. The governor - As he is the head of the state.
2. The chief justice - The chief justice of the state recommends the candidates.
3. The leader of the opposition - It is not only controlled by the ruling party.

In some states, the chief ministers and the speaker of the legislative assembly have the authority.

The typical appointment procedure includes these steps:

1. Initiation of the process by the state when a vacancy arises.
2. Next, the consultation with the chief justice of the High Court about the candidates.
3. Seeking input from the leader of the opposition party.

4. The final list of recommended candidates is submitted to the governor of the state.

5. Last step: formal appointment by the governor through official notification.

Power

The Lokayukta has the following powers:

1. Investigation

Can investigate complaints of corruption and maladministration against the public authorities, including all the state ministers to all the government officials. It has the power to investigate without the complaint being filed.

2. Civil court powers

The Lokayukta has the same power as the civil courts in some cases, like conducting inquiries and collecting evidence.

3. Recommendation

They have the power to suggest that the government transfer the public authorities in case of corruption.

4. Asset seizure

They can seize the assets and properties related to the corruption cases.

Functions

These are the functions of the Lokayukta:

1. Redressal of Grievance

It is an independent mechanism for the public to seek redressal of the complaints against the authorities.

2. Investigating and Inquiry

They have to conduct fair and just investigations and inquiries against the authorities.

3. Reporting

After the proper investigation and findings, they have to report to the governor of the state.

4. Policy Recommendation

Lokayukta has to recommend the changes in the policy related to corruption in India.

5. Checking Anti-Corruption Institutions

It has the duty to check other anti-corruption institutions to ensure fair investigations and inquiries.

Suggestions

The laws relating to corruption must be strong, and the government should maintain transparency because the matters will be known to all and the allocation of the funds and matters related to the government. And the anti-corruption institutions must have more power to investigate and enquire into the grievance against the public authorities. The anti-corruption institution should carry out the

regular checkups so that the official will not involve in the corruption activities and the general public should have more freedom and support in filing the complaints and the name of the petitioner should not be disclosed, so the general public will have the courage to file the complaint against the corrupt officials.

Conclusion

As corruption rate is increasing in India recently the various anti-corruption institutions are functioning to curb corruption in India to make our nation a corruption-free nation. The anticorruption institutions are divided as national level and the state level. The national level institutions have the power to investigate and inquiry the national level authorities and the state level institutions have power to investigate the state level authorities. As there are many reasons for the corruption carried out by the authorities and mostly the corruption is carried out for speedy procedures. As the general public want their work to be done in speedy way so they bribe the public authorities on the officials, in which both the parties have been benefited in monetary terms.

References:

- ❖ <https://banotes.org/admin-system-state-district-levels/appointment-jurisdiction-lokayukta-indian-states/>
- ❖ <https://share.google/qg57uS0cK2UOBrRNq>
- ❖ <https://en.wikipedia.org/wiki/Chief%20Justice>
- ❖ <https://share.google/VtAwUHvxB4F800ItP>
- ❖ <https://opo.iisj.net/index.php/osls/article/view/2>
- ❖ https://en.wikipedia.org/wiki/Goa_Lokayukta

A CRITICAL ANALYSIS ON ACCOUNTABILITY OF STATES REGARDING CORRUPTION IN INDIA.

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Abstract

Corruption is one where there is an urgent need to curb it, though Lokayukta against corruption yet India's corruption index was 40 in 2023. Weak institutions fail to hold corrupt individuals' accountability. Perception of impunity due to the lack of proper punishment of corrupt individuals. There is a lack of whistleblower protection. Transparency is a core ethical principle. E-Governance and digitalization can reduce opportunities of corruption. This weapon plays a wider part in the diminishing of public trust and increases political insecurity. The decentralization does not directly execute but during certain time it eventually opens the door to the abuse of public funds which obviously affects our democracy. The 1988 Prevention of Corruption Act, is an Anti-Corruption legal code in India which was amended by the Amendment Act, 2018. Even in the United Nations Conventions Against Corruption (UNCAC), 2005, the Constitution of India, Lokpal and Lokayukta, the 2003 Central Vigilance Commission Act, the 2014 Whistle Blowers Protection Act, Bhartiya Nyaya Sanhitha, 2023 and Bhartiya Nagarik Suraksha Sanhita, 2023, would analyze accountability of states regarding corruption in India.

Keywords: Prevention of Corruption Act-1988, Lokpal and Lokayukta Act, 2013, Bureaucratic red tape, Rule of Law, Administrative Reforms Commission, Central Vigilance Commission.

1. Introduction:

Corruption occurs when those in positions of authority act dishonestly. It begins with the propensity to use public office for personal gain. Furthermore, it is regrettable that corruption has become second nature to many. Corruption has become so ingrained that it is accepted as the standard in society. Corruption scandals continue to make headlines despite efforts to address the issue, and it is still pervasive in many facets of public life. India is ranked 85th out of 180 nations in Transparency International's 2022 Corruption Perception Index, suggesting a high level of corruption.

Corruption has a well-documented effect on a number of industries, including public procurement, healthcare, education, law enforcement, judicial administration, and land administration. By

undermining public institutions' credibility and decreasing the efficacy of initiatives and programs, corruption threatens democracy. India has put anti-corruption laws into effect and set up organizations to look into and penalize unethical behavior. However, obstacles like political meddling, insufficient funding, and ineffective legal procedures confront these laws and institutions. As a result, high-profile corruption scandals are regularly publicized, and corruption still exists in India.

Corruption in India can take many different forms, such as bribery, nepotism, embezzlement, and power abuse. In contrast, bribery is giving or receiving anything of value in return for an illicit favor or advantage. This is a common type of corruption in India that can result in unfair competition and poor resource allocation. Nepotism is the practice of giving preference to family members or close friends when making choices about employment, promotions, or other matters. Abuse of power is a serious kind of corruption which is undoubtedly weakens the democratic institutions and rule of law, referring to the use of official positions or authority for one's own benefit or system manipulation.

WHAT ARE THE MAIN CAUSES OF CORRUPTION IN INDIA?

- Decision-making is opaque, and public administration creates an environment where decisions and actions are protected from public scrutiny. Officials may participate in corrupt practices with less concern about being exposed. Officials may participate in corrupt practices with less concern about being exposed.
- There are a lot of weak or compromised institutions in India that are in charge of executing laws and regulations. This covers the courts, law enforcement, and oversight organizations. Weak institutions may even encourage corruption by failing to hold dishonest people responsible.
- Poor Pay and Incentives: Public servants, particularly those in lower-level posts, can get poor pay. Because they could view corruption as a way to augment their income, this could make them more vulnerable to bribes and other corrupt behaviors.
- Bureaucratic Red Tape: Excessive restrictions and lengthy, complicated bureaucratic procedures can lead people and companies to engage in corrupt actions in order to speed up operations or get around barriers. Opportunities for corruption may arise from India's complicated economic framework, which entails several licenses, permits, and approvals. In order to survive in this atmosphere, businesses could turn to bribes.

Political Interference: The independence of government institutions may be jeopardized by political meddling in administrative affairs. For their own or their party's benefit, political leaders may put pressure on officials to participate in corrupt practices.

Cultural Factors: In some situations, corrupt behavior may be accepted by society, which encourages corruption. The idea that "everyone does it" might encourage people to commit corruption without feeling guilty about it.

Lack of Whistleblower Protection: People may be discouraged from revealing corruption if they are not adequately protected. Potential whistleblowers may be silenced out of fear of reprisals, which fosters corruption.

Social Inequality: Because wealthy and powerful people can use their influence to get preferential treatment and participate in corrupt acts without facing consequences.

2. LET US KNOW THE LEGISLATIVE HISTORY:

At first, the IPC dealt with corruption-related offenses. which prohibits public servants from receiving compensation other than what is required by law, was one of the pertinent sections (Section 161)

Public servant receiving valuable item without payment (repealed) Later, in 1988, the Prevention of Corruption Act (PCA) enhanced and included these measures (Section 165)

The 1988's Prevention of Corruption Act

The Act, 1988 was passed in order to update and unify legislation pertaining to corruption prevention and to address related issues. Important characteristics consist under sections as follows:

- Taking satisfaction from public servants: Section 7
- Receiving satisfaction from a non-public servant: Section 8 to 10
- Public servant criminal misbehavior: Section 13
- Prior prosecution sanction: Section 19
- The authority of investigating authorities: Section 17

The 2018 modification raised concerns about the erosion of investigative powers by introducing Section 17A, which requires prior clearance before beginning any inquiry into public personnel.

The 2013 Lokpal and Lokayukta Act

A countrywide anti-corruption effort led to the introduction of this legislation. It requires the creation of Lokayuktas in the states and a Lokpal at the federal level. The Ministers and government officials are covered. A timely inquiry and prosecution procedure is mandated. Haryana hasn't yet established a fully operational Lokayukta, though.

The Central Vigilance Commission Act

This 2003 Act, is an institution of the highest level of vigilance. Its advising function includes vigilance problems in public sector organizations; however, its principal jurisdiction is over central government personnel. It is anticipated that State Vigilance Commissions would operate similarly.

The Whistleblower Protection Act

This 2014 Act gives whistleblowers protection and a way to file complaints about power abuse and corruption. Its execution has been shoddy, too, and suggested changes would weaken safeguards.

ROLE OF THE ANTI-CORRUPTION BUREAU (ACB)***Constitutional and Statutory Basis***

While there is no constitutional provision specifically referring to ACBs, their existence derives from Entry 2 of List II (State List) under the Seventh Schedule of the Constitution, which grants states the power to legislate on police and criminal investigation.

Structure and Jurisdiction

The ACB operates under the State Vigilance Bureau (SVB), Haryana, and is vested with jurisdiction over public servants within Faridabad district. Officers posted in the ACB are usually deputed from the Haryana Police Service and Indian Police Service.⁶¹

3. The Corruption Perception Index

In 2024 Transparency International developed the Corruption Perceptions Index (CPI), a ranking system that illustrates the perceived level of corruption in various nations. A lower score indicates greater corruption, whereas a higher rank indicates a cleaner nation. The CPI is based on the opinions of professionals and businesses on corruption in a nation's public services, such as the police, government employees, and politicians. Countries are ranked from 0 to 100, with 0 denoting extreme corruption and 100 denoting extreme cleanliness and transparency.

The degree of corruption in nations worldwide is shown by the Corruption Perceptions Index 2024. For the past six years, Denmark is the least corrupt nation all around the world with a score of ninety, and has been at the top. However, many nations including India, which comes in at number 96 on the list with a score of 38 struggle with corruption. India's score of 38 indicates that much more has to be done to lessen corruption in the nation. Many countries, especially in Africa and Asia, continue to struggle with corruption, and their scores remain low.

India's performance has dropped from 93rd to 96th place in the world, with a score of 38, according to the 2024 results. This suggests that corruption is still one of India's biggest threats. India's public

⁶¹A Critical study of Anti-Corruption Law in India with a special reference to Anti-Corruption Bureau, Faridabad/ Volume 2/ Issue 3 (May, 2025), visited on 25/11/2025 at 7:20 PM

sector is still perceived as having a high level of corruption, despite several efforts to improve transparency, including the provision of digital services and an online platform for bribery-free transactions. India is ranked lower on the list than its neighbors Sri Lanka (121st) and Pakistan (135th). Given India's standing, the country must keep working to improve its governmental structures in order to reduce corruption and increase accountability and openness.

INDIA'S DIFFICULTIES WITH CORRUPTION

India has a robust legal system in place to fight corruption, but putting it into practice is extremely difficult.

Political influence: One of the biggest obstacles to India's efforts to combat corruption is political influence. Some dishonest politicians block investigations and the conviction of dishonest officials by abusing their influence and position. This may involve tampering with the judiciary's operations or influencing law enforcement officials to drop charges.

Lack of Resources: The capacity of anti-corruption authorities to investigate and prosecute cases may be hampered by a lack of finance and personnel. This might make it impossible to pursue challenging cases or carry out in-depth investigations, which could lead to cases being dropped for lack of proof.

Inadequate Judicial Procedures: Delays in the judicial system and inadequate legal procedures pose serious challenges to India's battle against corruption. Public confidence in the judicial system may be damaged by the backlog of cases and sluggish trials, which can make it challenging to hold dishonest authorities accountable. Additionally, some judges have been accused of receiving bribes and participating in corrupt activities, making judicial corruption a serious problem.

Lack of Public knowledge and engagement: It might be difficult to hold corrupt authorities responsible when there is a lack of public knowledge and engagement. The people need to understand their rights and how they may help prevent corruption by reporting misconduct and taking part in anti-corruption initiatives.

Pervasiveness: Politics, business, and government are just a few of the spheres of society where corruption is pervasive. Eliminating corrupt practices can be difficult since they are sometimes firmly ingrained in the system. A comprehensive effort, including institutional and policy reforms, is required to combat corruption at all levels.

Lack of Political Will: A lack of political will to enact anti-corruption legislation is evident in the accusations against some leaders. This may result in a lack of accountability and make anti-corruption efforts less successful.

Limited International collaboration: The battle against corruption may be hampered by limited international collaboration. International cooperation is essential to locating and seizing these assets

since corrupt officials frequently utilize offshore accounts and intricate financial structures to hide their illicit income.

Notwithstanding these obstacles, significant progress has been made in India's battle against corruption, including the creation of Lokpal and Lokayuktas and the CBI's successful prosecution of high-profile corruption cases.⁶²

DIFFICULTIES WITH IMPLEMENTATION

Institutional Autonomy: The investigating procedure frequently needs approval from the appointing authority (Section 19 PCA), which causes delays or prevents prosecution. **Political Interference:** There have been many reports of investigations being halted or distorted as a result of political pressure, particularly when politicians or high-ranking officials are involved. **Judicial Delays:** Due to procedural flaws, corruption trials are frequently postponed, which erodes public confidence in the system. **Resource Restrictions:** ACBs frequently lack current technology instruments for digital evidence collecting and monitoring, and they are understaffed.⁶³

CONCLUSION:

In conclusion, corruption is a significant problem in India, and anti-corruption organizations and the judicial system are confronted with a number of difficulties. To address this issue, stronger enforcement measures, greater openness, and greater public knowledge and involvement are needed. India still has a long way to go in effectively tackling corruption, despite some advances in building anti-corruption organizations and punishing corrupt officials. India may get closer to a more open and responsible society by addressing these issues and enacting stronger legislative measures. Under the Prevention of Corruption Act, the Anti-Corruption Bureau (ACB) is a crucial enforcement body; nonetheless, it frequently functions within a constrictive environment characterized by political pressure, procedural delays, and insufficient autonomy. Case studies emphasize the gaps between policy and execution by reflecting both systemic failures and operational accomplishments. Literature insights also highlight the fact that corruption is ingrained in institutional culture and political economy and is not only a legal problem. Therefore, fighting corruption requires a multifaceted strategy that strengthens institutional independence, enhances investigative capacities, makes good use of digital resources, and promotes civic awareness. In the end, anti-corruption initiatives risk remaining symbolic rather than substantive in the absence of persistent political resolve and public involvement. This report promotes specific changes to increase the legitimacy and effectiveness of local anti-corruption initiatives.

⁶² [Analyzing Corruption in India from a Legal Lens](#) visited on 25/11/2025 at 7:19 PM

⁶³ A Critical study of Anti-Corruption Law in India with a special reference to Anti-Corruption Bureau, Faridabad/ Volume 2/ Issue 3 (May, 2025), visited on 25/11/2025 at 7:20 PM

INSTITUTIONAL VIGILANCE AND PUBLIC TRUST: A COMPARATIVE STUDY OF LOKAYUKTA AND ANTI-CORRUPTION AGENCIES

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Abstract

Institutional vigilance represents one of the most essential pillars of democratic governance, ensuring that public authorities remain accountable, transparent, and answerable to the rule of law. In the Indian context, mechanisms such as the Lokayukta, Lokpal, and specialised anti-corruption agencies derive their significance from constitutional commitments embedded in Articles 14, 21, 39A, and 41, which collectively emphasise fairness, equal access to justice, and good governance. Complementing these constitutional foundations, statutory enactments such as the Lokpal and Lokayuktas Act, 2013, the Prevention of Corruption Act, 1988 particularly Sections 7, 13, 17 and 19 and various State specific Lokayukta laws (including the Karnataka Lokayukta Act, 1984 and the Maharashtra Lokayukta and UpaLokayukta Act, 1971) create a layered legal framework aimed at curbing corruption within public administration.

This paper undertakes a comprehensive comparative study of the Lokayukta and other anti-corruption agencies, analysing their legislative origins, structural design, jurisdictional scope, and investigative powers. It evaluates the degree of autonomy granted to these institutions, the safeguards designed to prevent political interference, and the procedural mechanisms that regulate complaints, inquiries, and prosecution. The study also examines how parallel bodies such as the Central Vigilance Commission (CVC) established under the CVC Act, 2003 and the Central Bureau of Investigation (CBI) operate within the broader ecosystem of anti-corruption governance, highlighting overlaps, coordination gaps, and institutional challenges.

The ultimate aim is to offer a grounded understanding of how Lokayuktas and anti-corruption agencies function in practice, what systemic gaps weaken their effectiveness, and what reforms legal, structural, and procedural are necessary to enhance their role in promoting clean governance. By assessing comparative strengths and weaknesses, the study seeks to reaffirm that robust, independent vigilance institutions are vital for restoring public confidence and ensuring accountability in public administration.

Keywords: Lokayukta, Lokpal, Public Trust, Institutional Vigilance, Article 14, Article 21, Prevention of Corruption Act, CVC, Accountability, Administrative Law, Good Governance.

INTRODUCTION:

Public faith in government is essential for democracy, but in India, this trust has been shaken by corruption and misuse of power, leading to citizens feeling ignored. As governmental responsibilities increased, so did the calls for transparency and accountability, highlighting inadequacies in traditional safeguards against high-level corruption. This growing discontent fostered a demand for an independent institution to investigate allegations against public officials, eventually leading to the establishment of Lokpal and Lokayukta institutions aimed at restoring integrity in administration and reinforcing the principle of public accountability.

WHAT IS LOKPAL AND LOKAYUKTA:

Lokpal: The National Anti-Corruption Authority:

The Lokpal is a statutory, independent body created to address corruption at the highest levels of government. It emerged from the realization that internal vigilance systems cannot effectively act against senior officials such as ministers or secretaries. The Lokpal accepts complaints directly from citizens, conducts inquiries, orders investigations, and recommends prosecution when necessary.

Its independence is ensured through a selection committee that includes judicial members, the Leader of the Opposition, and eminent persons, making appointments based on integrity and credibility. Members enjoy a protected tenure, and the Lokpal's jurisdiction extends across ministries, allowing it to investigate high-level misconduct that departmental mechanisms cannot handle. It also follows principles of procedural fairness, ensuring that investigations are impartial and transparent while respecting the rights of the accused. As an external watchdog, it strengthens enforcement of laws like the Prevention of Corruption Act and restores public confidence in governance. Its presence also deters corruption by signalling strict, independent scrutiny of senior officials.

Lokayukta: The State-Level Guardian of Integrity

The Lokayukta functions as the state counterpart to the Lokpal, addressing corruption and maladministration within state governments. Each state establishes its Lokayukta through its own statute, allowing variations in powers and procedures. Like the Lokpal, the Lokayukta operates independently, receives citizen complaints, investigates allegations against state ministers, officials, and public servants, and recommends action or prosecution.

States such as Karnataka, Maharashtra, and Kerala have particularly effective Lokayuktas due to strong investigative and prosecutorial powers, enabling them to pursue even politically sensitive

cases. In states where powers are limited, the Lokayukta may function mainly as an ombudsman, reviewing complaints and suggesting action rather than enforcing prosecution.

Together, the Lokpal and Lokayukta ensure accountability at both national and state levels, making grievance redress accessible and preventing corruption across tiers of governance. They do not replace courts or investigative agencies but complement them by providing specialized oversight of ethical conduct. Their effectiveness depends on statutory powers, leadership independence, and investigative capacity. Ultimately, both institutions reinforce the principle that no public official is beyond scrutiny and that public office must be exercised with honesty and responsibility.

EVOLUTION AND HISTORICAL BACKGROUND:

The demand for institutions like the Lokpal and Lokayuktas began in the early 1960s, when people and policymakers realized that existing government departments were not enough to deal with high-level corruption. To address this gap, the First Administrative Reforms Commission (1966) suggested creating a Lokpal at the central level and Lokayuktas in the states independent bodies that could investigate complaints against powerful public officials fairly and transparently.

From 1968 onwards, several bills were introduced in Parliament to set up these institutions. However, because of frequent changes in government, lack of political consensus, and other legislative delays, none of these bills were passed for many years. Meanwhile, corruption scandals in the 1980s and 1990s made the public more aware of the seriousness of the issue. The judiciary also stressed the need for strong, independent mechanisms to ensure clean governance.

The turning point came in 2011, when large-scale nationwide protests and civil society movements demanded a strong anti-corruption law. These protests, led by activists and supported by citizens across the country, put enormous pressure on the government and Parliament to take urgent action. Finally, after almost five decades of discussion, debate, and public activism, the Lokpal and Lokayuktas Act, 2013 was passed. Its enactment represented the understanding that corruption was not just individual wrongdoing but a deep, structural challenge. Therefore, an independent authority like the Lokpal was necessary to investigate and address corruption effectively.

PURPOSE AND IMPORTANCE OF LOKPAL AND LOKAYUKTA:

The Lokpal and Lokayuktas were created to uphold integrity in public administration by providing an independent forum to address misconduct that ordinary departmental mechanisms may be unable to handle due to hierarchical or political pressures. By enabling citizens to report corruption without fear, they strengthen the link between the public and the government and ensure impartial investigation of grievances.

Beyond probing wrongdoing, these bodies deter corrupt behaviour by signalling accountability, reinforcing that public office is a position of trust. Constitutionally, they safeguard values such as equality, fairness, and accountability, especially since corruption disproportionately harms marginalized groups by diverting resources meant for public welfare. By scrutinizing high-ranking officials, they help ensure that state power aligns with constitutional principles and protects citizens' rights.

Their investigations also expose procedural gaps and administrative weaknesses, prompting reforms that improve transparency, efficiency, and responsiveness. In doing so, they cultivate a governance culture where accountability becomes a real and enforceable principle.

In the broader democratic framework, the Lokpal and Lokayuktas help restore public trust by ensuring that no official is beyond scrutiny. They not only address corruption complaints but also reinforce democratic norms, ethical governance, and institutional credibility. Ultimately, these bodies function as guardians of integrity and catalysts for transparent administration, fostering an environment where ethical governance becomes the norm and citizens feel empowered to seek justice.⁶⁴

CONSTITUTIONAL PROVISIONS SUPPORTING INSTITUTIONAL VIGILANCE:

While the Indian Constitution does not directly mention the Lokpal or Lokayukta, its vision and principles strongly support the creation of independent anti-corruption institutions. The Constitution expects public officials to act fairly, responsibly, and with accountability to the citizens they serve. When corruption interferes with governance, it not only wastes resources but also erodes public trust, making independent oversight crucial. The Lokpal and Lokayukta embody this principle by providing mechanisms to examine allegations against public officials and promote integrity in administration.

Article 14, which guarantees equality before the law, forms a central justification for these institutions. In a society where decisions affecting citizens can be influenced by bribery or favoritism, equality becomes meaningless. By investigating misconduct impartially, Lokpal and Lokayukta uphold the idea that no official is above the law and that all citizens deserve fair treatment. This ensures that public administration aligns with constitutional promises, rather than personal or political interests.

⁶⁴Sadashivam, T., and Shahla Tabassum. "India's Anti-corruption Ombudsman – Lokpal: An Analysis." *Indian Journal of Public Administration*, vol. 70, no. 1, 2024, pp. 55–62.
<https://journals.sagepub.com/doi/10.1177/00195561231204936>

Article 21, which protects the right to life and personal liberty, is understood in a broad sense to include human dignity, access to basic services, and the ability to live a decent life. Corruption in government offices can compromise essential services such as education, healthcare, and welfare programs, directly affecting the lives of ordinary citizens. Independent oversight helps safeguard these rights by ensuring that officials cannot divert public resources or act in ways that harm the community's well-being.

The Directive Principles of State Policy further reinforce the need for such institutions. Article 38 obliges the State to promote a social order based on justice. Article 39(a) and (b) emphasize the equitable distribution of resources and opportunities, while Article 41 focuses on public assistance to vulnerable groups, and Article 47 seeks to improve public health. Corruption undermines these principles, creating inequalities and denying citizens their rightful access to essential services. Lokpal and Lokayukta help prevent these distortions, ensuring that state resources and programs reach those who need them most.

The Constitution also establishes other mechanisms for oversight and accountability, reflecting the framers' intention to prevent misuse of power. Articles 148–151 provide for the office of the Comptroller and Auditor General (CAG), which audits government finances and ensures transparency in public spending. Similarly, the Finance Commission (Articles 280-281) recommends measures to maintain financial discipline and equitable distribution between the Union and States. Lokpal and Lokayukta extend this logic to the conduct of public officials, offering an independent platform to examine ethical and administrative accountability beyond financial audits.

The Preamble of the Constitution promising justice, liberty, equality, and fraternity also support the creation of these bodies. Corruption threatens all these values by privileging those who misuse their power and weakening public confidence in governance. The Lokpal and Lokayukta operationalize this constitutional vision by providing citizens a way to report grievances, ensuring that those in authority cannot act arbitrarily, and restoring trust in democratic institutions.

Judicial interpretations reinforce the constitutional rationale for independent vigilance. Courts have consistently held that unchecked corruption undermines the rule of law and compromises the integrity of democratic governance. By supporting mechanisms that enable citizens to hold officials accountable, the Constitution, interpreted in conjunction with judicial guidance, validates the need for institutions like the Lokpal and Lokayukta.

Finally, these institutions reflect the broader constitutional principle that power must always be subject to checks and balances. By separating investigatory authority from political influence, they ensure that ethical governance is maintained. Citizens are assured that no official, however senior,

can misuse their office without scrutiny, linking the constitutional ideals of justice, equality, and accountability with practical enforcement mechanisms.

LATIN MAXIMS:

Judicial interpretations:

Indian courts have consistently stressed the importance of keeping public office transparent and ensuring that those in authority can be held accountable. In the case of, AIR 1998 SC 889, the Supreme Court highlighted that investigative bodies must be shielded from political and administrative influence. The Court recognized that credibility in corruption inquiries depends on impartial supervision, and it recommended structural reforms to strengthen the independence of agencies such as the CBI and the Central Vigilance Commission. This case became a reference point for later steps towards the creation of independent institutions like the Lokpal, which are empowered to investigate high-level officials without interference.⁶⁵

Similarly, AIR 1995 SC 1050, the Court indicated that investigations into misconduct must be conducted with sensitivity and impartiality.⁶⁶ The judgment noted that internal biases within government departments can distort investigations and emphasized that processes must operate free from any fear or favor. Even though the matter primarily concerned custodial violence, the reasoning applies broadly to all scenarios where public officials' actions are under scrutiny.

The Supreme Court also addressed corruption as a matter that directly affects public welfare in Centre for, AIR 2005 SC 4413. The Court stressed that corruption undermines equality and disrupts social programmes intended to benefit citizens⁶⁷. It argued that mechanisms must exist to monitor the allocation of public resources and ensure fairness. State-level bodies also received recognition in, AIR 1978 SC 68, where the Court confirmed that independent oversight institutions at the state level are necessary to maintain responsible governance, showing that vigilance cannot be left solely to internal administrative systems.⁶⁸

Other judgments further reinforce these principles. In, AIR 2012 SC 1185, the Court made it clear that delays in permitting prosecution against high-ranking officials can erode public trust.⁶⁹ The judgment highlighted that procedural safeguards are important, but they should never prevent accountability. Likewise, AIR 1998 SC 2120, demonstrated that corruption at any level weakens democratic governance, and the Court stressed that investigative mechanisms must be robust and

⁶⁵Vineet Narain v. Union of India

⁶⁶State of Madhya Pradesh v. Shyam Sunder Trivedi

⁶⁷Public Interest Litigation v. Union of India

⁶⁸State of Karnataka v. Union of India

⁶⁹Subramanian Swamy v. Manmohan Singh

independent⁷⁰. AIR 1996 SC 3538, reinforced that public authority exists for the benefit of citizens and must operate transparently, making a strong case for independent monitoring like the Lokpal and Lokayukta.⁷¹

In *People's*, AIR 2004 SC 1442, the Court observed that citizens' rights are meaningful only when officials can be examined for misconduct⁷². Independent channels for complaints are therefore essential to uphold the democratic promise⁷³. AIR 1984 SC 684, confirmed that procedural rules should not shield those in power from legitimate inquiries, supporting the need for independent institutions. AIR 1991 SC 2077, clarified that even judges are subject to investigation under specific safeguards, demonstrating that no office is entirely immune to scrutiny.⁷⁴

Three more cases further illustrate this principle. In AIR 1998 SC 2465, the Supreme Court emphasized that political influence cannot block investigations into public officials, showing the importance of independent oversight mechanisms⁷⁵. AIR 1994 SC 1918, while addressing federal powers, highlighted that State officials cannot exceed their authority without accountability a principle mirrored in the functioning of Lokayuktas at the state level⁷⁶. In, AIR 2015 SC 3456, the Court recognized the right of citizens to demand inquiries into misuse of power, underscoring the democratic legitimacy of anti-corruption institutions.⁷⁷

Taken together, these judgments create a judicial tradition that demands independence, fairness, and accountability in public administration. They form the legal backbone for the Lokpal and Lokayukta, validating the need for strong mechanisms that can investigate allegations against public officials without bias or undue influence.

Comparative Analysis of Lokayukta, Lokpal, CVC, and Other Anti-Corruption Agencies:

India's approach to combating corruption involves a network of institutions, each designed with a specific focus, mandate, and operational structure. Understanding their comparative roles is essential to appreciate why the Lokpal Lokayukta framework is not redundant, but a vital addition that addresses systemic gaps in accountability.

The Lokpal, established through the Lokpal and Lokayukta Act of 2013, is a national-level institution with authority over high-ranking officials, including Union Ministers, Members of Parliament, and senior bureaucrats. One of its key strengths is structural independence: the selection process includes

⁷⁰P. V. Narasimha Rao v. State (CBI/SPE)

⁷¹Common Cause v. Union of India

⁷²Union for Civil Liberties v. Union of India

⁷³R. S. Nayak v. A. R. Antulay

⁷⁴K. Veeraswami v. Union of India

⁷⁵Lalu Prasad Yadav v. State of Bihar,

⁷⁶S. R. Bommai v. Union of India

⁷⁷Arvind Kejriwal v. Union of India

representatives from the judiciary, opposition parties, and eminent citizens, ensuring that no single branch of government can dominate appointments. The Lokpal enjoys a protected tenure, is administratively separate from government departments, and is empowered to initiate inquiries, direct investigations, and even recommend prosecution. This combination of autonomy and prosecutorial authority positions the Lokpal as a powerful deterrent against high-level corruption.

In contrast, the Lokayukta operates at the state level, but its powers differ widely among states. Some, like Karnataka, Maharashtra, and Kerala, grant their Lokayuktas significant investigatory and prosecutorial authority, allowing them to pursue cases independently and submit detailed reports for public and legislative review. In other states, the Lokayukta may function largely as an advisory or ombudsman-like body, limited to recommending departmental action rather than directly enforcing legal measures. This variation reflects differing political priorities and administrative capacities across India but also creates inconsistency in anti-corruption enforcement. The decentralized nature of Lokayuktas allows them to address region-specific issues, such as misuse of state-level schemes or local bureaucratic malpractices, complementing the national oversight provided by the Lokpal.

The Central Vigilance Commission (CVC) predates both the Lokpal and most Lokayuktas and primarily functions as a supervisory and advisory body. Its main role is to monitor vigilance arrangements in central government departments, guiding them in maintaining internal checks and investigating complaints where necessary. However, the CVC lacks independent prosecutorial authority, and its recommendations require action from departmental heads or other authorities. While the CVC is instrumental in promoting preventive vigilance, it cannot act as a fully autonomous investigative body for high-level corruption, which limits its capacity to hold senior officials accountable without cooperation from other branches.

Similarly, the Central Bureau of Investigation (CBI), although widely recognized as the premier investigative agency in India, depends on government sanction for its actions and is not fully insulated from executive influence. Judicial pronouncements, such as in *Vineet Narain v. Union of India*, have repeatedly pointed out that its lack of statutory independence can sometimes affect impartiality, particularly in politically sensitive cases. The CBI, unlike the Lokpal, cannot independently initiate action against Union Ministers or Members of Parliament without prior sanction. Its role remains primarily investigative rather than preventive or systemic.

The Prevention of Corruption Act (PCA), 1988, provides the substantive legal framework to prosecute corruption offences, outlining definitions of bribery, criminal misconduct, and public duty violations. However, the PCA does not establish independent investigative bodies to trigger prosecution. In practice, complaints under the PCA often require referral through internal departmental mechanisms or law enforcement agencies like the CBI. This gap underscores the

necessity of institutions such as the Lokpal and Lokayukta, which act as independent entry points for complaints, ensuring that legal processes are not stalled by bureaucratic inertia or hierarchical pressure.

A careful comparison reveals a distinct division of labor among these institutions. Earlier mechanisms, such as departmental vigilance or the CVC, focused mainly on internal supervision and preventive oversight. The CBI primarily investigated complaints but faced constraints in autonomy. The Lokpal and Lokayukta, however, introduce a critical external layer of authority with statutory independence and a specific mandate to address allegations against those in public office. They bridge the gap between the legal framework of anti-corruption statutes and the practical enforcement of accountability, particularly for high-ranking officials who might otherwise be shielded by hierarchical or political influence.

Moreover, the Lokpal Lokayukta framework strengthens democratic governance by promoting public trust. Citizens can directly approach these bodies with complaints, confident that there exists an independent mechanism to address misconduct. By contrast, earlier institutions, while necessary, were largely dependent on internal reporting or departmental discretion. The separation of functions advisory (CVC), investigative (CBI), and statutory oversight (Lokpal/Lokayukta) creates a more comprehensive system that addresses prevention, detection, and accountability at both national and state levels.

In essence, the Lokpal and Lokayukta complement existing agencies rather than duplicate them. They provide statutory authority, operational independence, and a citizen-centric complaint mechanism, filling the gaps left by earlier bodies. While the CVC ensures vigilance within administrative departments, the CBI investigates assigned cases, and the PCA defines offences, the Lokpal and Lokayukta act as autonomous catalysts that can trigger action and sustain public confidence. This multi-layered framework represents a more holistic approach to institutional vigilance, balancing preventive oversight, investigation, and enforcement to safeguard public interest and strengthen democratic accountability.⁷⁸

Conclusion:

The Lokpal and Lokayukta are critical for enhancing transparency, integrity, and accountability in Indian governance, responding to public demand for independent oversight. They facilitate impartial investigations, preventive deterrence, and uphold constitutional values, thus bolstering the moral

⁷⁸Dutta, Rohan. "The Role of Lokpal in Combating Corruption and Enhancing Administrative Accountability in India." *International Journal of Law Management & Humanities* 8, no. 1 (2025): 83–98. <https://ijlmh.com/wp-content/uploads/The-Role-of-Lokpal-in-Combating-Corruption-and-Enhancing-Administrative-Accountability-in-India.pdf>

fabric of the State. More than punitive tools, they foster ethical governance by promoting procedural reforms and ensuring that citizens' grievances are addressed, reinforcing public trust. These institutions illustrate how independent oversight can turn constitutional ideals into societal benefits, emphasizing that governance must serve the public good. Strengthening these institutions and promoting citizen awareness are essential for establishing a governance system characterized by transparency and integrity.

LOKAYUKTA: CATALYST FOR RESPONSIVE GOVERNANCE

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INTRODUCTION

Corruption in India is a very old problem that affects proper governance. It appears in everyday transactions and large-scale scams alike. Promoting accountability through laws like the Right to Information Act and institutions such as Lokpal and Lokayukta is vital to ensure transparency, integrity, and fairness in public administration. In India Lokayukta began in the 18th century, the first Administrative Reforms Committee recommended to establish two bodies namely 'Lokayukta' and Lokpal' to deal with the problems of the people. The second committee stated that Lokayukta is an 'multi member body that is headed by a judicial member to deal with the problems of corruption

The bill to establish an anti- corruption body was laid down 8 times between 1968 to 2011 and the bill is the base for the Lokayukta and Lokpal Act of 2013. The modified bill was passed in 2011 after the nationwide anti-corruption movement led by Anna Hazare which included multiple 2013 hunger strikes and was pivotal in leading the government to pass the bill. The Act was established to facilitate the establishment of Lokayuktas in the different states of India to investigate corruption matters, Maharashtra was the first state to establish Lokayukta system. The structure of Lokayuktas differ from state to state, some of the states have both Lokpal and lokayukta, some have only lokayukta and some neither have both. The jurisdiction of the Lokayukta also varies between the states ranging from ministers to government officials and public servants. The report prepared by them is submitted annually to the parliament and the recommendations given by them are accepted .by the houses and implemented in their policies

The Lokpal and Lokayuktas along with the uplokpal and uplokayuktas play a crucial role in reducing corruption by investigating the matters relating to corruption and submitting annual reports thereby .promoting transparency and accountability

LEGISLATIVE AND INSTITUTIONAL FRAMEWORK

The Lokpal is composed of a chairperson and the maximum number of persons in the body cannot exceed 8. The head of the body is called the chairperson who must possess certain qualifications like he must have been in the post of the judge of supreme court of India or any other court in India or he must have experience in related fields in which the body functions.he body can have a maximum of eight members, and at least half of them must be judicial members. must be members in judicial

capacity. Apart from this, half of the members in the body must belong to the reserved sections and vulnerable communities who need protection. Both the Chairperson and the members of the Lokpal hold office for either till he reaches the maximum age limit i.e. of 70 years or till the completion of 5 years from the date of appointment.

The appointment process is overseen by a Selection Committee consisting of the a chairperson who is the minister of the state, speaker of house or the people, the opposition leader of house of people and CJI of India. The jurisdiction of the Lokpal extends to ministers, government officials, other group officers and to the Prime Minister of India except in certain situations like allegations in matters relating to security, public order, atomic energy, vote cast in parliament, etc. The jurisdiction also extends to acts like bribery, abetting, societies controlled by government and acts of individuals of society found out by government.

the state government may also constitute a department called as the lokayukta to function within the state if they are not constituted by the state or concerned authority authorized to do so within the statutory period stipulated in the Act. the department so constituted mainly accepts complaints of dishonest dealings of certain authorities. It functions as the state counterpart to the Lokpal, which operates at the national level to address similar issues of accountability and integrity in public administration.

POWERS AND WORKING OF THE ANTI-CORRUPTION BODY

The Section 20-24 of the Lokpal and lokayukta Act prescribes the procedure to be followed by during the preliminary enquiry, complaints and investigation. According to it the Lokpal, upon receiving grievance applications, may order a order for a initial inspection or examination into the concerned matter to determine the initial merits based in which the complaint can proceed further. It can refer cases to the Central Vigilance Commission for certain categories of public servants. Preliminary inquiries must generally be completed within 90 days and investigations within six months. A three-member bench reviews reports after giving opportunity of being heard, it may also authorize prosecution, departmental action, or closure. The Lokpal can request documents, grant prosecution sanction, and ensure procedural fairness. It maintains custody of records produced before it, uploads the case details and status in its website, and may even file cases in Special Courts under the Prevention of Corruption Act where any offence has been committed.

Section 25-34 of the Act deals with the powers of the Lokpal. The jurisdictional powers of the Lokpal allow them to inquire into grievances caused due to the acts of the members and head of the body constituted under the Act, who come under the jurisdiction conferred upon them, the inquiry and investigative powers give power to initiate Suo motu inquiries or act upon complaints received, it

can even exercise superintendence over the CBI, under the prosecution powers the Lokpal can file a charge sheet and recommend prosecution and even establish special courts for speedy trial, the Lokpal also have power of search and seizure and attachment of property of the accused ensuring that the corruption is found out and under this power it can confiscate the assets acquired by corrupt means. Though not expressly mentioned in the Act the Lokpal also has the power to protect the complainants from the chance of harassment or harm that they might face otherwise. The powers and functions of the Lokayuktas are also quite similar to that of the Lokpal and are defined by the respective state legislatures drawing its inspiration from the Lokpal

Sections 37 and 38 of the Lokpal and Lokayuktas Act deal with procedures for handling complaints made against the Chairperson or members of the Lokpal. According to the Act, these matters cannot be examined or inspected by the members themselves as there may be chances of bias. The president can remove the members of the chairperson if it is proved that the members have acted wrongly after the matter has been suggested to the supreme court by the president to look into the matter after petition that is signed by at least 100 members of the legislature, and after proper examination the court is of the opinion that the members

CASE STUDY: WORKING OF LOKAYUKTA IN KARNATAKA

The Karnataka Lokayukta operates through many branches that deal with specific matters of their expertise. According to the civil services rules of Karnataka the head of the various departments wings shall be the registrar. The various departments are headed by the persons who hold high post and have high experience in their respective fields According to the Annual Administration Report for 2023–24, the Lokayukta received several complaints from the public during field visits across various districts. In many instances, the Upalokayukta intervened and resolved certain matters on the spot. To promote transparency and ensure timely public access to case information, the Lokayukta has upgraded its official website. The updated site now provides comprehensive details such as the details of the forum, their present and past members the position they served as during their tenure, institution's history, final orders on complaints, statistics of data relating to the unresolved matters reported by public and also the grievances against the members of the body. The table below shows the same. However, nearly half of these cases are stuck in legal challenges

Raids in DA cases between January 1, 2023 and July 31, 2025

cases 150	Recommended further action to competent authorities
cases 113	Under investigation
cases 67	High Court has stayed proceedings
cases 34	High Court has quashed FIRs
cases 4	Got sanction for prosecution in 2 cases, 2 more pending before govt
officials 82	Suspended

According to a data submitted by Chief Minister Siddaramaiah in the Karnataka Legislative Council Disproportionate Assets (DA) cases have been registered by lokayukta police and 219 State 218 Government officials have been raided in Karnataka since 2023

Despite these reforms, the report highlights that nearly half of the cases remain delayed due to ongoing legal challenges and this also shows the need to give more power to lokayuktas to deal with these cases as the data shows that as of early 2025 over 1200 cases under Prevention of Corruption Act against government officials and ministers are still pending before the lokayukta. These things .point out the need for changes and reform in the system

CHALLENGES AND THE WAY FORWARD

Despite Lokpal and lokayuktas being appointed to combat the corruption in India they still face some challenges that hinder their working and impact the overall performance. The challenges include:

Weak Protection for Complainants: The complainants who registers complaint regarding corruption or other related matters they fear due to the lack of proper protection to them in case the complaint turns out to be false as they could be prosecuted under Section 18 of the Lokpal and .lokyukta Act of 2013

- **Political Influence:** The selection committee consists of political members like speaker of Lok Sabha and opposition party leader etc. who may influence the process of selection .thereby affecting the fair an impartial functioning of the body leading to prejudice
- **Restricted Jurisdiction for PM:** Despite having power and authority to investigate complaints against the Prime Minister, Lokpal cannot enquire on matters relating to relations with other nations, public peace, etc. and further before inquiry at least atleast 66.6% of the .members present have to approve it
- **Legal Shortcomings:** These includeLack of constitutional status to the Lokpal and lokayuktas, lack of judicial purview, the fact that the complaints get dismissed on the lapse .of 7 years, lack of transparency in Lokayukta appointment methods

- **Public Awareness Is Low:** The Lokpal and lokayuktas were established to facilitate the public to file complaints relating to corruption and conduct investigation on such matters but ,the public lack awareness relating to this like where to file complaint, how to file complaint .etc
- **Insufficient Resources:** The lack of resources and understaffing can result hinder the working of the body thereby leading to pending cases, delayed judgements, and causing .prejudice to the public
- **Procedural Complexity:** Thecomplex and lengthy bureaucratic procedures often lead to public being hesitant in fling the complaints thereby helping the corrupt to escape the .liability
- **Political Interference in Investigations:** Despitebeing established to conduct investigations relating to corruption, the investigation can often be influenced by the political parties whose members are also a part of selection committee thereby defeating the purpose .for which they were established

Recommendations

To combat the challenges and ensure that the Lokpal and lokayuktas function properly the following recommendations can be considered:

- The Lokpal and lokayuktas need to recognized constitutionally to ensure that they function .without any influence or pressure
- Provide protection to the complainants against prosecution for false complaint if done with .Bonafide intention and without malice
- Introduce judicial review of appointees under the Act to ensure transparency and reduce .chance of political influence
- Create public awareness among the people regarding the importance of Lokpal and .lokayuktas and educate them regarding the procedure to file complaints
- Decentralization of the Lokpal by establishing regional offices to reduce the burden and .increase accessibility
- Increase accountability by introducing provisions for appeal against the orders of Lokpal and .lokayuktas
- Provide adequate resources and staff to the Lokpal and lokayuktas to ensure speedy trial and .better working

CONCLUSION

The Lokpal and lokayukta Act was enacted to establish a body to deal with the corruption matters after struggle for many years for passing the bill. At its heart, the Lokayukta system stands as a ray of hope for countless citizens who seek remedy against corruption and malpractices that often reduce the trust of the public in government. The report makes it clear that while significant efforts have been made—such as more transparent processes, improved online access to case statuses, and an efficient response mechanism—many challenges still exist

Karnataka Lokayukta is a key example that shows how these bodies can change with the times and make real differences for people at the grassroot level. Citizens develop trust when district visits are made and the corrupt officials are suspended for the wrong committed. However, the presence of legal obstacles and pending cases highlights that reforms must not stop at the drafting table—they need to be enacted properly, with commitment at different levels of the government implementation. Importantly, the Lokayukta's effectiveness depends not just on laws, but on the collective will—both the people and the policy makers have to take responsibility regarding these matters. Steps like constitutional recognition, safeguard to complainant, education to public are not just legal necessities, but essential for a society who wants the system to be just and fair. The real success can be achieved only when every ordinary person can approach these bodies without fear, with confidence and trust that they will get justice

As India continues to move towards a cleaner, more accountable public system, the Lokpal and Lokayuktas remain highlights on this path. Their journey is ongoing, and every citizen, policymaker and official has a role in ensuring these bodies are strong, independent, and effective custodians of the public trust

THE OFFICE OF OMBUDSMAN FOR GOOD GOVERNANCE IN DEMOCRATIC SETUP WITH SPECIAL REFERENCE TO INDIAN SCENARIO: ANALYSIS WITH SPECIAL REFERENCE TO JUDICIAL ROLE

ABSTRACT

Good governance signifies the fair, transparent and accountable function of the government with an unwavering commitment to uphold the rule law and promote the welfare of its citizens. So, the judiciary and lokayukta occupied a central position in ensuring ethical governance, curbing corruption and reinforcing public confidence in the administrative system.

The lokayukta, established under the lokayukta and upalokayukta Act of 1983, first came into force in the state of Maharashtra in 1971 and was later adopted by several other states to combat corruption and mal administration at the state level. The lokayukta also called as an watchdog against corruption. It makes investigation for the complaint made by the citizens against corruption which done by public officials and government employees, by which exposes the misuse of positions and unethical behaviour.

This research paper focuses on examining the vital role of the judiciary and the Lokayukta in ensuring good governance in India. It highlights how judicial oversight strengthens the independence and functioning of the Lokayukta in combating corruption and promoting transparency. The paper also discusses key judicial decisions and their impact on maintaining accountability within public institutions. By analysing the interaction between judicial authority and the Lokayukta's functioning, this study emphasizes the importance of integrity, justice, and citizen trust as the foundation of good governance.

INTRODUCTION

India, which is a biggest democracy, when we are emphasizing upon the democracy then it becomes more relevant that, in the path of democracy there will be race for the power and position without concern of path and consequence, which seems like a rat race, for controlling it there must be a watchdog to control all powers⁷⁹ which are said to be an absolute sense for public good.

⁷⁹Administrative Reforms Commission, *Report on Lokpal and Lokayuktas* (1966).

The term ‘Governance’ was the world which first used in the 1989, world bank study⁸⁰ ‘Sub-saharan Africa-from crises to ‘sustainable growth’. It has an aim to describe the importance and necessity of institutional reforms and improvised and effective public sector in sub-saharan countries. The study described as ‘the exercise of political power to manage a national affairs’.⁸¹

The preamble to our constitution states mainly about the democracy which calls for informed citizenship and disclosure of information that is necessary for its function and into prevent corruption and to make government and instrument accountable to be governed.

In the Indian scenario, the challenge of maintaining probity in public life, especially against the backdrop of corruption and the discretionary powers vested in administrative institutions, it has the creation of vigilance mechanism. The concept of ombudsmen which is an independent authority tasked with investigation against mall administration, which formally first institutionalized in India through establishment of Lokpal and lokayukthas⁸².

THE OMBUDSMAN AS A CONCEPTUAL FOUNDATION

In a large and diverse democracy like India, where administrative body possess substantial discretionary powers, the risk of miss governance manifested as corruption and administrative arbitrariness is perpetually high. The core of Indian constitution, its perspective on governance was reflected in its part III, IV, IV-A is in sound⁸³. However, the effective operation of these principles requires the incorporation of external accountability agents. Therefore, the institution of the Ombudsman is conceived as an essential mechanism, distinct from the judicial and executive arms, which are intended to tackle corruption as a direct aspect of bad governance.

The Ombudsman’s original concept was originated in Sweden in 1809. From the word “justitieobudsman”⁸⁴ which means the parliamentary commission for justice. It defines features of its independence from the executive branch, which was appointed by an accountability to the legislature. Unlike the cores, the Ombudsman provides a rapid, inexpensive and accessible channel for the citizen. Which is the institution seen as a protector of citizens’ rights against the administrative state. In India, however it makes a critical departure: which solely focusing on maladministration which often involving inefficiency, it mandates to investigate and prosecute corruption under the

⁸⁰World Bank, Sub-Saharan Africa: From Crisis to Sustainable Growth (1989).

⁸¹World Bank 1989 P.55

⁸² Administrative Reforms Commission, Report on Lokpal and Lokayuktas (1966).

⁸³Aditya Sudarshan,” Constitutional Perspectives on Good Governance,” National Law School of India Review, Vol. 17: Iss.1, Article 3 (2005), p. 27.

⁸⁴Swedish Constitution of 1809 establishing the Justice ombudsman.

Prevention of Corruption Act, 1988⁸⁵. As a facilitator of administrative fairness into a formidable, through controversial and Anti-Corruption enforcement body⁸⁶.

THE INDIAS JOURNEY ON LOKPAL AND LOKAYUKTHA

The ombudsmen concept in India first proposal came by administrative reforms commission in 1966⁸⁷, which recommended the establishment of Lokpal at the central and lokayukthas in the states. The journey of legislature protracted, which was marked by numerous failed attempts and political inertia across several decades. The demand to eliminate the corruption, the public moment known as ‘India against corruption’ movement, in 2011. The pressure culminated in the enactment of Lokpal and lokayuktas act in 2013⁸⁸. This act aimed to create a robust, independent as well as strong anticorruption body, which capable of investigating accusation of highest stratum of government, which ensures check on concentration of discretionary powers which makes corrupt practices.

The Lokpal consists of a chairperson and the eight members, in this half of are judicial members. It has extensive jurisdiction, covering the prime minister with certain safeguards, the union minister, members of parliament as well as officials of central government. At the state level the lokayukthas, which operates with degrees of independence and jurisdiction on specific state laws.

The powerful legislature for the operationalization of the Lokpal faced sever challenges which is in the delay in appointment. The chairperson appointed in 2019, 6 years of gap after the act passed⁸⁹. So, this gap curtailed the effectiveness and fuel spectismabout political willingness to strengthen the institution. The Indian popular started turning their attention to the scope of mall administration in the public service sector are done by the implementation of the right to information Act and the Lokpal and lokayuktha legislation.

THE JUDICIAL ROLE IN INSTITUTIONALIZING THE ANTI CORRUPTION MECHANISM

The most distinctive feature of Indian ombudsmen is the indispensable role of the judiciary in the ensuring its existence and its operational integrity. The supreme court of India which act as ultimate interpreter as well protector to the constitution. Which intervened to enforce the legislative intent of the Lokpal and lokayukthasactm often compensating for the executive apparent to operationalize the bodies fully. The implementation of the Act of 2013 which initially characterized by the significant executive and legislative inertia, concerning about appointment of chairperson and members. This

⁸⁵Prevention of Corruption Act, 1988

⁸⁶Second Administrative Reforms Commission, *Ethics in Governance* (2007).

⁸⁷Administrative Reforms Commission, *Report on Lokpal and Lokayuktas* (1966).

⁸⁸The Lokpal and Lokayuktas Act, 2013

⁸⁹Supreme Court: *Common Cause v. Union of India* (2018) – regarding delays in Lokpal appointments.

action was challenged through numerous public interest litigations, the supreme to step in and treat the matter as a failure of statutory duty.

The key judicial interventions in the context of filling of Lokpal vacancies, demonstrated the courts to resolve and to enforce the implementation of law. The supreme courts pronouncements served as like statute is enacted, the executive has a constitutional obligation to implement within a reasonable time the procedural technicalities cannot be used as an excuse for indefinite delay. The court issues a writ mandamus - a judicial remedy compelling the public authority⁹⁰ to perform its duty. There by treating the non-appointment of the Lokpal as a failure to perform a statutory function which is essential for public accountability.

Dr A.P.J. Abdul kalam states that many countries of the world consider good governance as a significant objective. They have pursued unique open government programs and are actively working to make individual as the central of governance. The mentality of the public authorities which is in exercising public authority is clouded by suspicion and confidentiality, legislative or judicial authorities are a culture that should be nurtured with privacy and confidential exceptions. Transparency is a right a way to counter corruption.⁹¹

The right of the people to learn the facts, the true truth, about the countries government is also one of the foundations for the democratic republic. A major roadblock was the statutory requirement that the selection committee include the leader of the opposition in lok-sabha. The court ruled that the largest opposition leader could participate in the committee, thus removing the critical legislative hurdle at the executive appeared unwilling to resolve. This interpretation was crucial, which demonstrates the judicial capacity to display purposive interpretation to preserve the essence Interpreting and Securing Institutional Autonomy

The effectiveness of the Ombudsman rests entirely on its political and functional autonomy. The Indian judiciary has played a crucial role in interpreting provisions that protect the Lokpal and the lokayukta from executive interference, thereby upholding the separation of powers doctrine in a novel context.

The Courts recognize that the selection process, though guided by a committee, is inherently political. To mitigate this, judicial pronouncements emphasize the high integrity and independence required of the candidates. More critically, the removal process is where judicial review is most robust. The Lokpal Act mandates a detailed procedure for removal, involving a reference to the Supreme Court.

⁹⁰ Supreme Court ruling on including Leader of Largest Opposition Party in Lokpal selection: Prashant Bhushan v. Union of India (2017).

⁹¹Supra note 148

The Judiciary's supervision over this removal mechanism ensures that the incumbent cannot be arbitrarily dismissed by the political executive in retaliation for investigations.

The courts have often directed governments to treat the expenditure of the Ombudsman as a direct charge on the consolidated fund, independent of annual legislative appropriation approval, thereby insulating it from political leverage. This judicial insistence on securing the administrative prerequisites for functioning elevates the Ombudsman from an ordinary governmental body to a constitutionally protected watchdog

While empowering the Ombudsman, the Judiciary simultaneously maintains its role as a constitutional check, ensuring that the vast powers granted under the Lokpal Act are exercised within the bounds of the rule of law and with respect for fundamental rights.

A major challenge for the Lokpal is its overlapping jurisdiction with existing agencies like the Central Bureau of Investigation (CBI) and the Central Vigilance Commission (CVC).⁹² Judicial decisions have been instrumental in defining the supremacy of the Lokpal in corruption cases falling under its ambit, clarifying its power to superintend and direct the investigation wing of the CBI when investigating a case referred by the Lokpal⁹³. This judicial clarification prevents inter-agency conflicts and ensures that the anti-corruption effort is streamlined under the command of the most independent body. The Court, however, also ensures that the referral process is not arbitrary, checking for prima facie evidence before granting such extensive powers of superintendence.

The Lokpal, with its extensive investigative powers, including the ability to order searches, seizures, and attach assets, functions almost as a special court. The Judiciary, therefore, rigorously reviews the Lokpal's proceedings to ensure compliance with the principles of natural justice and due process. Individuals under investigation by the Lokpal have recourse to the High Courts and the Supreme Court if they believe their fundamental rights (e.g., right to privacy, protection against self-incrimination) have been violated. This oversight prevents the Lokpal from becoming an unchecked authority—the judicial role here is to guarantee that the fight against corruption does not devolve into arbitrary governance.

⁹²Kundu, "Corruption in Governance and Lokpal," Fourth Report of 2nd ARC

⁹³The Lokpal and Lokayuktas Act, 2013

THE FUTURE DIRECTIONS, IMPACT ASSESMENTS OF GOVERNANCE OF OMBUDSMEN

The establishment of the Lokpal and the Lokayuktas, particularly after judicial prodding, marks a significant symbolic victory for the principle of public accountability⁹⁴. However, a pragmatic assessment reveals a gap between legislative ambition and operational reality, raising questions about its effectiveness in fundamentally reforming the Indian governance structure.

The core function of the Lokpal is to act as a deterrent. The mere existence of a body capable of investigating the highest functionaries is intended to discourage corrupt practices.

On the symbolic front, the Lokpal is a powerful expression of India's commitment to zero tolerance for corruption. However, the actual impact, measured by the number of high-profile convictions or the perceived reduction in corruption indices, has been modest⁹⁵. Operational statistics reveal a gap between the number of the complaints received, suggesting a tendency towards bureaucratic cautiousness⁹⁶ or a hesitation to fully operationalize the body. Delays in appointments, the length of the investigation and prosecution process, often taking years, dilutes the deterrent effect of the institution. The experience across various states where the Lokayukta is not even functional or like the Lokpal cannot entirely overcome without judicial reform.

The efficacy of the Lokayuktas varies wildly across states. In states where the Lokayukta has been granted independent investigation powers and protection from removal (e.g., Karnataka, Uttar Pradesh to some extent), the impact has been tangible, leading to notable investigations and resignations. Conversely, in many other states, the Lokayuktas remain underfunded, understaffed, and politically toothless, highlighting that federal implementation is a significant weak point of the overall Ombudsman framework⁹⁷. This disparity underscores that legislative framework alone is insufficient; political commitment at the state level is essential despite judicial support, the Indian Ombudsman system suffers from several systemic flaws that undermine its full potential.

The most persistent criticism centers on the selection committee for the Lokpal, which is heavily dominated by executive and legislative members, creating a perceived 'government-controlled' appointment mechanism⁹⁸. Even with the Chief Justice's involvement, the lack of a fully independent process—where the search committee is purely external and non-political—compromises the public perception of the final appointee's neutrality. This criticism holds that the process is designed to select

⁹⁴Second Administrative Reforms Commission, *Ethics in Governance: Report of the Second ARC*, Government of India, 2007.

⁹⁵Second Administrative Reforms Commission (ARC), *Ethics in Governance* (2007), Chapter 3

⁹⁶Lokpal of India, *Annual Report 2021–22*, Government of India

⁹⁷Transparency International India, *State Integrity Assessment Report* (2019)

⁹⁸Lokpal and Lokayuktas Act, 2013, Section 4

individuals acceptable to the incumbent government rather than individuals capable of independently challenging it.

A crucial aspect of any effective anti-corruption regime is the protection of those who report wrongdoing (whistleblowers). While separate legislation exists, the Lokpal Act itself is not fully integrated with a robust and mandatory whistleblower protection mechanism. Without adequate guarantees of safety, complainants often hesitate to approach the Lokpal with information critical to high-profile cases. This gap severely limits the institution's ability to receive credible, evidence-based complaints, leaving it reliant on reactive or government-referred cases.

To transform the Lokpal and Lokayuktas from symbolic gestures into truly effective instruments of Good Governance, legislative and procedural reforms are necessary, building upon the foundations secured by the Judicial⁹⁹.

Selection Reform: The composition of the Selection Committee should be amended to include a greater representation of independent constitutional experts, civil society leaders, or representatives from non-political bodies, thereby reducing the proportional influence of the executive.

Financial Independence: The Lokpal's entire budget, including staff salaries and investigation expenses, should be a direct charge upon the Consolidated Fund of India, protected from the Ministry of Finance's annual appropriation and veto.

The central government should work with states to standardize the powers and operational independence of all the Lokayuktas through a comprehensive national template. This standardization must include mandating an independent investigation wing and removing the requirement for prior government sanction for the prosecution of officials under the Lokayukta's purview.

CONCLUSION

The institution of ombudsmen instituted in India as the Lokpal in center the lokayukthas in states, is a vital, non-negotiable component of the architectural framework necessary for achieving good governance in a democratic struggling with corruption. Its conceptual foundation as articulated by administrative reforms is to establish a powerful independent watchdog to counter the concentration of discretionary power in executive.

Basically, this study underscores that the ombudsmen does not compete with the judiciary, but it complements it. While the courts took judicial review to provide the final constitutional control, ensuring legality and procedural fairness, it is the Lokpal which offers first line of administrative defense. The judiciaries' role thus, is one of the essential supports which upholds the lokayukta and the lokpals reformative orders and protecting its institutional independence.

⁹⁹NITI Aayog Governance Review (2020)

References

- [1] Kundu, Dr. R.K.” Corruption in Governance and Lokpal: The Perspective of 2nd Administrative Reforms Commission in India.” IOSR Journal of Humanities and Social Science(JHSS), Vol. 2, Issue 4 (Sep-Oct. 2012): 4–9.
- [2] Sudarshan, Aditya.” Constitutional Perspectives on Good Governance.” National Law School of India Review, Vol. 17, Iss. 1, Article 3 (2005): 24–37.
- [3] Government of India. Second Administrative Reforms Commission (ARC), 4th Report on Ethics in Governance. New Delhi, 2007.
- [4] The Prevention of Corruption Act, 1988. Government of India.

EVALUATION OF CITIZEN PARTICIPATION AND THE OMBUDSMAN MECHANISM IN INDIA

ABSTRACT

In India, Corruption is one of the major challenges that needs to be addressed. Every level of administration is being affected by it and corruption weakens the trust of citizens in public institution. To ensure transparency and accountability, various laws and mechanisms have being established over the years. Among those various laws, the institution of lokayukta plays a crucial role in investigating complaints of corruption against public officials. By acting as a watchdog of governance, the lokayukta aims to promote integrity and good conduct in public administration.

This research paper intends to study and understand how public awareness and citizens participation help in improving the working of the lokayukta. It focuses on showing how an informed and active public can play an important role in reducing corruption and promoting accountability in government activities. This study also looks into how awareness programs, civic education and to identify the difficulties faced in involving citizens and to suggest ways to increase transparency and public confidence through greater public participation in the fight against corruption.

Introduction:

Today's India is rapidly developing nation where people are becoming more aware of their rights & responsibilities. Today there is a constant competition for authority and high position, and many people chase power without thinking about the right path or the impact of their actions. In such situations, the need for a watchdog -an institutions that supervises and controls the misuse of power becomes extremely essential.

Aristotle in his book "Politics" has said that, the basic foundation of the society is Law¹⁰⁰. This means that all functions of the government & the working of the state must be guided by law. There should also be proper checks and balances to make sure the law is followed in the right way. This is where the idea of a watchdog or whistleblower comes in – what we today refer to as the "Ombudsman".

So far, there has not been much discussion on which legal tools are best suited to deal with corruption. However, the idea of having an Anti-corruption body is not new. It has been examined many times by the National Commission to review working of the constitution 2000¹⁰¹, two

¹⁰⁰ Aristotle, *Politics*, Book III, on the role of law in governance

¹⁰¹ National Commission to Review the Working of the Constitution, Report (2002).

administrative reforms commission (1966&2005), four parliamentary standing committees (1996,1998,2001 &2011), and through debates on eight different Anti-Corruption bills (from 1968-2001). Almost half of the state & union territories have already created their own anti-corruption bodies. Orissa was the first state to pass a law in in 1970 while Maharashtra was the first to setup such an agency in 1972. This earlier discussion & existing examples have shaped the policy options we have today.

But the current debate mainly focuses on whether bodies like the Lokayukta should be given a constitutional statute, and what administrative or legal framework would make them strong & effective guardian against corruption.

A strong reason for recognising the Lokayukta as an important constitutional guardian is the experience of state level Lokayukta that have shown promising results. The Karnataka Lokayukta Act 1984 is often highlighted as an example of how such an institution can effectively check corruption¹⁰². Yet it is surprising that national discussion still depends mainly on old bureaucratic reports & NCRB statistics, instead of carrying out a proper study on how these bodies function in different state. Even the latest Parliamentary Standing Committee report relies mostly on a few individual incidents. Rather than detailed data, showing that there has been no systematic evaluation of the Lokayukta's actual performance as a Guardian against Corruption.

- 1) Today's India – Need for Accountability.
- 2) Importance of law as a foundation of society.
- 3) Emergence of Ombudsman Concept.
- 4) Historical Evolution of Anti-Corruption Bodies in India.
- 5) Ongoing Debate on constitutional status of India.
- 6) Need for systematic evaluation of Lokayukta's performance.

Today's India – Need for Accountability

In today's India, accountability has become a crucial requirement for effective governance¹⁰³. With a large democratic system that includes a union govt, state govt¹⁰⁴ and thousands of local bodies, ensuring responsible functioning is essential.

Although very good accountability mechanisms exist such as elections and independent authority¹⁰⁵, they often fail to work effectively in practice due to weak enforcement, lack of monitoring & bureaucratic delays.

¹⁰² Karnataka Lokayukta Act, 1984

¹⁰³ World Bank, "Accountability in Governance: A Framework," 1992.

¹⁰⁴ Constitution of India, Parts V, VI and IX.

¹⁰⁵ Second Administrative Reforms Commission, 'Ethics in Governance' Report (2007).

The reforms of 1990's expected to make the govt more transparent & responsive¹⁰⁶ but their impact remain limited. Issues like corruption, poor implementation of laws & inadequate follow up actions continue to weaken public trust.

Poor law accountability delays timely access to information, affects public peace, & initiation that can quiver abuse of power.

Thus, the Lokayukta stands as a vital constitutional guardian that safeguards transparency, accountability & ethical governance by acting as an effective check against corruption.

Importance of law as the foundation of society

Law is the structure that holds society together. It gives people a clear sense of their rights, what is wrong & how everyone including those in position of power must behave¹⁰⁷.

When law guides the society, citizens feel Protected. Public authorities act responsibly¹⁰⁸ & the system remains stable¹⁰⁹. In Indian constitution had long been a major challenge weakness fund in governance institutions like Lokpal are critical to uphold the values of honesty & accountability¹¹⁰. Although the Lokpal is established through legislative & reflects constitutional principles both financial transparency & clean administration. Its authority was derived from law, which empower it to investigate and administrate corruption at highest levels of govt. It is enough that Public servants should not use their position for personal gain the Lokpal strengthen the rule of law. It protects Public and encourage openness in decision making & ensure rights that wrong doing will face consequences¹¹¹. In this way law forms the foundation of society & the Lokpal act as guardian that functions alignment with the democratic system. Together they help maintain society thro public servants & Public power is exercised responsibly.

Emergence of Ombudsman Concept.

The ombudsman system began taking shape in Scandinavia, where Sweden first introduced it through the constitution of 1809¹¹² as a way to protect citizens from wrongful, unfair, or careless action of government officials. The idea later spread to other nearby countries such as Finland in 1919, Denmark in 1953, and NorwayIn 1962¹¹³: It emerged because ordinary grievance procedures were often controlled by the same authorities who were accused, leaving people without an independent

¹⁰⁶ Economic Survey of India, 1991–92 (Reforms and Liberalisation Chapter).

¹⁰⁷ Upendra Baxi, *The Rule of Law in India: Theory and Practice*, Oxford University Press, 2012.

¹⁰⁸ Article 14 & Article 21, Constitution of India — principles of equality, protection of life and personal liberty.

¹⁰⁹ M.P. Jain, *Indian Constitutional Law*, 8th ed., LexisNexis, Chapter on Rule of Law.

¹¹⁰ Second Administrative Reforms Commission (ARC), *Ethics in Governance* (2007), Government of India.

¹¹¹ Transparency International India, *India Corruption Study Report* (2019).

¹¹² Swedish Constitution of 1809 — Establishment of the world's first Ombudsman.

¹¹³ Timeline of adoption of Ombudsman in Scandinavian countries.

remedy. The Swedish justitia ombudsman (JO) was created as an impartial authority appointed by the parliament to review administration. The actions investigate complaints, and correct abuse of power. Despite many complaints being neglected, it offered a platform for citizens to voice concerns, ensured accountability and encouraged transparency in governance. The ombudsman also had the power to inspect institutions, access records, and initiate inquiries even without a formal complaint, which strengthened public trust and acted as a check on administrative abuse¹¹⁴.

Historical Evolution of Anti-Corruption Bodies in India

The idea of an independent authority to check corruption did not emerge suddenly in India; it evolved gradually, inspired by global models like the ombudsman in Scandinavian countries¹¹⁵. In India, concerns about excessive administrative power, rigid bureaucracy and lack of accountability created the need for a specialized mechanism outside the regular government hierarchy.

The discussion on establishing an Indian style ombudsman began around the 1960s¹¹⁶. Various committees such as the Administrative Reforms Commission (1966) and several parliamentary debates highlighted the need for an impartial authority to protect officials from misuse of its powers. Over time, many states took early steps by creating Lokayuktas beginning with Maharashtra and Odisha in the 1970s¹¹⁷. This eventually contributed to national level demand for a stronger and uniform anti-corruption institution, which led to the enactment of the Lokpal and Lokayuktas Act 2014. Thus India's anti-corruption system has grown through decades of recommendations, public movements, and policy reforms aiming to ensure transparent and ethical governance.

Development of state level Lokayuktas.

The concept of establishing Lokayuktas in Indian states emerged after the recommendations of the Administrative Reforms Commission (ARC) of 1966, which suggested creating an independent authority to investigate corruption and acts of maladministration in public offices¹¹⁸.

Following this recommendation Maharashtra became the first state to enact a law for its Lokayukta through the Maharashtra Lokayukta and UpaLokayukta Act, 1971, and its institution began functioning in 1972¹¹⁹.

¹¹⁴ Timeline of adoption of Ombudsman in Scandinavian countries.

¹¹⁵ Origin of Ombudsman – Sweden Constitution 1809, later adopted by Finland, Denmark, Norway

¹¹⁶ Administrative Reforms Commission Report, 1966

¹¹⁷ State Lokayukta Acts (Odisha Lokayukta Act 1970, Maharashtra Lokayukta Act 1971)

¹¹⁸ Recommendation of the First Administrative Reforms Commission Report, Government of India (1966).

¹¹⁹ *Maharashtra Lokayukta and Upa-Lokayuktas Act, 1971*; Institution became functional in 1972.

Odisha also passed its Lokayukta legislation in 1970 although its body became fully operational a few years later¹²⁰.

Later, Karnataka established one of most active Lokayuktas through the Karnataka Lokayukta Act, 1984, which eventually became widely known for its strong investigative powers and proactive functioning¹²¹. Over the years, many states adopted the Lokayuktasystem through acts offering various jurisdictions and provisions relating to decentralised approaches to anti-corruption reforms in India¹²².

Ongoing Debate on Constitutional status of Lokayukta

The question of whether Lokayuktas should be given constitutional status has generated significant debate in India, largely due to concerns about the Varying strength, independence and effectiveness of these institutions¹²³. Status argues that because Lokayuktas currently operate under state legislation. Their powers, appointment process and independence depend heavily on political will, leading to inconsistency and vulnerability to executive interference¹²⁴. They contend that placing the Lokayuktas in the constitutional framework similar to bodies like the Election Commission or Comptroller and Auditor General would ensure uniform standards nationwide, protect the institutions from arbitrary amendments¹²⁵ and enhance its authority to investigate corruption involving high-level officials.

Critics however, maintain that granting constitutional status may undermine the federal structure by imposing uniformity on matters traditionally handled by states and they argue that effective enforcement of existing state laws could achieve accountability without altering the constitution.

Some also caution that constitutionalizing the Lokayuktas might create overlap and potential conflict with other oversight institutions including the legal established under the 2013 act¹²⁶

The debate remains unresolved, reflecting a broader tension between strengthening anti-corruption mechanisms and preserving state autonomy within India's federal system

Need for systematic evaluation of Lokayukta's performance

Although Lokayuktas were created to function as independent anti-corruption watchdogs in several Indian states, there has been very limited empirical assessment performed¹²⁷. Most public discussion rely mainly on anecdotal success stories, media reports or anecdotal claims, instead of data-based

¹²⁰ *Odisha Lokayukta Act, 1970*; Implementation followed after a few years.

¹²¹ *Karnataka Lokayukta Act, 1984*

¹²² Various State Lokayukta Acts enacted between 1970s and early 2000s.

¹²³ Second Administrative Reforms Commission (ARC), *Ethics in Governance Report, 2005*

¹²⁴ *Karnataka Lokayukta Act, 1984*; *Maharashtra Lokayukta and Upa-Lokayuktas Act, 1971*

¹²⁵ Constitution of India, Articles 148 & 324

¹²⁶ Lokpal and Lokayuktas Act, 2013

¹²⁷ Second Administrative Reforms Commission, *Fourth Report: Ethics in Governance* (Government of India, 2007)

studies on official performance audits¹²⁸. As a result, there is no uniform understanding of their actual impact especially regarding complaint disposal, investigation quality, conviction outcomes or competence of government departments¹²⁹.

Further each state operates under its own Lokayukta Act which has resulted in different levels of power autonomy, mandate, relative resources and investigation authority. These variations and complexities underline the necessity to identify strong models and structural limitations. Without regular performance reviews, transparent reporting & follow-up mechanisms, it becomes difficult to determine whether Lokayuktas are functioning effectively or only symbolically¹³⁰.

Therefore, a standardized and resource driven evaluation framework is essential to measure functional efficiency, institutional independence and outcome-based performance so that Lokayuktas continue to act as credible counter-corruption guardians against corruption¹³¹.

Conclusion:

Citizen participation and the Ombudsman mechanism together form a crucial foundation for accountable governance in India. As people become more aware of their rights, their involvement in demanding transparency has strengthened institutions like the Lokpal and Lokayuktas. At the same time, these Ombudsman bodies act as independent watchdogs that check corruption, misuse of power, and administrative unfairness.

However, the effectiveness of these institutions still depends on proper implementation— timely appointments, adequate powers, financial independence, and clear procedures. Stronger public awareness, accessible complaint systems, and regular performance evaluation are essential to make these bodies truly responsive.

In essence, meaningful public participation combined with a powerful and independent Ombudsman system can significantly improve governance and ensure that public authorities act with honesty, fairness, and responsibility.

Citizen participation and the ombudsman mechanism together play a vital role in strengthening accountability in Indian governance. While institutions like the Lokpal and lokayuktha were created to curb corruption and ensure administrative fairness, there through effectiveness depends on active public engagement, transparency and timely functioning. Greater awareness, easier access to complaint mechanisms, and stronger independence of oversight bodies are essential for meaningful

¹²⁸ Parliamentary Standing Committee on Personnel, Public Grievances, Law & Justice, *Report on the Lokpal and Lokayuktas Bill, 2011*

¹²⁹ Comptroller and Auditor General of India (CAG), *Performance Audit Reports* (Various States, 2010– 2020)

¹³⁰ Vivek Kumar & Niranjana Sahoo, *Reforming India's Anti-Corruption Agencies* (Observer Research Foundation Report, 2019)

¹³¹ Lokpal and Lokayuktas Act, 2013

impact. When citizens participate by demanding information, reporting wrongdoing and monitoring institutions, the ombudsmen become more empowered and effective. Thus, both public involvement and robust oversight bodies are necessary for building a responsible and corruption-free democratic system.

References:**Books:**

1. Basu, D.D. Introduction to the Constitution of India. LexisNexis.
2. Jain, M.P. Indian Constitutional Law. LexisNexis.
3. Sharma, B.R. Administrative Law. Pearson Publications.
4. T.R. Rajashekhar. Lokayukta in India: A Critical Study.
5. Upendra Baxi. The Crisis of Indian Legal System. Vikas Publishing

Reports:

1. First Administrative Reforms Commission Report (1966) – Government of India.
2. Second Administrative Reforms Commission Report (2005) – Government of India.
3. National Commission to Review the Working of the Constitution (NCRWC), 2000 Report.
4. Parliamentary Standing Committee Reports on Lokpal Bills (1996, 1998, 2001, 2011).
5. World Bank, “Sub-Saharan Africa: From Crisis to Sustainable Growth” (1989).

Acts / Statutes:

1. The Lokpal and Lokayuktas Act, 2013.
2. Karnataka Lokayukta Act, 1984.
3. Prevention of Corruption Act, 1988.
4. Right to Information Act, 2005.

PUBLIC AWARENESS AND CITIZEN PARTICIPATION IN STRENGTHENING LOKAYUKTA

Sub-Theme: Citizens as Watchdogs – Building a Stronger Lokayukta System

Introduction:

Democracy is sustained not merely by institutions but by the active involvement of its people. Accountability in governance becomes meaningful only when citizens continuously participate, not just during elections but throughout the administrative cycle. The Lokayukta was established across Indian states to provide an independent mechanism for investigating corruption cases involving public servants and elected officials. Its purpose is not just punitive but corrective: to detect systemic gaps, recommend reforms, and restore public trust in governance.

Despite its statutory standing, many citizens remain unaware of the Lokayukta's powers, functions, and accessibility. This disconnect reduces the responsiveness and reach of the institution. Citizen participation, therefore, is essential for strengthening the Lokayukta. Citizens as watchdogs bring visibility to local-level corruption, demand redressal, and act as continual monitors of public administration.

This paper provides a comprehensive analysis of how informed citizens can reinforce the Lokayukta's mission and how systemic reforms can nurture a participatory anti-corruption environment.

The Role of Lokayukta:

An Expanded Overview

The Lokayukta is designed to function as an impartial and independent authority capable of investigating complaints against public officials. Its structure typically consists of a Lokayukta (chairperson) and one or more Upa-Lokayuktas (deputy ombudsmen), supported by an investigative and administrative staff.

Key responsibilities include:

- Receiving and investigating complaints related to corruption, maladministration, or abuse of office.
- Conducting suo motu investigations in cases of public importance.
- Recommending criminal prosecution or departmental action.
- Advising government departments on improving governance and reducing bureaucratic inefficiencies.
- Acting as a bridge between citizens and the state, ensuring accountability.

Although empowered to inquire, the Lokayukta's recommendations may not always be binding. Therefore, the strength of public support becomes critical in giving moral and political weight to its findings.

Citizens as Watchdogs:

A Framework for Democratic Accountability

Citizens as watchdogs refers to the active role played by individuals and communities in scrutinising governance, identifying irregularities, and reporting instances of corruption. This role extends beyond activism; it becomes a democratic responsibility to uphold public integrity.

Three essential components define this watchdog model:

1. Awareness:

Citizens must understand the institution of the Lokayukta, its jurisdiction, and the procedures for filing complaints. Without awareness, participation remains superficial.

2. Access:

For participation to be meaningful, the process of filing complaints must be simple, transparent, and inclusive. Accessibility ensures that citizens from all socio-economic backgrounds can report wrongdoing.

3. Action:

Citizens must not only report corruption but must also demand follow-through, track complaint status, and mobilise community support. Action reinforces accountability.

Such active involvement contributes to building a culture of transparency, transforming ordinary citizens into guardians of ethical governance.

The Importance of Public Awareness:

Public awareness is the backbone of any institutional mechanism meant for public welfare. When citizens lack knowledge, institutions, no matter how strong, remain underutilised. Awareness gaps concerning Lokayukta include:

- Misunderstanding the scope of complaints.
- Lack of clarity about anonymity and whistleblower protection.
- Assumption that only government officials can file complaints.
- Fear that the process will be complicated or ineffective.

Benefits of increased awareness include:

- Higher reporting rates of corrupt practices.
- Enhanced societal pressure on officials to behave ethically.
- Collective confidence reducing fear of retaliation.

- Strengthened institutional credibility as more citizens participate.

In short, awareness empowers citizens to transform from passive observers to active watchdogs.

Barriers to Citizen Participation:

While citizen participation is essential, several barriers impede the process:

1. Fear and Intimidation:

Citizens fear harassment, retaliation, social backlash, or bureaucratic consequences when reporting corruption.

2. Complicated Complaint Mechanisms:

Lengthy forms, unclear procedures, and lack of guidance deter people from approaching the Lokayukta.

3. Digital Divide:

Many rural or marginalised communities lack digital literacy or access to online complaint portals.

4. Low Trust Levels:

Past experiences of delayed justice or unaddressed complaints contribute to scepticism.

5. Weak Whistleblower Protections:

Despite laws, the implementation of whistleblower safeguards remains inconsistent.

6. Political Interference and Administrative Hurdles:

Political pressures may dilute the autonomy of Lokayuktas in some states.

Addressing these barriers requires an integrated approach that combines legal reform, technological solutions, and community empowerment.

Strengthening the Lokayukta Through Citizen Participation

Strategies and Solutions:

To make the Lokayukta system resilient and citizen-centric, the following strategies can be implemented:

1. Public Awareness and Outreach Campaigns:

- Conduct seminars, workshops, and roadshows in schools, colleges, and community centres.
- Use folk media—street plays, puppet shows, storytelling—to reach rural populations.
- Distribute simplified pamphlets explaining the complaint process.
- Collaborate with social media influencers to spread awareness.
- Provide multilingual awareness material for diverse populations.

2. Digital Platforms for Efficient Complaint Handling:

Technology can transform the Lokayukta's functioning:

- Develop a bilingual or multilingual mobile app.

- Introduce online complaint tracking with status notifications.
- Use encrypted channels for anonymity.
- Implement AI-powered chatbots that assist with FAQs and complaint filing.
- Create an open-data dashboard showing ongoing investigations and resolved cases.

3. Strengthening Legal and Institutional Safeguards:

- Enforce stronger whistleblower protection frameworks.
- Guarantee autonomy of the Lokayukta by minimising political influence.
- Introduce timelines for investigation and disposal of complaints.
- Mandate annual performance reports and legislative oversight.

4. Community-Based Vigilance Committees:

These committees act as decentralised monitoring units:

- Include local leaders, youth groups, retired officials, and activists.
- Identify corruption trends in public service delivery.
- Provide regular feedback to the Lokayukta.
- Conduct social audits and public grievance meetings.

5. Increasing Transparency in Governance:

Transparency reinforces public trust:

- Lokayukta offices can publish monthly reports with case summaries.
- Conduct open hearings (where legally permissible).
- Ensure periodic disclosure of statistics related to complaints.
- Encourage state departments to publicly respond to Lokayukta recommendations.

6. Educational and Youth-Centric Initiatives:

Young people are catalysts of change:

- Introduce curriculum modules on ethics and anti-corruption.
- Organise essay competitions, debates, and model Lokayukta sessions.
- Offer internships at Lokayukta offices for law and public policy students.
- Establish anti-corruption clubs in universities.

7. Trained Collaboration with Civil Society Organisations:

Civil society organisations (CSOs) can amplify the Lokayukta's reach:

- Provide legal and procedural support to complainants.
- Monitor public works and services.
- Promote community discussions on corruption and accountability.
- Facilitate dialogue between citizens and government departments.

Case Studies: Global and National Illustrations of Citizen-Driven Anti-Corruption Models

Case studies demonstrate how citizen involvement can strengthen anti-corruption systems.

1. Karnataka Lokayukta (India):

Karnataka's Lokayukta gained national recognition for its bold investigations into illegal mining and public administration scandals. Media coverage and citizen activism contributed greatly to its effectiveness. The public's active engagement pressured authorities to take the findings seriously.

2. Hong Kong's Independent Commission Against Corruption (ICAC):

The ICAC pioneered strategies focusing on prevention, community education, and strong enforcement. Public trust is central to ICAC's success because citizens are encouraged to report corruption.

Conclusion

A powerful Lokayukta does not emerge from statutes alone—it emerges from the strength, awareness, and vigilance of its people. When citizens step forward as watchdogs, they expand the reach of oversight, expose misconduct at its roots, and inject life into democratic accountability. The message is clear: citizens are not just beneficiaries of good governance; they are co-creators of it.

By combining public participation with transparent processes, digital innovations, and strong institutional safeguards, the Lokayukta can evolve into a truly people-driven guardian of integrity. A future where citizens and institutions work together is not just desirable—it is essential for a corruption-free, democratic India built on trust, transparency, and collective responsibility.

Citations:

1. https://timesofindia.indiatimes.com/city/bengaluru/lokyukta-was-the-first-to-expose-illegal-mining/articleshow/7994762.cms?utm_source=chatgpt.com

PUBLIC AWARENESS AND CITIZEN PARTICIPATION IN STRENGTHENING LOKAYUKTA

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Abstract

An informed and active public serves as the strongest safeguard against corruption and misuse of authority. The Lokayukta, as an independent anti-corruption body, plays a crucial role in addressing complaints against government officials. However, its effectiveness largely depends on the extent of public awareness and the level of citizen participation in reporting and monitoring unethical practices. Lack of awareness often limits the Lokayukta's ability to achieve meaningful outcomes and reduce corruption at the grassroots level.

This paper examines the importance of enhancing public understanding and involvement to strengthen the Lokayukta's functioning. It emphasizes that legal provisions alone cannot ensure accountability—citizen engagement, transparency, and education are equally vital. Collective efforts from citizens, NGOs, and the media can foster vigilance, expose irregularities, and build trust in governance. Digital platforms, social media campaigns, and awareness drives can further empower people to participate in ensuring ethical administration.

The study concludes that an aware and proactive society, supported by institutional reforms and technological innovation, can transform the Lokayukta into a more effective, transparent, and trusted institution. Strengthening civic participation not only ensures greater accountability but also promotes a culture of honesty, good governance, and public trust in democratic institutions.

Keywords: Lokayukta, Public Awareness, Citizen Participation, Accountability, Transparency, Good Governance, Civic Engagement, Anti-Corruption, Media Support, Digital Reforms.

Introduction

The Lokayukta was introduced in several Indian states as a body meant to look into complaints against public officials and ensure honesty in administration. Although the law gives this institution clear powers, many studies point out that its actual influence depends heavily on how well people understand its purpose and how actively they choose to use it.¹³² When citizens are unsure about how the complaint system works or feel hesitant to approach an authority, issues of corruption often remain unreported even when legal remedies are available.

Awareness among the public is therefore a key factor. Writers on governance frequently note that people tend to ignore or tolerate administrative issues simply because they are unaware of where to go or how to raise their concerns.¹³³ When individuals know the role of the Lokayukta, the protections available to them, and the steps involved in filing a complaint, they are more confident in seeking accountability. Citizens' participation further strengthens the entire framework. Participation goes beyond reporting wrongdoing it includes asking for information, attending awareness meetings, seeking explanations from public authorities, and supporting investigations wherever required. Such involvement ensures that the Lokayukta does not function in isolation but works with the support of the people it is meant to protect.¹³⁴

Research on administrative reforms often highlights that institutions achieve better outcomes when the community is well-informed and willing to contribute to the process.¹³⁵ In places where legal literacy and public engagement are encouraged, oversight bodies tend to operate more effectively. In contrast, where citizen participation is low, even well-designed institutions struggle to make an impact. This introduction therefore examines how public awareness and citizens' participation play an essential role in improving the functioning of the Lokayukta. By considering insights from governance literature and existing institutional practices, the discussion emphasises the importance of an informed and involved public in creating a transparent and accountable system.

BACKGROUND

The Lokayukta is a State-level body that works as an independent watchdog to look into complaints of corruption, misuse of power, and unfair administration by public officials.¹³⁶ It gives ordinary citizens a place to raise their voice when they feel that government officers have acted dishonestly or have failed in their duties.

¹³² Mathur B.P., *Good Governance: Transparency, Accountability and Participation*, National Book Trust, 2018.

¹³³ Transparency International India, *Role of Citizens in Combating Corruption*, 2020.

¹³⁴ Karnataka Lokayukta, *Citizen's Handbook on Complaint Procedures*, 2021.

¹³⁵ Second Administrative Reforms Commission, *Ethics in Governance*, Report No. 4, Government of India, 2007.

¹³⁶ Lokpal and Lokayuktas Act, No. 1 of 2014, India Code.

Before the Lokayukta system was set up in India, corruption had already become a common problem in everyday life. People often had to pay bribes for small services, government work moved very slowly, and there was very little accountability.¹³⁷ Citizens did not know where to complain, and there was no neutral body to listen to their grievances.

The need for an external mechanism was first recognised in the First Administrative Reforms Commission (1966), which suggested creating the Lokpal for the Centre and Lokayuktas for all States.¹³⁸ The idea was to build a system that would stand outside routine government machinery and provide a fair and independent way to check corruption.

States like Maharashtra and Karnataka were among the earliest to establish Lokayuktas in the 1970s and 1980s.¹³⁹ Their reports exposed several cases of misuse of office, proving that such an institution was necessary to safeguard public interest. Even then, many people did not know how to approach the Lokayukta or what powers it had, which limited its impact in the beginning.

A major turning point came during the anti-corruption movement of 2011–2013, led by social activists such as Anna Hazare.¹⁴⁰ Lakhs of people protested across the country, demanding stronger laws and cleaner governance. This movement increased public awareness like never before and pushed the government to pass the Lokpal and Lokayuktas Act, 2013, which made it compulsory for States to appoint Lokayuktas.

Another major development that improved citizen participation was the Right to Information Act, 2005.¹⁴¹ People started using RTI to collect documents and uncover irregularities in government work. Many of these findings later became complaints before Lokayuktas. RTI strengthened people's confidence to question and challenge corruption.

Some high-profile cases investigated by Lokayukta such as the illegal mining case handled by the Karnataka Lokayukta, also increased public trust in the institution.¹⁴² Civil society groups and NGOs contributed by running awareness camps, explaining complaint procedures, and educating citizens on how to gather evidence.

With time, digital technology made the system more accessible. Online portals, email complaint facilities, social media campaigns, and awareness programmes by bodies like the Central Vigilance Commission helped citizens participate more easily in anticorruption efforts.

¹³⁷ Transparency International, Corruption Perception Report – India, 2020.

¹³⁸ First Administrative Reforms Commission, Report on Ethics in Governance, 1966.

¹³⁹ Maharashtra and Karnataka Lokayukta, Various Historical Reports.

¹⁴⁰ Arvind Kejriwal and Anna Hazare, India Against Corruption Movement Study, 2013.

¹⁴¹ Right to Information Act, No. 22 of 2005, India Code.

¹⁴² Karnataka Lokayukta, Report on Illegal Mining, 2011.

However, challenges still remain. Many people are unaware of where the Lokayukta office is located or how to file a complaint.¹⁴³ Some fear retaliation, while others lose hope due to slow inquiry processes. In some States, the Lokayukta lacks enough staff or funding, which reduces its visibility and effectiveness.

Overall, the journey of the Lokayukta shows that legal reforms, public movements, civil society efforts, and active citizen participation have all shaped the system. To truly strengthen the Lokayukta, increasing public awareness and encouraging citizens to come forward remains crucial.

PROBLEM STATEMENT

Even though Lokayukta institutions were created to provide an independent forum against corruption and abuse of power, their real impact remains much lower than intended. In many States, the Lokayukta struggles because citizens are unaware of its powers or hesitate to participate. Public awareness about filing complaints, required evidence, and legal protection for complainants remains very limited.

A clear example of the Lokayukta's potential is the Karnataka Illegal Mining Case (2011), where active citizen support and a free investigation exposed large-scale corruption involving senior leaders. This shows that when people come forward, the Lokayukta can uncover deep-rooted misconduct. However, such outcomes are rare due to inconsistent public participation and low trust.

Even after the Anna Hazare movement (2011) and the Lokpal and Lokayuktas Act, 2014, the gap between legal provisions and ground-level awareness continues. Reports by PRS and Transparency International show that many cases go unreported due to fear or lack of knowledge. Thus, the Lokayukta's effectiveness depends directly on public awareness and participation, both of which remain weak.

OBJECTIVES OF THE STUDY

1. To assess public awareness of the Lokayukta's structure, powers and procedures.
2. To analyse citizen participation in filing complaints and monitoring investigations.
3. To identify social, educational and administrative barriers to accessing the Lokayukta.
4. To examine whether participation strengthens the Lokayukta's independence and accountability.
5. To study the impact of movements like Anna Hazare's campaign on public expectations.
6. To evaluate the role of RTI and constitutional values under Articles 14, 19 and 21.
7. To compare State-wise Lokayukta practices and highlight best models.
8. To recommend reforms to make the institution more accessible and people-centric.
9. To understand how cases like the Karnataka Illegal Mining Report (2011) influence public trust.

¹⁴³ PRS Legislative Research, State of Lokayuktas in India, 2018.

SIGNIFICANCE OF THE STUDY

This study is important because it looks at how public awareness and citizen participation can make the Lokayukta system more effective in fighting corruption. The Lokayukta is meant to be an independent body that checks misuse of power and maladministration, but it can only work properly if people know about it and actively use it.

In today's democratic society, citizens have the right and responsibility to hold public officials accountable. Understanding how people can engage with the Lokayukta connects to fundamental rights such as equality, freedom of speech, and the right to life and dignity.¹⁴⁴ This study also shows how lack of awareness, social stigma, and economic or educational disadvantages may prevent citizens, especially marginalized groups, from using the system effectively.

Moreover, the research contributes to law and governance studies by highlighting the gap between what the law provides and what people actually experience. It will be useful for policymakers, lawyers, activists, and civil society organizations in designing strategies to improve transparency, public education, and citizen involvement.¹⁴⁵

SCOPE OF THE STUDY

1. The study focuses on how public awareness and citizen involvement affect the Lokayukta's functioning.
2. It examines the Lokpal and Lokayuktas Act, 2013, and other state-level laws to understand the legal framework.
3. It looks at the constitutional perspective, especially Articles 14, 19, and 21, to see how citizen participation relates to fundamental rights.
4. The research reviews important court cases and decisions related to Lokayukta and transparency in governance.
5. It also considers social and cultural factors that influence whether citizens can participate effectively.
6. Some international examples are included to show how other countries have strengthened similar systems.
7. The study provides recommendations for creating more citizen-friendly awareness programs and participatory mechanisms.

¹⁴⁴ Ministry of Law and Justice, The Lokpal and Lokayuktas Act, 2013, Government of India, New Delhi, 2013.

¹⁴⁵ Transparency International India, Citizen Participation and Governance: The Role of Public Awareness in Anti-Corruption, 2021.

LIMITATIONS OF THE STUDY

1. The study focuses only on India's legal and governance system. Detailed comparison with other countries is limited.
2. Access to data on citizen participation or public awareness may be limited, especially in rural areas.
3. The research mainly focuses on recent practices and developments, not historical trends.
4. Primary data collection like interviews or surveys may be limited due to time and resources.
5. The study emphasizes citizen participation and awareness; detailed internal working of the Lokayukta office is not covered.

RESEARCH GAP

Despite being an independent anti-corruption body, the Lokayukta sees low participation, especially among rural, women, and marginalized groups due to poor awareness, fear, and complex procedures. With limited research on awareness efforts, this study examines barriers, evaluates existing programs, and proposes measures to improve citizen engagement with the Lokayukta.

LITERATURE REVIEW

Transparency International India (2021) has pointed out that public awareness is one of the strongest pillars of any anti-corruption system. Their study explains that people usually do not approach bodies like the Lokayukta because they do not clearly know what powers it has or how a complaint should be filed. It mentions that unless citizens know the complaint steps, the role of the institution, and the protection given to the complainant, they hesitate to come forward. This report stresses that simple awareness programmes, community meetings, and legal literacy drives can greatly increase people's confidence in using the Lokayukta.

PRS Legislative Research (2020) has also highlighted that the Lokayukta exists in many states, but the usage remains surprisingly low. According to their report, states that actively conduct awareness campaigns receive more complaints and show better results. The study observes that lack of public knowledge about the Lokayukta's independence, powers of investigation, and complaint format creates gaps between the law on paper and the law in practice.

The Commonwealth Human Rights Initiative (CHRI, 2019) also emphasized that people's participation is directly linked to institutional strength. Their report notes that in several rural and semi-urban regions, citizens do not even know that they can approach the Lokayukta for issues like bribery, misuse of power, or delay in government services. CHRI states that when people know their rights and understand that a neutral body is available to listen to their grievances, they are more likely to speak up.

Bhardwaj, Kumar and Singh (2022) studied how public involvement changes when technology becomes part of governance. Their research found that online complaint portals and social media

awareness posts encourage people to participate more. However, they also found that many individuals are still unsure whether the Lokayukta is safe to approach or whether their identity will remain protected. This shows that digital tools alone are not enough; people also need trust and clarity about the process.

Rao and Datar (2023) examined public trust in anti-corruption bodies, especially in the southern states. Their findings show that people come forward more when the Lokayukta shows independence, transparency, and quick action. They also noted that the Karnataka Illegal Mining Report (2011) increased people's belief in the Lokayukta because it showed that even powerful individuals could be held accountable. However, their study also mentions that structured awareness programmes are still missing in many places.

The Lokniti-CSDS Report (2022) explored social and economic factors that affect participation. It found that people from rural areas, lower income groups, and marginalised communities hesitate more because they fear consequences or do not know the procedure. The report highlights the need for awareness drives that reach vulnerable groups.

Sharma and Iyengar (2021) studied awareness and transparency and found that when people learn about their rights through workshops or RTI programmes, they become more confident in reporting corruption.

Similarly, Karatzas, Papadopoulos and Raza (2024), although studying European ombudsman systems, found that awareness and easy complaint methods strongly influence participation. Their findings show that simple procedures and clear communication encourage people to come forward. Overall, the literature shows that public awareness, trust in the system, easy access, and transparency are the main factors that influence citizen participation in strengthening the Lokayukta.

TABLE ANALYSIS

Table 1: Maharashtra Lokayukta — Complaints Received and Disposed (2022–2024)

Year	Complaints Received	Complaints Disposed	Pending Complaints
2022	5,530	4,583	4,362
2023	4,790	4,555	4,818
2023-24	5,146	4287	4,620

Table 2: Karnataka Lokayukta — Cases and Backlog (2022–2025)

YEAR	CASE REGISTERED	PENDING CASES	OBSERVATIONS
2022	2950	820	Lokayukta revival strengthened; higher reporting after ACB abolition.
2023	3750	1120	Around 70–80% rise in corruption complaints reported widely; public confidence increased.
2024	4280	1340	Digital complaint systems and frequent raids increased citizen engagement.
2025	4900	1510	Steady rise linked to awareness programs, media exposure, and active suo motu inquiries.

Case Studies:

Case Study 1: Andhra Pradesh Lokayukta (2024)¹⁴⁶

2,597 complaints received; 2,327 resolved (lokyukta.ap.gov.in)

Highlights public reliance on Lokayukta and effectiveness of citizen engagement programs in certain districts.

Case Study 2: Maharashtra Lokayukta (2024)¹⁴⁷

4,615 complaints registered; 5,146 disposed; 4,287 pending (rajbhavanmaharashtra.gov.in)

Demonstrates that despite strong disposal efforts, institutional capacity and backlog remain key challenges affecting citizen trust and participation.

RESEARCH QUESTIONS:

1. How aware are citizens about the powers, functions, and procedures of the Lokayukta at the State level?
2. What factors shape public awareness and participation in the Lokayukta's complaint process?
3. How does citizen participation influence the effectiveness and accountability of the Lokayukta?
4. What role did movements like the Anna Hazare-led India Against Corruption campaign play in increasing public engagement?
5. What legal, administrative, and social barriers prevent citizens from approaching the Lokayukta?

¹⁴⁶ Andhra Pradesh Lokayukta, Andhra Pradesh Lokayukta Annual Report 2024, 2024.

¹⁴⁷ Deccan Herald, "Karnataka Lokayukta Sees 80% Rise in Cases," 2023.

6. How do constitutional values under Articles 14, 19(1)(a), and 21 support the need for greater public participation?
7. How do RTI awareness, digital literacy, and civic education affect the usage of the Lokayukta by citizens?
8. What reforms can improve transparency, accessibility, and citizen-friendly functioning of the Lokayukta across States?
9. How effective are major case laws, such as the Karnataka Illegal Mining Report (2011), in encouraging citizens to file complaints?

METHODOLOGY

Research Design

This study follows a doctrinal and qualitative research design, as the topic requires analysing laws, policies, and existing literature related to the Lokayukta system in India. The focus is on understanding how public awareness and citizen participation influence the working of the Lokayukta. The doctrinal method includes examining primary legal materials such as constitutional provisions, the Lokpal and Lokayuktas Act, State Lokayukta Acts, and key judicial decisions. Secondary sources like books, research papers, and civil society reports are also analysed.

Nature of the Study

The study is non-empirical and does not involve surveys or interviews. It is based entirely on published legal materials, government documents, and scholarly work. The aim is to understand the role of citizens in strengthening anti-corruption institutions.

Sources of Data

Primary Sources: Statutes, constitutional articles, case laws (including Karnataka Illegal Mining Report, 2011), Administrative Reforms Commission reports, and official Lokayukta publications.

Secondary Sources: Books, journal articles, Transparency International reports, media investigations, and databases like SCC Online and Manupatra.

Method of Analysis

The study uses legal interpretation, doctrinal review, participatory governance analysis, and limited comparative insights from ombudsman models abroad.

Delimitations

The research is limited to India and focuses mainly on awareness, accessibility, and citizen participation.

ANALYSIS

The data from various States shows that the Lokayukta's functioning is strongly tied to public awareness and citizen participation. States like Maharashtra and Karnataka receive many complaints,

yet high backlogs indicate gaps in institutional capacity and accessibility. The rise in complaints in Karnataka between 2022–2023 suggests that visibility and media reporting encourage public engagement, while the 2025 backlog shows the need for stronger administrative support.

Case studies from Andhra Pradesh and Maharashtra reveal that when citizens understand procedures and awareness programmes are active, disposal rates increase. Social barriers such as low legal literacy, fear, and procedural confusion especially limit rural, women, and marginalized groups. RTI and digital systems improve transparency, but digital divides reduce their impact. Constitutional values under Articles 14, 19(1)(a), and 21 support participation, yet require stronger awareness efforts. Movements like Anna Hazare’s protests increased engagement but were not sustained. Overall, institutional reform and citizen-focused awareness are essential to strengthen the Lokayukta.

CONCLUSION:

The Lokayukta’s effectiveness depends directly on public awareness and the level of citizen participation. Although the legal framework provides a strong mechanism against corruption, its practical impact reduces when people lack knowledge of procedures or hesitate to file complaints. State experiences show that informed citizens, as seen in Karnataka and Maharashtra, strengthen investigations, increase transparency, and enhance trust in governance. Citizen involvement also upholds constitutional values under Articles 14, 19(1)(a), and 21 by promoting equality, free expression, and accountable administration.

Digital platforms, RTI use, community awareness programmes, and civil society movements, especially the Anna Hazare, led anti-corruption movement, have demonstrated the power of collective action in improving public engagement. However, obstacles such as low legal literacy, socio-economic barriers, limited access to Lokayukta offices, and procedural delays continue to restrict participation. The study concludes that the Lokayukta must become more people-centric through simplified procedures, stronger outreach, and targeted awareness efforts. An active State, citizen partnership is essential for effective anti-corruption governance.

Bibliography & References:

- Mathur, B.P., *Good Governance: Transparency, Accountability and Participation*, National Book Trust, 2018.
- Transparency International India, *Role of Citizens in Combating Corruption*, 2020.
- Lokpal and Lokayuktas Act, No. 1 of 2014, India Code.
- PRS Legislative Research, *State of Lokayuktas in India*, 2018.
- Karnataka Lokayukta, *Report on Illegal Mining*, 2011.

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ABSTRACT

A Lokayukta is an anti-corruption body which acts as a guardian or observer of the government. The word Lokayukta is derived from Sanskrit words. "Loka" means "the public" and "Yukta" means "appointed or engaged". "appointed for the people". Lokayukta refers to the official whose work is to protect the public from corruption as it encourages accountability, transparency and good governance. The purpose of Lokayukta is to prevent misuse of powers or take bribes and to prevent corruption in government activities and protect the public. The Lokayukta was established through State Lokayukta Acts and is supported by Lokpal and Lokayuktas Acts, 2013 it serves as an anti corruption body at the state level.

The paper highlights in which areas mainly corruption is happening, how it is affecting the public and mainly this paper speaks about the role of Lokayukta, teaching public how to file a complaint before Lokayukta, informing the public about Lokayukta and explaining the powers and how it fights against corruption so by creating awareness public will get a knowledge about Lokayukta.

When the public is aware of their rights and knows how to file a complaint before Lokayukta, the Lokayukta becomes stronger. Creating awareness through schools, colleges, media, and public programs as it encourages people to speak out and it helps the public to stand against corruption and seek justice. It makes the government work honestly and it ensures fairness, transparency and good governance.

Keywords: Lokayukta, Anticorruption, Good governance, public programs, Misuse of powers, Accountability, Takebribes, Citizen participation

INTRODUCTION

Corruption is one of the serious challenges for good governance, economic development and public trust. As the Administrative system expands, opportunities for misuse of their position and unethical behaviour also increases. Because of this, citizens face delay in government work, unfair treatment and pay bribes. In response to these challenges and make the government more honest. India has created special bodies like Lokpal at the national level and Lokayukta at the state level. The Lokpal and Lokayukta Act, 2013 was passed by the Indian parliament to create an independent body for central level and state level. Lokpal is an independent, national level anti corruption authority in India. ¹ It was created to investigate complaints against central level government officials. The Lokpal acts as the country's top ombudsman responsible for promoting transparency, integrity and accountability. The Lokayukta is an independent, statutory anti corruption authority established at the state level in India. It acts as a watchdog institution, helping ensure that government departments and public servants' function fairly, honestly, and transparently. Public Awareness is very important in Lokayukta. If the public is not aware of how to file a complaint, what complaints to file, how to get help then it becomes difficult for the lokayukta to fight and stop corruption in society. Awareness also encourages people to speak up as they know their rights. The more people know about Lokayukta, the stronger it becomes.

Background

After independence 1947, India was creating its government and administrative system. By the 1960s India started facing serious problems like corruption, misuse of powers and delay in public services and citizens had no effective way to report corruption or get justice even courts were delayed and complicated. The idea of creating an independent anti corruption body, what we call today as Lokpal and Lokayukta as it was coined by L.M. Singhvi in 1963. L.M. Singhvi was the member of parliament in the Rajya sabha and he was also a Lawyer and legal expert known for his work in law, as he suggested these relevant names to high the purpose and the role of the people.

'Lok' means people. "Pal" (in Lokpal) means guardian and "Ayukta" (in Lokayukta) means appointed officer. Together these names convey that these institutions are guardian against corruption and misuse of power

To address the problems the government set up the First Administrative reforms commission in 1966.² The ARC studied how to make the government more efficient, transparent and accountable.

¹ Ministry of Law and Justice, The Lokpal and Lokayuktas Act, 2013, Government of India, New Delhi, 2013.

² First Administrative Reforms Commission, Report on Ethics in Governance, Government of India, 1966.

It studied how other countries handle complaints against corruption and government officials. It specially looked into the Ombudsman system in Sweden and in other countries-¹⁴⁸The purpose of studying these systems was to create a similar system in India that protects citizens from corruption and misuse of power by government officials. ARC recommended creating Lokpal for central level and Lokayukta for state level. These would be the independent institutions that could investigate corruption and misuse of power. ARC also said that citizens should be able to complain to these bodies about corruption and if government officials act unethically. 1968 onwards multiple Lokpal bills were introduced in parliament but failed to pass due to political differences and opposition, administrative concerns, low public pressure and so on.

Although the Lokpal law was not enacted immediately, these 1960s discussions inspired states like Maharashtra (1971) and Karnataka (1984) established their own Lokayukta to handle the complaints against public officials and ministers at the state level.

In 2011, India witnessed a landmark anti corruption movement led by Anna Hazare, a social activist, who was already known for his work in promoting transparency and rural development, led to a movement for Jan Lokpal Bill.¹⁴⁹The movement included mass protests, rallies, signature campaigns and hunger strikes bought millions of support across India and even platforms like social media, newspaper, Tv inform and engage people, encouraging them to support the movement and take action. The campaign created immense pressure on the government to act against corruption; it also caused serious discussion in parliament about the Lokpal Bill which was pending. It also taught people about corruption, their rights. Ultimately, it helped in passing the Lokpal and Lokayukta Acts in 2013, which created independent authorities to fight against corruption in India.¹⁵⁰

Problem statement

Even though the lokayukta was established as an independent body to fight against corruption and misuse of power at state level, its effectiveness remains limited due to low awareness and weak citizen participation. Many citizens are not aware of how lokayukta works, what kinds of complaints are filed here and how to approach the institution because of this the cases of corruption go unreported and also many citizens hesitate to file complaints because they fear or do not understand the procedure. In many states, the complaint process is complicated and not easily accessible, especially

¹⁴⁸ L.M. Singhvi, "Ombudsman Concepts and the Evolution of Lokpal—Lokayukta in India," (1963).

¹⁴⁹ Karnataka Lokayukta, Report on Illegal Mining, 2011.

¹⁵⁰ Transparency International India, Citizen Participation and Governance: The Role of Public Awareness in Anti-Corruption, 2021.

for rural and less educated people. Because there are not enough awareness campaigns or online information systems, many people remain unaware of their rights.¹⁵¹

The aim of Lokayukta is to make the government more honest and transparent. But in reality, there are many problems such as the government taking too long to appoint a new lokayukta, the lokayukta office does not have enough employees or money to do its work properly, political leaders sometimes try to influence or interfere with its work. These challenges slow down investigations and reduce the trust people have in the institutions.

In some states, the Lokayukta has only given suggestions and cannot directly punish corrupt officials. This makes the lokayukta less powerful. Because of these issues, the lokayukta cannot fully perform its duty of ensuring honesty, transparency, and accountability in government work. Therefore, the main problem this research paper focuses on, public awareness, easier access, and active citizen participation can help make the Lokayukta stronger and more effective.¹⁵²

OBJECTIVES OF THE STUDY

1. To understand what the Lokayukta does and why it is important: This research aims to clearly explain the role of the Lokayukta, how it works, and why it is considered an important authority in fighting corruption and ensuring honest government functioning.
2. To find out why public awareness matters for the Lokayukta: This study wants to explore how people's knowledge about lokayukta such as how to file complaints or what powers it has- can make the institution stronger and more effective.
3. To study how citizens participate in strengthening the lokayukta: This objective looks at how ordinary people take part in activities like complaining against corrupt officials, supporting investigations, and spreading awareness about the Lokayukta.⁹
4. To identify what stops people from approaching the lokayukta: This research aims to understand the reasons why many people do not use the Lokayukta. These reasons why many people do not use the Lokayukta. These reasons may include lack of awareness, fear of harassment, complicated procedures or a belief that nothing is going to change.
5. To understand the role of media, education, and awareness programs: This objective studies how newspapers, social media, schools, colleges, and public campaigns help people learn about the lokayukta and encourage them to speak up against corruption.
6. To suggest practical steps to improve public participation: Based on the findings, this research will recommend simple and effective ways to make the lokayukta more accessible. These may include

¹⁵¹PRS Legislative Research, State of Lokayuktasin India, 2018.

¹⁵²Deccan Herald, "Karnataka Lokayukta Sees 80% Rise in Cases," 2023.

easy complaint processes, online platforms, awareness drives, and policies to protect whistleblowers.

LIMITATIONS FACED BY RESEARCHERS

1. Time Constraints — The research was conducted within a limited time period, which restricted detailed analysis and wider data collection
2. Limited Access to Sources — Recent and reliable materials on Lokayukta reforms and public participation were not easily available.

^B B.P. Mathur, *Good Governance: Transparency, Accountability and Participation*, National Book Trust, 2018.

9 Transparency International India, *Role of Citizens in Combating Corruption*, 2020.

3. Restricted Sample Size — Due to financial and logistical constraints, large-scale surveys or interviews could not be conducted,
4. Dependence on Secondary Data — In some areas, the study relied mostly on secondary sources, which may not fully reflect ground realities.

LIMITATIONS FACED BY PUBLIC

1. Lack of Awareness — Many people are not aware of the functions and powers of the [Lokayukta, limiting meaningful participation.
2. Fear of Repercussions — Some respondents were hesitant to express honest views due to fear of criticism or misunderstanding
3. Information Gap — Citizens do not have easy access to updated and simplified legal information regarding the Lokayukta.
4. Digital Literacy — Limited use of digital platforms affects their ability to engage in awareness campaigns, complaints, or participation programs.

LITERATURE REVIEW

Several authors have studied the legal structure of lokayukta. Manjeet Pal and Kulwant Singh (2024) explain that Lokpal and Lokayukta Acts, 2013 were introduced to provide a uniform framework for fighting corruption in India. They say that the Act looks good on paper, but the results depend on how each state implements it. If the government does not give enough support, freedom, fund, the lokayukta cannot function properly. ¹⁰

¹⁰ Manjeet Pal & Kulwant Singh, "Analysis of Lokpal and Lokayukta Act, 2013," (2024).

¹¹ Karatzas, Papadopoulos & Raza, "Public Participation in European Ombudsman Models," (2024).

Riza Rodrigues studied how the lokayukta works in Goa and found many people don't go to the lokayukta to report corruption. The main reasons are fear of the government, lack of trust. Her research paper says that people must trust it and feel confident to report corruption.

Madhumitha K studied public awareness about the Lokayukta and found many people don't know what the Lokayukta is, how to file a complaint and what help or benefits they can get, she says that if people don't la-IOW about it, the lokayukta can't be used. She suggested awareness programs, workshops and simply guides so that citizens understand and use the lokayukta effectively.

This study is different because it looks at both awareness and participation together and examines barriers in reporting, and considering the role of digital tools.

RESEARCH QUESTIONS

1. What is the significance of the Lokayukta in controlling corruption and ensuring accountability in public administration?
2. How does public awareness contribute to the effectiveness and functioning of the Inkayukta?
3. is the current level of citizen participation in activities related to the Lokayukta, including reporting corruption?
4. What challenges or barriers prevent citizens from engaging with the Lokayukta or filing complaints?
5. How can awareness campaigns, media, and civic education enhance public involvement with the Lokayukta?
6. What measures or reforms are necessary to strengthen citizen participation and improve the efficiency of the Lokayukta?

RESEARCH METHODOLOGY

1. Research Design

This study adopts a descriptive and analytical research design. It aims to explain the concept of public awareness and citizen participation in strengthening the Lokayukta and analyse existing information available on the topic.

2. Nature of the Study

The research is qualitative in nature. It does not involve numerical analysis or field surveys but focuses on understanding existing theories, laws, and publicly available information.

3. Sources of Data

The study is entirely based on secondary data. Information has been collected from:

- Books on Administrative Law and Public Institutions
- Research articles and journals related to anti-corruption mechanisms
- Newspaper articles and editorials

- Government reports and Lokayukta websites
- Online legal sources like LiveLaw, Bar & Bench, iPleaders, and government portals

Existing studies and case materials relevant to the functioning of Lokayukta

4.Data Collection Method

Data was collected through document analysis, where existing documents, reports, and articles were carefully studied, interpreted, and compared to understand awareness levels and participation trends.

5. Data Analysis

The collected materials were analyzed using content analysis and comparative explanations. Concepts, viewpoints, and legal provisions were examined to draw meaningful conclusions without using statistical tools

6. Scope of the Study

The study focuses on understanding the theoretical and practical significance of public awareness and citizen participation in strengthening the Lokayukta. It does not include empirical data or public surveys.

ANALYSIS FOR RESEARCH PAPER

IMPORTANCE OF PUBLIC AWARENESS

Public awareness is very important for the Lokayukta to work effectively. People need to understand what the Lokayukta does and how to approach it; without this knowledge, they cannot use it properly. When citizens are informed, they are more likely to report corruption, which helps the system function better. Awareness also builds trust, giving people confidence that their complaints will be taken seriously. Informed citizens can hold officials accountable, which strengthens democracy and reduces misuse of power. Even if the Lokayukta has strong powers, it cannot succeed if people are unaware or afraid to participate. Therefore, spreading knowledge about the Lokayukta ensures that the institution can fulfill its purpose.¹⁵³

AWARENESS GAPS AND HOW IT CAN BE FILLED

Public awareness about the Lokayukta is still very limited, especially in rural areas, among the poor and uneducated, women, and marginalized communities who often lack access to legal information and digital resources. Citizens fear retaliation, low trust in government and many citizens do not know what the Lokayukta does or how they can file a complaint, which results in fewer corruption cases being reported. These gaps can be filled by conducting regular awareness programmes in villages, schools, colleges, and government offices, supported by simple pamphlets, posters, and

¹⁵³ Andhra Pradesh Lokayukta, Annual Report 2024, lokayukta.ap.gov.in.

community meetings in local languages. Digital awareness can be improved by creating easy-to-use online complaint platforms and promoting them through social media, radio, and television. NGOs, local leaders, and educational institutions can play an active role in spreading information, while the government should strengthen public outreach through helplines, workshops, mobile awareness vans, and grievance-redressal camps. By combining community-based initiatives with stronger government communication, public awareness and participation in the Lokayukta system can be significantly improved.

HOW TO FILE A COMPLAINT IN THE LOKAYUKTA

Filing a complaint with the Lokayukta is a way for citizens to report corruption or misconduct by government officials. Here is the general process:¹⁵⁴

1. Identify the Issue

Make sure your complaint is related to corruption, misuse of power, or wrongdoing by a public official

2. Gather Information

Collect evidence or details such as documents, dates, names, and events that support your complaint.

3. Draft the Complaint

Write a clear and simple statement explaining the problem, including all relevant details.

Mention the officials involved and what they did wrong.

4. Submit the Complaint

Complaints can usually be submitted online through the Lokayukta website, by post, or in person at the Lokayukta office,

Some states also provide email or helpline options.

5. Follow the Procedure

After submission, the Lokayukta office will acknowledge your complaint and assign it for investigation.

You can track the status online or by contacting the office.

6. Cooperate During Investigation

If the Lokayukta needs more information, provide it promptly and honestly to help the investigation.

7. Wait for Resolution

Once the investigation is complete, the Lokayukta will take or give recommendations based on the findings.

¹⁵⁴ Maharashtra Lokayukta, Statistical Report 2024, rajbhavarvmaharashtra.gov.in.

FILE A COMPLAINT ONLINE TO LOKAYUKTA

Filing a complaint with the lokayukta has become easier with the introduction of online complaint systems in several states. Citizens no longer need to visit government offices or face long procedures. To file a complaint online, an individual must visit the official Lokayukta website of their respective state and look for the "Online Complaint" or "Submit Complaint" section. The complainant is usually required to fill out a form with basic information such as fill the form with basic information such as their name, contact details and a clear description of the corruption or misconduct they have witnessed. Documents, evidence, or photographs can also be uploaded to support the case. After submitting the form, a complaint number is generated, which helps the citizen track the status of their case. This online process improves accessibility, saves time, protects the identity of the complainant, and encourages more citizens to participate in reporting corruption.

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STATES THAT HAVE OFFICIAL PORTAL OR WEBSITE TO FILE COMPLAINT

- Maharashtra Lokayukta- <https://lokyukta.maharashtra.gov.in>
- Andhra Pradesh Lokayukta- <https://lokavukta.ap.gov.in/>
- Assam Lokayukta- <https://assamlokyukta.eov.in/>
- Nagaland Lokayukta- <https://hlokyukta.naealand.gov.in/>
- Madhya Pradesh- <https://mplokyukt.nic.in/>

Corruption cannot be eliminated simply by creating laws or institutions; it requires active engagement from citizens. Online portals provided by the Lokayukta make it easier for people to submit complaints and track cases, removing many physical barriers. However, for these rights and the processes for reporting misconduct, Awareness campaigns, community programs and media initiatives can educate the public about how to use the Lokayukta system. When citizens actively participate by reporting corruption, supporting transparency efforts, and holding officials accountable, it increases pressure on authorities to act honestly. This combination of informed public, accessible reporting tools and active involvement strengthens the Lokayukta's ability to function effectively, ultimately reducing corruption and promoting transparent governance.

When citizens participate consistently, they create pressure on officials to act honestly, increase accountability, and enhance the overall effectiveness of the Lokayukta. Ultimately, active citizen involvement transforms the Lokayukta from a mere institution into a powerful tool for promoting transparency, justice, and clean governance.

¹⁵⁵ Bhardwaj, Kumar & Singh, "Digital Governance and Citizen Engagement in Anti-Corruption Mechanisms," (2022).

CONCLUSION

The Lokayukta plays a vital role in promoting accountability and combating corruption in state governance. However, its effectiveness depends not only on strong laws but also on informed and active citizen participation.¹⁵⁶ Public awareness ensures that citizens understand the Lokayukta's role, the procedures for filing complaints, and their rights, which encourages reporting of corruption and strengthens trust in the system. Active citizen involvement, along with government support, technology, and community outreach, helps overcome barriers such as fear of retaliation, lack of knowledge, and complex procedures.

By combining legal frameworks with public engagement, the Lokayukta can function efficiently, address corruption effectively, and enhance transparency and accountability in governance. Ultimately, the success of the Lokayukta relies on citizens being aware, confident, and active in participating in anti-corruption efforts.

Bibliography & References:

- Deccan Herald, "Karnataka Lokayukta Sees 80% Rise in Cases," 2023.
- Andhra Pradesh Lokayukta, Annual Report 2024, lokayukta.ap.gov.in.
- Karnataka Lokayukta, Report on Illegal Mining, 2011.
- Manjeet Pal & Kulwant Singh, Analysis of Lokpal and Lokayukta Act, 2013, 2024
- First Administrative Reforms Commission, Report on Ethics in Governance, Government of India, 1966.

¹⁵⁶ Transparency International India, Citizen Participation and Governance: The Role of Public Awareness in Anti-Corruption, 2021.

PUBLIC AWARENESS AND CITIZEN PARTICIPATION IN STRENGTHENING LOKAYUKTHA

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Abstract

Corruption is a manifold and it is a menace leading to dishonest governance as the constitution written 'WE THE PEOPLE OF INDIA' it is incumbent upon us to participate and create awareness being responsible citizens. And it is our fundamental duty and "To strive towards excellence in all spheres of individual and collective activity and as well to develop the scientific temper, spirit of inquiry and reform". Considering the menace of corruption, the establishment of Lokayukta is an engine which needs to be bulldozed by people's spirit of integrity, bringing efficiency in administration for a better governance to eradicate the corruption, maladministration, malpractice which all leading to degeneration of constitutional governance. This rudimentary paper is doctrinal touching upon fundamental aspects, people's interest and pursuit for eradicating corruption, relying on certain textual references. The Lokayukta is an essential anti-corruption institution established to promote transparency, accountability, and integrity in public administration. However, the effectiveness of the Lokayukta is significantly influenced by the level of public awareness and citizen participation. When citizens are informed about the powers, functions, and procedures of the Lokayukta, they are more likely to report incidents of corruption and maladministration. Therefore, public engagement becomes a vital mechanism in strengthening the institution's capacity to act against abuse of power. Despite being legally empowered, the Lokayukta often faces challenges such as lack of awareness among the public, fear of retaliation among complainants, limited accessibility in rural areas, and bureaucratic delays. These issues reduce citizen participation and weaken accountability systems. Strengthening public awareness through civic education programs, media campaigns, digital complaint platforms, and collaboration with educational institutions can encourage citizens to take an active role in reporting grievances. Citizen participation is not only about filing complaints but also about supporting ethical governance, monitoring public services, demanding transparency, and promoting lawful conduct in society.

PUBLIC AND THE LOKAYUKTA: AN OVERVIEW

*¹⁵⁷Dhruthi.A.R and **Likitha.G.

INTRODUCTION

The corruption is unending menace. It has become menace because of erosion of ethics in the society and “WE THE PEOPLE” however coping with it. But every system of governance is based on ‘Public Trust Doctrine’ but corruption is shaking very tenet of that ‘Public Trust Doctrine’. As said ‘Absolute Power Corrupts Absolutely’ the matter of corruption is increasing, even the Prevention of Corruption Act, 1988 is failing to achieve its object yet. It is once again responsible people, citizens in the national interest have to resolve and to bring back that ‘Public Trust Doctrine’ to quell the menace. For that participation of positive minded citizens motivated to acting pro-bono republic is needed. This paper is rudimental and touches upon the basic aspects in doctrinal approach based on text and online resources.

Key words: WE THE PEOPLE, Lokayukta and Participation.

RELEVANCE

The theme and our topic are important because even after ‘Note ban’ (Notebandi) and imposition of GST, the accountability is least witnessed, rather there is further mammoth of corruption cases up to the supreme court as witnessed in Karnataka in Police Department appointments and also in West Bengal in Educational sector Teacher appointments. It is heightened that a revisiting is needed for the entire gamut of anti-corruption systems. If the written constitution is to work properly and indirect democracy needs to be taken to direct democracy, corruption needs to be arrested for that participation and sensitization of people is needed. Hence the topic is forever relevant.

OBJECTIVES

This rudimentary paper broadly views topic in doctrinal approach with following objectives;

1. Whether the citizen’s ethics and involvement strengthen the Lokayukta system or not?
2. What are the different modes of public participation in Lokayukta?

¹⁵⁷ Students’ 5th Semester of 5years BA.LLB, Sarada Vilas Law College, Mysore, presenting under the guidance of Dr. F.S. Patil, Assistant Professor of Law.

METHODOLOGY

This paper is a rudimentary touch into the basis of governance and menaces of corruption relying on texts and online resources with the concept of Fundamental Duties of citizens from article-51A of the constitution of India.

CORRUPTION IN CHANAKYA'S ARTHSHAstra

Chanakya's Arthashastra i.e. economics is an ancient Indian treatise on Statecraft and Governance, highlights corruption as a major concern. He used the analogy of a fish drinking water to describe the tendency of officials to indulge in corruption. Just as a fish, even when in water, cannot be detected when it's drinking water, similarly, government officials, despite being surrounded by checks and balances, find ways to embezzle funds without being detected. By this he implicates three major aspects of governance to control corruption. Viz; 1) **Perpetual vigilance**: Chanakya emphasized the need for constant monitoring and accountability to curb corruption. 2) **Inevitability of corruption**: He acknowledged that corruption is an inherent aspect of governance, but stressed the importance of minimizing it. 3) **Effective governance**: Chanakya's work highlights the importance of a strong, efficient, and accountable administration to prevent corruption¹⁵⁸. Thus viewed, Chanakya's observations on corruption remain relevant, emphasizing the need for robust institutions, transparency, and accountability in governance.

It is further essential to note that, Chanakya established certain principles of fairness and integral to governance that are; **Arthashastra**: The science of politics and economics, focusing on statecraft and governance. **Saptanga**: The seven components of a state, including the ruler, minister, territory, treasury, army, ally, and capital. **Mantri Parishad**: The council of ministers, advising the ruler on important matters. His thoughts are relevance to Modern Governance as **Strategic thinking**: Chanakya's work emphasizes strategic planning, diplomacy, and adaptability in governance. **Economic management**: Arthashastra discusses taxation, trade, and resource management, offering insights into economic policy. And **Corruption control**: Chanakya's ideas on accountability and vigilance remain relevant in modern anti-corruption efforts like Lokayukta¹⁵⁹. And have influenceable on Indian Governance: Mauryan Empire: Arthashastra was likely used as a guide for governance during the Mauryan period. And even today Chanakya's ideas have influenced Indian political philosophy and continue to shape governance discussions. Some notable quotes from Arthashastra: "A king should be haughty and dignified, but not proud." "The king should be ever active in the affairs of the people."

¹⁵⁸ The prevention of Corruption Act, No.49 of 1988, INDIACODE(1988).

¹⁵⁹ Fr. Dr. Davis Panadan Varghese, CMI, Political Science (MPP House, Bengaluru 2020).

CITIZEN'S ETHICS FROM CONSTITUTION

First and foremost it is the fundamental duty of every citizen to abide by the Constitution its ideals and institutions, to uphold and protect the Sovereignty, Unity and Integrity of India, render National Service to protect and improve natural environment including forests, lakes, rivers and wildlife, to develop Scientific Temper, Humanism and the Spirit of Inquiry and Reform, to Safeguard Public Property and to abjure violence, and to Strive towards Excellence in all spheres of Individual and Collective activity so that the nation constantly rises to higher levels of endeavour and achievement¹⁶⁰.

These constitutional fundamental duties maketh that every citizen in order to have his responsibility discharged in Republican Interest must act to reform or otherwise more to arrest the tendency of corruption in governance. It is the duty of every citizen of integrity to report the matters of corruption and even to complain or when necessary, give evidence providing valuable information for the investigators, that way it is the basic step for participating to shun the corruption and make the collective approach for Just Governance. Nowadays more and more funding is done and also involvement of educational institutions and the legal systems like Legal Services Authorities, Organisation of NSS activities, awareness and sensitization programmes are being organised so every public-spirited person not only as a Social Worker but as a 'Sovereign Worker' need to educate himself and others about the role of Lokayukta its importance, mode of operation, and the impact in pulling out scams, and maladministration.

EXISTING PARTICIPATIONS

The people in general and more so those citizens WITH Pro-Bono Republic spirit should be motivated to supporting anti-corruption initiatives. There are organisations, NGOs, specifically meant for fighting corruption collaborating such organisations with Lokayukta agencies and government agencies and can amplify the efforts to prevent, fight and the corruption. Organisations like Transparency International India (TII), The All-India Anti-Crime Bureau (AIACB) and Anti-Corruption Foundation of India are playing their crucial role in rising awareness assisting in means of corruption and advocating for stronger governance and rule of law in fact Transparency International is a global agency focusing on reducing corruption and promoting good governance providing legal advice to victims and witnesses of corruption through its advocacy and legal centres. AIACB fights corruption and crime by providing legal education and help to citizens also create awareness programmes in the society and connect the individuals with relevant authorities thorough legal and democratic means. ACFI works to combat corruption by promoting transparency and

¹⁶⁰P.M.Bhakshi: The Constitution of India, Universal Law Publishing Co.pvt.Ltd, New Delhi, 2000

accountability. This agency conducts investigations into corruption allegations vouches for policy changes organising public awareness campaign.

AIAC is a prominent civil society movement which gained national attention in the year 2011-12 campaigning for anti-corruption law, Lokpal Bill and accordingly lead to Lokpal and Lokayukta Act, 2013 in fact this movement was so strong that the public mood was utilise to formation of new party called Aam Aadmi Party, New Delhi. Mazdoor Kisan Shakti Sangathan has become key layer to root out corruption in Mahatma Gandhi National Rural Employment Guarantee Act to institutionalise citizen-led accountability at grassroot level¹⁶¹.

LOKAYUKTA AS SYSTEM AGAINST CORRUPTION

The Lokayukta is an anti-corruption ombudsman organization in India, established to investigate and address complaints of corruption and maladministration against public officials.

Structure: Lokayukta is a statutory body, usually headed by a retired judge of the High Court or Supreme Court. It has investigative powers, but not prosecutorial powers. The Lokayukta is assisted by a team of officials, including police officers, investigators, and administrative staff. **Functions:**

1. Investigate complaints: The Lokayukta investigates complaints of corruption, maladministration, and abuse of power against public officials, including ministers, legislators, and bureaucrats.

2. Inquire into grievances: The Lokayukta looks into complaints of injustice, oppression, and unfairness in administrative actions.

3. Recommend action: If the Lokayukta finds evidence of corruption or maladministration, it recommends action to the concerned authorities, including prosecution, disciplinary action, or policy changes.

Process:

1. Complaint filing: Citizens can file complaints with the Lokayukta, either online or in person.

2. Preliminary inquiry: The Lokayukta conducts a preliminary inquiry to determine if the complaint has merit.

3. Investigation: If the complaint is found to have merit, the Lokayukta conducts a full-fledged investigation.

4. Report and recommendation: The Lokayukta submits a report to the concerned authority, recommending action.

5. Action taken: The concerned authority takes action based on the Lokayukta's recommendations. Main features of Lokayukta are;

Independence: The Lokayukta is an independent body, not influenced by the government or other authorities. **Transparency:** The Lokayukta's proceedings are transparent, and its reports are usually made public. **Accountability:** The Lokayukta holds public officials accountable for their actions. And the impact being; The Lokayukta has played a significant role in exposing corruption and promoting accountability in India. It has investigated high-profile cases, including those involving senior politicians and bureaucrats. The Lokayukta's recommendations have led to policy changes and reforms in various sectors.

Limitations: Limited

¹⁶¹All India Anti-Crime Bureau(AIACB), <https://aiacb.org/>

powers: The Lokayukta has no prosecutorial powers and relies on other agencies to take action. **Resource constraints:** The Lokayukta often faces resource constraints, including inadequate funding and staffing. **Delays:** The Lokayukta's investigations can be delayed, which can undermine its effectiveness¹⁶².

PUBLIC TRUST DOCTRINE AND LOKAYUKTA

Public Trust Doctrine as a Justice System: The Public Trust Doctrine is a legal principle that ensures in Governance, finance, natural resources are managed for the public's benefit. It holds the government accountable for protecting these resources, ensuring they are not exploited for private gain. This doctrine is a key component of environmental justice, promoting sustainable development and protecting citizens' rights.

Lokayukta as a Justice System: The Lokayukta is an anti-corruption ombudsman that investigates complaints of corruption and maladministration. It provides a platform for citizens to seek justice and hold public officials accountable. The Lokayukta's recommendations promote transparency and accountability in governance.

Interconnectedness: The Public Trust Doctrine and Lokayukta work together to promote justice and accountability. The Lokayukta enforces the Public Trust Doctrine, ensuring public officials manage natural resources responsibly. This synergy promotes good governance, transparency, and accountability. **Promotes accountability:** Holds public officials accountable for their actions. **Protects public interest:** Ensures natural resources are managed for the public's benefit. **Fosters transparency:** Promotes transparency in governance and decision-making.

Challenges: Implementation: Effective implementation of the Public Trust Doctrine and Lokayukta is crucial. **Awareness:** Citizens need to be aware of their rights and the Lokayukta's role. **Independence:** The Lokayukta's independence must be ensured to promote accountability. The Public Trust Doctrine and Lokayukta are essential components of India's justice system, promoting accountability, transparency, and good governance. Their interconnectedness ensures that public officials are held accountable for managing natural resources and that citizens' rights are protected¹⁶³.

CITIZENS INVOLMENT WITH LOKAYUKTA

Citizens' ethics and involvement play a significant role in strengthening the Lokayukta. When citizens are aware of their rights and responsibilities, they're more likely to report corruption and cooperate with the Lokayukta, making it a more effective institution.

Ways how citizens can contribute: Reporting corruption: Citizens can file complaints against corrupt officials, providing valuable information for investigations. **Participating in awareness**

¹⁶²Anti-Corruption Foundation of India(ACFI)<https://anticorruptionfoundation.in/>

¹⁶³ India Against Corruption Movement (2011–12)<https://indiaagainstcorruption.org/>

campaigns: Educating others about the Lokayukta's role and importance can increase its impact. **Supporting anti-corruption initiatives:** Collaborating with organizations and government agencies can amplify the Lokayukta's efforts. **Demanding accountability:** Citizens can pressure governments to implement reforms and ensure the Lokayukta's independence.

Benefits of citizen involvement: **Increased transparency:** Citizen participation promotes openness in government operations. **Improved accountability:** Lokayukta's effectiveness is enhanced when citizens hold officials accountable. **Reduced corruption:** Collective efforts can lead to a decrease in corrupt practices. Some notable examples of successful citizen involvement include: Karnataka's Lokayukta: Effective investigations and public awareness campaigns have made it a model for other states. Maharashtra's Lokayukta: Citizen engagement has contributed to its success in addressing corruption.

To further strengthen the Lokayukta, citizens can: **Stay informed:** Learn about the Lokayukta's powers, jurisdiction, and processes. **Engage with NGOs:** Collaborate with organizations working on anti-corruption initiatives. **Support whistleblower protection:** Advocate for policies safeguarding those who report corruption. By working together, citizens and the Lokayukta can create a more transparent and accountable government¹⁶⁴.

2016 DEMONETISATION (NOTE BAN) AND PEOPLE

The 2016 demonetization in India, also known as the "Note Ban," was a bold move by the government to curb corruption, black money, and counterfeit currency. People's reactions were mixed, with some supporting the move as a necessary step to tackle corruption, while others criticized it for causing hardship to the common man.

Initial Reactions: Many citizens welcomed the move, hoping it would bring transparency and accountability to the system. Opposition parties, however, criticized the government's decision, calling it "arbitrary" and "ill-planned".

Challenges Faced: Long queues outside banks and ATMs were common, with many people struggling to exchange their old notes. The sudden withdrawal of high-denomination notes led to a cash crunch, affecting daily transactions and small businesses. The informal sector, which relies heavily on cash, was severely impacted.

Criticisms and Controversies: Former Prime Minister Manmohan Singh called the demonetization a "biggest scam of India". Economists and experts criticized the move for its poor implementation and lack of planning. The Supreme Court of India received several petitions challenging the demonetization, but ultimately upheld the government's decision.

¹⁶⁴ Aam Aadmi Party (Formation after the IAC Movement) <https://aamaadmiparty.org/>

Long-term Impact: The demonetization drive led to an increase in digital transactions and a push towards a cashless economy. However, the impact on corruption and black money was debated, with many arguing that it failed to achieve its objectives. Overall, the people's reaction to the note ban was complex, reflecting both support for the government's intentions and frustration with the execution¹⁶⁵.

PREVENTION OF CORRUPTION ACT, 1988 AND PEOPLE

The Prevention of Corruption Act (PCA) is a crucial legislation aimed at curbing corruption in India. The PCA is used to investigate and prosecute corruption cases against public servants, including bribery, embezzlement, and abuse of power. The Act empowers authorities to attach and confiscate assets of corrupt officials. It also provides for punishment, including imprisonment and fines, for those found guilty. The PCA has been criticized for being misused to settle scores or harass individuals. Politicians and powerful individuals have allegedly used the Act to target opponents or rivals. There have been instances of false complaints and misuse of the Act for personal gain.

People's Involvement: Citizens can report corruption cases to authorities, such as the Central Vigilance Commission (CVC) or the Lokpal. The Right to Information (RTI) Act has empowered citizens to seek information about government actions and decisions. Social media and whistleblower platforms have also enabled people to expose corruption and hold officials accountable. However, Challenges are: Lack of effective implementation and enforcement of the PCA. Limited resources and capacity of investigative agencies. Corruption within law enforcement agencies themselves. Success Stories: The PCA has led to several high-profile convictions, including those of politicians and bureaucrats. The Act has also helped recover significant amounts of money and assets.

To strengthen the PCA, it's essential to: Ensure effective implementation and enforcement. Enhance transparency and accountability. Protect whistleblowers and witnesses. Increase awareness and education among citizens¹⁶⁶.

CONCLUSION

In our basic understanding as students of law, it can be said that the citizen's involvement with ethical and moral spirit in republican spirit strengthen the Lokayukta system. And different modes of public participation like reporting technologically, exposing corruption immediately by use of social media can cause effective use and strengthen the Lokayukta.

¹⁶⁵ Mazdoor Kisan Shakti Sangathan (Right to Information Movement) <https://mkssindia.org/>

¹⁶⁶ Lokpal and Lokayuktas Act, 2013

DEMOCRACY IN ACTION: CITIZEN PARTICIPATION AS THE KEY TO AN EFFECTIVE LOKAYUKTA

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ABSTRACT

Corruption remains one of the most persistent challenges to the functioning of democracy and the assurance of ethical public administration in India. The Lokayukta, created as a state-level watchdog institution, was envisioned as an independent authority capable of scrutinising administrative misconduct and restoring public trust in government processes. While the statutory framework lays down its structural and procedural foundation, the true strength of the Lokayukta depends on the manner in which citizens engage with it. Citizen participation—whether through vigilance, reporting of grievances, community mobilisation, or public scrutiny—forms the democratic energy that makes the institution effective rather than ornamental. This paper examines how meaningful citizen involvement can transform the Lokayukta into a dynamic guardian against corruption. It traces the evolution of the Lokayukta across different states, studies its legal basis, and analyses the democratic philosophy that places people at the centre of accountability mechanisms. The discussion highlights various forms of civic engagement, such as awareness initiatives, public complaints, collaboration with civil society groups, and digital platforms that widen access to justice. Equally, the paper identifies limitations, including political pressures, gaps in legal literacy, procedural hurdles, and the reluctance of citizens to actively report corruption. Using a descriptive and analytical approach, the study argues that the Lokayukta can fulfil its mandate only when the public recognises its own role as a stakeholder in governance. Strengthening participation through education, transparency tools, and supportive policies can reinforce institutional integrity. The paper concludes that democracy becomes truly functional when citizens not only cast votes but also continuously monitor the exercise of power, making the Lokayukta an essential space where democratic oversight becomes a lived practice.

KEYWORDS

Citizen Participation; Democracy; Lokayukta; Good Governance; Public Accountability; Transparency; Civic Engagement; Anti-Corruption Mechanisms; Institutional Integrity; Democratic Oversight.

INTRODUCTION

Democracy derives its essential force not from the pages of a constitution but from the citizens who continuously shape and challenge the functioning of the State. In India, the idea of democratic participation has always been closely linked with accountability and the constant scrutiny of public power. The Constitution anticipates not only institutional checks but also an active public that participates in holding the administration to its duties. Within this framework, the Lokayukta stands as one of the most important platforms through which ordinary people can question administrative wrongdoing and corruption. Although created by law, the Lokayukta cannot operate meaningfully without citizens who are willing to report abuses, support inquiries, and insist on integrity in public administration. It is this interdependence between public vigilance and institutional authority that forms the core of the present study.

The Lokayukta was introduced in India as a state-level ombudsman modelled on Scandinavian systems, intended to provide a simple and accessible avenue for complaints against public servants. Its primary objective is to investigate corruption, maladministration, and abuse of office. Over the years, different states have adopted their own Lokayukta Acts, granting varying degrees of power. Yet, across all these variations, one aspect remains constant: the institution relies heavily on public involvement. Without complaints, testimonies, or documentary evidence supplied by citizens, the Lokayukta's powers remain largely dormant. India's broader struggle against corruption demonstrates this dynamic clearly. Investigations that have brought significant impact—such as high-profile inquiries in Karnataka—were possible only because citizens came forward, shared information, and participated in the process. These examples show that an institution designed to fight corruption becomes effective only when people treat it as part of their democratic responsibility. The Lokayukta was never intended to be a remote authority functioning independently of society; instead, it acts as a bridge between public perception and administrative conduct. At the same time, citizen participation is not confined to filing formal complaints. Participation includes a wide range of actions: monitoring public services, engaging with grievance platforms, attending consultations, contributing to social audits, and encouraging transparency in local governance. Each of these activities helps create a public atmosphere where corruption is less likely to be tolerated silently. In this way, democratic participation enriches institutional accountability. The Lokayukta becomes not only a legal remedy but a space where people express their expectations of fairness and uprightness in government.

Today, digital governance has opened new possibilities for public engagement. Online complaint portals, e-governance dashboards, and digital access to records allow citizens to interact with oversight institutions more easily than before. However, technology alone cannot guarantee

participation. Many individuals still hesitate to report wrongdoing due to fear of retaliation, lack of awareness, or mistrust in institutions. These social and psychological barriers demonstrate that citizen participation depends not just on legal mechanisms but on public confidence and a supportive environment. A strong Lokayukta, therefore, cannot rely solely on statutory powers; it needs an informed and involved citizenry. When people remain indifferent or disengaged, corruption flourishes in silence. Conversely, when citizens participate actively, they empower the Lokayukta to perform its role as a guardian of clean and responsive governance. A democracy that encourages public oversight ensures that institutions remain accountable not in theory but in practice.

In this context, the present research examines the role of citizen participation as the central factor in strengthening the effectiveness of the Lokayukta. By exploring the evolution of the Lokayukta, the meaning of civic engagement, barriers to participation, and emerging trends, the study argues that public involvement is not merely supportive but indispensable to the institution's success. The Lokayukta becomes truly effective only when citizens treat vigilance and accountability as part of their democratic duty.

EVOLUTION AND SIGNIFICANCE OF THE LOKAYUKTA IN INDIAN GOVERNANCE

The idea of an independent public ombudsman predates modern Indian institutions and has its roots in European administrative reform, where the need for an impartial authority to investigate maladministration became evident in the nineteenth and early twentieth centuries. In India, the concept of a state-level ombudsman was adapted to local constitutional conditions and public needs. Rather than a single national model, the Lokayukta movement evolved through a patchwork of state initiatives, public demand for accountability, and intermittent legislative responses that sought to provide citizens with a simpler, more accessible alternative to lengthy judicial processes.

The statutory emergence of the Lokayukta began at different times in different states. Some states enacted Lokayukta statutes relatively early, experimenting with broader investigative powers and proactive inquiry powers; others introduced weaker versions or delayed implementation for years. The uneven legislative landscape reflected not only administrative preferences but also political will: where the executive and legislature saw benefit in transparent oversight, Lokayukta statutes tended to be stronger and better resourced. Over time, the cumulative experience of states, civil society pressure, and high-profile corruption scandals contributed to a renewed national conversation about the need for a coherent framework of anticorruption ombudsmen across the country.

A decisive moment in the institutional history of anti-corruption bodies in India was the enactment of the Lokpal and Lokayuktas Act at the Centre, which gave fresh legislative legitimacy to the idea of independent anti-corruption authorities and prompted states to re-examine and

strengthen their own Lokayukta laws. The Act, while primarily creating a central Lokpal, also envisaged Lokayuktas at the state level and encouraged convergence in principles of independence, transparency and protection for complainants.¹ Consequently, many states revisited their statutes, clarified jurisdictional ambiguities, and in some instances expanded the scope of the Lokayukta to cover a wider range of public servants and more serious forms of maladministration.

Beyond its statutory form, the significance of the Lokayukta lies in its democratic purpose. First, the institution offers a citizen-facing forum that is less formal and intimidating than courts, thereby lowering the transaction cost for ordinary people to bring complaints. Second, it serves as a preventive mechanism: the existence of a competent and visible ombudsman discourages petty corruption and creates a reputational cost for officials tempted to misuse office. Third, Lokayuktas contribute to institutional learning-by exposing patterns of administrative failure, they inform policy reform and administrative streamlining, which can improve public service delivery over time.

The Lokayukta's value is also procedural and symbolic. Procedurally, it provides investigative flexibility-able to collect evidence, call witnesses, and recommend disciplinary or prosecutorial steps without the procedural rigidity of criminal courts. Symbolically, a strong Lokayukta signals a state's commitment to accountability and reassures citizens that mechanisms exist to address grievances, which in turn sustains public trust in governance. The institution therefore performs both a remedial role (addressing specific complaints) and a normative role (shaping expectations about public conduct).

However, the Lokayukta's potential to embody democratic oversight depends heavily on design features-such as the clarity of its jurisdiction, the manner of appointment, the provision of independent investigative staff, and safeguards for complainants and whistle-blowers-and on the willingness of citizens to use the forum. Where statutes provide meaningful powers and procedural safeguards, and where civil society and media actively inform and support complainants, Lokayuktas are likely to be more effective. Where statutes remain weak or appointments politicised, the institution risks becoming an instrument of cosmetic accountability rather than a real check on corruption.

In sum, the Lokayukta represents an important institutional experiment in Indian federal governance: it is an instrument designed to bring democratic oversight closer to citizens, to deter abuse by public servants, and to strengthen the administrative capacity of the State by identifying governance failures. Its evolution has been gradual and uneven, but its significance-both practical and symbolic-remains central to any strategy that seeks to combine legal sanctions with popular oversight in the fight against corruption. Strengthening the institution therefore requires both

statutory clarity and an active civic ecosystem that uses the Lokayukta as a living mechanism of democratic accountability.²

CITIZEN PARTICIPATION AND ITS RELEVANCE TO THE EFFECTIVENESS OF THE LOKAYUKTA

Citizen participation is widely regarded as the lifeblood of democratic governance, and its influence becomes even more pronounced when examining institutions created to curb corruption, such as the Lokayukta. Although the Lokayukta is structurally empowered through state legislation, its true efficacy depends on how actively the public engages with it. Merely establishing an anti-corruption authority is insufficient in a democracy; the institution must remain closely connected to the people it seeks to protect.

1. Lokpal and Lokayuktas Act, 2013 (Central Act No. 1 of 2014).
2. Example state statutes (selected illustrations): Karnataka Lokayukta Act, 1984; Kerala Lokayukta Act, 1999.

When citizens observe, question, and report corruption, they convert the Lokayukta from a statutory office into a living mechanism of democratic oversight.

The significance of citizen participation begins with the simple act of filing complaints. Every investigation initiated by the Lokayukta has its roots in information—often supplied by ordinary individuals who witness or experience administrative wrongdoing. Without this channel of public reporting, corruption would remain shielded by bureaucratic opacity. In several states, the annual reports of Lokayuktas reveal that a substantial portion of inquiries originate from individual grievances rather than suo motu actions. This underscores a fundamental truth: the Lokayukta's visibility and impact are directly shaped by how willing citizens are to engage with it.

Participation is not confined to lodging complaints alone. It includes a broader culture of public vigilance—citizens monitoring service delivery, demanding reasons for delays, asking for disclosure under transparency laws, or questioning irregular expenditures at the local level. Each of these acts contributes to a climate where corruption becomes difficult to hide. The Lokayukta benefits immensely from such civic engagement because it increases the volume and quality of information that can be transformed into actionable investigations. In this way, citizen participation functions as an early-warning system against administrative abuse.

Additionally, participatory engagement cultivates trust in the institution itself. When people see that complaints lead to inquiries, recommendations, or disciplinary action, they gain confidence in the Lokayukta's relevance. This perception encourages more individuals to approach the institution, creating a cycle of accountability in which public involvement reinforces institutional

credibility. Conversely, if citizens disengage—out of fear, apathy, or lack of awareness—the Lokayukta’s effectiveness diminishes, not because its statutory powers are inadequate, but because the information flow essential for its functioning becomes weak.

Awareness plays a major role in shaping participation. Many states still struggle with inadequate dissemination of information about the Lokayukta’s role and accessibility. In remote regions or among economically vulnerable groups, people may not be aware that such a grievance-redressal authority exists, or may assume that approaching it involves complicated procedures. Strengthening awareness campaigns—especially through digital platforms and community-level programs—enables citizens to recognise that the Lokayukta is an approachable body and not an inaccessible institution reserved for the privileged.

Citizen participation also deepens the democratic character of the Lokayukta by giving voice to marginalized communities who often face the highest burden of administrative corruption. Whether it is a farmer struggling with land records, a pensioner facing delays, or a student encountering bribery in educational offices, each individual’s complaint represents a democratic assertion. These voices compel the Lokayukta to address systemic issues that may otherwise remain invisible within formal governance structures. In this way, public involvement not only triggers action but also enriches the Lokayukta’s understanding of patterns of maladministration.

A participatory environment additionally facilitates preventive governance. When citizens routinely question unfair practices, seek information through the Right to Information Act, and hold public officials accountable, the very possibility of corruption begins to decline. The Lokayukta benefits from this preventive orientation because fewer cases require formal investigation, and larger structural loopholes can be addressed through recommendations. Strengthening complaint-handling processes, ensuring confidentiality, and protecting whistleblowers are essential to maintaining high levels of participation.

Importantly, modern democratic discourse recognises participation as a shared responsibility rather than a one-time act. The Second Administrative Reforms Commission observed that institutions such as the Lokayukta achieve their objectives only when citizens play an active watchdog role in governance.⁴

4. Second Administrative Reforms Commission, *Ethics in Governance: Report of the Second ARC*, Government of India (2007).

Contemporary anti-corruption movements in India—from local campaigns to national-level activism—have further demonstrated that citizen participation can create pressure on governments to strengthen Lokayukta mechanisms.

In essence, the effectiveness of the Lokayukta is deeply intertwined with the democratic energy of the people. The institution serves as a legal safeguard, but citizens provide it with purpose, direction, and momentum. When individuals come forward with grievances, track public projects, and demand integrity from officials, they convert the Lokayukta from a mere statutory authority into a powerful guardian of the public interest. Therefore, citizen participation does not simply support the Lokayukta—it defines its democratic character and ensures that it remains a responsive and accountable institution.

ROLE OF CITIZENS IN STRENGTHENING LOCALISED ANTI-CORRUPTION MECHANISMS

The effectiveness of the Lokayukta is intrinsically tied to the level of citizen engagement at the grassroots. While the Lokayukta operates at the state level, corruption often originates in local administrative spaces—municipal offices, revenue departments, police stations, and public service delivery points. This gap between local administrative structures and the higher oversight body makes citizen involvement indispensable. Citizens act as the primary source of information, the first observers of irregularities, and the most direct victims of administrative misconduct. Their participation transforms anti-corruption efforts from a top-down model to a dynamic, community-driven mechanism.

At the local level, corruption often becomes normalized because people feel powerless to challenge everyday administrative injustices, delays, bribe demands, opaque procedures, and discriminatory practices. The Lokayukta can intervene only when these lived experiences are brought to its notice. Thus, citizens serve as the connective tissue between local realities and institutional accountability. When individuals exercise their right to question officials, demand receipts, insist on procedural transparency, or use complaint redressal platforms, they create an evidence trail that strengthens the Lokayukta's investigative capability. Localised vigilance ensures that small but persistent acts of corruption do not grow into systemic failures.

Community-based monitoring is one of the most powerful ways through which citizens strengthen local anti-corruption frameworks. Village-level committees, ward sabhas, resident welfare associations, and youth groups have increasingly become platforms where grievances are discussed and irregularities exposed. These forums provide a collective voice to citizens who might otherwise be hesitant to report wrongdoing individually. Collective reporting also makes retaliation less likely, thereby encouraging more people to come forward. When such groups interact with Lokayukta

officials during outreach initiatives or public hearings, they create a decentralised accountability network that amplifies the Lokayukta's presence in the community.

One of the most significant contributions citizens make is through the Right to Information Act, 2005. Local residents frequently use the RTI mechanism to obtain documents, file inspection requests, and reveal discrepancies in government decisions. Such information, when forwarded to the Lokayukta, often forms the backbone of corruption complaints. The RTI Act has effectively become a complementary tool that empowers citizens to collect preliminary evidence, making Lokayukta interventions more targeted and effective. This synergy between transparency laws and anti-corruption institutions reinforces democratic values at the grassroots.

Citizens also strengthen localised mechanisms by participating actively in social audits. Social audits in panchayats, welfare schemes, housing projects, and employment programs have become an essential method for uncovering irregularities. During these audits, beneficiaries and residents examine records, question authorities, and cross-verify expenditures. The findings frequently reveal diversion of funds, inflated bills, or forged entries. When these reports are escalated to the Lokayukta, they translate into formal inquiries that hold officials accountable. Through such participatory processes, communities shift from passive recipients of government schemes to active custodians of public resources.

Awareness plays a central role in enabling citizen participation. In many states, people are unaware of the Lokayukta's mandate or the procedures for filing complaints. Localised awareness programs-workshops, information camps, digital outreach, school interactions, and legal literacy drives-strengthen the institution's accessibility. When citizens know where to file a complaint, how to prepare documentation, and what protections they are entitled to, they become more confident in seeking redress. State Lokayuktas that have undertaken proactive awareness campaigns have recorded higher complaint inflow and better systemic responsiveness.

Another important aspect of local participation is the role of civil society organisations and grassroots NGOs. These organisations often act as intermediaries, helping citizens draft complaints, interpret official documents, and navigate procedural complexities. They also mobilise communities to raise collective grievances and follow up on pending investigations. Civil society support is particularly crucial for marginalized groups, who may lack literacy, resources, or familiarity with legal processes. Through their involvement, NGOs strengthen the bridge between local experience and institutional action.

Technological participation has further empowered citizens at the local level. With the rise of mobile applications, digital complaint portals, geo-tagging tools, and online grievance trackers, individuals can now report irregularities instantly and discreetly. Several state Lokayuktas have

incorporated online submission systems, enabling citizens from remote villages and urban slums to access anti-corruption mechanisms without travel or intermediaries. Digital tools also reduce opportunities for procedural manipulation, as complaints are time-stamped and recorded electronically.

Local-level participation also promotes a preventative function. When citizens frequently question officials, monitor public works, or collectively resist bribery demands, a visible culture of public vigilance emerges. This reduces the likelihood of petty corruption and sends a strong message that misconduct will not go unnoticed. Over time, such vigilance shapes administrative behavior, compelling officials to follow procedures more diligently due to the fear of complaints being escalated to the Lokayukta.

Ultimately, the Lokayukta draws its moral and functional strength from citizen involvement. The institution was designed to serve the public interest, and it is the people who give it legitimacy, information, and purpose. Localised participation transforms anti-corruption efforts from a distant statutory framework into a participatory democratic practice. By observing, reporting, questioning, and mobilizing, citizens enhance the Lokayukta's capacity to function as an effective guardian of integrity and fairness in public administration.¹⁶⁷

BARRIERS TO EFFECTIVE CITIZEN PARTICIPATION IN STRENGTHENING THE LOKAYUKTA

Despite the pivotal role citizens play in promoting accountability, several obstacles limit their active engagement with the Lokayukta. These barriers operate at social, institutional, psychological, and administrative levels, creating a complex environment in which many individuals feel discouraged or unable to participate. Understanding these challenges is crucial because an anti-corruption institution cannot function effectively if the public remains hesitant to utilise it. The Lokayukta, though empowered by statute, ultimately depends on the willingness of citizens to report wrongdoing, provide information, and demand integrity from officials.

One of the most pressing barriers is the lack of awareness. A significant proportion of the population is unaware of the Lokayukta's mandate, jurisdiction, or the procedures involved in filing complaints. In rural areas and marginalized communities, people often have no clarity about what constitutes corrupt behaviour, or they believe that approaching a higher authority is beyond their reach. Without basic knowledge of where to go, whom to approach, or how to submit documents, potential complainants are deterred even before they begin. This information gap weakens the

¹⁶⁷ . Government of India, Second Administrative Reforms Commission, *Ethics in Governance* (2007), which emphasises citizen-driven oversight as a foundational pillar of anti-corruption institutions.

citizen–institution relationship and prevents the Lokayukta from receiving crucial insights into local corruption.

Another major barrier is the fear of retaliation. Individuals who expose corruption may face social pressure, harassment, or threats from influential officials and intermediaries. In many cases, citizens choose silence over confrontation because they lack protection or support from local institutions. The absence of efficient whistleblower protection mechanisms makes the risks of participation disproportionately high. As a result, even when unethical conduct is widely known within a community, only a few are willing to come forward, leaving the Lokayukta with limited access to ground-level realities.

Procedural complexities also discourage participation. For many citizens, the process of drafting a complaint, collecting documents, verifying signatures, or attending hearings appears daunting. Bureaucratic language, formal requirements, and the necessity to produce written submissions create an impression that the Lokayukta is an institution designed for legally trained individuals rather than ordinary people. Citizens who lack literacy or legal awareness often feel excluded from the system. When procedures are unclear or not easily accessible, corruption reporting becomes the privilege of a small group rather than a democratic opportunity for all.

Social and cultural factors further impede participation. In several communities, administrative corruption has become normalized as an unavoidable part of securing government services. Paying small bribes for certificates, approvals, or routine transactions is often considered easier than confronting the system. This social acceptance of corruption reinforces a culture of silence and discourages individuals from challenging wrongdoing. Moreover, in tightly knit localities, citizens may avoid reporting misconduct due to interpersonal relationships or fear of social stigma.

Delays in processing complaints contribute to frustration and disengagement. If individuals do not see timely action or receive feedback from the Lokayukta, they may lose confidence in the institution's effectiveness. Perceived inefficiency discourages repeat participation and weakens trust. While the Lokayukta possesses investigative authority, resource constraints, staff shortages, and increasing case load sometimes slow down the inquiry process. For citizens who expect rapid redress, such delays become a deterrent, further widening the gap between the public and the institution.¹⁶⁸

Another barrier arises from political and administrative resistance. In some states, officials targeted by complaints attempt to influence or obstruct investigations. There may also be instances where the Lokayukta is not granted adequate powers or financial independence, making it difficult to act promptly. Citizens observing such limitations may feel sceptical about whether their efforts

¹⁶⁸ . Government of India, Ministry of Personnel, Public Grievances and Pensions, Report on Public Grievance Redressal Mechanisms (2018), emphasising structural and social barriers affecting citizen participation.

will result in meaningful outcomes. The perception of political interference erodes public trust and reduces citizen willingness to participate in accountability initiatives.

Digital inequality creates an additional obstacle. While online platforms have made complaint submission easier, not all citizens possess the digital literacy or access required to file complaints electronically. Rural populations, elderly citizens, and individuals with limited technological exposure may find digital systems confusing or inaccessible. If digital services are introduced without parallel offline mechanisms, large segments of the population may remain excluded from participating in anti-corruption processes.

Finally, the absence of community-based support systems restricts participation. Not all regions have NGOs, legal aid clinics, or civil society groups that can help citizens file complaints or understand procedures.

Without such intermediaries, individuals are left to navigate the system alone, making participation more difficult. Community support networks not only provide guidance but also reduce the psychological burden of challenging corrupt officials.

These barriers collectively limit the transformative potential of citizen involvement. For the Lokayukta to function as an effective constitutional guardian, these obstacles must be acknowledged and addressed systematically. By removing barriers, enhancing public confidence, and strengthening participatory mechanisms, the democratic promise of the Lokayukta can be fully realised.

INNOVATIONS AND EMERGING TRENDS IN PUBLIC PARTICIPATION

The idea of public participation in governance has expanded significantly in recent years, driven by social movements, technological advancements and the global demand for transparent institutions. Anticorruption bodies like the Lokayukta are no longer viewed merely as reactive institutions that investigate complaints, but as proactive democratic platforms that invite and empower citizens to take part in accountability processes. With evolving tools and practices, public participation has become more dynamic, collaborative and accessible than ever before.

One of the most influential innovations has been the introduction of digital governance platforms. Several states have launched online portals for filing complaints before the Lokayukta, enabling people to submit documents digitally, track the status of cases, and receive notices without physically visiting the office. Mobile complaint applications, grievance dashboards and AI-assisted document verification have simplified procedures that were previously perceived as time-consuming and bureaucratic. These systems not only prevent middle-men intervention but also build a transparent and time-stamped record of proceedings, which enhances public confidence.

Social media has emerged as a new channel for civic engagement. Platforms such as X (formerly Twitter), Facebook and WhatsApp have become arenas where citizens share grievances, expose scams and collectively pressure authorities to act. When corruption incidents are widely circulated online, they often trigger voluntary investigations or bring faster responses from state agencies. Digital public opinion now functions as a soft power tool that compels institutions to maintain credibility and accountability. Even though social media complaints are not formal submissions, they serve as catalysts for institutional responsiveness and citizen-led monitoring.

Community-based transparency initiatives have also strengthened the Lokayukta's outreach. Civil society organisations, student networks, and legal aid groups have conducted awareness campaigns, complaint-filing workshops, and support clinics to help individuals approach the Lokayukta confidently. In some districts, public hearing camps and village-level grievance hubs have bridged the gap between citizens and anti-corruption bodies by providing administrative support and encouraging collective participation. These decentralised support structures ensure that individuals are not isolated when speaking out against corruption.

Participatory audit mechanisms are another transformational development. Instead of relying solely on institutional investigators, citizens, local committees and subject-matter experts collaborate to inspect public works, welfare schemes and government expenditures. Such audits enable real-time detection of irregularities and serve as preventive tools rather than purely after-the-incident remedies. When institutional experts and citizens work together, accountability becomes shared rather than imposed, thereby promoting a stronger culture of ethical public administration.

A promising trend is the use of anonymity-protection tools for complainants. Online platforms now allow citizens to encrypt identity details or file grievances through grievance-support organisations. These protections reduce fear and encourage more individuals to come forward. In addition, some states have begun experimenting with WhatsApp chatbot complaints and QR-code linked reporting kiosks to simplify processes for first-time users.

The participation of youth represents another emerging strength. Universities and colleges now include governance-awareness campaigns, ethics clubs and legal literacy programmes that motivate students to monitor public institutions and expose wrongdoing. With a higher digital presence and civic enthusiasm, young citizens contribute to shaping a more transparent administrative culture by using technology, community action and advocacy.

Despite these developments, the full potential of innovations remains dependent on inclusivity. Digital systems must coexist with offline processes to avoid excluding vulnerable groups, and institutional reforms must ensure that technology strengthens rather than substitutes human

accountability. When properly implemented, innovative participation models transform the Lokayukta from a formal complaints' institution into a public accountability ecosystem.¹⁶⁹

RECOMMENDATIONS AND POLICY SUGGESTIONS

Strengthening the Lokayukta through citizen participation requires a multi-layered reform approach that addresses legal, institutional, technological, and community-level gaps. The Lokayukta cannot operate as an isolated authority; it must evolve as a participatory democratic institution that collaborates with the people it seeks to protect. The following policy recommendations emphasise the need for structural improvements that empower citizens as co-guardians of integrity rather than passive spectators of governance. A primary recommendation is the establishment of a uniform Lokayukta framework across all states, ensuring consistency in powers, complaint procedures, and whistleblower safeguards. Currently, each state has its own legislation, leading to uneven levels of accessibility and responsiveness. Harmonisation of legal structures would provide citizens with clarity and confidence that their complaints will be handled uniformly across jurisdictions. Additionally, a structured whistleblower protection regime must be embedded within Lokayukta systems to eliminate fear of retaliation and to encourage early reporting of corruption.

Secondly, to promote public participation, Lokayukta offices must integrate citizen facilitation mechanisms such as community legal helpdesks, mobile complaint units, and toll-free guidance lines. These would particularly benefit individuals from rural or socially marginalised backgrounds who lack legal literacy or resources. Civil society organisations and law schools can also be engaged to support complainants by offering legal assistance and campaign-based awareness. Creating physical proximity and psychological assurance to complainants greatly increases the likelihood of citizens approaching the Lokayukta. Digital participation must also be improved by upgrading existing online grievance systems into secure and user-friendly e-governance platforms. Online dashboards containing real-time complaint tracking, status updates, and anonymity options can build confidence among individuals who wish to report misconduct discreetly. However, digital expansion must not replace traditional channels; extending both online and offline options ensures inclusivity and avoids the digital divide that currently hinders participation. Further, public awareness should not be limited to one-time campaigns but developed into continuous civic education programs in schools, colleges, and community institutions. When future citizens understand their rights and mechanisms for accountability from an early age, they contribute to a lasting culture that rejects corruption. Civic education programs, when supported by local governance structures and the Lokayukta, contribute to a permanent behavioural shift toward public vigilance in governance. From an administrative

¹⁶⁹ . Organisation for Economic Co-operation and Development (OECD), *Innovative Citizen Participation and New Democratic Institutions* (2020).

perspective, timely resolution of complaints is critical, as delays discourage citizen engagement. Increasing staffing, enhancing training for investigators, and allocating adequate budgets can reduce pendency rates. Publishing annual performance reports and conducting periodic third-party evaluations promotes institution-level accountability and shows the public that their participation produces meaningful results. Increased transparency stimulates repeated participation rather than one-time engagement. Finally, collaboration between Lokayukta, media, and community-based organisations can widen channels through which corruption is exposed. Ethical journalism has historically played a crucial role in exposing wrongdoing and mobilising public action. A structured partnership with media may promote educational programs, ethical investigative reporting, and public dialogues that inspire citizens to speak against corruption. When the public sees that the reporting of corruption leads to concrete outcomes rather than neglect, voluntary participation increases substantially.¹⁷⁰

CONCLUSION

The Lokayukta was envisioned as a constitutional guardian of ethical public administration, but its strength depends not only on statutory authority but on the collective will of the people it serves. The analysis throughout this paper highlights that citizen participation is not an auxiliary feature of the anti-corruption framework — it is the foundation on which the credibility and operational impact of the Lokayukta rests. When individuals actively report misconduct, demand transparency, and engage in democratic oversight, the Lokayukta transforms into a living institution rather than a symbolic legal structure. However, meaningful participation does not emerge automatically. Citizens are far more likely to approach the Lokayukta when they are aware of their rights, confident about procedural fairness, and assured of protection from retaliation. Where awareness is low, fear is high, or institutional barriers remain, public engagement naturally weakens. Therefore, improving outreach, strengthening whistleblower protection, simplifying complaint procedures, and ensuring timely redress of grievances become indispensable steps in reinforcing the legitimacy of the Lokayukta. The transition from a passive public to an active citizenry can only occur when individuals recognise corruption as a collective concern rather than a private inconvenience. Civic education, technological innovation, media collaboration, and community-based support networks contribute to building a system in which vigilance becomes a public ethic. An empowered society does not wait for institutions to act; rather, it acts with institutions to ensure integrity in governance. When citizens and the Lokayukta function as partners rather than isolated

¹⁷⁰ . Transparency International, *Strategies for Strengthening Citizen–Institution Accountability Partnerships* (2021).

entities, accountability ceases to depend on a handful of officials and becomes rooted in the democratic culture itself.¹⁷¹

Ultimately, the fight against corruption cannot rely on enforcement alone. True governance reform takes shape when citizens accept their role as custodians of democracy. A vigilant society promotes responsible leadership, reinforces institutional autonomy, and upholds constitutional values not just in principle, but in practice. Thus, an effective Lokayukta is not merely a legal mechanism — it is the reflection of an engaged citizenry that refuses to remain silent in the presence of injustice. The path to transparent governance is not linear or effortless, but the collective action of informed and courageous citizens ensures that the Lokayukta continues to serve as a shield for democracy and a pillar of ethical public administration.

REFERENCES & BIBLIOGRAPHY

1. Government of India, Second Administrative Reforms Commission Report on Ethics in Governance, New Delhi, 2007.
2. K.S. Puttaswamy, “Democratic Accountability and Public Vigilance: A Study of Citizen–State Interaction,” *Indian Journal of Public Administration*, Vol. 62, Issue 3, 2016.
3. S. Mishra, *Lokpal and Lokayukta: Constitutionalism and Anti-Corruption Institutions in India*, Eastern Book Company, Lucknow, 2019.
4. Comptroller and Auditor General of India (CAG), *Performance Audit on Anti-Corruption Institutions in Indian States*, New Delhi, 2020.
5. Centre for Law and Policy Research (CLPR), “Citizen Complaint Behaviour and Access to Anti-Corruption Institutions,” *Policy Brief*, 2021.
6. Government of India, Ministry of Personnel, Public Grievances and Pensions, *Report on Public Grievance Redressal Mechanisms*, New Delhi, 2018.
7. Organisation for Economic Co-operation and Development (OECD), *Innovative Citizen Participation and New Democratic Institutions*, Paris, 2020.
8. Transparency International, *Strategies for Strengthening Citizen–Institution Accountability Partnerships*, Berlin, 2021.
9. United Nations Office on Drugs and Crime (UNODC), *Citizen Engagement in Anti-Corruption Ecosystems*, Vienna, 2022.
10. National Law University Delhi, Centre for Transparency Studies, “Digital Innovations and the Future of Anti-Corruption Frameworks in India,” *Research Report*, 2023.

¹⁷¹ . UN Office on Drugs and Crime (UNODC), *Citizen Engagement in Anti-Corruption Ecosystems* (2022).

THE PEOPLE'S OMBUDSMAN: THE NEED FOR PUBLIC PARTICIPATION IN STRENGTHENING THE INSTITUTION OF LOKAYUKTA

ABSTRACT

The concept of the Ombudsman has its roots in the Swedish Administrative system, where an independent official was appointed to investigate complaints against public authorities and protect citizens against maladministration and corruption. Drawing inspiration from the global Ombudsman model, India sought to establish an indigenous framework within its federal structure, leading to the enactment of Lokpal and Lokayuktas Act, 2013. The Act, which institutionalized the Lokpal at the national level and Lokayuktas in the states, therefore aimed to provide for prompt and fair investigation and prosecution in corruption cases against public functionaries. While the Act requires that every State shall establish a Lokayukta within one year of its commencement, only seventeen States have constituted functional Lokayuktas so far. Of the existing institutions, the Karnataka Lokayukta, set up in 1984, has emerged as a model of proactive investigation and administrative integrity. Yet, despite its early success, several ground-level challenges persist. Low conviction rates at the trial stage, limited investigative and prosecutorial authority, lack of judicial support, inadequate protection for whistleblowers, and the possibility of prosecution for complainants in cases found unsubstantiated have collectively diluted the institution's effectiveness. Furthermore, Public engagement with the Lokayukta also remains minimal, not only because many citizens are unaware of its existence, but also due to the restrictive access created by Section 8 of the 1984 Act, which allows a complaint to be made only after all other remedies have been exhausted. This paper argues that the Lokayukta, envisioned as the people's ombudsman, can realize its mandate only through greater public awareness, participatory mechanisms, and institutional independence. By examining the structural barriers that exist at the ground level, it examines why similar institutions enjoy greater credibility abroad and proposes measures to strengthen the Indian Lokayukta as an effective and participatory pillar of accountability.

Keywords: Ombudsman, Lokpal and Lokayukta Act, 2013, Karnataka Lokayukta, Public Awareness, Corruption, Administrative accountability.

A. INTRODUCTION

Most modern democracies, despite their advanced investigative or oversight mechanisms, remain vulnerable to corruption, maladministration, and the unchecked exercise of public power. *“The essence of Government is power; and power, lodged as it must be in human hands, will ever be*

liable to abuse.”¹⁷² Realizing these persistent shortcomings early on, several nations have established independent oversight institutions to safeguard administrative integrity and protect the interests of the citizens. Countries such as Sweden and Denmark, which consistently rank among the least corrupt in global indices, have adopted the Ombudsman model at an early stage to provide citizens with a credible mechanism for redressing governmental abuse. The success of such institutions sets a global standard for other countries to establish such impartial watchdogs capable of scrutinizing public functionaries and ensuring that the Government is held accountable for its actions.

Though India has established the Lokpal at the Centre and Lokayuktas across the States through the Lokpal and Lokayuktas Act, 2013, the institution is widely regarded as a toothless tiger. This perception is not unfounded. Justice N. Santosh Hegde, who was credited with leading one of India’s most effective anti-corruption bodies for nearly four years, stepped down more than a year before the end of his term in 2010. He openly highlighted the persistent political tendency to shield the corrupt and stressed the urgent need to strengthen the Lokayukta by ensuring its independence from the government of the day.¹⁷³

The key to transforming the Lokpal and Lokayukta into the powerful oversight mechanisms lies in public awareness and participation. Judicial discourse has consistently emphasized that the Lokayukta can function effectively only when citizens understand its role and when the court uphold its jurisdiction. As Justice Manmohan Sarin observed, “*the institution can operate meaningfully only when the public possesses a clear understanding of its purpose, supported by judicial clarity on its evolving mandate.*”¹⁷⁴ However, public participation remains hindered by statutory restrictions that limit accessibility, underscoring the need for reforms that make the institution more people-centric and trustworthy.

B. EVOLUTION AND ESTABLISHMENT OF THE OMBUDSMAN FRAMEWORK IN INDIA

After the successful implementation of the Ombudsman model in countries such as Sweden, Finland, Denmark, England, and Norway, the institution gained prominence in other developing countries as a mechanism involving an independent official appointed by the government, whose primary function was to represent the interests of the general public by investigating cases of

¹⁷² James Madison, *Selected Writings of James Madison* (Ralph Ketcham ed., Hackett Publ’g Co. 2006).

¹⁷³ Ashish Sharma, *Lokayukta Is Toothless: Justice Hegde*, Governance Now (June 2010), <https://www.governancenow.com/news/regular-story/lokyukta-toothless-justice-hegde>.

¹⁷⁴ IANS, *Public Awareness Key to Lokayukta Success, Say Judges*, Business Standard (Nov. 5, 2013), https://www.business-standard.com/article/news-ians/public-awareness-key-to-lokyukta-success-sayjudges-113110500940_1.html.

maladministration and violations of citizens' rights. The term originally meant an agent or attorney and was applied to Government's Chief Prosecutor.¹⁷⁵ In essence, the Ombudsman is an authority to review the administrative actions of the various Governmental departments from the point of view of the citizen's grievances.¹⁷⁶

Corruption and maladministration continued to pose serious challenges across many developing countries, and India was no exception. Despite having a detailed constitutional and administrative framework, the country struggled with systemic delays, bureaucratic opacity, and widespread abuse of discretionary power. These persistent governance failures made it increasingly clear that neglecting such problems would only hinder national development. The need for an ombudsman can be understood by keeping in mind that it has to be made sure that there is no corruption or maladministration in the sphere of administrative branches of the government in order to maintain the prosperity of the nation and for the smooth and effective functioning of the administrative wing of the government.¹⁷⁷ In this context, adopting an indigenous oversight mechanism inspired by the Global Ombudsman model became not only relevant but essential. The unanimous opinion among decision-makers and administrators that such an institution was necessary in India led to the establishment of the Administrative Reforms Commission (ARC) in 1966. The Commission headed by Mr. Morarji Desai in its interim report on "*problems of redress of citizens' grievances*" recommended the establishment of two new institutions, the Lokpal and the Lokayukta, for India.¹⁷⁸ It was Dr. L. M. Singhvi who coined the term Lokpal for the Indian adaptation of the Ombudsman model, translating to "protector of the people" in Sanskrit. To implement the Commission's recommendations, Lokpal Bills were introduced in Parliament eight different times; however, none succeeded in being enacted. Subsequent commissions appointed in 2002 and 2005 to investigate the status of the proposed indigenous Ombudsman framework reported that the Lokpal must be established without any delay and must remain free from political interference. However, the bill, which was introduced in Lok Sabha to enforce the same, was again rejected in Rajya Sabha. The demand for the establishment of an independent anti-corruption agency gained traction during the Anna Hazare movement, which is popularly known as IAC (India Against Corruption), led by the social activist Anna Hazare, who began a hunger strike in the year 2011 for demanding of an effective anti-corruption body known as Lokpal.¹⁷⁹ As a result, the Lokpal and Lokayukta Act, 2013,

¹⁷⁵ Sarojini Sharan, *Ombudsman in India*, 32 Indian J. Pol. Sci. 158 (1971)

¹⁷⁶ P.K. Tripathi, "*Lokpal, The Proposed Indian Ombudsman*", 9 J. Indian L. Inst. 136 (1967).

¹⁷⁷ Yash Dhawan & Vidhi Marwaha, *Position of Ombudsman in India*, 3 INT'L J.L. MGMT. & HUMAN. 641 (2020).

¹⁷⁸ *Supra* note 5

¹⁷⁹ Anindita Ghatak, *India's Ombudsman, the Superhero of Democracy: Role and Proposals for Reform*, 16 The Lawway with Lawyers J., Issue 16 (Oct. 15, 2024)

was finally enacted to implement an indigenous Ombudsman framework in India. Though the Preamble of the 2013 Act mandates the creation of Lokayuktas across all States, only a limited number of States have succeeded in establishing a fully functional and practical Lokayukta.

C. THE KARNATAKA LOKAYUKTA: A CASE STUDY

Among the existing Lokayuktas across the States, the Karnataka Lokayukta stands out as one of the most effective examples of how a well-functioning Ombudsman institution can expose large-scale corruption, mobilize judicial intervention, and safeguard public interest. The Karnataka Lokayukta Act, 1984, enacted by the State Legislature and receiving Presidential assent on 16 January 1985, provides for the appointment and functions of authorities empowered to inquire into administrative actions relating to matters in List II and List III of the Seventh Schedule taken by or on behalf of the Government of Karnataka or certain public authorities within the State.¹⁸⁰

A prominent example of its effectiveness is the illegal iron ore mining scandal brought to light in *Samaj Parivartana Samudaya v. State of Karnataka*.¹⁸¹ Acting on widespread complaints, the Lokayukta appointed for the probe into the matter highlighted several irregularities in the mining activity in the area.¹⁸² Its reports revealed that corruption had permeated multiple government departments, with fictitious licenses being issued in exchange for bribes to facilitate unlawful mining.¹⁸³ The Lokayukta's findings played a pivotal role in prompting the Supreme Court to intervene, ultimately leading to a complete ban on mining activities in two districts of Karnataka. Mining operations resumed only after illegal activities were curbed and stricter regulations were put in place by 2014.

Despite its early successes, the recent trajectory of the Karnataka Lokayukta reveals a deep structural vulnerability. Successive governments have gradually weakened the institution, most notably when the Prevention of Corruption Act was transferred to the newly created Anti-Corruption Bureau, thereby curtailing the Lokayukta's investigative authority. Questions have also emerged about the growing irregularities in the recruitment process related to government jobs.¹⁸⁴¹⁸⁵ Collectively, these developments demonstrate that even a historically robust Lokayukta can be rendered ineffective when political interference, administrative dilution, and lack of structural safeguards persist. This contrast between earlier successes and present challenges provides a critical foundation for

¹⁸⁰ Karnataka Lokayukta, *Introduction: History of the Karnataka Lokayukta*, in *Karnataka Lokayukta Annual Report 2023–24*

¹⁸¹ *Samaj Parivartana Samudaya v. State of Karnataka*, (2013) 8 SCC 154.

¹⁸² A.R. Vasavi, "Beyond Corruption in Mining: A Derailed Democracy", (2011) 46 Economic and Political Weekly 14.

¹⁸³ Priyadarshini Goenka & Vaibhav Kashyap, *Illegal Mica Mining in India and Its Impact on Child Labour*, SCC OnLine Blog OpEd No. 59 (2024),

¹⁸⁴ Sakib Lone, *Why Has Karnataka Lokayukta Been Reduced to a Toothless Body?*, The Probe (Oct. 3,

¹⁸⁵), <https://theprobe.in/stories/why-has-karnataka-lokayukta-been-reduced-to-a-toothless-body/>.

examining how institutional weaknesses, lack of public awareness, and limited citizen participation continue to hinder the Lokayukta's functioning across the country.

D. STRUCTURAL BARRIERS TO PUBLIC ACCESS AND PARTICIPATION UNDERMINING THE LOKAYUKTA FRAMEWORK IN INDIA

The institutional challenges within the Lokayukta framework have a negative effect on citizen participation and awareness. When the efficacy of the institution is constrained by structural and operational limitations, the perceived effectiveness and accessibility of the Indigenous oversight mechanism is significantly reduced. Consequently, citizens begin to lose confidence in the authority of the Lokayukta and increasingly turn to alternative forums to address their grievances, thereby decreasing the popularity of the Lokayukta within the state. Some of the challenges faced by the Karnataka Lokayukta are:

- i. The first and most prominent barrier stems from the lack of constitutional status given to the Lokayukta. The institution of Lokpal as proposed and that of Lokayukta in the states will have no meaning unless they are given constitutional status like the Comptroller and Auditor General or the Election Commission.¹⁸⁶ States have the complete discretion with respect to the specific details in relation to the appointment of Lokayukta.¹⁸⁷ The independence of the Lokayukta is bound to the whims and fancies of the State Government, and there is no adequate provisions for appeal against the actions or decisions of the Lokayukta. Subsequently, the established support in the nature of a constitutional backing that is required by an evolving institution like Lokpal is missing.^{188,189}
- ii. Corruption in the modern days has transformed itself to be more dangerous than terrorism. If terrorism has taken innumerable lives, so has corruption by rooting itself deep in politics and normal life, and the painstaking deaths of eleven whistle blowers in 2010 alone stand testimony.¹⁹⁰ In a shocking revelation, the Karnataka Lokayukta has confirmed that its own officials were involved in a bribery and money-laundering racket. According to the statement by the Lokayukta, the personnel allegedly used cryptocurrency accounts to convert illegal collections into white money.¹⁹¹ The Karnataka Lokayukta Act, fails to provide any protective

¹⁸⁶ K.N. Goyal, *Notes and Comments: Some Amendments We the People Could Do With*, 44 J.I.L.I. 380 (2002).

¹⁸⁷ *Supra* note 8

¹⁸⁸ Yash Dhawan & Vidhi Marwaha, *Position of Ombudsman in India*, 3 INT'L J.L. MGMT. & HUMAN. 189 (2020).

¹⁹⁰ Sammith S., *Karnataka Lokayukta — Weeding Out the Curse Called Corruption*, (2011) PL November S-32.

¹⁹¹ "Karnataka anti-corruption body confirms own officials involved in bribery," India Today, 4 July 2025. <https://www.indiatoday.in/india/karnataka/story/ktaka-lokayukta-reveals-own-officialsinvolved-in-bribery-used-cryptocurrency-for-money-laundering-2750582-2025-07-04>. ¹⁹ Narayana A., Sudhir Krishnaswamy & Vikas

mechanism for whistleblowers; instead, it contains provisions that can be used to prosecute complaints whose allegations are later not substantiated. Section 20 of the Act mandates that any person who makes a false, frivolous or vexatious complaint shall, upon conviction, face imprisonment for a term which shall not be less than six months but which may extend to three years and with a fine. Such a provision discourages potential complainants from coming forward, thereby allowing many instances of corruption to remain in the dark. Moreover, individuals who do expose large-scale corruption or abuse of power are afforded no witness protection. A 2011 article written by Dainik Bhaskar raised concerns about the high death rate among whistleblowers in India at the time, noting over 15 reported murders in the preceding three years.

- iii. While the Karnataka Lokayukata has showed commendable efficiency in investigation and filing charge sheets, the real problem arises at the trial stage. Data indicates that over **95%** of trap and raid cases remain under trial, The average age of the trap (raid) cases under trial is 5.1(8) years old and the median case in this category in four (six) years old. Further, of all the trap (raid) cases investigated and under trial only 15 (one) have resulted in convictions. The conviction rate of **20.5% (20%)** in trap (raid) cases is much lower than the rate of convictions in criminal prosecutions in anti corruption cases in India in recent years.¹⁹ A persistently low conviction rate not only reflects procedural inefficiency but also directly undermines the credibility of anti-corruption enforcement. When prosecutions rarely result in punishment, public confidence in the system's ability to deliver justice reduces.
- iv. The Lokpal cannot initiate suo motu action investigations, which considerably dilutes the scope for proactive measures against corruption.¹⁹² It is suggested that refusal of sanction for prosecution and the failure of the agency to complete investigations are the key problems that a Lokpal should be designed to avoid¹⁹³ Similarly, the Karnataka Lokayukta has become a last resort remedy due to the the restrictive access created under Section 8 and 9 of the Karnataka Lokayukta Act of 1984. Section 8 reads as, "*except as otherwise provided, the Lokayukta or an Upalokayukta shall not conduct any investigation in a case where the grievance relates to matters specified in the Second Schedule, or where the complainant has or had access to remedies such as appeal, revision, review, or other proceedings before any tribunal, court,*

Kumar, *Lokpal Bill: Lessons from the Karnataka Lokayukta's Performance*, 47 Econ. & Pol. Weekly 12, 12–16 (Jan. 7, 2012).

¹⁹² Shraddha AshokraoDhanwate, *Ombudsman (Lokpal) Institution in India and Sweden: A Comparative Analysis*, 2 Int'l J. Legal Res. & Analysis 7, 5 (Jan. 2025) (ISSN 2582-6433).

¹⁹³ Supra note 17

officer, or authority and has not availed of them.”¹⁹⁴ Section 9 further vests discretion in the Lokayukta to refrain from investigation if alternate remedies are available to the complainant.

- v. Adding to these challenges, the judiciary is kept out of the ambit of the Lokayukta and has largely not supported the independent functioning of the Lokayukta across the states. In *Yathish MG v. State of Karnataka & Ors.*¹⁹⁵, the Karnataka High Court held that the “Lokayukta and Upa-Lokayukta are merely recommendatory bodies and cannot compel the State to entrust them with an inquiry,” with the final authority resting entirely with the State Government. Moreover, these structural barriers underscore the urgent need to keep the Lokayukta free from political interference, as it would directly impact its ability to function impartially and undermine the integrity of the institution in the eyes of the public, ultimately leading to a reduction in active citizen participation and awareness.

E. Reforms and Suggestions to Enhance Public Participation and Citizen Awareness in Strengthening the Institution of Lokayukta

H. W.R. Wade, in his analysis of the Ombudsman institution, described the Ombudsman as “an important adjunct to the machinery of government and an ally of an independent judiciary and legal profession.” He further observes that “Ombudsman can be fitted into almost any form of democratic constitution,”¹⁹⁶ underscoring the adaptability and constitutional compatibility of the office. However, the Lokpal and Lokayuktas Act, 2013 has not been able to fully achieve the objectives of a well functioning Ombudsman institution. Although enacted to demonstrate the Government’s commitment to clean and accountable governance by establishing the Lokayuktas across the States, its practical implementation has fallen significantly short of its intended mandate.

In light of these shortcomings, a constitutional amendment to the State Lokayuktas would establish a uniform and consistent institutional framework, setting minimum standards that all States must follow and adhere to. Such constitutional backing would also make the Lokayuktas directly answerable to the Constitution of India and free from any form of political interference by the State Government, thereby strengthening their ability to function as autonomous, credible, and impartial anticorruption authorities. The Whistle Blowers Protection Act was introduced by the Indian Parliament in 2014 in an effort to prevent regrettable incidents on people who expose corruption. Nevertheless, the Whistle Blowers Protection Act, 2014 has not yet been implemented.²¹⁹⁷¹⁹⁸ If and

¹⁹⁴ Karnataka Lokayukta Act, 1984, § 8 (Karnataka Act 4 of 1985).

¹⁹⁵ *Yathish M.G. v. State of Karnataka & Ors.*, WP No. 26117 of 2023, (2024) KHC 11583 (Karn. H.C. 20 Mar. 2024).

¹⁹⁶ Wade, M.W.R., “*The Ombudsman. The Citizen's Defender*” *Law and the Commonwealth*, Occasional papers, Fourth Commonwealth Law Conference New Delhi (January 6th-13th, 1971) pp.

¹⁹⁷ & 6

¹⁹⁸ Raj Krishna & Alok Kumar, “*The Whistle Blowers Protection Act and the Idea of Transparency*,” 2025 SCC OnLine Blog OpEd 52.

when it is implemented, such aact would not only enhance citizens' confidence in the safety of reporting corruption but also significantly increase public engagement with the Lokayukta.

The Karnataka Lokayukta Act is a good example of how much attention needs to be given to the dimension of enforcement and prevention. While prevention and enforcement are driven mostly by the state and its agencies, concerted efforts towards mobilizing public support and bringing about attitudinal changes is a critical step in the fight against corruption.¹⁹⁹ State-wide awareness campaigns across television, radio, newspapers, and digital media can significantly enhance citizens' understanding of the Lokayukta's mandate, jurisdiction, and complaint-filing procedures. The creation of vernacular-language content, the use of gram sabha platforms, and collaboration with local NGOs and panchayats are crucial for strengthening outreach in rural and semi-urban regions where institutional awareness remains considerably low. Further, incorporating the basic functioning and significance of the Lokayukta into school curricula can foster early civic understanding, while universities conducting legal aid camps may establish help desks and mobile outreach units to increase the awareness of the lokayukta among the general public. Additionally, complaint-filing mechanisms must be simplified and made user-friendly in line with Section 9 of the Act, thereby ensuring that procedural barriers do not deter citizens from seeking accountability. Publishing reports at regular intervals by the Lokayukta significantly strengthens transparency and deepens public trust in the institution. When citizens are regularly informed about major cases, complaints of corruption against public officials, and the outcomes of such investigations, they gain a clearer understanding of the functioning of the Lokayukta, which in turn encourages more active participation. The recent Karnataka case, where a former outsourced worker of the Karnataka Rural Infrastructure Development Limited earning ₹15,000 a month was found to have amassed 24 residential buildings, multiple plots, and about 40 acres of agricultural land worth several crores, is a powerful example of how visible action can enhance the institution's legitimacy in the public eye. In *Kallappa v. Deputy Superintendent of Police*, Justice Nagaprasanna, while addressing the issue of inordinate delay in the completion of investigations by the Lokayukta and its impact on the rights of the parties, observed that "*the Lokayukta must set its house in order.*"²⁰⁰ Regular publication of case statistics, timelines, and reasons for delay also creates external pressure for quicker processing, thereby promoting internal reforms aimed at reducing pendency and ensuring speedier disposal of cases.

¹⁹⁹ R. Balasubramaniam, *Understanding Corruption, and What It Takes to Fight It, in I, the Citizen: Unraveling the Power of Citizen Engagement* (Cornell Univ. Press & Cornell Publ'g 2021).

²⁰⁰ *Kallappa v. Deputy Superintendent of Police*, 2023 SCC OnLine Kar 57 (Karn. H.C. Aug. 16, 2023). ²⁸ Karnataka Lokayukta Act, 1984, § 8(c)(Karnataka Act 4 of 1985).

The Lokayukta Act prescribes strict limitation periods for initiating complaints, which often operate as procedural barriers for citizens. Under Section 8(c), grievances relating to maladministration must be filed within six months from the date on which the impugned action became known to the complainant.²⁸ Similarly, Section 8(d) mandates that allegations involving corruption must be brought within five years from the date of occurrence.²⁰¹ These rigid timelines fail to account for the practical difficulties victims face in uncovering corruption, especially where evidence is concealed and records are manipulated. Reforming these limitation clauses and allowing for condonation of delay in genuine cases would drastically enhance access to the Lokayukta. Equally important is the role of the judiciary in reinforcing the independent character of the institution. In *Sri Snehamayi Krishna v. Union of India*, the Karnataka High Court underscored the need to “*have faith in the Karnataka Lokayukta*,” and held that “*the echo that the reference of investigation should be made to the CBI, as one of the accused is a sitting Chief Minister, is unacceptance, as none of the maladies illustrated by the Apex Court are present in the case at hand.*”²⁰² Thus, it becomes essential for the judiciary to instill confidence in the general public to approach the Lokayukta in cases of corruption and maladministration involving public functionaries and also to ensure that the integrity of the institution is not compromised.

F. CONCLUSION

*“No panacea for the cure of governmental ills exists. The greatest injustice to the Ombudsman would be to regard him as the possessor of a cure-all.”*²⁰³

The Lokayukta, as a state-level ombudsman institution designed to address corruption and maladministration, holds immense potential to serve as a vital accountability mechanism. However, its effectiveness depends not merely on its statutory framework but also on the active participation of the public. People’s participation in every step along the way can be instrumental in truly transforming the system to one that not only dis-incentivizes corrupt practices, but also incentivizes the desire to stay honest. It is only large-scale citizen engagement that can ensure that being corrupt is not the norm.²⁰⁴ Citizens must therefore exercise their rights, report wrongdoing, demand transparency, and remain vigilant against abuses of power. Without meaningful public engagement, even the most robust institutional design, risks becoming underutilised or ineffective. Awareness of the Lokayukta’s powers, jurisdiction, and mandate must therefore be expanded through school curricula, community outreach, and accessible grievance-redressal mechanisms so that citizens view

²⁰¹ Karnataka Lokayukta Act, 1984, § 8(d)(Karnataka Act 4 of 1985).

²⁰² *Sri Snehamayi Krishna v. Union of India*, W.P. No. 27484 of 2024 (GM-RES) (Kant. HC Feb. 7, 2025)

²⁰³ Walter Gellhorn, *Ombudsmen and Others: Citizens' Protectors in Nine Countries* 47 (1966).

²⁰⁴ *Supra* note 26

the institution not as a distant authority but as a practical avenue for enforcing accountability. Simultaneously, judicial support remains essential to reinforce the Lokayukta's independence and to encourage greater public willingness to file complaints.

Constitutional recognition would further ensure uniformity, guarantee autonomy from State Governments, and grant the Lokayukta a sense of institutional permanence. The fact that the Indian Constitution is a federal constitution, unlike the ones in New Zealand or U.K., the institution of ombudsman does not allow the citizens to enforce their rights but it can only advise the government as to the course of action depending on case to case, which would in turn make the citizens believe that it is an inefficient institution and would still prefer to go to courts rather than approaching ombudsmen.²⁰⁵ Implementing the Whistle Blowers Protection Act would not only safeguard the whistleblowers but also enhance public trust and encourage greater reporting of misconduct by corrupt officials.

All in all, strengthening the Lokayukta requires a dual approach: firstly, reforming the indigenous institution to address structural barriers, and secondly, cultivating an empowered, informed citizenry willing to engage with the system. Only when legal safeguards, constitutional backing, and meaningful public participation operate together can the Lokayukta truly realize its mandate as a guardian of integrity and an accessible instrument of accountability in governance.

BIBLIOGRAPHY

STATUTES

1. Karnataka Lokayukta Act, 1984, § 8 (Karnataka Act 4 of 1985).
2. Karnataka Lokayukta Act, 1984, § 8(c) (Karnataka Act 4 of 1985).
3. Karnataka Lokayukta Act, 1984, § 8(d) (Karnataka Act 4 of 1985).
4. Whistle Blowers Protection Act, 2014 (referenced through commentary in Raj Krishna & Alok Kumar).

CASE LAW & JUDICIAL PRECEDENTS (INDIA)

1. Samaj Parivartana Samudaya v. State of Karnataka, (2013) 8 SCC 154.
2. Yathish M.G. v. State of Karnataka & Ors., WP No. 26117 of 2023, (2024) KHC 11583 (Karn. HC 20 Mar. 2024).
3. Kallappa v. Deputy Superintendent of Police, 2023 SCC OnLine Kar 57 (Karn. HC Aug. 16, 2023).
4. Sri Snehamayi Krishna v. Union of India, W.P. No. 27484 of 2024 (GM-RES) (Kant. HC Feb. 7, 2025).

²⁰⁵ Supra note 16

SCHOLARLY LITERATURE**A. Books & Treatises**

1. Walter Gellhorn, *Ombudsmen and Others: Citizens' Protectors in Nine Countries* 47 (1966).
2. James Madison, *Selected Writings of James Madison* (Ralph Ketcham ed., Hackett Publ'g Co. 2006).
3. R. Balasubramaniam, *Understanding Corruption, and What It Takes to Fight It, in I, the Citizen: Unraveling the Power of Citizen Engagement* (Cornell Univ. Press & Cornell Publ'g 2021).
4. M.W.R. Wade, *The Ombudsman. The Citizen's Defender, Law and the Commonwealth*, Occasional Papers, Fourth Commonwealth Law Conference, New Delhi (Jan. 6–13, 1971).

B. Journal Articles / Research Work

5. Sarojini Sharan, *Ombudsman in India*, 32 Indian J. Pol. Sci. 158 (1971).
6. P. K. Tripathi, "Lokpal, The Proposed Indian Ombudsman," 9 J. Indian L. Inst. 136 (1967). Yash Dhawan & Vidhi Marwaha, Position of Ombudsman in India, 3 Int'l J.L. Mgmt. & Human. 641 (2020).
7. Narayana A., Sudhir Krishnaswamy & Vikas Kumar, *Lokpal Bill: Lessons from the Karnataka Lokayukta's Performance*, 47 Econ. & Pol. Weekly 12–16 (Jan. 7, 2012).
8. Shraddha AshokraoDhanwate, *Ombudsman (Lokpal) Institution in India and Sweden: A Comparative Analysis*, 2 Int'l J. Legal Res. & Analysis 7 (Jan. 2025).
9. A.R. Vasavi, *Beyond Corruption in Mining: A Derailed Democracy*, 46 Economic & Political Weekly 14 (2011).
10. Raj Krishna & Alok Kumar, *The Whistle Blowers Protection Act and the Idea of Transparency*, 2025 SCC OnLine Blog OpEd 52.
11. Priyadarshini Goenka & Vaibhav Kashyap, *Illegal Mica Mining in India and Its Impact on Child Labour*, SCC OnLine Blog OpEd No. 59 (2024).
12. Anindita Ghatak, *India's Ombudsman, the Superhero of Democracy: Role and Proposals for Reform*, 16 The Lawway with Lawyers J., Issue 16 (Oct. 15, 2024).
13. Yash Dhawan & Vidhi Marwaha, *Position of Ombudsman in India*, 3 INT'l J.L. MGMT. & HUMAN. 641 (2020). (Duplicated in your list—kept once)
14. K.N. Goyal, *Notes and Comments: Some Amendments We the People Could Do With*, 44 J.I.L.I. 380 (2002).
15. Sammith S., *Karnataka Lokayukta — Weeding Out the Curse Called Corruption*, (2011) PL November S-32.

WEB SOURCES / NEWS / DICTIONARIES

1. Ashish Sharma, *Lokayukta Is Toothless: Justice Hegde*, Governance Now (June 2010).

2. IANS, *Public Awareness Key to Lokayukta Success, Say Judges*, Business Standard (Nov. 5, 2013).
3. Sakib Lone, *Why Has Karnataka Lokayukta Been Reduced to a Toothless Body?*, The Probe (Oct. 3, 2022).
4. *Karnataka anti-corruption body confirms own officials involved in bribery*, India Today (July 4, 2025).
5. Karnataka Lokayukta, *Introduction: History of the Karnataka Lokayukta*, in *Karnataka Lokayukta Annual Report 2023–24*.
6. Anindita Ghatak (online publication version), *Lawway with Lawyers J.* (2024).

PUBLIC AWARENESS AND PARTICIPATION: PILLARS OF A STRONG LOKAYUKTA IN KARNATAKA

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Abstract

To eliminate corruption and foster accountability in government, the Lokayukta is a strong and efficient oversight agency. It relies on more than just laws and rules. A system for supervising and awarding resources or activities. This paper reviews the essence of the general public's understanding, knowledge, and engagement in making a stronger Lokayukta as a successful anti-corruption establishment. In spite of legislation or statute, the execution often depends on the magnitude at which citizens perceive and are involved, and advocate for its operation. This study analyzes the data to examine how active participation reinforces the establishment's clarity, accountability, and accessibility. Applying an analytical approach, the research explores the new literature, the Karnataka State case studies, and secondary data from government-approved findings to determine the link between civic engagement and the effectiveness of the organization. The data shows that the general public does not have free access to information that might help them reconcile complaints, signs of adverse effects, and the fact that the Lokayukta, India's anti-corruption regulator, is very hard to reach, given the barriers. Karnataka, in contrast to other states, has been involved in campaigns focusing on promoting knowledge among citizens and informing people, alongside technological resources that allow citizens to express their problems and initiatives to engage and help communities, providing improved analysis and gaining confidence among citizens. The study shows ties among community building, media engagement, and the synthesis of whistleblower immunity, thereby strengthening the effectiveness of individual, community, and social engagement. After careful evaluation, the paper draws to a conclusion that citizen awareness and participation are essential aspects of a robust Lokayukta.

Keywords: Accountability, Legislation, Participation, Corruption, Community, Engagement, Technology, Organization, Regulator

INTRODUCTION

The integrity of public administration remains one of the foundations of any functioning democratic society. It is well known that India has developed many laws and organizations to fight corruption, which has resulted in the establishment of independent ombudsman organizations at the state level like the Lokayukta. The Karnataka Lokayukta continues to be regarded as one of the nation's most robust and proven anti-corruption establishments. The early reputation was based on more expansive investigative powers, institutional independence, and strong public engagement, particularly from 2001 through 2011.²⁰⁶

This institutional experience exposed widespread corruption and poor management at the time and that ensured public trust and held them accountable. This begs for public awareness and citizen input to keep it alive. In any grievance-redressal or anti-corruption framework, the first line of defense is always a vigilant, knowledgeable population. But even if there's some legal authority available, a Lokayukta can risk becoming ineffective if citizens do not know how to do so—whether they're not interested to speak with the institution or do not know what their mandate is.²⁰⁷

This research looks at public participation and public awareness as fundamental pillars for the Karnataka Lokayukta. It examines the formation of the organization, its legislative regime, how complaints are lodged, comparisons of the system in other economies and international institutions, and sociocultural factors that impact on the participation of people.²⁰⁸ The primary argument made here is that the Lokayukta's long-term viability and effectiveness will also depend on trust in the public, candor, and active civic participation, over and above strong legislation.²⁰⁹

1. THE EVOLUTION AND LEGAL FOUNDATION OF THE KARNATAKA LOKAYUKTA

This was where the concept of a state-level ombudsman in India started to arise based upon the recommendations of the Administrative Reforms Commission (ARC) of 1966,²¹⁰ which suggested the establishment of Scandinavian-style oversight institutions to effectively adjudicate complaints by citizens, Karnataka was one of the first states to apply this vision. Karnataka Lokayukta and Upalokayukta were set to be independent authorities in charge of investigating complaints against public servants who include elected officials and senior bureaucrats under the Karnataka Lokayukta Act, 1984,²¹¹ which entered into force in 1985.

²⁰⁶ Karnataka Lokayukta Act, No. 4 of 1985 (India).

²⁰⁷ Transparency International India, India Corruption Study 2022 (2022).

²⁰⁸ B.P. Singh, The Ombudsman in India: The Lokpal and Lokayuktas 44(2) Indian J. Pub. Admin. 245 (1998).

²⁰⁹ S. Krishnan, Public Accountability and Lokayukta in Karnataka, 12(3) Int'l J. Governance 87 (2016).

²¹⁰ Administrative Reforms Commission, Report on the Problems of Redress of Citizens' Grievances (1966).

²¹¹ Karnataka Lokayukta Act, No. 4 of 1985, Section 7–12 (India).

The Act authorizes the Lokayukta to take action where a person is accused of improper discretion, corruption, abuse of office, delays in carrying out duties, or maladministration. It empowers the organization to call witnesses, examine records, carry out investigations, and send reports to the appropriate authority for action²¹². Karnataka was noteworthy for giving the Lokayuktasuo motu powers, which allowed them to start investigations based on reliable information without waiting for official complaints. But the route for the institution hasn't been obvious. The 2016 amendment²¹³ that granted the Anti-Corruption Bureau (ACB) investigative authority under the Prevention of Corruption Act briefly shattered public confidence²¹⁴. The significance and authority of the Lokayukta were reaffirmed when the Karnataka High Court restored these powers in 2022²¹⁵.

II. DEMOCRATIC ACCOUNTABILITY AND PUBLIC AWARENESS

Awareness — Raising public awareness is the first step to having doors opened to anticorruption organizations. In order for it to be an effective watchdog, people must understand the Lokayukta's powers, who the officials are, what grievance types are acceptable, complaint procedures, and the channels for how to complain²¹⁶. Additional studies suggest that the rural and urban poor of Karnataka have little to no knowledge about the existence and operation of Lokayukta²¹⁷.

Even in cities, formal complaint mechanisms are not well-known. Horizontal accountability, where independent bodies scrutinize executive action, not to mention vertical accountability where public officials are brought to account, is thwarted by ignorance²¹⁸. Public awareness drives, social audits, civil society networks, and student engagement programs have once played a crucial role²¹⁹.

For instance, Karnataka's Janetana programs facilitated direct citizen engagement with the institution. But since the programs have decreased due to budget restrictions and administrative bottlenecks, the importance of citizen engagement and outreach has never diminished²²⁰.

²¹² Id. Section 9(3).

²¹³ State of Karnataka, Karnataka Lokayukta (Amendment) Act, No. 20 of 2016.

²¹⁴ Chidananda Urs B.G. v. State of Karnataka, 2022 SCC OnLine Kar 1273 (restoring Lokayukta police powers).

²¹⁵ S. Narain, Evolution of Lokayukta in Indian States, 54 Econ. & Pol. Wkly. 33 (2019).

²¹⁶ Transparency International India, Public Perception of Anti-Corruption Agencies in Indian States (2020).

²¹⁷ A. Mehta, Strengthening Local Accountability Through Ombudsman Institutions, 32(1) J. Dev. Admin. 76 (2015).

²¹⁸ Prakash Shah, Public Awareness and Anti-Corruption Systems: A Study of Karnataka, 24(2) Indian J. Soc. Sci. 140 (2018).

²¹⁹ Karnataka Lokayukta Act, Section 9.

²²⁰ World Bank, Social Accountability and Public Sector Reform (2016).

III. CITIZEN PARTICIPATION AND COMPLAINT MECHANISMS

Citizen participation drives the Lokayukta's function²²¹. For example, although the Lokayukta may reject frivolous or vexatious complaints, it must provide written reasons. The result is procedural transparency.

Participating is shown in many ways:

- Individual complaints from affected individuals.
- Group or community collectively filed complaints.
- Whistleblower complaints that divulge insider information.
- Complaints assisted by civil society to assist individuals navigate legal processes²²².

Digital complaint systems including online portals, email submission, and real-time tracking have expanded to offer greater accessibility — and are benefiting the urban community disproportionately. But for rural areas digital literacy gaps stand in the way²²³.

Effective participation requires easy procedures that require timely acknowledgment, a transparent process for the investigation, fair results and protection for complainants²²⁴. These assurances build trust, spur participation and strengthen the Lokayukta's credibility²²⁵.

IV. AIMING TO ADDRESS INSTITUTIONAL CHALLENGES THAT CONSTRUCT PARTICIPATION

Despite a robust legislative structure, some institutional barriers hinder citizen participation:

1. Resources: Shortages of trained investigators, forensic personnel, and technical personnel slow down inquiries, frustrating complainants²²⁶.
2. Political and administrative interference: Attempts to dilute powers, such as the establishment of the ACB in 2016, temporarily weakened public trust.
3. Low rural awareness: Rural populations often lack even basic knowledge of Lokayukta, survey results show.²²⁷
4. Limited outreach: Economic limits have limited the amount of awareness programs and community projects they do²²⁸.

²²¹ Karnataka Lokayukta Act, Section 9–10.

²²² Lokayukta of Karnataka, Annual Report 2018–19 (2019).

²²³ World Justice Project, Rule of Law Index 2023.

²²⁴ United Nations Office on Drugs and Crime (UNODC), Manual on Anti-Corruption Institutions (2012).

²²⁵ P. Shankar, Citizen Participation and the Effectiveness of Lokayuktas in India, 41(3) J. Asian Pub. Pol'y 210 (2021).

²²⁶ Lokayukta of Karnataka, Annual Report 2017–18 (2018).

²²⁷ Chidananda Urs B.G., 2022 SCC OnLine Kar 1273.

²²⁸ R. Ravindra, Rural Awareness of Anti-Corruption Institutions, 28(1) Karnataka J. Soc. Sci. 44 (2020).

5. Weak whistleblower protections: Despite the Whistle Blowers Protection Act²²⁹, a serious deterrent still looms over some members of the community—fear of retaliation²³⁰.

Moreover, these challenges suggest that legal authority alone does not suffice for effectiveness; citizen engagement is crucial.

V. COMPARATIVE PERSPECTIVES: LESSONS FROM OTHER STATES AND GLOBAL OMBUDSMAN MODELS

Comparative analysis illustrates how public awareness elevates ombudsman effectiveness. Indian states vary widely in their Lokayukta structures and citizen engagement. Karnataka, Kerala, Maharashtra, and Odisha have historically maintained higher levels of public trust due to transparency and visible action.

In contrast, states like Uttar Pradesh and Bihar face overlapping powers, limited outreach, and political interference, resulting in weaker public confidence.

Kerala's Ombudsman²⁶ for Local Self-Government Institutions is notable for accessibility, conducting sittings across multiple districts to facilitate rural participation. Maharashtra's Lokayukta and Upa-Lokayukta Act, 1971²³¹, emphasizes transparency and publishes detailed annual reports, which strengthens citizen engagement.

Internationally²³², Scandinavian models, particularly Sweden's Justitieombudsmannen, rely on citizen education, public visibility, and simplified complaint mechanisms. New Zealand's Ombudsman²³³ is similarly recognized for robust outreach and an independent mandate to educate citizens about complaints. These examples illustrate that institutional authority alone is insufficient; public awareness is essential to transform a statutory body into an active agent of accountability.

VI. DIGITAL GOVERNANCE, SOCIAL MEDIA, AND PUBLIC ENGAGEMENT

Digital governance has expanded the reach of the Karnataka Lokayukta²³⁴, allowing citizens to submit complaints online, track their status, and receive updates. These tools²³⁵ reduce physical barriers, but gaps remain due to limited digital literacy in rural areas.

²²⁹ Whistle Blowers Protection Act, No. 17 of 2014 (India).

²³⁰ Comptroller and Auditor General of India (CAG), State Finances Audit Report: Karnataka 2021 ²⁶ Kerala Ombudsman Act, No. 22 of 1999 (India).

²³¹ Maharashtra Lokayukta and Upa-Lokayukta Act, No. 10 of 1971 (India).

²³² International Ombudsman Institute (IOI), World Ombudsman Report 2021.

²³³ New Zealand Office of the Ombudsman, Annual Report 2020–21.

²³⁴ Government of Karnataka, e-Governance Policy 2020.

²³⁵ Lokayukta of Karnataka, Complaint Management Portal User Guidelines (2022).

Social media platforms amplify awareness, enabling journalists, activists, and civil society organizations to publicize corruption cases, mobilize communities, and highlight Lokayukta findings. Such engagement fosters a culture of accountability, encouraging citizens to report wrongdoing confidently.

Effective digital participation, however, requires privacy safeguards, secure reporting systems, and responsive government action²³⁶. Publishing investigation summaries, complaint statistics, and outcomes further enhances public trust and participation²³⁷.

VII. IMPROVING PUBLIC AWARENESS: CIVIL SOCIETY AND EDUCATIONAL INSTITUTIONS

Civil society organizations, including Janaagraha²³⁸ and the Karnataka NGO Network²³⁹, play a vital role in spreading awareness about rights, transparency laws, and complaint procedures, especially for vulnerable communities.

Educational institutions contribute to long-term awareness by incorporating anti-corruption modules, civic education, and debates on governance ethics. Youth engagement ensures that future generations internalize values of integrity and ethical governance²⁴⁰.

Community mechanisms such as gram sabhas, social audits, RTI workshops, and local governance committees promote participatory governance²⁴¹. When citizens understand administrative processes and their rights, they are more likely to approach the Lokayukta for redressal.

A multi-stakeholder approach—involving government agencies, civil society, media, and educational institutions—is essential to strengthen public participation and reinforce accountability²⁴².

VIII. RECOMMENDATIONS

To reinforce the virtue of the Karnataka Lokayukta, the subsequent notions are recommended:

1. Statewide Public Awareness Campaigns: Use television, radio, community meetings, and workshops to educate citizens about Lokayukta functions.
2. Mandatory Awareness Modules in Schools and Colleges: Integrate civic education and anticorruption modules into curricula.

²³⁶ United Nations E-Government Survey 2022.

²³⁷ World Bank, Digital Anti-Corruption Toolbox (2020).

²³⁸ Janaagraha Centre for Citizenship & Democracy, Annual Report 2021–22.

²³⁹ Karnataka NGO Network, Civic Participation Report (2020).

²⁴⁰ UNICEF, Civic Education and Youth Engagement (2019).

²⁴¹ Ministry of Rural Development, Social Audit Guidelines (2017).

²⁴² Karnataka State Education Policy Review Committee, Citizen & Ethics Education Recommendations (2021).

3. Mobile Lokayukta Clinics: Regular sittings in taluk and district headquarters to improve accessibility.
4. Strengthening Digital Platforms: Simplify online complaint systems and provide multilingual support.
5. Enhancing Whistleblower Protection: Rigorously enforce the Whistle Blowers Protection Act.
6. The Association with Civil organizations: Partner with NGOs to reach marginalized communities.
7. Transparent Reporting of Outcomes: Publicize investigation results, respecting confidentiality.
8. Upskilling for Staff: Provide instruction, guidance with modern tools, and sufficient staff for effective handling of grievances and concerns.

CONCLUSION

The basis of an effective Lokayukta is public awareness and citizen participation. Karnataka's Lokayukta has long been seen as a trailblazing institution in combating corruption; but the success of this endeavor is inextricably linked to public confidence and engagement. Fostering awareness through educational campaigns, collaborations with civil society, digital governance strategies, and clear communication could make the institution much stronger, and its participants democratic in accountability. The most important advocate to eliminate corruption is a well-informed, vigilant, and engaged society.

BIBLIOGRAPHY

I. Cases

- Chidananda Urs B.G. v. State of Karnataka, 2022 SCC OnLine Kar 1273.

II. Statutes

- Karnataka Lokayukta Act, No. 4 of 1985 (India).
- Karnataka Lokayukta (Amendment) Act, No. 20 of 2016 (India).
- Whistle Blowers Protection Act, No. 17 of 2014 (India).
- Kerala Ombudsman Act, No. 22 of 1999 (India).
- Maharashtra Lokayukta and Upa-Lokayukta Act, No. 10 of 1971 (India).

III. Books & Journal Articles

- B.P. Singh, The Ombudsman in India: The Lokpal and Lokayuktas, 44(2) Indian J. Pub. Admin. 245 (1998).
- S. Krishnan, Public Accountability and Lokayukta in Karnataka, 12(3) Int'l J. Governance 87 (2016).
- A. Mehta, Strengthening Local Accountability, 32 J. Dev. Admin. 76 (2015).
- Prakash Shah, Public Awareness and Anti-Corruption Systems, 24(2) Indian J. Soc. Sci.

140 (2018).

- P. Shankar, Citizen Participation and Lokayuktas, 41(3) J. Asian Pub. Pol’y 210 (2021).
- S. Yadav, Comparative Study of Lokayuktas in Indian States, 13(4) Int’l J. Pub. Pol’y 115 (2019).
- P. Banerjee, Social Media and Accountability, 15(2) GovTech Rev. 67 (2021).

IV. Reports

- Lokayukta of Karnataka, Annual Reports (2017–2019).
- Transparency International India, India Corruption Study (2022).
- CAG of India, State Finances Audit Report: Karnataka 2021.
- International Ombudsman Institute, World Ombudsman Report 2021.
- UNODC, Manual on Anti-Corruption Institutions (2012).

V. Government Documents

- Administrative Reforms Commission, Report on Redress of Citizens’ Grievances (1966).
- Government of Karnataka, e-Governance Policy 2020.
- Ministry of Rural Development, Social Audit Guidelines (2017).

VI. International Sources

- World Justice Project, Rule of Law Index 2023.
- World Bank, Social Accountability Report (2016).
- United Nations, E-Government Survey 2022.

Lokayukta's Powers and Jurisdiction

The Lokayukta serves as a central institutional mechanism within India's anti-corruption framework, functioning as an independent ombudsman empowered to investigate allegations of corruption, maladministration, and abuse of authority by public officials. Its powers and jurisdiction are defined by state-specific legislation, which varies in scope but generally grants the Lokayukta authority to inquire into complaints against ministers, legislators, senior bureaucrats, and other public servants. ¹In several states, the Lokayukta's jurisdiction has expanded over time to include employees of state-owned enterprises, local self-government institutions, and other bodies substantially funded by the state.²

A principal feature of the Lokayukta is its ability to conduct independent investigations without requiring prior government approval, thereby ensuring autonomy and impartiality in the inquiry process.³ The Lokayukta may summon witnesses, requisition public records, and exercise quasi-judicial powers akin to those of a civil court.⁴ These investigative powers enable the institution to collect evidence, interrogate officials, and assess administrative decision-making for signs of impropriety. Although the Lokayukta does not possess prosecutorial authority, it can recommend disciplinary or penal action to the government, which is ordinarily expected to act upon such recommendations unless compelling reasons exist.⁵

Despite these statutory powers, the effectiveness of the Lokayukta largely depends on the legislative framework of each state. Some states, such as Karnataka and Kerala, provide relatively broad jurisdictional authority, enabling more robust oversight, whereas other states restrict the Lokayukta's mandate by excluding certain categories of officials or limiting investigative autonomy.⁶ This variability contributes to uneven performance across the country, highlighting the need for greater uniformity and institutional strengthening. Nevertheless, the Lokayukta remains a critical pillar in India's efforts to promote transparency, accountability, and ethical governance.

Footnotes (Bluebook 21st Edition)

1. Mehta, *Lokayukta Institutions Across India: An Analysis* 122 (2007).
2. Rao, *Central Vigilance Commission: Role and Limitations* 81 (2002).
3. Sharma, *India's Anti-Corruption Efforts: Historical Perspectives* 55 (2010).
4. Singh, *Amendments and Impact of the Prevention of Corruption Act* 97 (1995).
5. *Government of Maharashtra, Lokayukta Act* 14 (1971).
6. *Government of India, Lokayukta Legislation: Comparative Analysis* 18 (2013).

Obstacles and Restrictions Encountered by the Lokayukta in Combating Corruption

Despite its constitutional and statutory mandate to promote transparency and accountability, the Lokayukta faces numerous obstacles that limit its effectiveness in combating corruption. One of the

primary challenges is political interference, which often constrains the institution's autonomy. In several states, the appointment process of the Lokayukta and its members is influenced by political considerations, undermining public confidence in its impartiality.¹ Additionally, bureaucratic pressure and lack of cooperation from state officials can delay investigations and reduce the practical impact of its recommendations.²

Another significant restriction arises from limitations in legal and investigative powers. While the Lokayukta can conduct inquiries and recommend disciplinary or criminal action, it does not possess prosecutorial authority and must rely on government agencies or the judiciary to initiate legal proceedings.³ This dependence can lead to delays, selective action, or inaction, particularly when high-ranking officials are involved. Moreover, the scope of jurisdiction varies widely across states, with some statutes excluding certain categories of officials or limiting the types of complaints the Lokayukta can address.⁴ Such inconsistencies contribute to uneven effectiveness and reduce the deterrent value of the institution.

Finally, the Lokayukta also faces cultural and societal challenges, including low public awareness about its role, reluctance of citizens to report corruption, and systemic corruption embedded in administrative practices.⁶ These factors collectively restrict the Lokayukta's capacity to act as a fully effective anti-corruption body. Addressing these obstacles requires not only legal and institutional reforms but also political commitment and sustained public engagement.

Comparative Analysis of Lokayukta Systems Across Indian States

The functioning of the Lokayukta in India exhibits significant diversity due to differences in state legislation, administrative structures, and political environments. While the institution is designed to act as an independent ombudsman to combat corruption and maladministration, the scope, powers, and effectiveness of Lokayuktas vary widely across the country, resulting in an uneven impact on governance and accountability.¹ This comparative analysis examines these variations to identify factors contributing to success and limitations in different states.

Maharashtra, the first state to establish a Lokayukta in 1971, provides a notable example of institutional longevity combined with legislative strength. The Maharashtra Lokayukta has broad investigative powers, the ability to summon officials, and the authority to recommend disciplinary and legal action.² However, its effectiveness has at times been limited by political interference, delays in appointments, and constraints in prosecutorial authority, reflecting challenges common across states.³

In contrast, Karnataka is often cited as a model for proactive Lokayukta functioning. Established in 1984, the Karnataka Lokayukta has consistently conducted high-profile investigations, such as the 2011 illegal mining case, demonstrating strong institutional autonomy and public visibility.⁴ The wide

jurisdiction covering ministers, bureaucrats, and public-sector entities, combined with a clear procedural framework, has allowed Karnataka's Lokayukta to act decisively and influence administrative reforms.

This comparative perspective highlights the crucial role of legislative clarity, institutional autonomy, administrative support, and political will in determining the effectiveness of Lokayuktas. States with broader jurisdiction, proactive leadership, and sufficient resources demonstrate better outcomes in promoting accountability. Conversely, structural limitations, inconsistent legal frameworks, and resource constraints significantly diminish the impact of Lokayuktas in some regions.

Overall, the comparative analysis underscores the need for harmonizing legislative provisions, strengthening autonomy, and ensuring adequate resources to enhance the effectiveness of Lokayuktas uniformly across Indian states. Such measures would bolster the national anti-corruption framework and improve public trust in governance.

Footnotes (Bluebook 21st Edition)

1. Mehta, *Lokayukta Institutions Across India: An Analysis* 142 (2007).
2. *Government of Maharashtra, Lokayukta Act* 15 (1971).
3. Sharma, *India's Anti-Corruption Efforts: Historical Perspectives* 62 (2010).
4. Hegde, *Karnataka Mining Scandal Investigation Report* 64 (2011).
5. Rao, *Central Vigilance Commission: Role and Limitations* 91 (2002).
6. Singh, *Amendments and Impact of the Prevention of Corruption Act* 108 (1995).

Proposals for Enhancing the Operations of the Lokayukta

The Lokayukta serves as a critical institution in India's anti-corruption framework, yet its effectiveness is often constrained by structural, administrative, and political limitations. Strengthening its operations requires a comprehensive approach addressing legislative, institutional, and procedural dimensions.

One important measure is to enhance legislative clarity and uniformity across states. Currently, the jurisdiction, powers, and procedural authority of Lokayuktas vary widely, leading to inconsistent effectiveness.¹ Standardizing laws to provide broad investigative powers, clear procedural guidelines, and authority over all categories of public officials—including ministers and senior bureaucrats—would significantly enhance the Lokayukta's autonomy and public credibility.²

Another key area of improvement is resource augmentation. Many Lokayukta offices operate with limited staff, inadequate funding, and insufficient technical expertise to manage complex investigations.³ Allocating dedicated budgets, recruiting trained investigators, and establishing specialized units for financial audits, forensic analysis, and legal support can greatly improve operational efficiency. In addition, digitizing complaint management systems and implementing case

tracking mechanisms can reduce procedural delays, improve transparency, and provide citizens with timely updates on the status of their complaints.⁴

Finally, promoting public awareness and engagement is essential for effectiveness. Outreach campaigns, transparency portals, and the periodic publication of investigation outcomes can boost citizen trust and encourage reporting of corruption. Collaboration with civil society organizations, media, and academic institutions can further strengthen the Lokayukta's visibility and credibility.⁷ By implementing these reforms, the Lokayukta can become a more independent, effective, and citizen-responsive institution, playing a central role in promoting transparency, accountability, and ethical governance throughout the country.

Judiciary's Viewpoint on the Execution of the Lokpal and Lokayukta Act of 2013

The judiciary in India has consistently played a pivotal role in shaping the interpretation, execution, and enforcement of the Lokpal and Lokayukta Act of 2013, recognizing the critical importance of these institutions in combating corruption. The Supreme Court and various High Courts have emphasized that the effectiveness of the Act depends not only on the statutory provisions but also on the proper functioning, independence, and prompt action of the Lokpal and Lokayuktas. In multiple judgments, the courts have reiterated that any delay in constituting the Lokpal or state Lokayuktas undermines the intent of the legislation and erodes public trust in governance mechanisms.

A landmark case highlighting judicial oversight is *Common Cause v. Union of India* (2014), in which the Supreme Court directed the government to ensure the timely appointment of the Lokpal and emphasized the necessity of adherence to procedural safeguards in selecting members. The Court underscored that the failure to operationalize the institution constitutes a violation of citizens' right to transparency and accountability in governance. Similarly, in *Rakesh Singh v. State of Madhya Pradesh* (2015), the High Court of Madhya Pradesh reaffirmed the importance of state-level Lokayuktas and the obligation of state governments to provide sufficient resources, administrative independence, and procedural clarity to ensure effective functioning.

Through these judicial interventions, the courts have established a framework that ensures the Lokpal and Lokayuktas are not merely symbolic institutions but operationally effective bodies capable of addressing systemic corruption. The judiciary has underscored that the credibility of anti-corruption mechanisms is contingent upon the independence, prompt constitution, and empowered functioning of these institutions. In doing so, the judiciary has reinforced the principle that the fight against corruption is not solely an administrative exercise but a constitutional imperative requiring continuous judicial oversight.

Judiciary's Perspective on the Implementation of the Lokpal and Lokayukta Act, 2013

The judiciary in India has consistently emphasized the critical role of the Lokpal and Lokayukta institutions in ensuring transparency, accountability, and integrity in governance. Judicial pronouncements have reinforced the view that the effectiveness of the Lokpal and Lokayukta Act, 2013, depends not only on its statutory provisions but also on the timely constitution, independence, and operational autonomy of these institutions.¹ Courts have repeatedly stressed that any delay or interference in the functioning of these bodies undermines the spirit of the legislation and erodes public confidence in the government's commitment to combat corruption.²

In *Common Cause v. Union of India* (2014), the Supreme Court highlighted the urgent need for the appointment of the Lokpal at the national level.³ The Court underscored that the failure to constitute the institution within a reasonable timeframe violated the objectives of the Act and curtailed citizens' right to an accountable administration. The judgment further emphasized adherence to statutory procedures for the selection and appointment of members to ensure impartiality and credibility. Similarly, in *Rakesh Singh v. State of Madhya Pradesh* (2015), the High Court of Madhya Pradesh affirmed the responsibility of state governments to operationalize the Lokayukta effectively, highlighting the importance of providing sufficient resources, administrative autonomy, and procedural clarity.⁴

Furthermore, judicial observations have clarified the powers of the Lokpal and Lokayuktas, emphasizing that they must be empowered to investigate allegations against ministers, legislators, and senior bureaucrats without hindrance.⁷ The courts have highlighted that the credibility of anti-corruption frameworks is directly tied to operational independence, timely action, and effective enforcement of recommendations. This perspective positions the judiciary not only as an interpreter of the law but also as a guarantor of the constitutional objective of combating corruption in a democratic framework.

In conclusion, the judiciary's perspective underscores that the Lokpal and Lokayukta are not symbolic institutions but essential pillars of accountability. Judicial pronouncements reinforce that their proper implementation, autonomy, and empowerment are vital to strengthening ethical governance and restoring public trust in India's administrative system.⁸

Footnotes (Bluebook 21st Edition)

1. Sharma, *India's Anti-Corruption Efforts: Historical Perspectives* 58 (2010).
2. Mehta, *Lokayukta Institutions Across India: An Analysis* 128 (2007).
3. *Common Cause v. Union of India*, (2014) 8 SCC 649.
4. *Rakesh Singh v. State of Madhya Pradesh*, (2015) MPHC 112.
5. *Vineet Narain v. Union of India*, (1997) 1 SCC 301.

6. Rao, *Central Vigilance Commission: Role and Limitations* 85 (2002).
7. Singh, *Amendments and Impact of the Prevention of Corruption Act* 108 (1995).
8. Sharma, *India's Anti-Corruption Efforts: Historical Perspectives* 65 (2010).

The Significance of a Competent Lokayukta in Suppressing Corruption and Guaranteeing Accountability

The Lokayukta serves as a cornerstone of India's anti-corruption architecture, entrusted with the mandate to investigate maladministration and corruption among public officials.¹ A competent Lokayukta is critical not only for deterring corrupt practices but also for reinforcing broader principles of accountability, transparency, and ethical governance. By functioning as an independent ombudsman, the Lokayukta ensures that allegations of corruption are addressed systematically, thereby maintaining public trust in democratic institutions and administrative processes.²

One of the most significant roles of a competent Lokayukta is deterrence. When the institution demonstrates the capacity to conduct thorough and impartial investigations, it sends a strong signal to public officials that corrupt practices will not be tolerated.³ High-profile investigations in states such as Karnataka and Kerala have shown that active intervention by the Lokayukta can lead to resignations, disciplinary action, and legal proceedings against powerful individuals, reinforcing the consequences of malpractice. This deterrent effect is amplified when the institution operates with autonomy, sufficient resources, and professional expertise, enabling it to pursue complex cases effectively.⁴

Beyond deterrence, the Lokayukta is essential in ensuring accountability within government machinery. By monitoring the conduct of ministers, legislators, and senior bureaucrats, the institution holds officials answerable for their actions and decisions.⁵ The ability to investigate complaints, access records, summon witnesses, and recommend corrective or punitive action strengthens administrative discipline and promotes ethical governance. In the absence of such oversight, public officials may exploit gaps in accountability, resulting in mismanagement, corruption, and erosion of citizen trust.⁶

Moreover, a competent Lokayukta contributes to institutionalizing transparency by creating a structured process for grievance redressal. By providing citizens with a reliable platform to lodge complaints, track investigations, and seek remedial action, the institution enhances civic engagement and reinforces the rule of law.⁷ Its recommendations, when implemented, can also drive systemic reforms, curbing corruption in policy implementation and service delivery.⁸

In conclusion, the significance of a competent Lokayukta extends beyond individual cases of corruption. By combining independence, authority, and expertise, the Lokayukta not only suppresses corrupt practices but also strengthens accountability, transparency, and ethical standards in

governance. Its presence is vital for fostering public confidence and ensuring that democratic institutions function with integrity and responsiveness.⁹

REFERENCES

1. Government of India. *Lokpal and Lokayuktas Act, 2013*. Government of India, 2013.
2. Government of Maharashtra. *Maharashtra Lokayukta and Upa-Lokayuktas Act*. Government of Maharashtra, 1971.
3. Hegde, Santosh. *Report on Illegal Mining in Karnataka*. Karnataka Lokayukta, 2011.
4. Mehta, Pratap. *Accountability Institutions in Indian States*. Oxford University Press, 2007.
5. Rao, Venkatesh. *Administrative Ethics and Anti-Corruption Frameworks*. Sage Publications, 2014.
6. Sharma, R. K. *Corruption and Accountability in State Governance*. HarperCollins, 2012.
7. Singh, Manoj. *Anti-Corruption Institutions in India: Performance and Challenges*. Routledge, 2016.
8. Supreme Court of India. *Vineet Narain v. Union of India*, 1997.
9. *Common Cause v. Union of India*, Supreme Court of India, 2014.
10. *Rakesh Singh v. State of Madhya Pradesh*, High Court of Madhya Pradesh, 2015.
11. Dr.J.N.pandey, Constitutional law of India,55th Edition
12. law commission of india .reports 2022.pdf
13. https://www.lawctopus.com/academike/arbitration-adr-in-india/#_edn29
14. Maseeh Rahman, Anna Hazare ends Hunger Strike After Indian Government Backs Down, The Guardian, August 28th, 2011
15. Plea against notification of Lokpal Bill panel premature: Supreme Court, The Hindu, April 29 th, 2011 ➤ In re, the Special Courts Bill, 1978, (1979) 1 SCC 380.
16. State (Delhi Administration) v. V.C. Shukla, (1980) 2 SCC 665.
17. Mithilesh Kumar Singh vs. The State of Bihar and Ors., MANU/BH/0399/2022
18. Justice. Chandrashekariah (Retd.) v. Janekere C. Krishna, (2013) 3 SCC 117, para 19.
19. A.P. Lokayukta/Upa-Lokayukta v. T. Rama Subba Reddy, (1997) 9 SCC 42, para 17
20. Justice. Chandrashekariah (Retd.) v. Janekere C. Krishna, (2013) 3 SCC 117.
21. Vijay Raj Mohan vs. State Represented by the Inspector of Police, CBI, ACB, Chennai, and Tamil

LOKAYUKTA AS A CONSTITUTIONAL GUARDIAN AGAINST CORRUPTION: PROSPECTS AND CHALLENGES.

**Subtheme: REFORMS AND POLICY MEASURES FOR AN EFFECTIVE LOKAYUKTA
SYSTEM TEAM** **CODE (VP-23)**

Abstract

The establishment of an apex anti-corruption ombudsman in India, through the Lokpal and Lokayuktas Act, 2013, was intended to enhance public integrity. However, the same has proved to be an uphill task as far as functioning effectively goes. This paper critically evaluates the structural and legal gaps in the national Lokpal framework and highlights issues on poor implementation, constant requirement of resources, and political influence in the appointments. Drawing essential lessons for governance, it makes a comparison between successful state-level institutions such as Karnataka Lokayukta and well-regarded international agencies such as the Hong Kong ICAC and Australian federal integrity bodies. The proposed policy roadmap calls for a major overhaul of legislation and institutions, built on three essential pillars: complete functional independence, improved investigative and prosecutorial abilities, and a clear focus on preventing systemic corruption. Key proposed reforms include securing the Lokpal's budget in the constitution to guarantee financial independence, establishing suo motu powers along with a specialized investigative team, and clarifying conflicts of jurisdiction, especially concerning the higher judiciary. This paper contends that only through these clear, principle-based reforms, which stress institutional independence and a unified anti-corruption approach, can the Lokpal evolve from a weakened statutory body into a credible and effective force for democratic accountability.

Keywords: Lokpal, Lokayuktas Act 2013, Anti-corruption institutions, public integrity, Governance reforms, Institutional independence, Investigative powers, Prosecutorial autonomy, Political interference, Structural gaps, Implementation challenges, Karnataka Lokayukta, Hong Kong ICAC, International best practices, Policy roadmap, Systemic corruption, Accountability mechanisms, Financial independence of institutions, Suo motu powers, Anti-corruption framework in India.

Introduction

Corruption has been a serious challenge to India's democratic and administrative machinery for a very long time. To the ordinary citizen, it often does not appear to be an abstract governance problem but as something which they live through in terms of everyday delays, misuse of public power, and erosion of trust in government institutions. In response to these persistent concerns, India introduced

institutional mechanisms such as the Lokpal at the national level and Lokayuktas in the states, envisaging them as independent bodies capable of checking abuse of power. Among these, the position of Lokayukta is particularly critical because it is closest to the people and to the day-to-day administration of state governments.

However, even as the creation of the Lokayukta institution is premised on ideals of integrity and accountability, its evolution has been anything but uniform in different parts of the country. Every state has adopted its own legislation, leading to a wide spectrum of powers, procedures, and degrees of autonomy. In some states, the Lokayukta has emerged as powerful and respectable authority, while in others it continues to be merely a symbolic entity, owing to weak laws, limited resources, and substantial political influence on appointments and investigations. These are significant issues that raise a basic question: how much effective an anti-corruption institution can be when its structure and authority run so differently from state to state?

Literature review

This paper attempts to answer that question by carefully examining the institutional, legal, and functional challenges shaping the performance of Lokayuktas in India. Doctrinal analysis is combined with the study of judicial interventions, policy debates, and international ombudsman models to understand how and why some Lokayuktas perform well while others do not. By looking deep into issues such as fragmented legislation, political interference, lack of financial independence, and limited investigative capacity, for instance, the study brings to the fore systemic gaps that weaken accountability at the state levels.

At the same time, the research moves beyond critique. It outlines actionable reforms—such as a Model Lokayukta Bill, independent appointment mechanisms, dedicated investigative wings, binding enforcement powers, and technology-enabled transparency. These recommendations are premised not only on legal theory but also on the practical need to rebuild confidence in governance.

Ultimately, strengthening the Lokayukta is not merely about institutional design; it represents a commitment to democratic values. Where citizens see that practices of corruption are investigated with impartiality and public officials are held accountable for their actions, trust in the state deepens. A robust and empowered Lokayukta would serve as a bridge between ideals of clean governance and the experiences lived by people, making it highly indispensable in the fight against corruption in India.

“The Limitations of India’s Anti-Corruption Framework: The Challenges of Lokpal and Lokayuktas”

Corruption in India is not just a problem of governance; it is a structural one—affecting the validity of institutions, the way welfare is dispensed, and the day-to-day experiences of citizens. Whether manifested in the form of bureaucratic delay, misallocation of public funds, or abuse of discretionary power by a public functionary, corruption weakens democratic values and undermines public trust. It was against this backdrop that LALA, 2013 was passed, promising a new beginning in the form of independent anti-corruption oversight. The Act foresaw a two-tier arrangement: the Lokpal at the Centre and Lokayuktas at the level of the states. Such bodies were envisioned to play the role of impartial ombudsmen, with powers to investigate and prosecute corruption at the highest level. However, more than a decade after its enactment, ground realities have belied these hopes. The Lokpal, which was meant to be India’s premier anti-corruption body, remains structurally weak and operationally limited. There are many contributory factors for such a state of affairs:

- A slow and politicized appointment process,
- An absence of financial independence
- A narrow interpretation of jurisdiction, and
- Dependence on investigating agencies, which compromises autonomy.

These weaknesses have led many scholars and governance experts to argue that the Lokpal has not yet evolved beyond a compromised statutory body, one constrained both by design flaws and political hesitations.

At the state level, parallel issues manifest with Lokayuktas. Where some states, like Karnataka, have shown the transformational potential of a strong Lokayukta, others are plagued by weak powers, a largely weak investigating staff, and inconsistent laws that are also vulnerable to political interference. Because each has its own legislation, the structure and authority of the Lokayuktas vary hugely. In some states, the Lokayukta serves as a robust investigating institution, while in others, it is little more than a formal necessity with limited actual powers. This inconsistency produces what researchers term the fragmented accountability landscape, ensuring that India cannot draw on a single, consistent, and trustworthy anti-corruption mechanism across the country.

“Reforming India’s Anti-Corruption Institutions: Proposals for Strengthening Lokpal and Lokayuktas”

With these systemic challenges, there is an increasing consensus on the need for a paradigm shift in the current anti-corruption framework. Rather than being treated as an isolated state-level creation with disparate laws, the system needs coordinated national standards—perhaps through a Model

Lokayukta Act or even constitutional recognition. The aim must be to ensure consistent powers, transparent appointments, financial independence, and strong investigative capacity across all states.

1. Institutional Independence: An anti-corruption body cannot operate effectively if those being investigated also control its funding, appointments, or administrative support. Scholars, therefore recommend that:

- giving the Lokpal and Lokayuktas financial autonomy, perhaps through a constitutionally protected budget;
- ensuring appointment committees are independent and transparent, without partisan interference;
- It gives them suo motu powers to take cognisance and order investigations without waiting for formal complaints.

2. Investigative and Prosecutorial Strength: Anti-corruption bodies cannot be effective without their own investigating staff. Their dependence upon executive-controlled agencies like the CBI or state police circumscribes their autonomy and space for independent functioning. Your abstract recommends:

- Creation of specialized investigation cadres under Lokpal and Lokayuktas
- granting full prosecutorial authority,
- Modernizing investigations using digital forensics, AI-based tracking, and e-governance systems.

These steps would bring India closer to internationally respected models such as the Hong Kong ICAC, which radically transformed Hong Kong's governance by combining autonomy, enforcement strength, and preventive strategies.

3. Addressing ambiguities in jurisdiction: One immediate concern is the ambiguity over what all comes within the Lokpal's purview—especially:

- pm., for short.
- Members of Parliament,
- LCMs,
- senior civil servants, and
- the higher judiciary.

Similarly, the Lokayukta jurisdiction over various categories of state-level officials has been asymmetrical between states; specific, consistent legal provisions lead to credibility.

4. Corruption Prevention and Systemic Reforms: An effective anti-corruption institution cannot depend entirely on investigation and punishment. It also needs to identify systemic defects that allow

corruption to take place. Institutions such as Hong Kong's ICAC or Australian integrity commissions demonstrate that the prevention of corruption is as important as enforcement. This includes:

- Conducting risk assessments
- recommending procedural reforms in government departments,
- Improving transparency measures,
- Educating the public to instill a culture of integrity.

5. Protection for Whistleblowers and Witnesses: Any meaningful anti-corruption system must protect the persons who come forward to expose wrongdoing. Whistleblower protection systems in India remain weak. Your abstract highlights the need for a:

- There is a need to put in place an effective witness protection mechanism that is robust.
- Confidentiality safeguards, as well as
- Secure reporting platforms,

So, that the public may be involved without fear of retaliation.

Significance of Lokayukta

By integrating all these reforms, your research envisions turning the Lokpal and Lokayukta system into a trustworthy, modern, and effective institution that is capable of responding to India's challenging corruption problems. Not just symbolic bodies crippled by political influence and legal vagueness, these can become pillars of democratic accountability-if independence, clarity, and resources are assured to them.

What this explanation emphasizes is that anti-corruption institutions succeed not simply because laws exist but because the laws give them power, the political culture respects their role, and the institutional design protects them from interference.

This humanized overview helps readers understand not only the legal and structural issues but also the larger governance context in which these reforms must operate.

The paper attempts to assess the effectiveness of the Lokpal and Lokayuktas Act, 2013, especially the state-level institutions Lokayukta/Lokpal, in checking corruption in India. The authors adopt the following mixed-method approach: reviewing the literature, analyzing the provisions of the Act, and critically assessing its implementation.

Key features

Historical evolution of anti-corruption ombudsman institutions, tracing from early state-level Lokayuktas to the national legislation in 2013.

Legal powers and jurisdiction: The paper lists what Lokayukta/Lokpal are legally empowered to do-summons, scrutiny of documents, search and seizure, recommending disciplinary action or prosecution, even acting against high-level public officials like ministers, public servants.

Success stories consisted of examples of prominent cases that have come up, such as a major mining scandal in one state (commonly understood to be the scandal in the state of Karnataka Lokayukta) and a bribery case in another state, to show where Lokayukta was able to step in and bring such corruption to light.

- The paper documents problems and limitations, such as serious issues including understaffing, a lack of adequate resources, long delays in investigations, and a huge backlog of cases.
- **Variation across states:** The report points out that all state Lokayuktas are not equal — some are robust, others weak; this happens due to different kind of statutes, resources, political will etc.
- **Perceived issues in public confidence:** the authors refer to public skepticism because of delays, perceived political interference, and the opacity of the process, which eroded faith in that institution.

Policy Recommendations:

The paper recommends standardization of legislations across states, greater financial and administrative autonomy to Lokayuktas, better staffing and training of staff, improved transparency, and involvement of civil society and the media for monitoring purposes.

Although the paper covers a wide ground, there remain significant gaps — which, if filled, could deepen our understanding of why anti-corruption ombudsmen in India succeed in some places but fail in many others. The following are the major gaps, with explanations:

1. Lack of empirical data or statistical performance metrics

The paper speaks of "numerous cases," "backlog," "delays," "understaffing," but does not provide the data: e.g., number of complaints filed, number resolved, average time to dispose, conviction or disciplinary rates, pendency trends, variation across states.

- Without empirical metrics, it is hard to assess effectiveness as one cannot tell if a given Lokayukta is "working well" or not.

2. No systematic comparative analysis across states

- Although variation across states is acknowledged, the paper does not systematically compare different states on key parameters like powers, budget allocations, staffing levels, case outcomes, political interference, etc.
- There is only rhetorical contrast, such as "some are strong, some weak", without any data-driven comparison across states.

3. No deep dive into structural & institutional design flaws.

- The paper describes the powers and jurisdiction in normative terms but does not critically look at whether those powers are sufficient. For instance: do Lokayuktas have independent investigative wings, or do they rely on regular police? Are their recommendations binding or merely advisory? These structural features go a long way in influencing effectiveness.

- Also missing is the discussion of administrative autonomy: budget control, staff recruitment, insulation from political influence.

4. Reliance mostly on case studies and anecdotal evidence

- The success cases cited, such as the mining scandal and the case of bribery, are used to illustrate potential. These isolated examples do not establish systematic effectiveness or consistency, though. Which complaints lead to serious action versus how many get dismissed or stalled is unknown.
- There is a possibility of selection bias in that focusing on well-known successes paints a rosier picture than the aggregate ground reality.

5. No examination of the national-level institution, Lokpal's functioning.

- Despite the title of this paper referring to both Lokpal and Lokayukta, all discussion is practically confined to state-level Lokayuktas. There is no meaningful analysis of how the national-level institution is faring — its staffing, case load, effectiveness, challenges.

6. Weak treatment of political interference and appointment process

- The paper refers to “public perception” and “allegations of bias,” but does not look into how the appointments are made, whether the selection process is transparent, or how political dynamics shape up who becomes Lokayukta.
- It does not discuss whether political capture or patronage networks influence which cases are pursued or stalled.

7. No attention paid to whistleblower protection, witness safety, and complaint-filing barriers

- An anti-corruption system able to function needs whistleblowers and ordinary citizens who report wrongdoing. The paper does not examine whether whistleblowers feel safe, whether there are protocols that protect them, or whether bureaucratic and social barriers discourage the use of Lokayukta.
- It does not touch upon public awareness, access, and ease of filing complaints either.

8. The paper lacks analysis on interplay with other anti-corruption/investigative agencies

- In India, corruption cases may also involve police, central investigative agencies, courts, vigilance departments — but the paper does not deal with how Lokayukta interacts or overlaps with these bodies, or how jurisdictional conflicts are resolved.

For instance, is the Lokayukta's recommendation binding? What if police or any other agencies resist action? These pragmatic challenges have not been addressed.

9. No discussion of any modern technology/tools for investigations and transparency

- In this day and age of electronic records, financial forensics and e-governance, effective anti-corruption investigations would make use of technology. The paper does not go into whether Lokayukta uses or can use such tools or whether there are systemic barriers like lack of digital infrastructure, training, data access.
- No transparency measures mentioned, such as public dashboards and status tracking of complaints, which would help build public trust.

10. No long-term strategic / institutional reform roadmap

- Although the authors themselves suggest some reforms-uniform legislation, more resources, public awareness-these remain very general. There is no detailed, phased, actionable roadmap: for instance, how to uniform laws across states, how to ensure budgetary autonomy, how to institutionalize safeguards against political interference, and how to monitor performance over time.

11. No engagement with international or comparative global models

- The paper does not compare Indian institutions to global best practices, such as independent anti-corruption agencies in other democracies, from where some useful lessons could be drawn. A comparative/international perspective is largely missing.

12. No qualitative empirical research with stakeholders

The study is restricted to a review of the literature and Act-analysis alone. It does not contain interviews with former Lokayukta judges/officials, whistleblowers, complainants, civil society actors, and journalists, whose insights into the ground realities could show human-level problems: fear, bureaucratic intimidation, pressure from politicians, social stigma, etc.

13. No assessment of public perception, citizen trust, or awareness

- While the paper mentions public confidence, it does not provide any data - surveys, focus groups, or even anecdotal evidence - on whether citizens trust Lokayukta, whether they know how to approach it, how they perceive fairness or delay.

Conclusion

These are not simply academic gaps in understanding; rather, they explain why anti-corruption laws notwithstanding, corruption continues to be deep-seated, few citizens report incidents, many complaints are buried, and powerful people hardly ever face action.

- Without empirical data, we cannot correctly judge the effectiveness of Lokayukta; success stories may be exceptions, not the rule.
- Without structural autonomy, that is, budget, appointment, staff, even legally powerful bodies can be toothless in practice.

• **In the absence of protection for whistleblowers and transparency, the institution cannot earn public trust, an important element in preventive governance.**

• **Without consistent law and enforcement across the states, anti-corruption efforts remain fragmentary and patchy, creating these "safe states" for corruption.**

• **Recommendations are never idealistic but real without a reform roadmap and institutional design thinking.**

A more in-depth and worthwhile research on Lokayukta / Lokpal should ideally incorporate:

• **Robust empirical data:** number of cases filed, pendency, disposal, prosecutions, conviction or disciplinary actions, over time and across states.

• **State-wise comparative analysis:** powers, budgets, staffing, case outcomes, delays, success stories, failures — to identify which structural/institutional features correlate with effectiveness.

Qualitative research: interviews with complainants, whistleblowers, Lokayukta officials, civil-society actors, and media-to understand barriers, fears, perceptions, institutional culture.

• **Institutional design critique:** Examine the way appointment processes are structured, funding, independence, investigative machinery, accountability mechanisms, and how political economy shapes these aspects.

• **Interaction analysis:** how Lokayukta interacts with police, central agencies, vigilance departments, courts - to detect jurisdictional conflicts, enforcement blockages, institutional turf wars.

• **Technology & Transparency Dimension:** This assesses the use and potential use of digital tools; e-governance, public dashboards, evidence management systems, anonymous reporting, protection protocols for whistleblowers.

• **Comparative/international benchmarking:** Study successful global ombudsman or anti-corruption agencies to derive best practices and propose a context-adapted "Model Lokayukta."

• **Policy-oriented reform roadmap:** phased proposals, for example, constitutional budget guarantee first, independent cadre next, unified Act or national framework next, followed by periodic performance audits

• **Citizen-centric analysis:** level of awareness, accessibility, social stigma, protection needs and, feedback mechanisms-to understand why many do not report corruption. This IJARSCT paper performs the valuable service of mapping the terrain-the powers, hopes, legal provisions, some successes, and visible constraints of India's anti-corruption ombudsman institutions. That makes it a helpful starting point. But the fight against corruption is deeply rooted in institutional design, politics, implementation, public trust, social behaviour and systemic inertia. Descriptive overviews and occasional success stories — however inspiring — cannot capture that complexity. It is through hard data, critical institutional analysis, design thinking, integration of technology, and citizen-centric

governance that an effective, credible institution like Lokayukta can be developed. Only then will reforms move from hopeful recommendations to actionable models capable of delivering real accountability and justice.

References:

1. Lokpal and Lokayuktas Act, 2013

Government of India. (2013). *The Lokpal and Lokayuktas Act, 2013*. Government of India Press.

2. Karnataka Lokayukta Reports

Karnataka Lokayukta. (n.d.). *Annual reports on corruption investigations*. Karnataka Lokayukta Office.

3. Hong Kong Independent Commission Against Corruption (ICAC)

Independent Commission Against Corruption. (n.d.). *ICAC annual report*. Hong Kong ICAC.

4. Australian Commission for Law Enforcement Integrity / Federal Integrity Institutions

Australian Commission for Law Enforcement Integrity. (n.d.). *Integrity and anti-corruption framework reports*. Australian Government.

5. Judicial Commentary on Lokayukta and Lokpal

Supreme Court of India. (Various years). *Judgments on corruption, vigilance, and ombudsman powers*. Supreme Court Reports.

6. Scholarly Articles on Anti-Corruption Institutions (Placeholder)

Sharma, R., & Nair, P. (2020). Structural gaps in India's anti-corruption framework: A study of Lokpal and Lokayuktas. *Journal of Public Administration Studies*, 12(3), 45–62.

7. Comparative International Models of Ombudsman Institutions (Placeholder)

Lee, M. K. (2018). Global models of anti-corruption agencies: Lessons from Hong Kong and Australia. *International Review of Administrative Governance*, 9(2), 110–134.

8. Whistleblower Protection Studies in India (Placeholder)

Menon, A. (2019). Challenges to whistleblower protection in India: A legal and institutional analysis. *Indian Journal of Governance and Accountability*, 7(1), 22–38.

9. Public Trust and Perception Studies (Placeholder)

Gupta, S. (2021). Citizen trust in anti-corruption institutions: A state-level comparative assessment. *Journal of Democratic Governance*, 5(1), 56–78.

Pillai, A., & Reddy, K. (2023). Effectiveness of Lokpal and Lokayuktas Act in India. *International Journal of Advanced Research in Science, Communication and Technology*, 15(4), 120–135.

CONSTITUTIONAL AND LEGAL FRAMEWORK OF LOKAYUKTA IN INDIA

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ABSTRACT

Any society to achieve progression and social order must be free from corruption. It is a right of an individual to live life a dignified one. Corrupt practices violate various fundamental rights guaranteed under part III of the Constitution. Constitution of India backs corrupt free society and paves way for establishment of various bodies for prevention of corruption and to punish the wrongdoer who is involved. The High Court and Supreme Court by virtue of Article 226 and 32 of the constitution provides for enforcement of fundamental rights which can be used to address corruption. There are various institutions established, which provides both for prevention and punishment for corrupt practices. In India Prevention of Corruption Act, 1988 which is primary legislation that deals with corruption by public servants. Prevention of Corruption Act, 1988 provides for punishment both for taking bribe and amazing wealth more than known source of income. BNS Act, 2023 also provides for various corruption related offences. The Benami Transactions (prohibition) Act 1988 and Prevention of Money Laundering Act, 2002 are stringent legislations which makes corruption a serious offence. Apart from central legislations various state governments have also enacted laws for constitution of anti-corruption bodies. Thus, constitution of India and various legislations provide for both prevention of corruption and if committed punishment of the same. The researcher in this paper has made an attempt to discuss constitutional and legal provisions providing prevention and eradication of corruption India particularly the Lokayukta established under various state legislations.

I.INTRODUCTION

Corruption has long been one of the most persistent structural challenges confronting Indian governance. It not only undermines the integrity of public institutions but also hampers socio-economic development and erodes public trust in government machinery. The Constitution of India envisions a governance framework grounded in transparency, accountability, and rule of law.

To combat this, the Indian state has developed a complex legal and institutional framework aimed at preventing, investigating, and prosecuting corruption. Among these institutional mechanisms, the Lokayukta, functioning at the state level, has emerged as a key anti-corruption ombudsman. While the Lokpal operates at the national level under the Lokpal and Lokayuktas Act,

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2013, the Lokayukta is constituted under various state legislations and derives legitimacy from constitutional principles such as the rule of law, equality before law, and judicial review under Articles 14, 19, and 21. This research paper examines the constitutional and legal framework governing Lokayuktas in India, their evolution, jurisdiction, functions, challenges, and prospects as constitutional guardians against corruption.

II. HISTORICAL EVOLUTION OF THE OMBUDSMAN SYSTEM IN INDIA

i. Concept of Ombudsman

ii. The idea of an ombudsman originated in Sweden in 1809, designed as an independent authority to investigate complaints against public officials. The concept was later adopted by several democracies such as New Zealand, the United Kingdom, and Australia.

iii. Introduction to India

The demand for an ombudsman-like institution in India can be traced to administrative reforms committees: First Administrative Reforms Commission (1966) recommended the establishment of Lokpal at the Union level and Lokayuktas at state levels. Several states adopted Lokayuktas even before Parliament adopted the 2013 legislation.

iv. Enactment of Lokpal and Lokayuktas Act, 2013

Triggered by large-scale corruption scandals and public protests (notably the 2011 anti-corruption movement), Parliament enacted the Lokpal and Lokayuktas Act, 2013 which mandated states to establish Lokayuktas.

III. CONSTITUTIONAL BASIS FOR ANTI-CORRUPTION INSTITUTIONS

Although Lokayuktas are not explicitly mentioned in the Constitution, their functioning and necessity are grounded in following constitutional provisions:

Article 14 – Equality before Law –

Corruption violates equality as decisions are influenced by bribery rather than fairness.

Article 21 – Right to Life and Dignity

Citizens have the right to good governance, free from arbitrary and corrupt practices

Article 226 – Power of High Courts

High Courts can enforce fundamental rights against corrupt actions of public officials, similar to the role of Lokayuktas. **Article 32 – Power of Supreme Court**

Provides constitutional remedy against violation of rights caused by maladministration.

Directive Principles of State Policy (DPSPs)

Articles 38, 39, 41, and 47 mandate the state to maintain social justice and reduce corruption.

Together, these provisions strengthen the legitimacy of Lokayuktas as guardians of the constitutional promise against corruption.

IV. LEGAL FRAMEWORK GOVERNING LOKAYUKTAS

1. Lokpal and Lokayuktas Act, 2013-The Act mandates each state to establish a Lokayukta. While the Act provides an overarching framework, each state retains autonomy to design its Lokayukta structure.

Key provisions:

Establishment of Lokpal and Lokayuktas Inquiry into allegations of corruption against public servants
Prosecution powers, Attachment of property acquired through corrupt means
Obligation of public officials to declare assets annually. However, the Act does not standardize state-level Lokayuktas, leading to variations across states.

2. State Legislation on Lokayukta

Each state has enacted its own law, for example: Karnataka Lokayukta Act, 1984 – considered one of the strongest, The first to establish institution is Maharashtra Lokayukta and Upalokayukta Act, 1971, Kerala Lokayukta Act, 1999, Rajasthan Lokayukta and Up-Lokayukta Act, 1973.

Common features across state laws:

1. Structure:

Each state enacts its own laws they are Lokayukta (usually a former judge of Supreme Court or High Court) and Up-Lokayukta.

2. Jurisdiction:

Ministers, MLAs, All government employees, Local authorities

3. Investigative Powers:

Summon witnesses, Inspect documents, Conduct raids (depending on state law),
Recommend actions

4. Nature of Recommendations:

Usually recommendatory, Some states have binding effect

V. NATURE, POWERS, AND FUNCTIONS OF LOKAYUKTA

1. Investigative Powers

Lokayuktas can investigate allegations such as: Abuse of position, Corruption, Illegal acquisition of wealth, Maladministration, They can initiate inquiries either suo motu or on complaints from citizens.

2. Prosecution Powers

In states like Karnataka, Lokayukta Police possess independent prosecution authority under the Prevention of Corruption Act, 1988.

3. Recommendatory Functions

Lokayukta reports to the Governor/Chief Minister with recommended disciplinary or criminal action.

4. Preventive Functions

Systemic reforms, Advising state governments on improving transparency

VI. JUDICIAL DECISIONS

*C. R. Rangaswamy v. State of Karnataka*²⁴⁵

The judgment clarified the Lokayukta's powers and jurisdiction, ensuring effective anti-corruption investigations in Karnataka

*Ch. Prabhakar Rao v. State of A.P.*²⁴⁶

This case deals with the powers and jurisdiction of the Lokayukta in investigating corruption cases against public servants.

Karnataka Lokayukta v. State of Karnataka (Mining Scam Cases)

Limitations of the Lokayukta's powers and importance of the disciplinary authority's discretion in imposing penalties.

VII. OTHER ANTI-CORRUPTION LAWS SUPPORTING LOKAYUKTA

1. Prevention of Corruption Act, 1988 (Amended in 2018)

Main anti-corruption law enabling investigation and prosecution of public servants.

2. Bharatiya Nyaya Sanhita, 2023 (BNS)

Contains new provisions defining offences related to bribery, illegal gratification, and abuse of public office.

3. Benami Transactions (Prohibition) Act, 1988

Allows confiscation of property acquired through benami transactions.

4. Prevention of Money Laundering Act, 2002 (PMLA) Targets laundering of proceeds of corruption.

²⁴⁵ CASE NO. CRL.P 10066/2017.

²⁴⁶ AIR 1986 SUPREME COURT 210.

VIII. CHALLENGES IN THE WORKING OF LOKAYUKTA

1. Non-binding nature of recommendations

In many states, Lokayukta orders are not mandatory, reducing effectiveness.

2. Political interference

Delays in appointment or removal weaken independence.

3. Lack of uniformity across states

Different laws create inconsistent standards.

4. Resource constraints

Insufficient staffing, lack of investigative agencies in some states.

5. Overlapping jurisdiction

Lokpal, CBI, ACB, Vigilance departments create confusion.

IX. SUGGESTIONS FOR REFORMS

1. Make Lokayukta recommendations binding

2. Ensure uniform standards, as suggested by Administrative Reforms Commissions

3. Guaranteed tenure and transparent appointment process

4. Strengthen Lokayukta police wings

5. Digital complaint systems to increase accessibility

6. Public awareness campaigns

X. CONCLUSION

Lokayuktas play a vital role in ensuring integrity, transparency, and accountability in public administration. While not a constitutional body, their functions derive legitimacy from fundamental constitutional principles. Despite challenges of limited powers, political interference, and lack of uniformity,

Lokayuktas continue to serve as crucial state-level ombudsmen. To transform India's governance landscape and uphold constitutional morality, strengthening Lokayuktas is not only desirable but essential. A stronger Lokayukta framework promises more transparent governance, reduced corruption, and restored public faith in the democratic process.

BIBLIOGRAPHY

1. Constitution of India, Articles 14, 19, 21.
2. Lokpal and Lokayuktas Act, 2013.
3. Prevention of Corruption Act, 1988.
4. BNS Act, 2023.
5. Benami Transactions (Prohibition) Act, 1988.
6. PMLA Act, 2002.
7. C. R. Rangaswamy v. State of Karnataka, AIR 1998 Kant.
8. Karnataka Lokayukta Reports (Mining Scam).

A DEMOCRATIC NECESSITY: RETHINKING THE LOKAYUKTA SYSTEM FOR A CORRUPTION-FREE INDIA

Mohamed Ali.S²⁴⁷

Abstract:

Despite the establishment of multiple anti-corruption institutions, corruption in India remains deeply entrenched. This persistence highlights that the problem is not merely institutional design, but also the fear and vulnerability citizens experience. People are reluctant to report wrongdoing, fearing the very offices they depend on. This hesitation is compounded by weak enforcement, political influence, and the absence of strong whistleblower protection.

Good governance requires a robust Lokayukta system, yet most are rendered ineffective by severe structural limitations. Political interference in appointments often compromises independence from the start. Many Lokayuktas lack financial autonomy, forcing them to depend on the state government for their own budgets.

This weakness is codified in uneven legislation. Jurisdiction is often ambiguous, with many acts exempting the Chief Minister from investigation. Furthermore, most Lokayuktas are limited to purely advisory powers, allowing the government to ignore their recommendations. These flaws impede their role as guardians and diminish public trust.

This paper argues for comprehensive reform, emphasising uniform legal standards that include all public servants. Key solutions include independent investigation and prosecution wings, guaranteed financial autonomy, and binding authority in disciplinary matters. To empower citizens without risking their safety, digital systems for anonymous reporting and robust whistleblower protection are essential. Reforming the Lokayukta is a democratic necessity to ensure the promise of accountability becomes a lived reality.

Keywords: Lokpal, Lokayukta, Corruption, Administration reformation,

Introduction: Corruption, Governance and India's Rankings

Corruption is not just a moral failure; it is a structural drag on growth, public trust and democratic legitimacy. Globally, India is still seen as a country struggling with public-sector corruption. In the Corruption Perceptions Index (CPI) 2024, India ranks 96 out of 180 countries, with

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a score of 38/100, a decline from the previous year.²⁴⁸ This places India in the “problematic” band of countries where corruption is perceived as a serious obstacle to fair administration and investment.²⁴⁹

Similarly, the World Bank’s Worldwide Governance Indicators (WGI) show India performing only around the middle of the global distribution on indicators like Control of Corruption and Government Effectiveness, underscoring persistent governance deficits.²⁵⁰ Second Administrative Reforms Commission (2nd ARC) explicitly noted that reducing corruption and improving governance can significantly raise GDP growth by improving contract enforcement, reducing bureaucratic delays and increasing investor confidence.²⁵¹

In this context, institutions like Lokpal and Lokayuktas were conceived as independent ombudsman-type bodies to check corruption in high public offices. But, the real-world functioning of state Lokayuktas are often disappointing. This article critically examines the functioning nature of Lokayuktas, with a comparative focus on Karnataka, Maharashtra and Tamil Nadu, drawing on academic critiques and recent case material.

From Ombudsman to Lokayukta: A Brief History of Administrative Reform

The ombudsman concept originated in Sweden in 1809 as a parliamentary officer empowered to investigate maladministration in the executive.²⁵² Over time, variations of the ombudsman model spread to countries like New Zealand, the UK, and later to several Commonwealth states as part of wider administrative reforms aimed at making bureaucracies more accountable and citizen-centric. The idea of an ombudsman eventually caught on in places like New Zealand and the UK. Later, quite a few other Commonwealth countries also started using their own versions of this model. They usually did this as part of bigger changes meant to make sure the government bureaucracy was more accountable and focused on serving the public better.²⁵³

In India, the idea of a constitutional ombudsman was raised in Parliament in the early 1960s by Law Minister Ashok Kumar Sen, and the terms Lokpal (Centre) and Lokayukta (State) were coined by Dr.L.M.Singhvi.²⁵⁴ The First Administrative Reforms Commission (ARC-1) in 1966 formally

²⁴⁸Transparency International, *Corruption Perceptions Index 2024 – India* (CPI score 38; rank 96/180).

([Transparency.org](https://www.transparency.org))

²⁴⁹Testbook, “What is India’s rank in Transparency International’s Corruption Perceptions Index 2024?” (explainer on India’s CPI rank 96/180). ([Testbook](#))

²⁵⁰World Bank, *Worldwide Governance Indicators – “Control of Corruption”* and related governance indicators for India. ([World Bank](#))

²⁵¹Second Administrative Reforms Commission, *Ethics in Governance*, Govt. of India (emphasising that reduced corruption and better governance raise GDP growth). ([DARPG](#))

²⁵²Vajiram& Ravi, “Lokpal and Lokayukta – UPSC Notes” (origin of ombudsman in Sweden, 1809). ([Vajiram& Ravi](#))

²⁵³RTU Assam, “Lokpal” class notes (spread of ombudsman to other jurisdictions, later adopted in India).

([Rabindranath Tagore University](#))

²⁵⁴Drishti IAS, “Lokpal and Lokayukta – Ombudsman in India” (Ashok Kumar Sen; L.M. Singhvi; coining of terms).

([Drishti IAS](#))

recommended the creation of two independent authorities Lokpal at the Union level and Lokayuktas in the states on the Scandinavian model, to investigate complaints against public functionaries including ministers and MPs.²⁵⁵

The Second Administrative Reforms Commission (ARC-2), particularly in its report *Ethics in Governance*, reiterated the need for strong, independent anti-corruption bodies with adequate autonomy and resources, and even suggested constitutional backing for such institutions.²⁵⁶ After decades of delay and several lapsed bills, the Lokpal and Lokayuktas Act, 2013 was enacted, making it mandatory for each state to establish a Lokayukta within a period of one year.²⁵⁷

Lokayukta : Mandate and Promise

With reference to the Lokpal and Lokayuktas Act, 2013, Lokayukta is meant to function as an independent, quasi-judicial ombudsman at the state level, empowered to investigate allegations of corruption, abuse of office, and maladministration against Chief Minister and Ministers, MLAs, senior bureaucrats and other public servants, employees of state-funded bodies and PSUs; Supported by an investigation wing (often police-based) and a prosecution wing to take cases to court under the Prevention of Corruption Act, 1988 (POCA).

Lokayuktas have independent investigation wings, adequate staff and clear legal powers, they can be quite effective in exposing high-level corruption.²⁵⁸ However, in many states, Lokayuktas are “toothless watchdogs”, lacking staff, funds, investigative autonomy and binding powers.²⁵⁹ The contrast between Karnataka, Maharashtra and Tamil Nadu provides a good lens to see how the same concept can produce very different outcomes depending on design and political will.

Karnataka Lokayukta: From Model Institution to Mixed Record

In Karnataka, the Lokayukta has often been held up as a benchmark for state-level anti-corruption institutions. The Karnataka Lokayukta Act, 1984 endowed it with powerful investigatory and prosecutorial authority, including a dedicated Lokayukta Police functioning independently of the regular state police hierarchy.²⁶⁰ The institution achieved national acclaim when it exposed the massive Bellary iron-ore mining scam (2006–2010), implicating ministers, mining barons and high-ranking bureaucrats in a “mafia-like network” that caused losses to the State exchequer running into

²⁵⁵GKToday / Testbook, explainer on ARC-1 recommendations for Lokpal and Lokayukta (1966–70). ([Testbook](#))

²⁵⁶Drishti IAS, “Ethics in Governance – 2nd ARC Summary” (recommendations on Lokpal/Lokayukta, constitutional backing, autonomy). ([Drishti IAS](#))

²⁵⁷Lokpal of India, *Frequently Asked Questions* (timeline from ARC to Lokpal and Lokayuktas Act, 2013). ([lokpal.gov.in](#))

²⁵⁸“Lokpal and Lokayukta: A Critical Examination,” in *Combating Corruption in India*, Cambridge University Press (comparative critique of design and effectiveness). ([IJARSCT](#))

²⁵⁹Media India, “A low-key Lokpal remains a toothless anti-corruption watchdog” (comment on many Lokayuktas lacking prosecution/suo motu powers). ([Media India Group](#))

²⁶⁰IJNRD, “The Role of Lokayukta in Karnataka: A Guardian of Public Interest” (Karnataka Lokayukta Act, 1984; Lokayukta Police powers). ([IJNRD](#))

thousands of crores.²⁶¹ The mining racket was found to have manipulated royalty payments, exploited forest land, violated environmental norms, and systematically evaded regulatory oversight — a conspiracy spanning companies, regulators, contractors and politicians.²⁶²

Nevertheless, Karnataka's narrative is not solely commendable. A serious crisis emerged when the son of the then Lokayukta was accused of extortion allegedly demanding bribes to suppress corruption cases, creating fears about misuse of the Lokayukta machinery itself.²⁶³ Public outrage and media scrutiny forced the Lokayukta's resignation. Instead of strengthening oversight, the state created a separate Anti-Corruption Bureau (ACB) under the regular police, thus shifting investigative authority away from the independent Lokayukta Police. Many critics viewed this move as a deliberate dilution of institutional power warning that the Lokayukta had “lost its teeth.”²⁶⁴

Under the restructured system, the Lokayukta's suo motu powers shrank, and for serious corruption cases it became increasingly dependent on the ACB a body under executive control, prone to political interference. Conviction and asset-recovery rates declined compared to the period when Lokayukta Police had autonomy.²⁶⁵ The Karnataka experience underscores that even the strongest Lokayukta remains vulnerable to political retaliation and structural erosion when institutional safeguards are weak and the executive lacks commitment.

Maharashtra Lokayukta: The “Weakest” Ombudsman

In Maharashtra, observers routinely characterize the Lokayukta as among the weakest in the country.²⁶⁶ The statutory design prioritized grievance redressal pension disputes, service complaints and departmental grievances rather than robust corruption investigations.²⁶⁷ The absence of an independent investigative wing meant that all cases had to be referred to regular police or other agencies, who often lacked the will to act against powerful politicians or senior officers.

Recognizing this structural weakness, the state introduced a 2022–23 amendment bill aiming to broaden the Lokayukta's mandate, convert it into a five-member body and expand its complaint-handling scope to cover ministers and high-ranking officers.²⁶⁸ Nonetheless, critics argue that without

²⁶¹IJARST, “A Critical Study of Working and Functioning of Lokayukta” (Karnataka mining scam; CM resignation; broader critique). ([IJARST](#)), Deccan Herald, “Illegal mining: Karnataka Cabinet defers Lokayukta SIT extension” (ongoing SIT, criticism over incomplete action and recovery). ([Deccan Herald](#))

²⁶²“Mafia-like mining network in Bellary,” Press Trust of India report summarizing Lokayukta findings, July 2011.

²⁶³Media reports of 2015-16 alleging extortion by Lokayukta's relative.

²⁶⁴ThePrint, “How Lokayuktas lost their teeth: seats empty in some states, powers diluted in others” (Karnataka and other states' experience). ([ThePrint](#))

²⁶⁵India Today, “How Karnataka's corruption watchdog got its teeth back” (creation of separate ACB, dilution and partial restoration of Lokayukta powers). ([India Today](#))

²⁶⁶Scribd note on Lokayukta (quoting Maharashtra Lokayukta as weakest due to lack of powers, staff, funds and independent agency). ([Scribd](#))

²⁶⁷DNA, “Weak Lok Ayukta Act aids graft” (commentary on Maharashtra Lokayukta's weak design). ([DNA India](#))

²⁶⁸Times of India, “Lokayukta no toothless tiger anymore: Maharashtra moves bill to widen scope” (five-member body, expanded remit). ([The Times of India](#))

a dedicated investigation agency comparable to Karnataka's Lokayukta Police and without binding powers, the reformed body may remain a "paper tiger."²⁶⁹

Tamil Nadu Lokayukta: A "Scarecrow" Institution

Tamil Nadu perhaps provides the starkest illustration of institutional dilution. In 2018, under pressure following Supreme Court directives, the state legislature hastily passed the Tamil Nadu Lokayukta Act, 2018, often described by legal experts and opposition political leaders as a "toothless" legislation, more symbolic than substantive.²⁷⁰ Among the key criticisms: the Act offered limited jurisdiction, excluded critical offences such as bid-rigging and tender corruption, lacked clear suo motu powers, did not establish an independent investigation/prosecution wing, and allowed easy political interference in appointments and removals.²⁷¹ Some opposition leaders mockingly called the body a mere "scarecrow" (attakathi) rather than a robust anti-corruption watchdog.²⁷²

Despite these institutional limitations, civil society groups, media and courts raised persistent concerns that the Tamil Nadu Lokayukta was more a compliance exercise than a genuine commitment to accountability.²⁷³ The paltry number of corruption investigations, low public trust, and near absence of convictions underscored the gulf between legal formality and functional reality.

Across these three states and many more, academic critiques converge on a set of systemic weaknesses: wide variation in state laws, recommendatory rather than binding powers, lack of investigation/prosecution wings, resource constraints, delays, and dependence on executive-controlled agencies.²⁷⁴ In effect, many Lokayuktas have become toothless watchdogs capable of filing reports, but rarely able to secure prosecution or asset-recovery.

Whistle-Blower Protection

A critical dimension that seldom receives due attention in these debates is whistle-blower protection. Institutions like Lokayukta and Lokpal rely heavily on citizen complaints or disclosures by insiders. Yet India's protection for whistle-blowers (even under the Whistle Blowers Protection Act, 2014) remains weak at the state level. Many states have not notified adequate rules; there is no uniform protection framework; and victims of retaliation from transfers to threats or violence continue

²⁶⁹India Today Insight, "With new powers, can Maharashtra's Lokayukta shed its paper-tiger image?" (complaint types; lack of investigation agency). ([India Today](#))

²⁷⁰India Today, "Activists slam Tamil Nadu government for passing a 'toothless' Lokayukta Bill" (background on SC pressure and TN's response). ([India Today](#)),

²⁷¹Indian Express, "Tamil Nadu Lokayukta Bill unfair, diluted, say jurists" (jurists' critique; "unfair" and "diluted" characterisation). ([The Indian Express](#))

²⁷²The Statesman, "A scarecrow in TN" (description of TN Lokayukta as "toothless wonder"). ([The Statesman](#))

²⁷³Times of India, "Plea in HC challenges Tamil Nadu's 'powerless' Lokayukta Act" (PIL alleging lack of power to probe CM). ([The Times of India](#))

²⁷⁴Scholarly critiques published in legal journals post-2013 studying variation and performance across states.

to report harassment.²⁷⁵ In such a climate, many potential informers refrain from coming forward, making Lokayuktas dependent on the rare few with courage and connections. The absence of robust protective mechanisms anonymity guarantees, witness protection, job-security, legal immunities undermine the preventive power of anti-corruption institutions.

The lack of whistle-blower trust also discourages public-spirited citizens from using Lokayukta as a tool to challenge corruption. Even when large-scale scams are exposed as in Bellary the ultimate impact on deterrence, systemic change and governance norms remains limited without follow-through prosecutions and asset confiscations.

The economic cost of this failure is enormous. As ARC-2 elaborated, unchecked corruption distorts public procurement, raises project costs, leads to poor service delivery, discourages domestic and foreign investment, and erodes public trust all of which slow economic growth and social development. The environmental and social devastation caused by Bellary-type mining scams illegal deforestation, loss of livelihoods, environmental degradation further underscores the heavy price paid by citizens when oversight is weak or compromised.

Conclusion

Drawing lessons from these mixed experiences, the case for comprehensive reform is compelling. First, India needs uniform minimum standards for Lokayukta legislation across states: mandatory jurisdiction over ministers and senior officers, clear suo motu powers, independent investigation and prosecution wings, fixed timelines for action, transparency and periodic reporting to legislature. Riding on the legacy of ARC-2, some argue that the institution should be granted constitutional status, with independent funding and protection from executive interference.²⁷⁶

Second, a robust whistle-blower and witness protection framework valid across all states is essential. Anonymous digital complaint portals, legal safeguards, relocation or protection rights for informers and witnesses, and strict penalties for retaliation must be part of any serious anti-corruption architecture.

Third, Lokayuktas must be meaningfully empowered not just in name or structure but with personnel, resources, training, investigative autonomy and bureaucratic insulation from political interference. States should avoid creating parallel agencies (like regular ACBs under police) that undercut Lokayukta's independence; where they already exist, powers should be re-consolidated.

²⁷⁵Surveys of whistle-blower complaints and retaliation cases filed by NGOs and civil-society organizations between 2019–2024.

²⁷⁶Proposal papers and parliamentary debates (2018–2022) exploring constitutional status for Lokayukta and uniform cadre services.

Finally, institutional reforms must be accompanied by public awareness campaigns sensitizing citizens to their rights, simplifying complaint procedures, ensuring transparency in case-tracking, and offering periodic public reports on investigations, prosecutions and outcomes.

In conclusion, Lokayuktas remain among the most promising institutional instruments for combating corruption at the state level. But as the experiences of Karnataka, Maharashtra, and Tamil Nadu show their effectiveness depends heavily on structural design, political will, protection for whistle-blowers, and genuine independence. Without these, Lokayuktas risk remaining little more than ornamental features of anti-corruption rhetoric. For India to move beyond poor rankings and weak governance, reforming Lokayuktas is not a luxury it is a democratic and developmental necessity.

From Ombudsman to Watchdog: Reassessing the Lokayukta's Role in Combating Corruption within the Constitutional Framework

Abstract

Corruption remains one of the most persistent impediments to good governance, eroding public trust, weakening democratic institutions, and undermining socio-economic development. In the Indian context, the establishment of the Lokayukta was conceived of as a major institutional innovation in ensuring transparency and accountability within the administrative machinery. Conceived as its state-level counterpart at the central level, the Lokayukta is India's version of the ombudsman, meant to investigate graft, maladministration, and abuse of power among public functionaries. The Lokayukta, despite being created with such constitutional and legislative backing, has had variable efficacy across states. This raises some very critical questions with respect to how well the Lokayukta ensures functional autonomy, clarity in jurisdiction, and strong institutionalality.

This research article critically evaluates the emergence, relevance, and challenges of the Lokayukta as a watchdog against corruption within the Indian constitutional framework. It explores the trajectory from the Scandinavian concept of the ombudsman to India's unique model of a quasi-judicial anti-corruption authority. The paper examines the constitutional philosophy underpinning the establishment of such institutions, focusing on the Directive Principles of State Policy, the rule of law, and the principles of accountability entrenched in the Indian Constitution. Through doctrinal and comparative analysis, the paper considers how different state legislations-including Karnataka, Maharashtra, and Kerala-have given operational meaning to the Lokayukta, with variations in powers, procedures, and effectiveness.

The study identifies certain critical institutional and political impediments that have hampered the effectiveness of the Lokayukta, including lack of enforcement powers, dependence on the executive for appointments and resources, and political interference in investigations. Case studies of high-profile interventions by different Lokayuktas have underlined the enormous potential that this institution holds for bringing about a reduction in corruption at the state level. The research also looks at the interaction between the Lokpal and Lokayukta Act, 2013, with the pre-existing mechanisms at the state level, and how far the Act strengthens or dilutes the constitutional intent of decentralizing anti-corruption oversight.

While reassessing the role of Lokayukta, this paper presents a reform-oriented approach with the integration of legal, institutional, and procedural safeguards, ensuring the independence and efficacy

of the Lokayukta. It advocates uniform legislation across states, constitutional recognition to enhance its authority, and mechanisms for greater citizen participation in the complaint and oversight process. The study concludes that transforming the Lokayukta from a symbolic ombudsman into an empowered constitutional watchdog requires not only robust legal reform but a political and bureaucratic commitment to integrity and accountability as well.

Ultimately, the paper emphasizes that a strong Lokayukta, in step with the constitutional ethos of India, can become an important pillar for realizing the vision of transparent, responsible, corruption-free governance—a necessary condition for deepening democracy and rule of law.

Keywords: Lokayukta, Corruption and Accountability, Constitutional Governance, Administrative Law, Ombudsman Framework.

INTRODUCTION

Corruption has long been acknowledged as one of the most pervasive threats to effective governance, economic development, and democratic integrity. In the Indian context, where administrative structures are vast and often opaque, ensuring accountability poses a significant challenge. Over the decades, various institutional mechanisms have been conceptualized and implemented to curb maladministration and protect citizens from the misuse of public power. Among these, the Lokayukta has emerged as a key state-level institution designed to investigate allegations of corruption and address grievances relating to administrative injustice. Positioned as an independent ombudsman, the Lokayukta is intended to serve as a vital oversight body capable of scrutinizing the conduct of public officials and upholding standards of integrity within the governmental machinery.

The idea of an ombudsman traces its origin to Sweden, where the institution was established in 1809 to provide citizens with a channel for redress against governmental abuses. The ombudsman model slowly spread across democratic nations, valued for its independence, accessibility, and role in promoting transparent governance. India adopted this concept in a uniquely federal form, adapting it to accommodate the diverse administrative frameworks of its states. This adaptation resulted in the establishment of the Lokayukta at the state level and, later, the Lokpal at the central level. Although the Lokpal and Lokayukta Act, 2013 sought to provide a broad national framework for anti-corruption institutions, substantial variations continue to exist across states with respect to the Lokayukta's mandate, autonomy, and functional structure.

Despite its strong conceptual foundations, the practical functioning of the Lokayukta has been inconsistent. While states such as Karnataka have witnessed significant institutional interventions—marked by proactive investigations and influential reports—others have experienced only symbolic or nominal implementation, limiting the institution's intended impact. This uneven performance

underscores deeper structural, legal, and political challenges that constrain the Lokayukta's effectiveness as a pillar of accountability.

In light of these variations, this paper seeks to reassess the role of the Lokayukta within India's constitutional and institutional architecture. It examines the evolution of the Lokayukta from a traditional grievance-redress mechanism to a potential constitutional watchdog capable of shaping standards of administrative ethics. By exploring its legal foundations, operational challenges, and comparative performance across states, the study aims to evaluate the extent to which the Lokayukta has realized its intended purpose and what reforms may be necessary to strengthen its role in combating corruption within the constitutional framework.

HISTORICAL AND CONCEPTUAL BACKGROUND OF THE OMBUDSMAN MODEL

The concept of an ombudsman, which forms the philosophical foundation for the Lokayukta in India, originated in early nineteenth-century Scandinavia. The Swedish Parliament established the first Ombudsman in 1809 as an independent authority entrusted with the responsibility of safeguarding citizens against administrative injustice. The institution was designed to receive complaints from citizens, investigate misconduct, and ensure that public authorities acted within the bounds of law. Its essential attributes—**independence, accessibility, broad investigative powers, and moral authority**—enabled the ombudsman to function as a vital check on the executive.

As democratic governance expanded globally, many nations adopted this model to strengthen administrative accountability. The appeal lay in its simplicity: a neutral institution capable of offering inexpensive, speedy, and informal redress against bureaucratic abuse. Over time, the ombudsman evolved from a passive grievance-redress office into a more proactive institution capable of uncovering maladministration, promoting transparency, and improving public trust.

Origins of the Ombudsman

In its earliest form, the ombudsman was not a corruption-investigating body but a guardian of fairness in administration. Its interventions were primarily designed to correct procedural lapses, ensure due process, and prevent arbitrary use of power. The Scandinavian experience demonstrated that an independent oversight body could play a transformative role in balancing state authority with citizen rights.

Transplantation to the Indian Context

India's engagement with the ombudsman concept began during the post-Independence administrative reforms. By the 1960s, concerns about inefficiency, excessive discretion, and rising corruption prompted calls for an external oversight mechanism. The **First Administrative Reforms Commission (1966)** strongly recommended the establishment of a **Lokpalat** at the central level and **Lokayuktas** in the states, adapting the Scandinavian ombudsman to India's federal structure.

Unlike its Scandinavian predecessor, however, the Indian version assumed a **dual role**: addressing grievances of maladministration and investigating corruption among public functionaries. This expansion was shaped by India's pressing governance realities, where corruption had emerged as a systemic challenge requiring stronger institutional intervention.

As states enacted Lokayukta laws from the early 1970s onward, the institution evolved beyond a mere complaint-handling body into a **quasi-judicial watchdog**, tasked with uncovering abuse of power, enforcing accountability, and strengthening the constitutional commitment to clean governance. Thus, the transplantation of the ombudsman model into India marked not only a structural innovation but a significant transformation of its purpose—shifting from an administrative mediator to a potential guardian of integrity in public life.

CONSTITUTIONAL FOUNDATIONS AND PHILOSOPHY

The establishment and functioning of the Lokayukta must be understood within the larger constitutional vision of accountable, just, and transparent governance. Although the Indian Constitution does not explicitly refer to the Lokayukta, its philosophical foundations are firmly embedded in the Directive Principles of State Policy (DPSPs), the rule of law doctrine, and the ideal of constitutional morality. Together, these principles provide the normative justification for the Lokayukta's role as a watchdog against corruption.

Directive Principles and Accountability

The Directive Principles articulate the Constitution's aspiration to build a welfare-oriented, just, and equitable society. Articles **38**, **39**, and **41** are particularly significant in shaping the normative foundation of the Lokayukta.

- **Article 38** directs the State to promote a social order based on justice—social, economic, and political. Corruption directly undermines such an order by diverting public resources and eroding public trust.
- **Article 39** mandates equitable distribution of material resources and prevention of concentration of wealth. Corruption, favouritism, and abuse of public power undermine this constitutional objective.
- **Article 41**, which concerns public assistance and welfare, presupposes administrative integrity and efficiency.

Although non-justiciable, DPSPs guide legislative and executive action. The creation of independent anti-corruption institutions like the Lokayukta is therefore a logical extension of the State's duty to secure justice, equity, and welfare.

Rule of Law and Administrative Fairness

Corruption represents a direct violation of the **rule of law**, which requires that all public power be exercised in accordance with legal norms, fairness, and reasonableness. Arbitrary decision-making erodes the legitimacy of governance, and institutions such as the Lokayukta serve as corrective mechanisms.

By providing a **citizen-accessible forum** for complaints against maladministration, the Lokayukta reinforces administrative accountability. It ensures that public authorities remain answerable for deviations from legal standards, procedural fairness, and ethical conduct.

Constitutional Morality and Institutional Integrity

The Supreme Court has repeatedly emphasized the importance of **constitutional morality**—the commitment of institutions and public officials to uphold democratic values, transparency, and accountability. Constitutional morality extends beyond textual interpretation; it reflects fidelity to the spirit of the Constitution.

The Lokayukta, though a statutory body, embodies this ideal by functioning as an **institutional counterbalance** to executive power. Its oversight role promotes institutional integrity, discourages misuse of authority, and strengthens public confidence in governance.

LEGISLATIVE EVOLUTION OF THE LOKAYUKTA IN INDIA

The evolution of the Lokayukta as a state-level ombudsman institution reflects India's broader journey in institutionalizing mechanisms to combat corruption and strengthen administrative accountability. Beginning in the early 1970s, several states took the initiative to enact their own Lokayukta laws, laying the foundation for decentralized oversight frameworks aimed at reducing maladministration and restoring public trust.

State-Level Acts

The first milestone in this trajectory was **Maharashtra's Lokayukta and Upa-Lokayuktas Act, 1971**, which introduced one of India's earliest and most comprehensive models. Maharashtra granted the Lokayukta a comparatively broad jurisdiction over public officials, setting a precedent for other states. However, this early institutional design still relied heavily on government cooperation, limiting its enforcement strength.

Following this, **Uttar Pradesh enacted its Lokayukta Act in 1975**, but its framework was criticized for limited powers and weak structural autonomy. The Uttar Pradesh model reflected a more conservative approach to anti-corruption oversight, emphasizing advisory functions rather than decisive action.

A transformative moment came with the **Karnataka Lokayukta Act, 1984**, often considered one of the strongest and most effective models in the country. It empowered the Lokayukta with significant

investigative autonomy, including control over an independent police wing. This led to several high-profile investigations, demonstrating the institution's potential when equipped with adequate authority and resources.

Later, **Kerala adopted its Lokayukta Act in 1999**, focusing more distinctly on preventing corruption and ensuring public accountability. While Kerala's model expanded access for citizens to file complaints, subsequent political attempts to amend or dilute its powers revealed the ongoing tension between institutional independence and executive control.

These variations across states—ranging from strong investigative frameworks to largely symbolic institutions—highlight the absence of a uniform national model. The effectiveness of the Lokayukta therefore depends considerably on each state's political will, statutory design, and administrative capacity.

Lokpal and Lokayukta Act, 2013

The national landscape shifted with the passage of the **Lokpal and Lokayukta Act, 2013**, enacted amidst widespread public protests demanding robust anti-corruption mechanisms. The Act mandated all states to establish a Lokayukta. However, it did not prescribe a standardized structure or uniform powers. Instead, states were given significant discretion in designing their institutions.

While intended to strengthen federal anti-corruption architecture, this flexibility preserved pre-existing disparities, ultimately preventing the emergence of a cohesive nationwide framework. Thus, despite its ambitious intent, the 2013 Act reinforced the fragmented evolution of Lokayuktas, underscoring the need for deeper reforms to ensure consistency, independence, and effectiveness.

INSTITUTIONAL DESIGN AND JURISDICTION OF THE LOKAYUKTA

The effectiveness of the Lokayukta as an anti-corruption watchdog depends fundamentally on its institutional design, jurisdiction, and operational autonomy. Across Indian states, significant variation exists in structure and powers, shaping how far the Lokayukta can transition from a symbolic ombudsman into a potent guardian of integrity.

Powers and Functions

At its core, the Lokayukta is entrusted with four principal functions: investigating allegations of corruption against public officials, addressing complaints of maladministration, recommending appropriate disciplinary or criminal action, and submitting annual or special reports to constitutional authorities such as the Governor or the Legislature. These responsibilities reflect the institution's dual character—part anti-corruption agency, part administrative grievance redressal mechanism. However, a major limitation lies in the largely *recommendatory* nature of its findings in many states. Without binding authority to enforce decisions, the Lokayukta often relies on the very executive it

investigates, thereby diluting its impact. This structural weakness hampers its ability to function as a credible deterrent against corruption.

Appointment and Removal

The independence of the Lokayukta is closely tied to the process through which its members are appointed and removed. Although most state legislations mandate a consultative process involving the Chief Minister, Speaker, Leader of Opposition, and the Chief Justice of the High Court, the executive branch continues to exercise disproportionate influence. This raises concerns about neutrality and risks politicizing the institution. Removal procedures too vary widely, with many states vesting this authority in the Legislature, further exposing the Lokayukta to political pressures. Such vulnerabilities can undermine public confidence and impede the Lokayukta's capacity to scrutinize high-level misconduct.

Investigative Autonomy

Investigative independence is a defining attribute of any effective accountability institution. Some states grant the Lokayuktasuo motu powers and authority to summon records and witnesses, enabling proactive oversight. Yet others restrict action to written complaints, limiting the ability to address systemic corruption. More critically, most states do not provide an independent investigative wing. Where the Lokayukta depends on regular police forces—often controlled by the executive—its impartiality and operational efficiency are compromised.

Case studies from different states reveal how the Lokayukta, despite structural and political constraints, has occasionally operated as a powerful institutional check on corruption. These examples demonstrate both its latent potential and the challenges that arise when political and administrative forces attempt to dilute its authority.

Karnataka Mining Scam Exposés

The Karnataka Lokayukta stands as one of the most influential examples of the institution's capacity to function as a robust anti-corruption watchdog. During the late 2000s, it undertook extensive investigations into illegal iron ore mining across the state—activities that had led to massive revenue losses and environmental degradation. The Lokayukta's inquiry uncovered a widespread nexus involving politicians, senior bureaucrats, and private mining entities. Its detailed reports not only quantified the economic impact but also exposed systemic collusion within the state machinery. The fallout was significant: several high-ranking officials faced disciplinary action, and the political repercussions culminated in ministerial resignations, including that of a sitting Chief Minister. These events demonstrated that when endowed with operational independence and investigative authority, the Lokayukta can compel accountability at the highest levels of governance.

Maharashtra Public Office Misuse Cases

In Maharashtra, the Lokayukta has been instrumental in addressing complaints that extend beyond conventional corruption. Its interventions have included inquiries into nepotism, administrative delays, and abuse of discretionary powers. Citizens have frequently approached the institution seeking redress where bureaucratic channels had failed, highlighting the Lokayukta's role as an accessible grievance redressal mechanism. Although the Maharashtra Lokayukta's recommendations are largely advisory and depend on executive cooperation, several cases have resulted in corrective administrative measures, reprimands, or procedural reforms. These examples reflect the institution's broader mandate to uphold fairness in public administration and emphasize the importance of ensuring that its findings are treated with seriousness by the government.

Kerala Ministerial Investigations

The Kerala Lokayukta has conducted high-profile investigations involving ministers and senior officials, particularly concerning allegations of misuse of power, financial irregularities, and ethical violations. Its willingness to examine actions of those in government has enhanced its reputation as an independent oversight body. However, attempts by the state executive to amend the Kerala Lokayukta Act—especially provisions allowing the government to override its findings—have triggered widespread concerns about political interference. These developments illustrate the persistent tension between institutional autonomy and executive control, demonstrating that the Lokayukta's effectiveness ultimately depends on both legal safeguards and political commitment to accountability.

CHALLENGES IN THE FUNCTIONING OF THE LOKAYUKTA

Despite being envisioned as a crucial institutional safeguard against corruption, the Lokayukta in India continues to face several structural and operational constraints that significantly affect its ability to function as an effective watchdog. These challenges undermine the transformative potential the institution was meant to embody within the constitutional framework of accountability and good governance.

Lack of Binding Enforcement Powers

A major challenge lies in the recommendatory nature of the Lokayukta's decisions. Unlike fully empowered constitutional authorities, the Lokayukta generally lacks the statutory authority to enforce its findings. As a result, even after extensive investigations uncover wrongdoing, final action depends on the executive or disciplinary authority concerned. This often leads to delays, dilution, or total inaction, weakening the deterrent effect that the institution is meant to have.

Resource and Infrastructure Limitations

Many Lokayuktas operate with limited financial and human resources. Inadequate budget allocations, shortage of trained investigators, and absence of modern technological tools impede their ability to conduct timely and comprehensive inquiries. In several states, the Lokayukta's investigative functions rely on regular police forces, which compromises the independence and impartiality essential for credible anti-corruption work.

Political Interference

Political resistance remains a persistent barrier to autonomous functioning. Attempts by governments to influence appointments, curtail jurisdiction, or amend legislation to weaken the Lokayukta reflect deeper systemic discomfort with independent oversight. Such interference not only undermines the institution's integrity but also erodes public confidence in its ability to act without fear or favour.

Jurisdictional Overlap

The proliferation of multiple oversight bodies—including State Vigilance Commissions, Anti-Corruption Bureaus, and the Lokpal—has created significant jurisdictional confusion. Overlapping mandates dilute the Lokayukta's authority, cause duplication of efforts, and often result in conflicting conclusions. The lack of harmonization across institutions fragments the anti-corruption architecture, limiting overall effectiveness.

Low Public Awareness

A further obstacle is the limited awareness among citizens about the role and functioning of the Lokayukta. Many people are unaware of how to file complaints, the types of grievances that fall within its jurisdiction, or the protections available to whistle-blowers. This restricts public engagement and reduces the Lokayukta's visibility as an accessible mechanism for accountability.

RELATIONSHIP BETWEEN LOKPAL AND LOKAYUKTA: AN INSTITUTIONAL MISMATCH

The Lokpal and Lokayukta Act, 2013 was enacted with the expectation of creating a cohesive anti-corruption framework across India. The intention was to align the central institution of the Lokpal with the state-level Lokayuktas, thereby ensuring a harmonized structure capable of addressing corruption at all levels of government. However, the legislation ultimately produced a fragmented architecture rather than a unified watchdog mechanism.

Although the Act **mandates every state to establish a Lokayukta**, it grants states **complete discretion** regarding the design, jurisdiction, selection procedures, and powers of the institution. This flexibility has resulted in significant disparities: while states like Karnataka developed powerful investigative Lokayuktas, others created weak, symbolic bodies with limited autonomy. Thus, instead of promoting uniformity, the Act entrenched institutional inconsistency.

Furthermore, the Act does **not establish a clear hierarchical, appellate, or collaborative relationship** between the Lokpal and Lokayuktas. They operate in parallel silos with no statutory mechanism for coordination. This is particularly problematic given India's federal administrative structure, where corruption cases frequently overlap between central and state officials.

Jurisdictional ambiguity emerges when a complaint involves functionaries across different levels of government. In such situations, neither body has explicit precedence, leading to delays, duplication of inquiries, or institutional conflict.

These issues demonstrate how the Act—though framed as a comprehensive reform—has inadvertently contributed to a **patchwork oversight system**. Instead of strengthening the ombudsman tradition into a coherent watchdog model, the legal framework has produced a disjointed anti-corruption regime. As this manuscript argues, transforming the Lokayukta into an effective constitutional watchdog requires structural clarity, uniform standards, and coordinated mechanisms with the Lokpal to ensure seamless accountability across India's governance landscape.

JUDICIAL PRONOUNCEMENTS ON LOKAYUKTA AUTHORITY

Judicial interpretation has played a crucial role in shaping both the scope and limitations of the Lokayukta within India's anti-corruption framework. Courts across various jurisdictions have repeatedly emphasized that the efficacy of the Lokayukta depends fundamentally on institutional independence, particularly in the sensitive areas of appointment, tenure, and removal. In several cases, High Courts have invalidated appointment processes that appeared politically motivated or insufficiently transparent, underscoring the judiciary's insistence that this watchdog institution must remain free from executive dominance to maintain public confidence.

Judgments have also strengthened the Lokayukta's authority by affirming its power to conduct independent inquiries and issue binding or persuasive recommendations. Courts have clarified that once the Lokayukta submits a report, the competent authority is obligated to consider it seriously and act in accordance with the statutory provisions. Such judicial reinforcement has been essential in states where the executive has attempted to disregard or dilute the findings of the Lokayukta, thereby preserving the institution's functional relevance.

At the same time, judicial scrutiny has occasionally narrowed the Lokayukta's reach. In interpreting state-specific statutes, courts have sometimes restricted jurisdiction over certain categories of public officials or limited the Lokayukta's power to initiate investigations *suo motu*. These rulings, though grounded in statutory interpretation, have inadvertently curtailed the broader anti-corruption mandate originally envisioned.

Overall, the courts acknowledge the Lokayukta's constitutional importance as a guardian of administrative accountability. Judicial pronouncements consistently highlight the need to balance the

Lokayukta's autonomy with strict adherence to statutory boundaries. Together, these decisions reflect the judiciary's role in both empowering and delimiting the institution, shaping it into an oversight mechanism that must operate within the rule of law while safeguarding integrity in governance.

TOWARDS REFORM: REIMAGINING THE LOKAYUKTA AS A CONSTITUTIONAL WATCHDOG

Strengthening the Lokayukta is essential to transform it from a symbolic ombudsman into a powerful constitutional watchdog capable of combating corruption effectively. A crucial first step is establishing **uniform national standards**. Since each state currently operates under its own Lokayukta Act—with wide variations in powers, jurisdiction, and procedures—a model national law would ensure consistency in appointments, tenure, investigative authority, and accountability mechanisms. Such uniformity would enhance institutional credibility across the country.

Another foundational reform is the **constitutional recognition** of the Lokayukta. At present, the institution exists only through state legislation, making it vulnerable to political interference, arbitrary amendments, and funding constraints. Elevating it to a constitutional body, akin to the Election Commission or the CAG, would secure its independence, guarantee adequate resources, and protect it from executive dominance.

A strong Lokayukta must also possess **robust investigative powers**. This includes an autonomous investigative wing not dependent on state police, the ability to enforce its findings, and authority to prosecute corruption cases without requiring prior sanction from the executive. These powers would significantly enhance the Lokayukta's effectiveness in addressing high-level corruption.

Transparency and public trust can be improved through **greater openness and citizen engagement**. Measures such as public disclosure of investigation outcomes, digital systems for filing and tracking complaints, and the creation of citizen oversight committees would make the institution more accessible and accountable.

Finally, reform must focus on **integration with other anti-corruption bodies**. Clear delineation of roles between the Lokayukta, Vigilance Commissions, and the Lokpal will prevent overlap, reduce delays, and create a coherent anti-corruption ecosystem.

Together, these reforms can reshape the Lokayukta into a genuinely empowered constitutional watchdog, capable of fulfilling the constitutional promise of integrity, transparency, and good governance.

CONCLUSION

The Lokayukta today stands at a decisive juncture in India's ongoing struggle against corruption. Originally envisioned as an ombudsman—a neutral defender of citizen rights against administrative excess—it has gradually evolved into a potential watchdog capable of scrutinizing corruption, abuse

of power, and maladministration at the state level. This transformation, however, has been uneven and incomplete. Variations in state legislation, political interference in appointments, inadequate investigative autonomy, and the absence of binding enforcement powers have collectively restricted the Lokayukta's ability to function as a truly independent authority.

Despite these structural hurdles, the Lokayukta's interventions in states such as Karnataka, Maharashtra, and Kerala demonstrate its capacity to expose deep-seated corruption and hold powerful actors accountable. These instances reflect an institution with significant potential—one that can enhance administrative integrity and reinforce public trust in governance. Yet, the Lokayukta's effectiveness continues to depend heavily on political will, statutory design, and institutional support. Reforms grounded in constitutional principles are therefore imperative. Strengthening the Lokayukta requires ensuring independence in appointments, granting functional and financial autonomy, establishing dedicated investigative wings, and providing binding effect to its recommendations. Uniform national standards—while respecting federal diversity—can also help eliminate disparities that weaken the collective fight against corruption. Integrating the Lokayukta more coherently with the Lokpal and other oversight bodies would create a clearer, stronger, and more coordinated anti-corruption architecture.

At a deeper level, empowering the Lokayukta reflects a broader constitutional commitment: the pursuit of accountable governance, the rule of law, and public administration rooted in transparency. It underscores the foundational values of democratic India, where institutional integrity must prevail over political expediency.

A robust, independent, and empowered Lokayukta is thus not merely a legal reform but a reaffirmation of democratic ethics. Transforming the Lokayukta from a symbolic ombudsman into an effective constitutional watchdog is essential for achieving corruption-free governance and restoring citizens' faith in state institutions. Strengthening this institution will be a vital step toward realizing the constitutional promise of clean, responsive, and equitable administration.

REFERENCES

1. Administrative Reforms Commission of India. (1966). *Report of the Administrative Reforms Commission: Public Administration*. Government of India.
2. Arora, R. (2010). *Integrity in governance: Indian anti-corruption institutions*. Oxford University Press.
3. Bhat, P. (2015). Role of Lokayukta in ensuring administrative accountability. *Indian Journal of Public Administration*, 61(3), 345–362.

4. Chand, V. (2017). Corruption and state institutions: A study of oversight mechanisms in India. *Governance Review*, 8(2), 112–129.
5. Crouch, M. (2019). The ombudsman as a democratic institution. *Journal of Comparative Public Law*, 14(1), 55–80.
6. Government of India. (2013). *The Lokpal and Lokayuktas Act, 2013*. Government of India Press.
7. Jain, R. B. (2004). *Public administration in India: 21st century challenges*. Deep & Deep Publications.
8. KarnatakaLokayukta. (2008). *Report on Illegal Mining in Karnataka*. Office of the Karnataka Lokayukta.
9. KeralaLokayukta Act. (1999). *The Kerala Lokayukta Act, 1999*. Government of Kerala.
10. Khera, R. (2015). Transparency and accountability reforms in India. *Economic and Political Weekly*, 50(6), 19–21.
11. Larkins, C. (2010). The politics of oversight and accountability. *Journal of Democracy Studies*, 5(2), 122–138.
12. Madhav, G. (2012). The evolution of ombudsman institutions in democratic societies. *World Ombudsman Report*, 3, 23–39.
13. MaharashtraLokayukta Act. (1971). *The Maharashtra Lokayukta and Upa-Lokayuktas Act, 1971*. Government of Maharashtra.
14. Mishra, S. (2018). Anti-corruption agencies and constitutional safeguards. *Indian Constitutional Law Review*, 3(1), 66–90.
15. Mukherjee, S. (2020). Corruption and governance in India. *Journal of South Asian Public Policy*, 12(2), 44–59.
16. Pandey, A. (2016). Politics of Lokayukta appointments in India. *Journal of Political Studies*, 17(3), 77–94.
17. Pathak, R. S. (2011). Rule of law and institutional integrity. *Supreme Court Cases Journal*, 4(1), 14–25.
18. Prasad, A. (2014). The Lokpal Act and federal accountability. *National Law Review*, 9(2), 98–117.
19. Puri, A. (2018). Institutional design of anti-corruption bodies: Lessons from Indian states. *Public Policy and Governance Review*, 4(1), 31–47.
20. Roy, K. (2013). Administrative ethics and accountability in India. *Indian Journal of Administrative Studies*, 7(2), 91–108.
21. Roy, S. (2021). Ombudsman institutions in Asia: A comparative study. *Asian Journal of Public Law*, 15(1), 1–21.

22. Shankar, A., & Sharma, V. (2009). Public sector corruption in India. *Asian Governance Journal*, 2(3), 210–229.
23. Singh, J. P. (2016). Lokpal and Lokayukta: Historical evolution and contemporary relevance. *Law and Governance Quarterly*, 2(1), 18–34.
24. Singh, M. (2018). Institutional reforms for transparency. *Journal of Indian Public Administration*, 64(4), 522–538.
25. Supreme Court of India. (2015). *Judicial decisions strengthening Lokayukta autonomy*. SCC Online.
26. Thakur, M. (2020). Corruption and federal institutions in India. *Contemporary Public Affairs*, 9(1), 77–89.
27. Transparency International. (2022). *Corruption Perceptions Index Report: India*. Transparency International.
28. Verma, A. (2019). Lokayukta's role in ethical governance. *Ethics and Public Management Review*, 11(2), 55–71.
29. Verma, G. (2017). Challenges in functioning of state Lokayuktas. *Statesman Journal of Law and Governance*, 6(2), 101–118.
30. World Bank. (2020). *Strengthening accountability institutions in developing democracies*. World Bank Publications.