



INDIA'S OMBUDSMAN, THE SUPERHERO OF DEMOCRACY: ROLE AND PROPOSALS FOR REFORM

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INDIA'S OMBUDSMAN, THE SUPERHERO OF DEMOCRACY: ROLE AND PROPOSALS FOR REFORM

Abstract

The issue of corruption has been across countries for a long time. India is also not immune from the problem of corruption. It is one of the obstacles in the way to achieve effective governance. A good administration is always responsible and responsive to people. The Institution of Ombudsman came to be established in several Democratic Countries like India for redressing the grievances of the public against administrative fault. The history of Ombudsman dates back to 1809, when Sweden established Ombudsman Office for the first time. After that many countries started establishing this institution, like- New Zealand, UK, USA Israel, Australia, India and so on. The Ombudsman stands as a guardian of individual rights, a promoter of governmental transparency and a watchdog of the administration. Therefore, the need for an institution like Ombudsman, at the national level as well the State level to fight against the corruption has been demanded. It is only in the second decade of 21st century that the legislation for establishing an Ombudsman in the form of Lokpal and Lokayukta came into effect. This Research paper tries to analyse about the importance of Ombudsman, the historical background of it, how this body was established for supervising the powers and control of the administrative bodies and restrict the misuse of powers by them. Being an Ombudsman has its powers and authorities to question, comment and ask on details of any cases regarding maladministration, it's also dealing with the various institution of Ombudsman in the other countries and specially the mechanisms established in India and Lokpal as the anti-corruption ombudsman in India. But it is not performing as expected and there is some need for reforms to fulfil its true potential and ensure accountability in the administration.

Keywords: Ombudsman, Administration, Lokpal, Lokayuktas

Introduction

Ombudsman is the part of the system of administrative law for scrutinising the work of the executive. His function is to safeguard the interest of the citizen by discovering the maladministration. The institution of Ombudsman was adopted by Scandinavian countries for the first time. Ombudsman is a superhero of democracy because it plays a vital role when it comes to dispute in administration. Ombudsman is the 'Representative' of public, because it plays a role as watchdog, looking at the working of administrative law. It is a machinery established in administrative law to handle the grievance and to prevent the injustice by the executives against the citizens. In the democracy, the public come first, because they are the ultimate bearer of the sovereignty of a State and they decide in open and free election, who will be entrusted with the responsibility of the administration. So, the Ombudsman offices not only enhance the protection of individual citizen but they also contribute to efficient public administration. Ombudsman, like a court not only considers the individual case but also asks how same cases shall be treated by public authorities in future.

The Ombudsman embodies the essence of democracy by acting as a check and balance on the executive authorities or governmental power. Their commitment to justice is ensuring the rights of the citizens are protected that the rule of law is upheld and the governmental agencies are held accountable for their action towards the citizen. Professor Larry B Hill has enumerated the various characteristics of a pure Ombudsman. Those are- established as separate entity that is functionally autonomous, operationally independent of both the legislature and the executive, a legally established governmental official, a monitoring specialist, have extensive resources to perform his mission, normative universalistic, popularly accessible-visible and so on. Professor Larry Hill has described about various objectives of the Ombudsman institution, like- to right individual wrongs, to make bureaucracy more humane, to introduce administrative reforms and to prevent abuses by acting as a bureaucratic watchdog.

Therefore, in a nutshell, the duty of an Ombudsman to reduce the corruption of governmental agencies, maladministration in the sphere of administrative branch of the government in order to maintain the prosperity of the nation and for the effective functioning of the administrative wing of the government. If a citizen approaches to Ombudsman with a genuine complaint then it becomes the responsibility of the latter to take up the case for investigation without any making an expense on the complainant so that it works as an advantage of the citizen over the judicial proceedings, which cause a lot of delay in providing justice to the aggrieved person.

Research Objectives:

The intention of the researcher is to give an insight into the 'India's Ombudsman, The Superhero of Democracy: Role and Proposals for Reform' to the readers, keeping in mind the legislative outlook for a better understanding of the research topic. It aims to bring the attention of the readers to the historical background of the Ombudsman to current position of Ombudsman in India with a special focus on the limitations and reforms of Ombudsman machinery in India. This research is also be an analysis based on the critical study of the topic. Therefore, the primary objectives of the research paper would be-

1. To give an insight to the meaning, concepts and importance of Ombudsman as for redressing the grievances of the public against administrative fault.
2. To understand the historical background of ombudsman and development in the institution of Ombudsman through a comparative study of various countries.
3. To understand the current position of Ombudsman in India.
4. To understand the various elements and organs involved in working of the Lokpal and Lokayukta with respect to India.
5. To understand the relationship between Ombudsman-Government-Citizen.

6. To finding out the limitations of Ombudsman machinery in India and need for its reforms.

Research Methodology:

The research is non-empirical in nature. The research adopted the doctrinal method for pursuing this Study. For the depth of the study, it includes the source materials, text review and case study which is found in national and international areas. The researcher referred various primary resources such as- various International Legislations, Indian Legislations like- Lokpal and Lokayuktas Act, 2013, various Lokayukta Acts in State level, Indian Constitution and some judicial Pronouncements. Secondary sources like- Journals, Research works and some newspaper and Magazines. The research is analytical, explanatory, critical and comparative in nature. A brief part of the means use will also be derived from other related articles for better clarity and understanding.

Research Questions:

1. What is meant by the term Ombudsman? What are the Historical background of Ombudsman in whole over the World and how did it come into being in India and the world at a large?
2. What are the importance of this Institution and how does it help in the administrative functioning?
3. What are the functioning of Lokpal and Lokayukta under Lokpal and Lokayukta Act, 2013?
4. What are the shortcomings in the current system of Control mechanisms in India? How can they be rectified?

Meaning and Origin of Ombudsman

Ombudsman means the 'grievance man' or 'a Commissioner of the Administration'. Burt according to Garner, he is an 'Officer of Parliament', having as his primary function, the duty of acting as an agent for Parliament, for the purpose of safeguarding citizen against abuse of administrative power by the executive'. According to Prof. S.K. Agarwal, the Ombudsman refers to institutions which have three unique characteristics- it is an independent and non-partisan officer of the legislature who supervises the administration, it deals with specific complaints from the public against administrative injustice and mal-administration and it has the power to investigate, criticize and report back to the legislature. An ombudsman is an intermediate person who tries to resolve the complaints which aggrieved party or citizen has raised against the administrative body.

The institution of Ombudsman was originated in Scandinavian countries and Sweden was the first country to adopt this institution over two hundred years ago in 1809, when the Swedish Parliament appointed an Ombudsman to resolve issues in the absence of the king. 'Ombudsman' has been derived from the Swedish term "Ombud" which means- a person who acts as a spokesman or representative of another person. It is a public officer having power to investigate public grievances which supervises all the central and local agencies. The Swedish Parliamentary Ombudsman is appointed by the legislature *i.e.*, Parliament and it helps to maintain public confidence in the judicial and administrative activities. In other special areas different Ombudsman exist, such as- Consumer Ombudsman, The Disability Ombudsman, Consumer Ombudsman, The Children's Ombudsman, Press Ombudsman and so on. After Sweden, it has been adopted by many countries like- Finland (1919), Denmark (1954), Norway (1960), New Zealand (1962), United Kingdom (1967) and Australia (1976). Ombudsman is a Swedish term, which means- 'representative of people'. The Swedish parliamentary Ombudsman was instituted which served as 'an ear of the people.'

Historical Background and Development of Ombudsman in other countries

Under the Scandinavian Countries, Sweden was the first country where the office of Ombudsman was established. The time was back to 1809. In the year 1713, King Charles XII was out of Sweden for near about 12 years and due to that reason for ensuring effective enforcement of law and order and also to supervising the power and functioning the public servants for the protection of the public interest, he had established an institution named as - Hogste Ombudsman. But later on the name was changed and became Justitie Kansler. In the year 1772, King Gustavas III established Council d'Etat and Justice Kansler became an office in the confidence of the King. Due to the struggle between the King and the Parliament on the issue related to the appointment of 5 Ombudsman came to an end after adopting the new Constitution, where the Parliament was given power to appoint a Parliamentary Ombudsman. The main function of that Ombudsman was to exercise Constitutional control over the activities of King and his subordinate and military officials. The other Ombudsman Institutions of Sweden are- (a) The Consumer Ombudsman established in the year 1971 with the duty to ensure to protect the consumer, (b) The Swedish Children's Ombudsman, which look after the rights and interests of juvenile, (c) The Equal Opportunities Ombudsman was established in the year 1980, which concerning about Equality of Men and Women at work, (d) The Ombudsman against Ethnic Discrimination was established in the year 1986, which defined as when a person or group of person is treated unfairly because of race, colour, national and ethnic origin or religious faith. (e) The Office of Disability Ombudsman for the rights and interests of persons with functional disabilities to promote their full participation in society, and (f) The Press Ombudsman, who rather than being a public institution is sponsored by media.

In Denmark, in the year 1954, the Danish Ombudsman has given a power under a statute to supervise civil and military State Administration for the check over the unlawful activities and arbitrary or unreasonable decisions or acts of negligence in discharge of his functions. Aggrieved persons can make complaints to the Ombudsman directly and on being satisfied, he may call for the information from the departments. He is not empowered to quash any decision or to give any other remedy to the complainant. His function is only to publish report for rectifying the error found by it.

Norway also created the office of a Commissioner for the Government administration in the year 1960. Norwegian Ombudsman had the function to ensure that the individual citizen suffers no wrong through decisions made by administrative authorities. Also, the Governmental Officials who are exercising power in the service of the government do not make any mistake or neglect their duties. On the complaint of aggrieved citizen or *suo moto* he can investigate into individual people's cases.

In the Common Law Countries, the institution that developed having Parliamentary form of Government. The working of Ombudsman system in the three countries, like- New Zealand, England and Australia. The working of Ombudsman system in New Zealand was created in the year 1962 by passing Parliamentary Commissioner (Ombudsman) Act, 1962 but later on this Act was replaced by the Ombudsman Act, 1975. The Governor-General appoints each and every Ombudsman by recommendation of the House of Representatives. In the way, the Ombudsman is the nominee of the House. Here also a person aggrieved from administrative action may make a complaint to the Ombudsman or he can investigate the matter *suo moto*. He is empowered to investigate any decision, action, recommendation relating to a matter of administration on the part of governmental department or Organisation. But he also can refuse to Investigate any trivial, frivolous or vexatious complaints.

The Ombudsman in England is officially known as Parliamentary Commissioner and this provision was made under Parliamentary Commissioner Act, 1967. He is appointed by the Crown and having independent status holds the office till the age of 65 years. But the Commissioner cannot entertain a complaint direct from the citizen, it must come through a member of the House of Commons. Here he does not have any power except the investigation and making the reports. The term mal-administration is not defined in the Statute it has interpreted the term Ombudsman in wide sense,

as including bias, neglect, delay, incompetence, arbitrariness, turpitude and so on. However, Ombudsman now regards that mal-administration means bad-administration which includes any action or inaction by governmental departments which feels unreasonable, unjust or oppressive.

In Australia also, the Ombudsman system has come into existence. There are two tiers of Ombudsman system because Australia is a federation. Each State has its own Ombudsman system and there is the Ombudsman system in Centre. Ombudsman is appointed by the Governor General for seven years and also eligible for reappointment. Here, the Ombudsman has given powers to investigate either on a complaint or suo moto into a 'matter of Administration' taken by the department. As regard the Commonwealth Ombudsman System, it was established by the Ombudsman Act, 1976. The term 'matter of Administration' has not been defined in the Act. Sometimes difficulty arises as to how to distinguish between 'matter of administration' and 'matter of policy'. However, the Ombudsman has noted the Act did not exclude a matter from being 'a matter of administration' on the basis that it might also be 'matter of policy'.

Need for Ombudsman in India-

The need to have a legislation for Lokpal and Lokayukta has been felt quite something. India is committed to pursue the "Zero Tolerance Against Corruption" because India ratified the United Nation Convention Against Corruption by deposit of instrument of Ratification on 9th May, 2011. As a policy of zero tolerance against Corruption this Act seeks to establish in the country a more effective agency to receive complaints relating to allegations of corruption against public servant including Ministers, MPs, Chief Ministers, Members of Legislative Assembly and other public servants, to inquire into them and to take follow up actions. Just like the other Democratic countries, India also have number of grievances against administrative faults came to abound. Therefore, the close supervision over the administration and mechanism for grievance redressal mechanism became essential and necessary. The brief history of Ombudsman in India includes- (1) in the year 1962 , M.C.Setalvad first proposed the idea of an Ombudsman in India at the All India Lawyers' Conference. Such suggestion was extensively investigated by the Administrative Reforms Commission, (2) after that, in the year 1966, The Administrative Reforms Commission headed by Morarji Desai submitted a report recommending the establishment of an Ombudsman system in India, (3) In the year 1968 The Administrative Reforms Committee proposed the establishment of an Ombudsman to the Government, (4) Then, in the year 1971 A bill was introduced to establish the Ombudsman but it did not pass. (5) The Ombudsman system was established in the year 1996 under the supervision of Morarji Desai, of the recommended the (6) In, 2002, the NCRWC(National Commission for Review of the Working of the Constitution) and afterwards in 2005, ARC (Administrative Reforms Commission) recommended the Appointment of Lokpal and Lokayukta, (7) 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, (8) and finally as a result, in the year 2013 The Lokpal and Lokayukta Act was passed and just like Australia a federal system of Ombudsman has established, i.e. Lokpal as the National Ombudsman and Lokayukta as the State Ombudsman.

Important Provisions of Lokpal and Lokayukta Act, 2013

The important provisions of Lokpal and Lokayukta Act, 2013 are as follows: -

1. **Procedure for establishment of Lokpal** - Section 3 of the Act is dealing with the Procedure for establishment of Lokpal. This Section provides Lokpal consists of a Chairperson and several such members, not exceeding 8 , out of whom 50% shall be the judicial members. This section also provides that not less than 50% of the members shall be from amongst the person belonging from the SC, ST, OBC, Minorities and Woman.

2. **Selection Committee** - Section 4 gives the details of appointment of Chairperson and members on the recommendation of "Selection Committee" for the purpose of Selecting the Chairperson and other members of Lokpal.
3. **Inquiry Wing**- Section 11 is dealing with the provision of "Inquiry Wing" which stipulated that the Lokpal shall constitute an Inquiry wing headed by the Director of Inquiry for the purpose of conducting preliminary inquiry into any offence alleged to have committed by a public servant punishable under Prevention of Corruption Act, 1988.
4. **Prosecuting wing**- Section 12 provides that Lokpal shall constitute a "Prosecuting wing" headed by the Director of Prosecution for the purpose of prosecution of public servants in relation to any complaint by the Lokpal under this Act. The Director of Prosecution shall after having been directed by the Lokpal can file a case in accordance with the findings of investigation report before the Special Court and take all necessary steps in respect of the prosecution of public servants in relation to any offence punishable under the Prevention of Corruption Act, 1988.
5. **Jurisdiction of Lokpal**- The Jurisdiction of Lokpal extends to Prime Minister (except in the case relating to allegations of corruption relating to- International relations, Security, The public order, Atomic energy and space) Ministers & MPs (except Any Speeches delivered to the Parliament or For a vote cast in the Parliament), Group A,B,C,D Officers and Officials of Central Government. The jurisdiction of Lokpal also includes- Every person who is or has been in charge director or manager or secretary of a body or a society set up by the act of central government, any society or body financed or controlled by the central government, any person involved in the act of abetting and bribe giving or bribe taking. Section 16 is dealing with Constitution of benches of Lokpal. This section states that the jurisdiction of the Lokpal may be exercised by benches and it constituted by the Chairperson with two or more members and every bench shall ordinarily consist of at least one Judicial Member. The bench shall be ordinarily sit at New Delhi and at any other place as the Lokpal may specify by regulations.
6. **Procedure in respect of Complaint, Preliminary Inquiry and Investigation**- The provisions relating to complaint, preliminary inquiry and investigation is in Section 20 of the Act. According to this provision, the Lokpal decides to proceed further after receiving a complaint against any public servant, may order for preliminary inquiry by the Inquiry Wing or by any agency and investigation by any agency if there exists any *prima facie* case. They conduct the Preliminary Inquiry on the basis material, information and document collected seek the comments on the matters made in the complaint from the public servant and the competent authority and after obtaining the comments of that public servant and the competent authority, submit within Sixty days from the date of receipt of the reference, a report to the Lokpal. Every report shall be considered by a bench consisting of not less than three members of Lokpal, decide whether there exists a *prima facie* case or not. Every Preliminary inquiry shall be completed within a period of ninety days and which may extend to further period of ninety days. When Lokpal decides to proceed to investigate into the complaint, it shall direct any agency to carry out the investigation as expeditiously as possible within six months and after obtaining comments of the competent authority and the public servant, the bench may grant sanction to its Prosecuting Wing or investigating agency for filing a charge-sheet or direct the closure of the report before the Special Court. The website of the Lokpal shall display to the public the number of complaints pending or disposed of by it from time to time. Section 24 is dealing with the provision relating to any action on investigation against public servant being Prime Ministers, Ministers or MPs, the Lokpal may file a case in the special court and shall send a copy of the report together with its findings to the competent authority.
7. **Establishment of Lokayukta**- Lokayukta performs the same functions at the State level. The institution of Lokayukta had already been set up by many States much before the enactment of Lokpal and Lokayukta Act, 2013. Lokayukta was first established in Maharashtra in 1971.

Twenty-one States and One Union territory have established this institution until 2013. There is no uniformity regarding the jurisdiction of Lokayukta in all the States. The Structure of Lokayukta in all the States is not same. Some of the State like- Karnataka, Rajasthan, Andhra Pradesh and Maharashtra have only created the Lokayukta, whereas States such as Uttar Pradesh and Bihar have also created Upalokayuktas also. In Lokayukta under the State Acts, is a retired Judge of the Supreme Court or a Chief Justice or a Judge of a High Court. They are appointed by the Governor after the consultation between the CM, CJ of High Court and the Leader of Opposition. The term of appointment is for five or Six years. Section 63 is dealing with 'Establishment of Lokayukta', where it says that every State shall establish a body to be known as Lokayukta for the State.

8. **Special Court-** Section 35 states that the Central Government must constitute such number of Special Courts recommended by the Lokpal to hear and decide cases arising out of the Prevention of Corruption Act, 1988. This Special Court must ensure completion of each trial within a period of one year from the date of filing the case.

Powers and functions of Lokpal & Lokayukta

Lokpal has the power to seize the assets, receipt, proceeds and benefits of any official which are acquired by corruption. Lokpal has the power to give directions to avert the destruction of records during the preliminary investigation and also to give the direction to the Central Bureau of investigation (CBI). Lokpal shall have the powers of superintendence over and to give direction to the Delhi Special Police Establishment in respect of matters referred by the Lokpal for preliminary inquiry or the investigation. The Inquiry wing of Lokpal have the all the powers of a Civil Court under CPC. It has also the power to recommend transfer or suspension of public servant connected with allegation of corruption and to give direction to prevent the destruction of records during preliminary inquiry. Finally, Lokpal has the authority to grant sanction for prosecution of public servants in a place of the Government or competent authority.

In case of Lokayukta, the Ministers and higher public servant are also included under the ambit of Lokayukta in almost all the States. It has the power to raid on the houses or offices of corrupt officials and may investigate any action taken by the public servant. It has also the authority to suggest punishment against the culprit to the administration.

As Ombudsman is a watch dog for administration, keeps a watch over all public officials and always take suitable action against them if they do not function accordance with law. It can take action either suo moto or on the basis of any complaint made by any person. Lokpal to function as the appellate authority for appeals arising out of any other law for the time being in force. It functions as the appellate authority for appeals arising out of any other law for the time being in force. It has to protect any action taken in good faith by any public servant or other officials. It has also provided adequate protection to those who are being exploited for raising their voice against corruption.

Lokayukta also performs the similar functions at the State level. Many States had already set up the institution of Lokayuktas much before the enactment of the Act. There is no uniformity regarding the jurisdiction of Lokayukta in all the states and even the structure of Lokayukta also not the same in all States. Lokayukta investigates allegations of corruption, maladministration, arbitrary use of power and lack of integrity against public functionaries at State level. It is always keep a check on the investigation of anti-corruption agencies and carries out fair and impartial investigations based on facts against the accused person by taking the assistance of a special investigating officer.

Limitations of the Lokpal and Lokayukta Act, 2013

1. **Inadequate rules and regulations-** There is no regulations governing the manner and the procedure for conducting the preliminary investigation have been enacted in Lokpal and Lokayukta Act, 2013. A large number of cases are still pending in central as well as State level.
2. **Lack of independence-** This Act is allowing the government to apply their influence over the appointment and functioning of the Lokpal and Lokayukta which may compromise its independence. If the law will free from any control of other authority, then only the smooth running of the law is possible.
3. **Lack of Transparency and impartiality-** There is a non-transparent process for dealing with the complaints against the Prime Minister. They are getting the special kind of immunity from the Act. This Act will not inquire the PM if the allegation of corruption is related to international relations, external and internal security, public order, atomic energy and space. After fulfilment of two conditions only the PM can be taken up for inquiry, if full bench of the Lokpal consisting of its chairperson and all members considers the initiation of inquiry and at least two-thirds of its members approves of such inquiry and such inquiry will be done in camera and the records of inquiry shall not be made available or published before the public. This kind of impartiality is another limitation of the Act.
4. **Delays in Proceedings-** Due to administrative and legal complexities and other various reasons corruption cases in this country investigated by the Lokpal and Lokayukta can sometimes experience prolonged delays in resolution, which may affect the public confidence over this Institution.
5. **No Constitutional backing-** Lokpal does not have any constitutional backing and also there are no adequate provisions for appeal against the actions of Lokpal. States have the complete discretion with respect to the specific details in relation to the appointment of Lokayukta. There is also need for functional independence of the CBI has been catered to some extent, by the change brought forth in the selection process of CBI'S Director by the Act.
6. **Not an independent body-** The main tragedy of Lokpal indicates the agonies of a body that is excessively dependent upon all the three organs of government for survival. This country needs an independent body of ombudsman so we need to evolve a select committee that is equally independent. The domination of political wing of the state is writ large in the committee that selects the Lokpal and its members. It is necessary to establish Lokpal as a separate body of persons who has the integrity and who held in high esteem by the public.

Need for reforms of the Ombudsman in India

For tackling the problem of corruption, the Ombudsman institution should be strengthened both in terms of functional autonomy and availability of manpower. Merely appointment of Lokpal. To prevent the corruption like problem from the very root, the government should address the issues based on which people are demanding Lokpal. Merely adding to the strength of investigating agencies will increase the size of the government but necessarily improve the governance. The appointment of Ombudsmen or its procedure should be transparent so that there shall be no misuse of power. There should be a strong recommendation in that the government draft a complete law with harsh penalties for the reduction of cases of corruption. The Lokayukta should be made more accountable and transparent in its functioning. It should publish reports on its activities, investigations and outcomes. It should be amended to provide more powers to the Lokayukta, such as- the power to investigate and prosecute cases of corruption against all the public servants. In State level also there is need for special legislation because some of the major challenges faced by the Lokayukta is the delay in the investigation and resolution of complaints, the Lokayukta also dependent on the State government for funding and infrastructure which can lead to interference and lack of independence. So, there is a need for different decentralised institutions with appropriate accountability mechanisms, to avoid the concentration of too much power, in any one institution or authority. Moreover, Lokpal and Lokayukta must be financially, administratively and

legally independent of those whom they are called upon to investigate and prosecute. There are certain things that have to be remembered while implementing the idea of Ombudsman that a country like India has experienced corruption in all the levels of hierarchy of governmental institution. The battle against the corruption in the administrative wing that need to be rectified.

Conclusion-

Establishing Ombudsman in India was a significant step towards addressing corruption in India. It aimed to provide an independent and impartial mechanism to investigate and prosecute corruption cases against public officials. Ultimately, the success of the Lokpal and Lokayukta relies on a collective effort from the government. There is no practice of Ombudsman in federal level covering the whole country. On the other hand, the implementation of Ombudsman institution has been implemented in State level also. By working together to overcome the challenges and limitations, India can move more closer to achieving goal of a transparent and corruption-free governance system. Lokpal and Lokayukta appointments must be done transparently to minimize the chances of the wrong sorts of people getting in. The Statute establishes the institution that will provide a proper check-up and fulfil the procedure which can only be achieved upon its establishment in every state for successful enactment of law. The need for supervising committee consisting of jurists and well-qualified corruption specialists who choose unbiased representation for both of the authorities. The strength of the legal and constitutional structure is only possible by the Ombudsman body for combating the corruption. The proper implementation of the Statute will forever eradicate the evils of corruption from the nation.

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