

India Practice Group

To: Our Clients and Friends

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Lokpal: Finally a force to combat corruption in India

‘Lokpal’ means people’s protector or caretaker and in India it refers to an anti-corruption watchdog or ombudsman. The Lokpal Bill, which sets out how this anti-corruption body should be constituted and who would be subject to its scrutiny, finally got passed in December and was brought into law by President Pranab Mukherjee last week.

The principle of a ‘Lokpal’ was first considered over 45 years ago and the government has tried to pass a Lokpal Bill eight times in the past. Over the past few years the government has come under repeated pressure to create the new institution.

Two years ago, campaigner Anna Hazare, led a mass movement protesting about corruption by politicians, businessman and public servants. He also staged a number of hunger strikes in order to pressurize the government to push forward with approving the bill, the latest of which finally culminated with the passing of the bill. The recent losses in the state elections by the governing Congress Party also contributed to the bill becoming a top priority.

The new law will set out how the Lokpal shall be constituted and shall empower this body to investigate and prosecute cases of misconduct by politicians, government officials and civil servants (but falls short of including the private sector). Even the prime minister’s office will come under the scrutiny of the Lokpal. It will also form the model law for all Indian states who will have to establish Lokayuktas (state ombudsmen) within a year.

The scandals in India over the past few years have had an adverse impact on India’s reputation and upon the confidence of businesses wishing to invest in India. The passing of the Lokpal Bill suggests that India is now willing to take steps to deal with corruption in India.

In my article [India: A New Dawn?](#) (31 January 2013) I reported that I hoped that the Lokpal Bill would finally be passed in 2013. The hope for 2014 is that the Lokpal Act will be properly implemented and used effectively to prevent further scandals in India.

For more information on this subject, kindly send your questions to the author, your contact at Bryan Cave or to any member of the [India Practice Group](#):

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