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Lok Satta Party President Dr. Jayaprakash Narayan today demanded that the Lokpal at the national level and Lokayuktas in States should be armed with powers to take up corruption cases suo moto.

Addressing a media conference on the Lokpal and Lokayukta Bill now before Parliament, Dr. JP pointed out that under the present provisions in the Bill the ombudsmen can take up cases only when there are specific complaints. People will be deterred from lodging specific complaints because of the provision that those who make false, frivolous and vexatious complaints invite a jail term of up to one year and a fine of Rs.100000.

The ombudsmen should look into cases where circumstantial evidence warrants an inquiry without waiting for a complaint. None can make a specific complaint with evidence of hundreds of crores of rupees changing hands in cases like allocation of the 2-G spectrum or award of contracts under Jalayagnam in Andhra Pradesh, although it is public knowledge that they reeked of corruption. Otherwise, monumental and startling cases of corruption go without a probe and the guilty being punished.

For the ombudsmen to be effective, they should be provided an independent intelligence wing, Dr. JP suggested. Only when the ombudsmen have knowledge of issues and reputation of public servants can they make rational judgments as to the relative importance to be accorded to the cases before them. Otherwise, trivial cases will dominate at the cost of important cases of gross corruption of those in high office.

Dr. JP said that although the Lokpal and the Lokayuktas have been freed from seeking prior Government permission for inquiring into and launching prosecution in corruption cases coming up before them, the Central Bureau of Investigation and the Anti Corruption Bureaus have not been freed from taking prior clearances in cases handled by them directly. Therefore, Section 6 A of the CBI Act (Delhi Special Police Establishment Act), Section 19 of the Prevention of Corruption Act, and Section 197 of the Criminal Procedure Code should be repealed.

Dr. JP said that although the Bill takes great care in regard to the selection of the CBI chief and other officials, it fails to address the appointment of Anti Corruption Bureau Directors and others in States.

States have become the epicenters of corruption in the post-liberalization era. Of the total 2.2 crore Government employees in the country, the States account for nearly 1.6 crore. Of the 5000 total legislators in the country, 4000 are in States. Of the 700 ministers both at the Center and in States, 600 are in States. For tackling corruption at the State level which hurts a vast majority of people, the ACB should be autonomous and independent and not be at the mercy of those in power.

Dr. JP said that the ombudsmen would have to be judicious in taking up cases for inquiry as there is the prospect of their being flooded with cases against thousands of people who have all been brought under their purview. In the ideal situation, the ombudsmen would focus on

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Ministers and legislators at the Center and in States and top officials. They should not equate a person accepting Rs.100 with a Minister accepting crores of rupees as a bribe, a probability if the ombudsmen go by the letter of the law.

Dr. JP said that to fight corruption some more laws like the one drafted by the Law Commission for attachment of the entire property of the corrupt person, and another to go into cases of collusive corruption are necessary. The mechanism to unearth black money should be strengthened.

Lok Satta Party's acting Working President V. Laxman Balaji and General Secretary Katari Srinivasa Rao took part in the media meet.