

Lokpal Bill

Forty-three years after the first draft was conceived, the Union Cabinet on July 28, 2011 approved a Lokpal Bill, Keeping outside its purview a serving Prime Minister, the higher judiciary and the conduct of MPs inside Parliament. But timing the Bill “unacceptable,” social activist Anna Hazare, who had initiated a movement in April demanding the anti-corruption legislation, announced his decision to go on an indefinite fast to press for a revised Bill that would be “strong and effective.” While the government insisted that the basis of negotiations must be its bill, now being examined by the Parliament’s standing committee, Team Anna demanded that the government draft be replaced with their Jan Lokpal Bill, which could then be subjected to amendments. Negotiations between the government and Anna Hazare’s team on their varying versions of the Lokpal legislation went on. Finally, on August 27, 2011 in a historic gesture, the Lok Sabha and the Rajya Sabha unanimously resolved to endorse three key ideas that social activist Anna Hazare had insisted be included in the draft Lokpal Bill, now being considered by Parliament. The ‘sense of the House’ resolution adopted represented a stunning triumph for the fasting anti-corruption crusader who, just 12 days ago, had been arrested and jailed by a government fearful of the protest he was about to embark upon. Triumphant at securing Parliament’s approval on key elements of the Jan Lokpal Bill, Mr Hazare declared that electoral reforms would be next on his agenda, followed by issues of decentralization of power, education reforms, labour and farmers’ issues.

Salient Features of Initial Govt. Lokpal Bill

1. Lokpal can investigate PM only after he demits office.
- 2 Lokpal will have powers to investigate and prosecute all ministers, MPs and MLAs except on their conduct in their respective legislative bodies and all gazetted level government officials.
3. Seven-year time limit from date of offence mentioned for investigating a complaint.
4. Punishment for corruption by public servants increased from seven to ten years.
5. No recommendation can be made without hearing the public servant against whom complaint has been found to be true.

6. Respective ministers will decide whether to accept Lokpal recommendation or not against corrupt officials. Chairpersons of legislative bodies will decide in case of elected representatives and PM in case of central ministers.

7. The bill provides up to two-year punishment and up to '2 lakh fine for false or frivolous complaint. Public servant will also be able to seek compensation from the complainant.

8. The bill provides for mandatory declaration of assets by all public servants and their family members once a year and to be placed on public domain.