



POLITICS OF LOK PAL: AN INTROSPECTION

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Abstract: *Corruption is prevalent in the rank and file of Indian polity. That's why the scandals or corrupt practices are increasing both in number and gravity on one hand and the demand for a transparent, fair and open society on the other, is becoming louder. Albeit India has a long list of scandals, the scams of new millennium are of mega size as compared to the 1960s, amounting lakh of crore rupees and involving the highest office of the country, and penetrating even in those wings of government which are averse of it. As the corruption eats upon the vital of body politics and adversely affects the welfare and development programmes, hence a number of attempts have been made by the government in this regard and the Constitution of Lokpal and Lokayukta is the latest one. All the ruling parties including the present UPA government have played politics on the issue. The Lokpal Bill was introduced many times in the Parliament including the present move, but none of them made sincere attempt to pass it. As the topic is most debated in Indian politics for the last one year, hence an attempt has been made in this write up to highlight the historical profile of Lok pal in India, statutory provisions to curb corruption, and their constraints as well as the challenges in establishment of Lok pal institution and their remedies have been discussed.*

Keywords: *Corruption, Statutory, Commission of Enquiry, Transparency.*

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Corruption has become the order of the day in Indian administration and politics. Hardly any day passes when we don't read or listen about one scam or the other. Surprisingly, the number of scandals or corrupt practices is increasing both in number and gravity on one hand and the urgency of a transparent, fair and open society on the other, is becoming louder day by day. So far the corruption in public life is concerned, India has not a good record in this regard among the civilized nations. Starting from Jeep scandal and Mundra Scandal of 1960s to Common Wealth Games scam, 2-G spectrum, Coalgate, IGIA and Power project scams of 2010s, it has an unending list of scams. According to Dinesh Patel, Union Minister for Mining, the government has collected penalty of Rs. 632 crore from illegal mining during 2006 to 2011. It is noteworthy that the mafia is far-far strong and comprehensive in its network. The collected revenue is a small part of actuality prevailing therein.

General V.K. Singh, Chief of the Army Staff, proclaimed that a former Lt. General and amour lobbyist offered him bribe of worth Rs. 14 crore for purchasing specific weapons (600 Tatra Trucks in 2011) for army which he brought to the notice of Defence Ministry. It is noteworthy that the original producer of these trucks was a Chek company, [1] whereas the trucks were purchased on almost double rates through the British (Tatra) company. While sending the message to Armed Forces on the eve of Independence Day, Sh. A.K. Antony, the Defence Minister, expressed his concern regarding the cases of corruption in armed forces and defence installations and called this as a serious threat to national security as it adversely affects the morale of forces. He pointed out that corruption is still a serious problem which the nation is facing and armed forces are not its exception and emphasized that every military person needs to be honest, transparent and fair in his/her day to day functioning. It is pertinent to mention here that in the recent past many cases of corruption in armory purchase and land management have unearthed. Similarly, Mamta Banerjee, the CM of West Bengal while addressing the diamond jumble of State Assembly expressed concern over the decline of democratic values and pointed out that even judiciary is not free from corruption as a segment of it is corrupt, hence delivered manipulated decisions. She emphasized on the need of performing duties honestly by all the organs of government for strengthening democracy in the country,[2]



The NHRC criticized the government for lapses in MNREGA and Indira Awas Yojana as both the schemes failed to attain the desired goals. The Workgroup of Commission after survey of 16 districts of different states reached to the conclusion that MNREGA has failed to provide livelihood security to people in rural areas. According to official data 5.60 crore persons applied for work under MNREGA of which 5.50 crore were provided work with a wage cost of Rs. 25,586 crore which is equal to the payment of their wage of 50 working days. In 99% of MNREGA projects no building material was used whereas 37% of the budget has been utilized. Therefore, it is a matter of enquiry where such a huge amount has been siphoned off? [3]

Thus India has a long list of scandals whereas the scams of 1960s were of a few crore involving ministers or their near and dears, the present scams are the mega one amounting lakh of crore rupees involving the highest authorities of our polity. Not only the politicians and bureaucrats are indulged in corrupt practices, even the layman is not far behind whenever and wherever gets the opportunity. For example, the people take all odd edge to get benefit of welfare and development schemes despite they are not eligible for these as per criteria. Thus corruption seems to be legalized in our country. As the corruption eats upon the vital of body politics and adversely affects the welfare and development programmes, hence a number of attempts have been made by the government in this regard varying from Anti-Corruption Act to the institutions of Central Vigilance Commission (CVC), State Vigilance Bureau, Intelligence Bureau (IB) etc. beyond the normal judico-legal system prevailing in the country. Constitution of Lokpal and Lokayukta on the pattern of Ombudsman in Scandinavian countries is the most debated issue of the day, having history of more than 4 decades in the country. Since nineties, the concept of good governance is desired and prevailing in the politico-administrative affairs in most of the 3rd world countries. The RTI, citizen's charter, responsive government downsizing of government, public choice, citizen centric and participatory government etc, are the essentials and features of good government. Thus the Lok pal is required to ensure transparency, accountability, responsiveness, values in public life on one hand and for eradication of corruption at higher level and to break nexus of mafia, politicians and bureaucrats in India on the other so that the concept of good government can be realized.



There is a lot of hue and cry regarding the establishment of Lokpal in the country and pressure is coming from all corners, despite neither the government nor the opposition parties are really interested, sincere and honest in this regard and seems to play politics on the issue. All the ruling parties of the day including the present UPA government have introduced the Lokpal Bill in the Parliament, but none of them made sincere attempt to pass it or mustered the required majority in its favour. As the topic is one of the most debated in Indian politics for the last one year, hence an attempt has been made in this write up to highlight the historical profile of Lok pal in India, statutory provisions to curb corruption, constraints of existing mechanism to curb corruption at higher level. Challenges in establishment of Lok pal institution and thereafter as well as remedies of the problem have been discussed.

STATUTORY PROVISIONS:

The Lokpal Bill has been introduced 10 times so far but every time it fell due to political unwillingness to pass it. This time also the Bill was passed by the Lok Sabha in its winter session (Dec. 2011) but could not be passed in Rajya Sabha due to lack of majority. The non-seriousness of ruling UPA and opposition to pass the Bill reflects from this single instance that all but none want to pass it. That's why the Bill could not muster the required number and more than hundred amendments were suggested. The stalwarts of regional parties are not far behind the national parties to put it in the dustbin. The latest attempts (August, 2012) of Team Anna and Baba Ramdev to pressurize the government and other political parties to pass the Bill could not materialized. The anguished members of Team Anna on the issue even declared to form their political party to meet out their goals of corruption free society.

CONSTRAINTS OF EXISTING MECHANISM:

No doubt, there is far and wide mechanism available in the country to control misconduct and malpractices. However, due to one reason or the other the existing mechanism fails to cap the rising menace of corruption and malpractices in the country. The main constraints of the existing mechanism are as under:

- 1. The Parliament can pass impeachment against the constitutional functionaries** like the President, Vice President, Judges of Supreme Court, Chief Election Commissioner (CEC) , Comptroller and Auditor General (CAG) etc. on the ground of misconduct or incompetency



to perform their constitutional duties. However, in actual practice, the impeachment process is too difficult to pass owing to political considerations and number games. So far in a few cases of justice V. Ramaswamy (1993), justice Somitra Sen (2011), justice Dinnakaran (2010), this process was applied but remained successful only in the case of Somitra Sen.

2. In case of Senior Bureaucrats, the Government generally does not permit to prosecute them while in office. Article 310 of the Indian Constitution grants them a number of immunities. That's why in spite of involvement in corrupt practices, they remain away from the clutches of law. As the higher judiciary has taken up many cases highlighted by media or through PILs and many senior bureaucrats were booked and put behind the bar. The cases of CWG, 2-G spectrum, Adarsh Housing society, NRHM etc. are before us in which the Apex Court or the High Court took up the issue and monitored it properly to the concluding point. Recently 267 officers of Central Board of Direct Taxation and Central Board of Excise & Custom are in CBI purview of enquiry in charges of bribe in last 3 years (2009-2011). The CVC made preliminary inquiry of corrupt practices in all the cases and later on handed over these cases to the CBI. The government is acting in every case as per the recommendations of the CBI, the CVC and the chief Vigilance Officer of the Department. [4]

3. Commission of Enquiries (COE) can be constituted to investigate the matters where high profile politicians like the Prime Minister, the Chief Minister or ministers and their family members were alleged to indulge. A number of COEs have been appointed so far varying from Das and Chhagla commissions during Nehruian period to Librahan and Nanawati commissions during Rao and Atal Bihari Vajpayee periods. But hardly any of their recommendations was considered and executed by the Government. Such commissions were generally appointed just to divert public attention and mitigate the issue or by the rival government on political consideration and their reports were set aside by the succeeding government. Thus, this mechanism is not an effective tool to curb corruption in political arena.

4. Parliament controls the executive or government while in session through question hour, call attention motion, adjournment motion, no confidence motion, censure motion, cut motion etc. The CAG, Public Account Committee (PAC), Joint Parliamentary Committee (JPC), Estimate Committee, Committee on Public Sector Undertakings, Committee on Privileges of House etc. are the other instruments of parliamentary control over government



and administration. The reports of PAC and JPC are contradictory on the 2 G spectrum case where the former committee headed by Murli Manohar Joshi, BJP, endorsed the charges alleged by the CAG, the latter headed by P C Chako, Congress exonerate it. Moreover, the situation became awkward when the Speaker refused to accept the report of PAC in this regard.

The Chief Ministers of Rajasthan (Vasundhara Raje), Chhattishgarh (Raman Singh), W. Bengal (Budhdev Bhattacharya) and Orisha (Naveen Patnaik) wrote letters to the PM in 2005 in which they opposed the open and competitive auction of coal blocks. It ultimately resulted into huge loss to in which they the state exchequer as pointed out by the CAG in its report. The same BJP has stalled the Parliament (Monsoon Session) for 7 days (23-30/08/2012) for seeking resignation of PM in this black game. The BJP blamed that the UPA government intentionally delayed in formulation of policy in this regard.[5]

The ASSOCHAM came in defence of the PM and the government in allocation of coal blocks, a scam of Rs. 1.86 lakh crore, as per the CAG report. It pointed out that the CAG report has created an environment of doubt and non-confidence in the country and dubbed this report as disputed. It also gave advertisement in newspapers claiming that the CAG reports regarding allocation of coal blocks, IGIA extension and Power Projects have created a negative environment in the country. It needs to be combated otherwise it will adversely affect the development and foreign investment in the country. It emphasized that the conclusion of CAG on allocation of 57 coal blocks is not based on facts. Only in one Block the mining has started whereas some of these blocks are allotted to electricity, steel and cement companies for their personal use to check the prices of these essential commodities in market.[6]

On the second day (27-08-2012) of Haryana Assembly session, Sh O P Chautala, leader of opposition made unparliamentary remarks against the Speaker and even after repeated requests by the latter and objection on it raised by the ruling party, he bluntly refused to withdraw it and apologise for his comments against the Speaker. Rather all the MLAs of INLD came in the well of Assembly and started shouting followed by the Congress MLAs. Ultimately, the Speaker named and suspended all the MLAs of INLD including the Akali Dal for rest of the period of session (one day) before this the Assembly was adjourned for 3 times in a day. The Assembly passed 11 bills in a single day (28-8-12) in absence of



opposition and total 16 bills in 3 days session.[7] Thus there is sharp decline in the standard, working hours and conduct of legislative bodies. The partisan interests dominate their functioning and hardly anyone bother for public cause and national interests. If anyone pointed out their omissions and commissions, all the MLAs and MPs got united to snub and punish him/her. The latest example is that of Arvind Kazeriwal, a prominent member of Team Anna. The Parliament issued show cause notice to him for making derogatory remarks against Parliament and breach of privilege of the House. He remarked that the Parliament has become the den of criminals, plunderers and offenders, as 163 MPs in the present Parliament are alleged or even some of them are convicted in serious offences.[8]

5. Punishment can be given by the President or government as per requirement in case of Supreme Court reference or even without it in case of chairman and members of the UPSC, SSC, CAG, Election Commission, Finance Commission and other constitutional and statutory commissions if found indulge in cases of corruption, incompetency or insolvency. But owing to politico-administrative nexus and political patronage, hardly any action is taken against the offenders. Such allegations are frequent in cases of State Public Service Commissions and Boards and even appointments made by them were quashed many times by the courts. But in rare cases the offenders are punished except the case of Uda Ram and Sher Singh Badshami (both members of Haryana Public Service Commission) in 1994 when the Punjab and Haryana High Court passed stricture against them and impose a penalty of Rs. 10,000/- each.

6. The Central Vigilance Commission (CVC), Central Bureau of Investigation (CBI), Enforcement Directorate (ED), Vigilance Bureaus in states, Intelligence Bureau (IB) etc. are in operation to curb mal-administration and corrupt practices but due to political patronage, political interference and partisan interests these bodies are not working effectively and have more or less become the handmaid of ruling political parties. The CVC imposed penalty over 116 corrupt officials concerning to various government departments as per its March, 2012 Report.[9] The CBI registered an FIR against the officers of Defence Ministry and Military along with the owner of Tatra Company for the financial irregularities arisen in purchase of 6477 Tatra Trucks for Indian Army during 1987 to 2011, when this issue was widely taken up by media and rocked in the Parliament.[10] An embezzlement of Rs. 1.50 crore by an ad hoc employee in the finance branch of CBI Headquarter, the main agency for



combating corruption in the country, has exposed.[11] Thus these bodies are generally effective only in those cases which are either taken up by the media or by the courts.

7. The Supreme Court and High Courts have played vital role in eradication of corruption by putting behind the bars a number of high profile offenders in recent past through grievance parties, PILs or taking suo motto cognizance of such cases on media reports. The Supreme Court on 27-8-2012 extended the deadline for auctioning the 122 2-G spectrum licences till 11-01- 2013 which were cancelled by it on 02-02-2012 and warned the Union Government. it would be slapped with contempt and exemplary cost if the process was not completed in time. It is for the 2nd time, the Apex Court granted extension in this case. The court took strong exception to the delaying tactics adopted by the government at the behest of the telecom companies who were the beneficiaries of the 2008 allocations. [12] In no mood to spare either the CBI or the State Government for the delay in NRHM scam probe, the Lucknow Bench of Allahabad High Court on 23-8-2012 refused to accept a verbal status report from the CBI and denied further extension. The Bench summoned the State's Principal Secretary, Health to be present by 2 p.m. to explain why the government had not given permission to start prosecution against 34 charge sheeted doctors and other employees in the NRHM Scam so far. [13]

A Delhi Court on 28-4-2012 sentenced former BJP President, Bangaru Laxman 4 years rigorous imprisonment and slapped a fine of Rs. 1 lakh under the Prevention of Corruption Act for taking bribe of Rs. 1 lakh from a fake arms dealers 11 years ago. It is noteworthy that Laxman was caught on camera while accepting this bribe in his chamber in the BJP Head Quarter in a media sting operation and he had to quit as party President in the wake of a political storm. The judge noted that the "Sab chalta hai syndrome had led the nation to the present situation where nothing moves without an illegal consideration. People are forced to pay for getting even the right things done at the right time. It was time to shun such an attitude and the courts sternly dealt with persons found guilty of corruptions." [14]

The Punjab and Haryana High Court directed the Haryana Government to relieve immediately all 719 guest teachers who have been appointed illegally and also deduct the amount paid to them meanwhile from the salary of DEEO/DEO/ Principals who are responsible for their appointment. Accordingly, the Director General, Secondary Education Haryana issued the circular vide No. 4/4-2012, TM(4) with a direction to the DEEO/ DEO to



issue show cause notice to all concerned teachers to terminate their services and asked them to send its compliance by 16-8-2012 positively, [15]

Thus judicial activism has contributed a lot in this regard. But the judiciary is overburdened as more than 3 crore cases are pending in various courts in the country. Moreover, the legal process is very complex, time consuming and expensive which is usually favourable to the offenders and leave a lot of dent to punish the potential offenders. The Hon'ble S.C. has expressed concern in many cases on the rising tendency of turning hostile of witness in high profile cases and directed the government to ensure their safety and security. That's why the government is going to pass the Whistle Blower Protection Bill, 2012 to provide security to the persons involved in exposing corruption and malpractices.

8. Public Opinion, mandate during elections, media and other pressure groups are also not effective in the long run and to curb the nexus of criminals, politicians and bureaucrats which is well organized, aware and well connected. These agencies of democracy are vital in the countries where the citizenry is well aware and informed. As majority of populations in the country is still illiterate, poor and ignorant, hence there is limited role of civil society in India. As per the 66th round of NSSO carried out between July, 2009 to June, 2010 around 60% of India's rural population lives on less than Rs. 35/- a day and nearly as many in cities live on Rs. 66/- a day, reveals a government survey on income and expenditure.[16]

National Advisory Council (NAC) headed by Sonia Gandhi advocated for welfare of 43 crore tin-organized sector labors contributing 60% in the GDP of the country. The NAC criticized the UPA government for not taking any concrete step for the welfare and social security of these labourers in spite of this fact that the 'Unorganized Labour Social Security Act' was passed 3 years ago. The UPA government has not taken any step in this regard except the National Health Insurance Scheme and the benefit of this Bima Yojana is only accessible to 9 crore labourers. Whereas the labourers of this class is adversely affected who are poorly paid and work in odd situation that too without the basic amenities like food, health, insurance, pension etc.[17]

The trend of rising offences against women in metros is a cause of concern. That's why 75% of the working women in the country feel insecure while working in odd hours or at night. The NCR, Delhi is at the top of list comprising of 10 metros as per the latest survey conducted by ASSOCHAM, [18] The greenery could not increase from 6.5 % even after



plantation of 34 crore siblings and an expenditure of Rs. 700 crore in Haryana by Forest Department in the last 7 years. The reasons behind this are the rising population, industrial development, cutting of trees for residential accommodations and lack of awareness regarding plantation. Rather some scandals have exposed in this regard whereas for population free environment, the greenery should be 33% of the total area. [19]

Over, 10,000 electricity connections taken for tubewells are still existing in urban areas in Haryana whereas the agriculture land meant for, has been sold years ago for housing and industrial purposes and at present there is no agriculture land. Thus, they are enjoying water and electricity at throw away prices.[20] Thus, the insincerity and lethal attitude of administration towards its duties and prevailing nexus are siphoning off the vital natural resources rendering the development and welfare schemes at the midway. India's external debt has increased from US \$ 83.8 billion in 1990-91 to \$ 317 billion by June, 2011 which almost 4 times in 2 decades in which the share of long term debt reduced from 89.80% to 78.75%. Whereas the short term debt increased from 10.20 % to 21.35 % which is a matter of concern. [21]

9. Statutory and Regulatory bodies like the UGC, AICTE, BCI etc., Consumer Protection Mechanism, State Information Commission (SIC) and Central Information Commission (CIC) are also not effective to the desired level against the corruption due to lack of enthusiasm, spirit as well as interest among key officials and for want of adequate resources. There are 13 regulatory bodies like the UGC and AICTE in the country to regulate the functioning of higher education which not only affect the efficiency but also led to corruption. That's why Professor Yaspal Committee and the national knowledge Commission have recommended to replace these by a single body named as National Commission for Higher Education and Research (NCHER).[22] Over 1½ dozen technical institutions are running in Haryana without approval of AICTE. The Directorate of Technical Education while issuing the list of such fake and illegal institutes, warned students and their parents, not to get enrolled therein. These forged institutions are awarding fake degrees to students in lieu of lofty amounts, but the government did not take any criminal and other appropriate action against such fraudulent institutions so far to curb this menace.[23]

The appointments of 7 Vice Chancellors of universities in Haryana is not compatible with the guidelines of UGC and State Government which reflects that extraneous factors are



paying their role in such coveted appointments. If the appointments on highest posts of higher education are doubtful, then justice to their jobs can not be expected.[24] In most of these statutory bodies either the appointments are made on political considerations or the posts are lying vacant for years. The Delhi High Court has to intervene and direct the Union Government on a PIL to fill up the 5 posts of Information Commissioners lying vacant for the last two years resulting into a backlog of 30,000 RTI appeals.

According to NSSO latest survey, '10% of rural population in India is living on less than Rs.17/- day/head whereas it is Rs. 23|- day|head in urban areas to such people'. Whereas, the Planning Commission fixed Rs. 22.42 as BPL criteria for rural population and Rs. 28.65 for urban, a bit ago and it was criticized all around.[25] Whereas on the other side the number of billionaires is rapidly increasing in the country as well as the per capita income and GDP rate.

CONSTRAINTS TO LOKPAL:

No doubt, the Institution of Lok pal will be highly useful and pragmatic for eradication of corruption from public life particularly at the higher level. In spite of it, its passage is not smooth and steady. Over the last 4 decades, politics has been played on this issue and a number of constraints are still there in its route. The main constraints to pass the Bill and to establish this institution in India are as under:

1. Problem in Enactment of Lokpal Bill: The main constraint before the Lokpal is the enactment of Bill as all the political parties are playing politics on the issue and none wants to pass it from the core of heart. That's why after introduction of bill 10 times in the Parliament in the last 4 decades, it is still in the doldrums. The Parliament did not make any decision on this Bill in Monsoon session due to a complete deadlock between the Congress and the main opposition party BJP on the issue of resignation of the PM in Coalgate.

2. Controversy over the machinery of Lokpal: Still the political parties are badly divided on the organizational set up, powers and functions of Lokpal in the country. What will be its structure, process of appointment, tenure, accountability, domain as well as the source of the supporting staff, are the issues of controversy? Which has yet to be settled and all this is not an easy task in the existing political scenario.

3. Integrity and Commitment of Lokpal: It is too difficult to anyone including the Lokpal to work freely and fairly in a rotten system. There are a number of apprehensions regarding



the integrity and commitment of Lokpal to eradicate corruption and to accomplish the desired goals particularly at the moment when such appointments are made on political grounds and generally senior bureaucrats or persons with high political liaisons are accommodated. The examples of such other bodies like Information Commissions and other Tribunals are before us where in spite of collegiums system it is hardly followed or the dissent of opposition is taken care of.

4. Socio-cultural Constraints: The socio-cultural constraints like illiteracy, ignorance, apathy, rumours and decline of ethics and values in public life, lack of healthy customs and traditions in our public life, are the other factors in the passage of Lokpal to accomplish its goals in India.

5. Politico-Administrative Factors: The Politico-Administrative constraints like lack of willingness to pass the Bill, to provide it adequate infra structure and financial assistance, filling up the vacancies from time to time, cooperation from the administration political interference in the appointment of Lokpal and its staff, rising pyramid of retired and government loyal officers are the serious challenges in the way of Lokpal to attain its goals.

6. Contradiction with Existing Institutions: The powers, position and status of Lok pal as demanded by Team Anna is not only contrary but also fatal to the general principles of our polity i.e. Parliamentary Supremacy, collective responsibility of Minister-in-Council, the rule of law, judicial review etc which will also be adversely affected.

CONCLUSION AND SUGGESTIONS:

No doubt, the government has made a number of attempts to establish the institution of lok pal in the country to combat corruption and mal-administration. But it is also true that hardly any of these attempts was a sincere and honest one. In most of the cases when the Bill was introduced it was supported by some parties that too half heartedly and opposed by the others. In the recent (August, 2012) Baba Ramdev's demonstration at Ramlila Maidan in New Delhi for passing the Lokpal Bill and to bring back the black money deposited in foreign banks. Nitin Gadkari, President, BJP and Sharad Yadav, Convenor, NDA along with other opposition leaders not only shared the dias with Baba but also addressed the public and promised to extend every support in this regard whereas their tone is entirely different on these issues while in Parliament. Thus politics has been played on the issue. All the politicians and political parties in public advocate and impose themselves as supporter of



this institution but none in practice and reality seems to be in favour of constitution of Lok pal. Though the institution of lokayukta has been established by many states under the mounting pressure from civil society and media for transparency and good governance but it is also clear that hardly the institution is effective in any state. The crises of resources both human and material, is the order of day in Lokayukta, how it can be expected that the Lok pal will not face these constraints. Though the establishment of Lok pal is not a panacea of all problems and irregularities prevailing in Indian government and politics, yet it can be helpful to a greater extent in curbing corruption at higher level if its domain is kept specific and unnecessary burden is not put on it. Similarly, the appointment process of Lok pal should be more democratic and transparent, and men of high integrity should be assigned the gigantic task. Adequate infra-structure and staff should be provided and the subsequent vacancies should be filled up without delay. Generally what happens in the country is that we establish one and more institutions but hardly care for their smooth running? The examples of various regulatory bodies, consumer redressal machinery and State as well as Central Information Commissions are before us where these bodies become defunct and useless for want of staff, resources and proper management. The Hon'ble Supreme Court has also observed that more institutions and mechanism to redress public grievances and render justice to the layman of the country need to be devised.[26] Moreover, we need to inculcate and strengthen the culture of making institute more powerful than the individuals. In spite of clear direction from the Supreme Court, the states like Punjab, Haryana and Chandigarh have not done specific to trace their respective missing people. As per the Government Reports, 1589 of 2642 people missing from Haryana and 237 children including 65 girls in 2011 are still untraceable whereas 483 children are missing from Punjab. The matter was brought to the notice of the High Court by lawyers for Human Rights International through a PIL.[27] Despite rejection of allotment of 2 G spectrum by the Apex Court on the ground of corruption, the GOI has decided the base price of Rs. 1400 crore for auction of 2-G spectrum and cellular operators are far from pleased with the government decision in this regard on 3-8-2012.[28]

It is difficult to achieve the target of 9% GDP rate in 12th plan (2012-17) particularly due to world-wide recession and instability in economy, poor performance of domestic industry, investment and saving rate etc. The fiscal deficit of Union government is 6% of the GDP for



the current year. Thus to enhance revenue is a serious challenge to government of the day.[29]

According to Sita Ram Yechuri, the Chairman of permanent committee of Parliament on Tourism and Culture, "The share of India in world tourism has reduced and remained even lesser to 0.6% due to lack of sanitation or prevailing garbage in the tourist sites". In spite of this fact that Indian islands have an edge over Thailand and Singapore but lack of adequate opportunities therein have adversely affected the tourism potentialities and consequent revenue generation, [30]

Three reports of the Comptroller and Auditor General (CAG) estimate that private players gained a whopping Rs. 3.82 lakh crore due to faulty government policies in captive coal mining, use of coal by private power generating firms and development of Indira Gandhi International Airport in Public Private Partnership. Of this, the bulk gain of Rs. 1.86 lakh crore was to private companies allotted captive coal mining blocks on plain nomination by a government committee instead of auction. Another Rs. 1.67 lakh crore benefit went to Delhi International Airport Limited (DIAL), government's joint venture with Hyderabad-based GMR that was tasked with the expansion of Indira Gandhi International Airport. The remaining Rs. 29,000 crore gain went to Reliance Power whom the government allowed to divert surplus coal from captive mines of one power project to another plant against rules.

Of the largesse, Rs. 1.86 lakh crore extended to private coal block-seeking firms remains the most sensational, as it surpasses the 2G Spectrum notional loss figure of Rs 1.76 lakh crore and indirectly hits out at the PM Manmohan Singh, who held the Coal portfolio for most part of CAG audit period 2004 onwards. The auditor stumbled upon the scam during its assessment of the captive coal block allocation policy by the government under which, a government established screening committee under the Coal Secretary would advertise coal blocks, invite state and private parties and recommend them for allocations.[31] However, the BJP main opposition party disturbed the working of Parliament for one week complete in August, 2012 on the issue of coalgate whereas some of its stalwarts were the recommenders of the scheme adopted by the UPA government for allotment of coal mines. In spite of spending over Rs 60,000 crore on NRHM in the last 7 years, the health services in the rural areas are deplorable in the country. What to speak of specialists whose 39 % posts are lying vacant in Community Health Centres, even the condition is not good in case of



general doctors where the vacancies are 1/4th of total sanctioned posts for the years. According to P. Hota, the former, health secretary, GOI, 'No home work has been done to send doctors in rural areas in spite of induction of NRHM. The residential facilities for doctors and para staff are in poor condition below the district hospitals. but the existing vacancies in case of pharmacists is indeed a case of administrative negligence'. Whereas Gulam Nabi Azad, the Union Health Minister, put of this responsibility on state governments, which have been repeatedly asked for the appointments.[32] Thus we need to be sincere, honest and fair to our duties with a commitment to the national goals. Until the public resources are properly and efficiently utilized and a work culture is developed, it is not possible to attain the status of a developed nation. All the parties should honour the mandate for Lokpal and contribute in establishing this institution in the country and it will certainly be helpful in eradication the corruption and ensuring transparency in public life. The process of appointment, power, functions, tenure and accountability of Lokpal are the issues which needs to be settled with an open mind and through a consensus of all the political parties.

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