

**LOKAYUKTA (OMBUDESMAN IN INDIA) A SOCIO-LEGAL STUDY**  
(1988). By K.S. Shukla and S.S. Singh. Indian Institute of Public Administration, Indraprastha Estate, New Delhi. Pp. xii+99. Price Rs. 100/-  
£ 16.00; \$ 30.00.

A LOT has been said and written about Ombudsman in India since the seventies. A recommendation to set up an Ombudsman type of machinery in India was made by the Administrative Reforms Commission in 1969. A bill to set up such a mechanism at the national level was introduced several times since 1970 in Parliament. The first Bill lapsed when Parliament was dissolved in 1971, the second never made any progress and the third one introduced by the Janata government also lapsed when Parliament was dissolved in 1979. The latest attempt to have such legislation was made in 1985 by the Rajiv Gandhi government. It was referred to the Joint Committee of both Houses of Parliament but was recently withdrawn by the government. In the meantime, the mechanism has been tried at state level by various state governments. This book essentially examines the performance of the state Ombudsman known as the Lokayuktas.

The authors have given a brief historical survey of the development of the institution of Ombudsman in various countries and then have given us a comparative analysis of the legislative Acts of the states under which the Lokayuktas have been set up. The Lokayuktas now exist in 12 Indian states, namely, Orissa (1970), Maharashtra (1971), Bihar (1973), Rajasthan (1973), Uttar Pradesh (1975), Madhya Pradesh (1981), Andhra Pradesh (1983), Himachal Pradesh (1983), Kerala (1984), Karnataka (1985), Assam (1986), and Gujarat (1986). The authors point out the similarities and differences in the Acts of these states in respect of the provisions regarding procedure of appointment, terms and conditions of office, removal from office, jurisdiction, procedures of investigation, etc.

The major contribution of the author lies in the meaningful disclosure made by them regarding functional inadequacies of the institution. They point out that of the two important functionaries, the office of the Lokayukta and Lokpal was vacant in the State of Orissa for over nine months since May 1986. The position of Upa-Lokayukta had not been filled up in Andhra Pradesh, Himachal Pradesh, Rajasthan and Uttar Pradesh. The support staff was meagre. There was no uniformity in regard to the organisational structure in different states. The access to this institution gets inhibited by various factors, one being the burdensome monetary fee. The number of complaints received by the Lokayuktas does not seem to match the incidence of corruption and maladministration that is prevalent. Although the micro-survey taken by the authors suffers from various methodological defects, the smallness of the sample being one, their conclusion that this institution is desired by many but as presently operating serves nothing but tokenism is vindicated by general observation and experience. As this study undertakes a survey of

about twelve Lokayuktas, the functional feed back is bound to be limited. A detailed study of their operation and people's response as well as how far it has carved a niche in public esteem needs to be undertaken. Such a study would doubtless provide a meaningful guidance for deciding the nature of such an institution for installation at the centre.

For India, Ombudsman means greater accountability of the administration and better access for the common man to grievance resolution. It should be seen as part of the total drive for the de-professionalisation of the legal process. This book doubtless makes a good attempt to study the working of the institution and assess its operational benefits.

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