

What is Lokpal?

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About Lokpal:

- It is a **statutory body** established under the **Lokpal and Lokayuktas Act 2013**.
- **Mandate:** To **inquire into allegations of corruption against** certain **public functionaries** and for related matters.
- **Organisational Structure:**
 - It consists of a **chair person and eight Members**, out of whom **four are Judicial Members**.
 - The **Chairperson** should be **either the former Chief Justice of India, or a former Judge of the Supreme Court, or an eminent person** who fulfills the eligibility criteria as specified.
 - The **judicial member** of the Lokpal should be **either a former Judge of the Supreme Court or a former Chief Justice of a High Court**.
 - A minimum of **fifty percent** of the Members will be from **SC/ST/OBC/Minorities and women**.
- **How are members appointed?**
 - The Chairperson and the Members are **appointed by the President** of India on the **recommendation of a selection committee composed of** the **Prime Minister** as the Chairperson, the **Speaker of Lok Sabha**, the **Leader of Opposition in Lok Sabha**, the **Chief**

Justice of India or a **Judge nominated by him/her**, and **one eminent jurist**.

- They hold office for a **term of five years** from the date on which they enter upon the office **or until they attain** the age of **70 years**, whichever is earlier.
- The salary, allowances, and other **conditions of services of the Chairperson** are the **same as** that of the **Chief Justice of India**.
- The salary, allowances, and other **conditions of services of the members** are the **same as** that of a **Judge of the Supreme Court**.

- **Jurisdiction:**

- It has jurisdiction to inquire into allegations of corruption against anyone who is or has been **Prime Minister**, a **Minister** in the Union government, or a **Member of Parliament**, as well as **officials of the Union Government under Groups A, B, C, and D**.
- It covers **chairpersons, members, officers, and directors of any board, corporation, society, trust, or autonomous body** either **established by an Act of Parliament or wholly or partly funded by the Union or State government**.
- It also **covers any society, trust, or body that receives a foreign contribution above Rs 10 lakh**.
- A **complaint** under the Lokpal Act should be in the prescribed form and **must pertain to an offence under the Prevention of Corruption Act, 1988**, against a public servant.
- There is **no restriction on who can make such a complaint**.
- When a complaint is received, the **Lokpal may order a preliminary inquiry** by its Inquiry Wing or any other agency **or refer it for investigation by any agency, including the CBI**, if there is a prima facie case.
- The Lokpal, with **respect to Central government servants**, shall **refer the complaints to the Central Vigilance Commission (CVC)**.
- **Exceptions for Prime Minister:**
 - Lokpal **cannot inquire into allegations** against the PM **relating to international relations, external and internal security, public order, atomic energy, and space**.
 - Also, **complaints** against the PM are **not to be probed unless the full Lokpal bench considers the initiation of the inquiry and at least 2/3rds of the members approve it**.
- **Powers of Lokpal:**
 - It has powers to **superintendence over and to give direction to the CBI**.
 - If it has referred a case to the CBI, the **investigating officer in such a case cannot be transferred without the approval of Lokpal**.
 - **Powers to authorize CBI for search and seizure** operations connected to such cases.
 - The **Inquiry Wing of the Lokpal** has been vested with the **powers of a civil court**.
 - Lokpal has **powers of confiscation of assets, proceeds, receipts, and benefits** arisen or **procured by means of corruption** in special circumstances.
 - Lokpal has the power to **recommend the transfer or suspension of public servants** connected with the allegation of corruption.
 - Lokpal has the power to **give directions to prevent the destruction of records** during the preliminary inquiry.

- In terms of Section 48 of the said Act, the Lokpal is **required to present annually to the President a report** on the work done by it, **which is** caused to be **laid in both the Houses of the Parliament.**
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Q1: Who was the first Lokpal in India?

The first Lokpal of India was Justice Pinaki Chandra Ghose. He was appointed as the Chairperson of Lokpal on March 19, 2019. Justice Ghose was a former Judge of the Supreme Court of India and also served as a member of the National Human Rights Commission (NHRC) before his appointment as Lokpal.

Source: **PIB**

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