What is the reason, the Government that promised to make a corruption free India is vacillating on appointment of Lokpal?

The present Government promised to us countrymen that since they were committed to make a corruption free India, if they formed the Government they would appoint Lokpal. Despite the Lokpal Act being an effective alternative to check corruption, the Government has not yet appointed the Lokpal.

The present Government after having completed four years in power is not fulfilling its commitment. Before the present Government came to power, when people came on streets to demand Lokpal and Lokayukta, the present ministers and then Leaders of Opposition in Lok Sabha and Rajya Sabha Mrs Sushama Swaraj and Shri Arun Jaitley took up the fight in Parliament for passing of Lokpal and Lokayukta Act. What they had spoken in favour of appointing Lokpal in Centre and Lokayukta in States is all recorded. Having come to power they haven’t said anything during these last four years. To serve their selfish motives, they have forgotten what they had said. Our Constitution is supreme. The Parliament passed Lokpal Act in accordance with the Constitution. The country is run based on the laws so made.

Lokpal Lokayukta Act was passed by both Houses of the Parliament in 2013. On 01 Jan 2014 the President gave his assent and Lokpal Lokayukta Act came into force. For the last four years the present Government has been making various excuses. Earlier they misled people by saying that there was no Leader of Opposition and kept postponing appointment of Lokpal. They then said that the place of Eminent Jurist was not filled and purposefully kept postponing the appointment of Lokpal.

Now the Government is giving the excuse of Search Committee to postpone appointment of Lokpal. For last four years the Government has been misleading people with different excuses. If there was a will to appoint Lokpal it would not have been difficult but the Government does not want to do so. Not fulfilling its commitment to people is a serious concern. The Supreme Court has pulled up the Government not once or twice but many times for not appointing Lokpal. The Government is neither obeying the decision of the Parliament nor of the Supreme Court. Is the law of the country only to be followed by the people who live in slums and hutsments? Besides the people, law is also meant to be followed by the Government. If the Government follows the law, people of the country will also follow the law. Government is not following the law and is hesitant in appointing Lokpal and Lokayuktas as it fears getting into difficulties.

Does the Government not realise that Bharat Ratna Dr Babasaheb Ambedkar has made a unique Constitution for our country? Our country is one of the biggest democracies in the world. Despite so many diversities of caste, religions and languages, together we have been running the country for more than seventy years. The reason for this success is our Constitution.
The Lokpal Lokayukta Act was made based on our Constitution. Government not following the law based on our Constitution is disrespect to our Constitution. Second disrespect is towards the Parliament that passed this law by unanimity and not just by majority. The law was signed by our President hence it is disrespect to the President too. Ministers who are heading prominent ministries of the Government today, were also present in the Parliament while this law was being made. Then how could they forget this law? This makes it clear how power corrupts even highly educated and intellectual people.

Those who are responsible for governing the country must realise that the people are watching them. The way leaders of the country behave, people emulate them. If the Government does not obey the law made by Parliament and orders passed by the Supreme Court, what lesson will the people learn?

The Government after coming to power has not appointed Lokpal in last four years. We feel that one of the major reasons for this is that the Prime Minister comes under the jurisdiction of the Lokpal. If people send evidence of corruption against the Prime Minister, the Lokpal can investigate him. Besides that, if there is evidence against former Prime Ministers then they also can be prosecuted. Lokpal is not a person but a bench comprising of its eight members and Lokpal himself. Like the Supreme Court forms benches which deliver justice, similarly, a bench of Lokpal members will investigate such allegations of corruption. As per Lokpal act, the Prime Minister cannot be prosecuted for corruption allegations for issues related to international relations, external and internal security, public order, atomic energy and space. In addition the allegations have to be considered by the full bench of Lokpal including the Lokpal himself and two thirds majority of the full bench have to approve such enquiry. Despite such safeguards the fear prevails in the Government. The Lokpal bench can also enquire in the allegations of corruption against previous or present Ministers and Members of Parliament. This is why the Government may not want Lokpal.

All group A, B, C, D serving or retired Government officials against whom the evidence of corruption are brought can also be investigated by a bench of the Lokpal. This may be another reason why the Government does not want to appoint Lokpal.

Any person who is or has been a chairperson or member or officer or employee in any body or board or corporation or authority or company or society or trust or autonomous body, established by an Act of Parliament or wholly or partly financed by the Central Government or controlled by it can also be prosecuted by the Lokpal, if allegation of corruptions are found correct. This is may be yet another reason why the Government does not want to appoint Lokpal.

Since 1966, Lokpal Bill had been brought to the Parliament eight times but the political parties did not allow it to be passed. After the Lokpal Act was made in 2014, the present Government promised to implement it but did not keep its promise. In 2011 when people came on the streets and demanded Lokpal and Lokayukta, the then Government had to unanimously pass the Lokpal Bill in both Houses of Parliament. Now the Narendra Modi Government is not implementing the Lokpal Act. Therefore we have to raise a protest like we did in 2011.
On 16 August 2011, I started protest at Ramlila Maidan with a decision to do or die. The people of the country joined a penniless person that I am and due to the pressure from people this law was made. To get this law- that seeks to check the growing corruption in our country- implemented, I have decided to start my protest from my village Ralegan Siddhi from 02 Oct 2018 on birth day of Mahatma Gandhi. I request all volunteers and citizens to protest in their villages, blocks, cities and States with honesty and non-violent methods. If the people of the country will demand appointment of Lokpal and Lokayuktas and justice for the farmers, the Government will have to appoint Lokpal and take the right path for the country.

From 1995 to 2002, I protested for Right to Information Act in Maharashtra. RTI act was first made in 2003 in Maharashtra and in 2005 it was passed in the Parliament for the whole country. In the beginning the importance of this Act was not understood by the people but now the people have realised its utility and some corruption was checked. Similarly if the Lokpal Lokayukta Act is implemented, the citizens will realise how much corruption can be reduced.

I had taken a pledge at the age of 25 years that as long as I live- I live to serve the country and society. And the day I die, I will die serving the country. Last 50 years of my life I have been working. I have been serving with the principle of “कर्मण्येवाधिकारस्ते मा फलेषु कदाचन”. I have not bothered in my life about where my bank passbook is kept and have only been serving the country. The protest I am starting from 02 Oct 2018 is also for serving the society and country. I shall serve the country till my last breadth.

Thank You.
Dated 28/07/2018

Yours,

K B alias Anna Hazare