Dilution of the Lok Ayukta Law

What is the issue?

The Kerala government's proposal to amend its Lok Ayukta Act through an ordinance appears questionable and hasty.

What is Lokayukta?

- The Lok Ayuktas are the state equivalents of the central Lokpal that deal with complaints on corruption against certain public functionaries in the states.
- The first state in India to establish Lok Ayukta was Maharashtra in 1971.
- The first state in India to pass Lok Ayukta act was Odisha in 1970.
- **Functions**
    - Investigating grievances of the citizens caused by maladministration.
    - Inquiry into allegations of abuse of office, corruption, or lack of integrity against public servants.
    - Keep a check on the investigation of anti-corruption agencies and authorities.

What is the Kerala Lok Ayukta Act, 1999 about?

- At present Lok Ayukta has the power to remove a public servant if it finds malpractices or corruption.
- It can issue an order in this regard by submitting to the concerned authority (Governor, CM, State government) under which the respective individual comes.
- The notion is that the authority should approve it.

What is the proposed ordinance about?

- The amendments give authority to the government to reject or approve Lok Ayukta verdict.
- It has turned the quasi-judicial institution into a toothless advisory body, whose orders will no longer be binding on the government.
- As per the ordinance, the authority concerned has to take a decision on the verdict within three months. Or else it will be considered approved.
- It also seeks to provide for an appeal.

What are the oppositions against the proposed ordinance?

- There are allegations that the Lok Ayukta has been targeted by the government as there are many cases before it which may put the administration in badlight.
- It is important to note that during the last government's tenure, Minister KT Jaleel had to resign due to Lok Ayukta's verdict, which was a major blow to the administration.
- The adoption of the ordinance route to amend the act has raised questions.

What is the government's stand?

- **Violation of Articles 163 and 164**- The Government has defended the proposed ordinance on the ground that the act pave way for removal of a Minister duly appointed by the Governor on the advice of the Chief Minister, and violates Articles 163 and 164 of the Constitution.
- **No appeal-** There is no provision for appeal in the current act.

References

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