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THE LOKPAL PARADOX: INDIA'S ANTI CORRUPTION OMBUDSMAN THAT CANNOT FIGHT CORRUPTION

Charul Pande

INTRODUCTION

India's fight against corruption has often swung between public impatience and institutional innovation. Few reforms captured the country's imagination like the Lokpal, an anti-corruption ombudsman envisioned as an independent authority that could investigate wrongdoing at the highest levels of government. The idea gained powerful momentum during the civic mobilisations of 2011 and culminated in the Lokpal and Lokayuktas Act, 2013.

Yet, years after the law was passed, the Lokpal's impact has appeared modest compared to the expectations that once surrounded it. This gap between promise and performance is what many describe as the "Lokpal paradox": a body created to strengthen accountability, but constrained in ways that make it difficult to function as a consistently strong anti-corruption instrument. The paradox is not that the Lokpal is useless rather, that it is underpowered relative to the role it was expected to play.

WHAT IS THE LOKPAL? AND WHAT PROBLEMS IT HOLD BACK

What the Lokpal is meant to do-

The Lokpal is India's national-level ombudsman meant to address corruption complaints against public functionaries. In broad terms, it can:

- receive complaints against certain categories of public servants (including ministers and MPs, and in a qualified way, the Prime Minister),
- conduct preliminary inquiries,
- order investigations through competent agencies,
- and facilitate prosecution in corruption-related cases under the Prevention of Corruption Act.

On paper, this is a serious mandate. In practice, several structural and ecosystem-level challenges reduce its ability to deliver swift, visible deterrence.

1) A late start that weakened early momentum

Although the Act came in 2013, the first Lokpal was appointed only in 2019. The intervening years were filled with procedural questions, selection-related debates, and administrative delays. Even if these delays were not intentional, their effect was real: the institution lost valuable time to build capacity, develop a strong case pipeline, and establish a public reputation for decisive action. Anti-corruption institutions rely heavily on credibility. When an authority exists mostly as a legal provision for years, citizens may become less confident that it can act promptly when it finally becomes operational.

2) Jurisdiction that looks broad, but feels careful at the top

A key public expectation was that the Lokpal would be able to examine corruption allegations involving the most powerful offices. The Act does allow complaints against the Prime Minister, but with notable safeguards and exclusions (especially involving national security, foreign affairs, and public order). These exceptions are understandable in principle, no system wants reckless complaints to undermine governance or sensitive matters.

However, the cumulative effect is that the Lokpal's reach at the very top can appear limited or procedurally complex. This perception matters. For an institution built on the idea of high-level accountability, even a small ambiguity about the "highest level" can reduce its moral authority.

3) Dependence on the wider system for investigative muscle

The Lokpal can order investigations, but much of the investigative work is typically carried out through existing agencies. This creates a practical dependency: outcomes depend not only on the Lokpal's intent, but on the speed, capacity, and perceived independence of the agencies involved.

When cases move through multiple layers, complaint, inquiry, referral, investigation, sanctions, prosecution, and then court timelines, accountability can become slow and hard to track. Delay does not always mean inaction, but it can weaken deterrence because anti-corruption success is partly about timeliness and certainty.

4) A complaint-driven model in a low-trust environment

In a country as large as India, corruption is not always easy to document, report, and pursue. Many people fear reprisals, career consequences, or long legal entanglements. Without strong, practical whistleblower protections and a culture that rewards integrity, a complaint-driven body will naturally receive fewer credible, well-supported cases than expected.

In other words, even if the Lokpal is ready to act, the ecosystem around reporting safety, anonymity where appropriate, and confidence in follow-through must also support it. Otherwise, the institution risks becoming busy with minor complaints while major corruption remains harder to surface.

WHAT NEEDS TO BE CHANGED, CHANGING WITHOUT DISRUPTING

Improving the Lokpal does not require dramatic overhauls. It requires targeted reforms that deepen independence, speed up processes, and improve public confidence.

1) Ensure faster, steadier appointments and continuity

Vacancies and delays should be treated as institutional risks. Clearer timelines for selection, smoother committee functioning, and continuity planning would help the Lokpal operate as a permanent, reliable watchdog rather than an occasional arrangement.

2) Build stronger operational autonomy and capacity

The Lokpal needs adequate staffing, domain expertise (finance, procurement, law, technology), and administrative flexibility. Greater control over its resources and internal processes would allow it to develop investigative and analytical strength instead of relying heavily on external machinery.

3) Clarify jurisdiction and procedures for high offices

Safeguards for sensitive matters can remain, but the rules should be clearer and less open to interpretive doubt. A well-defined process that protects national interest while preserving meaningful oversight would reduce uncertainty and strengthen legitimacy.

4) Create faster, more transparent case-tracking (without compromising confidentiality)

The Lokpal can publish more structured information: number of complaints received, admitted, dismissed with reasons (in general terms), timelines of stages, and annual performance indicators. This is not about sensationalism; it is about making the institution legible to citizens.

5) Strengthen whistleblower protection and reporting channels

Safer reporting mechanisms, stronger legal protection, and clear consequences for retaliation would improve the quality and quantity of credible complaints. The Lokpal's effectiveness rises sharply when honest insiders and citizens feel protected.

CONCLUSION

The Lokpal was created to embody a powerful democratic promise: that public office should never place someone beyond scrutiny. The paradox is not that the idea is flawed, but that the institution has operated with constraints delays in establishment, careful jurisdictional boundaries, reliance on wider investigative structures, and a reporting ecosystem that does not always encourage people to come forward.

If India wants the Lokpal to become what the public once imagined an ombudsman that meaningfully deters corruption then the next step is not louder debate, but better design and steadier execution. With clearer authority, stronger capacity, and greater public visibility, the Lokpal can shift from being a symbol of accountability to a routine, trusted instrument of it.