

Lesson 36

Public Grievances and Redressal Machinery

Summary -

The grievances of citizens against government machinery needs to be heard and redressed, every democracy sets up appropriate machinery for the redressal of citizens' grievances. some States have appointed Lokayukta. There is a Central Vigilance Commission for several government departments and public sector undertakings to deal with increasing corruption, thus there are varied institutional devices to deal with redressal of public grievances.

Importance of Redressal of Grievances in a Democracy -

The poor people suffer most. They need government support and services, but they are the ones who are often harassed and turned down. This is bad for the healthy democracy.

If there are too many public grievances against the government agencies, corrective measures must be taken to redress those grievances.

The Administrative Reforms Commission was set up by the Government of India in 1966. On the "Problems of Redress of Citizens' Grievances", the commission said the following

"When the citizen can establish the genuineness of his case, it is plainly the duty of the state to set right the wrong done to him.

An institution for redress of grievances must be provided within the democratic system of government.

It has to be an institution in which the average citizen will have faith and confidence and through which he will be able to secure quick and inexpensive justice"

Instruments of Redressal of Grievances -

Ombudsman a Swedish word stands for an officer appointed by the legislature to handle complaints against administrative and judicial action.

- ✚ As an impartial investigator, the ombudsman makes investigations gets at the facts objectively, and reports back to the legislature.
- ✚ The complainant has simply to write to the ombudsman appealing against an administrative decision.
- ✚ The ombudsman system has been popular because of its simple and speedy nature. It is a cheap method of handling appeals against administrative.

Indian Instrumentation -

- ✚ A citizen can move to court to seek remedy against any wrong done to him by a public servant/ public agency during of public duty, this is called Judicial remedy.

Parliamentary Procedure

provides for opportunities to raise questions in Parliament by the elected representatives concerning their constituencies.

- ✚ Under the provisions of the Public Servants (Enquiries) Act departmental as well as public agencies can be instituted against a public servant for his misconduct.
- ✚ Complaint forums have been set up at different levels to deal with public complaints.
- ✚ Department of Administrative Reforms and Public Grievances, this is the nodal agency of the government for Administrative Reforms as well as redressal of public grievances.

Lokpal

The Administrative Reforms Commission's observation:

- One authority for dealing with complaints against the administrative acts of ministers or secretaries to government both at the centre and in the states.
- Another authority in each state & the centre for dealing with complaints against the administrative acts of other officials.

- All these authorities should be independent of the executive as well as the legislature and judiciary”.
- ARC called the first authority the Lokpal & the second authority the Lokayukta.

Lokayukta –

- Maharashtra was the first state to enact such legislation in 1971.
- Section 12 of the Himachal Pradesh Lokayukta Act 1983 provides, “If, after enquiry in respect of a complaint, the Lokayukta is satisfied that all or any of the allegations made in the complaint have or have been substantiated, S/he shall by report in writing her/his findings & recommendations to competent authority & intimate the complaint and the public servant concerned about his having made the report”.

Central Vigilance Commission -

- ✚ The CVC is headed by the Central Vigilance Commissioner appointed by the President of India.
- ✚ for a period of six years or until he attains the age of 65 years whichever is earlier.
- ✚ The Commission's office is in the Ministry of Home Affairs having an autonomous status.
- ✚ The Commissioner, a secretary one Officer on Special Duty one Chief Technical Commissioner 3 Commissioners for departmental enquiries 2 Under Secretaries and 6 Technical Commissioners.
- ✚ Its jurisdiction extends to all employees of the central government and the employees in public undertakings corporate bodies and other organisations dealing with matters falling within the executive powers of the central government.
- ✚ it cannot probe cases of corruption against ministers and members of parliament.
- ✚ The CVC receives complaints directly from the aggrieved party.

The complaints about Central Government employees received by the State Vigilance Commissions are forwarded by them to the CVC, on receiving complaints, the Commission may ask:

- ✚ Concerned ministry/department to inquire into them.
- ✚ Central Bureau of Investigation (CBI) to make an inquiry; and
- ✚ CBI direction to register a case and investigate. Prosecution, however, depends on the approval by the appropriate sanctioning authority.

The CVC has a role to play in the case of the appointment of Chief Vigilance Officer of each ministry/department.

Evaluate yourself -

1. Write down the importance of redressal of public grievances in a democracy.
2. The role of Lokpal and Lokayukta is very important, if yes, write your opinion with example.
3. Mention about the role and responsibilities of Central Vigilance Commission.