

THE PROPOSED INDIAN OMBUDSMEN. By S.K. AGRAWALA. [Bombay: N. M. Tripathi Private Ltd. 1971. xvii + 81 pp. Rs. 12.50].

This work is a straightforward analysis of the Indian Ombudsman Bill. The appointment, functions, jurisdiction and powers of the Ombudsman are quite fully dealt with, and the frequent comparisons with other Commonwealth and Scandinavian experiences are helpful.

But the author does not show why it is necessary for India to have two "Ombudsmen" (to borrow the word from the author): the Lokpal, which is entrusted with the investigation of complaints against actions by or approved by Ministers, and the Lokyuktas whose powers of reference are limited to the investigation of complaints against all other central administrative action. This two-tiered institution that India seeks to introduce is indeed unique and the reader is interested in the reason for it. This is especially so when the author tells us that there was no equivalent of the Franks Committee to recommend its necessity.

Indeed, one wonders why the Ombudsman was introduced at all into India when it is remembered that India lacks all the pre-conditions for the effective operation of the Ombudsman that Gellhorn and Garner have argued as the *sine qua non* of the institution: the small population of the country, responsible citizens, high standards of public service, low rates of corruption, and belief in the institution.

In this context the Singapore reader would be especially interested in the answer as Singapore has practically all the classic pre-requisites, but its government has dismissed the need for the institution.

Further the need for an answer becomes more urgent when one realises that the institution is a creation of the central government and only complaints against servants of the central government will be entertained by the Ombudsman. Grievances against administrative actions of any one state have no redress unless that state has its own Ombudsman. Against the harsh reality of Indian life where the petty state official lords over the millions of illiterates below him, the federal Ombudsman seems like a feeble illusion of salvation.

The book fails to discuss the future efficacy of the Ombudsman institution in the cosmopolitan and unwieldy world of India, and one is left with the impression that the Ombudsman is being introduced without sufficient research and study as to its desirability or necessity.

Lastly, the author's use of commercialese and colloquialism coupled with unfortunate printing errors makes this book difficult albeit amusing reading. A good example of this is its dismissal as "uniformed [sic?] cranks" of those who question India's suitability for parliamentary institutions.

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