



Leader of Opposition Gujarat Vidhansabha
Gandhinagar, Gujarat State, India.

Shaktisinh Gohil

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Date : - - 200

To,
Shri Narendrabhai Modi
Chief Minister
Gujarat

Subject: Your unauthorized intervention and scuttling of appointment of Lokayukta in Gujarat.

Shriman Modi ji

I am pained to inform you that since last seven and half years, that is from 24.11.2003, the Lokayukta's post has been vacant in Gujarat. Since you became the Chief Minister you have in a blatantly illegal manner ensured that the Lokayukta's position remains vacant.

As per clause 3 of the Gujarat Lokayukta Act, Honorable Governor is supposed to consult Hon Chief Justice of Gujarat High Court and Leader of the Opposition for the Lokayukta's name. As per the law, Hon Governor Kamalaji asked for a name from Hon Chief Justice who forwarded the name of retired high court judge R A Mehta for the post of Lokayukta. After the name came to Hon Governor, as per the law, she consulted me and I consented for the name. Entire process has been completed but notification regarding the same is not being deliberately issued by you. On one hand you never miss an opportunity to market yourself as clean and non corrupt and have categorically said at every given opportunity that *hu khato nathi ne khava deto nathi* (I don't eat or don't let others eat). Then why are you shying away from appointing a Lokayukta? In a democracy like ours, if the Chief Minister and his/her Cabinet in the State is given the right to appoint a Lokayukta, how would it be possible to ensure accountability and transparency? Hence the law makers have very ethically ensured that those who are to be probed are not authorized to appoint the Lokayukta.

In the past you have made it clear and extended your support to Shri Anna Hazare and his movement for a Lokpal. Shriman Modi ji, why such duality you're your end? At Centre, you want Lokpal and say even PM should be under Lokpal's purview and in your own State, you blatantly ignore the existing law and conveniently dodge off the Lokayukta appointment. Your hypocrisy is disgusting. I would request you to go through order DO NO CLSXXIV/CO4 dated 17.4.2000. During the NDA regime the then Governor who issued this order was of your party. Shri Sundersinghji Bhandari clearly noted: Chief Justice of Gujarat High Court is the qualified authority to give



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name for the Lokayukta's post. After a PIL on the issue was filed in the Gujarat High Court, your government assured the court Lokayukta would be immediately appointed. Your spokesman has publicly gone on record that Lokayukta has not been appointed because of the Leader of Opposition. This is ridiculous because not only have I been a vocal advocate for the appointment, I have co operated where ever required for the same.

As per clause 3 of the Lokayukta Act, entire process for appointment has been judiciously completed and it is just that your Government has to issue a notification. Why this dilly dallying in issuing a notification appointing Justice R A Mehta as the Gujarat Lokayukta?

Are you and your government deliberately avoiding this crucial appointment for your fear that immense corruption, right now only allegations, will surface? Corruption charges shall be probed and maybe you fear they may be proved too. Justice R A Mehta after all is the only person at whose house Anna Hazare made a night halt during his visit to Gujarat. It is shameful that on one hand you extend support to Anna Hazare and on other hand you refuse to appoint a Lokayukta in Gujarat.

I wish in the larger interest of democracy and our State, you give up your adamant attitude. I also challenge you for an open discussion on this issue as to why is there no Lokayukta in Gujarat. You may choose the venue.

I request you to immediately appoint Lokayukta in Gujarat as per the law and issue a notification for the same considering the name forwarded by Hon Chief Justice.

Kind Regards



(Shaktisinh Gohil)

Copy to,

(1) **H.E. The Governor of Gujarat**

(2) **Shri Jaynarayan Vyas**

Minister & Spokesperson Gujarat Government.