

About the Book

Comparative Public Law and Systems of Governance is a scholarly edited volume that explores the diverse frameworks and functioning of public law across different legal systems. The book offers critical insights into "Basic structure Constitutionalism in south Asian Nations", "Comparative Study of Separation of Powers: India, UK, USA, and France", "The independence of the Judiciary, Judicial Activism, and accountability - India, UK and USA", "OMBUDSMAN – SWEDEN, UK AND INDIA", "Comparative Analysis of Federalism: Case Studies of the United States, Canada, and India", "Comparative Law: Relevance, Methods and Concerns", "Amendment of the Constitution: A Comparative Analysis between India, USA and South Africa", "Democratic forms of Government: An Analysis" and "Green Diplomacy: The Nexus between Governmental Machineries, Environmental Conflicts, and Peace-building." Through a comparative lens, the contributors examine how different jurisdictions address contemporary challenges in public administration, democracy, and governance. This volume serves as a valuable resource for students, researchers, and legal professionals interested in the evolving dynamics of public law in a globalized world.



Dr. Rahul Singh holds a B.A. LL.B. (Hons.), LL.M. in Commercial Law, and Ph.D. from the Department of Law, Aligarh Muslim University. He is a recipient of prestigious fellowships from the Indian Council of Social Science Research (ICSSR) and the University Grants Commission (UGC) for his academic achievements. Dr. Singh has authored over 20 research papers in reputed national and international journals and contributed 10 chapters to edited volumes. He has also edited two academic books and presented his work at various national and international seminars. His research focuses on cybercrime, child protection laws, and contemporary legal issues. He is passionate about inspiring students to use education as a tool for meaningful change.



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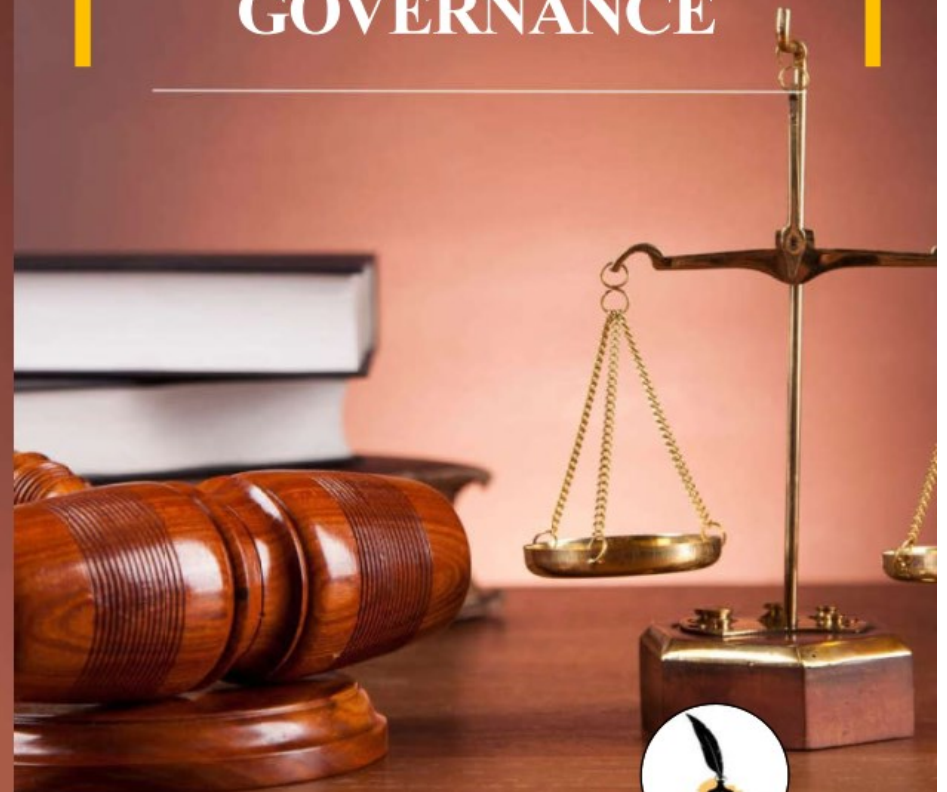
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CHAPTER - 5
OMBUDSMAN – SWEDEN, UK AND INDIA

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ABSTRACT

This article offers a comparative analysis of the Ombudsman institution in Sweden, the United Kingdom, and India. Originating in Sweden in 1809, the paper analyses the adaptation of this mechanism for addressing citizen concerns and guaranteeing administrative accountability across various legal and political systems. The document emphasizes significant differences in the Ombudsman's framework, authority, and jurisdiction across several nations. Sweden's model is distinguished by extensive supervision of public administration, guaranteeing legality and neutrality. The United Kingdom has implemented a sector-specific strategy, featuring specialist Ombudsman entities that tackle concerns in sectors such as healthcare, banking, and local governance. The Lokpal and Lokayukta institutions in India primarily address corruption among public officials at the national and state levels, respectively. The examination examines the variables that have influenced these modifications, including the distinct legal traditions, political frameworks, and socio-economic realities of each country. It evaluates the efficacy of each model in fostering good governance, safeguarding people' rights, and augmenting public faith in government. The article enhances comprehension of the Ombudsman's function in modern democratic governance and its capacity for further adaptation and reform.

the position has broadened to incorporate other forms of advocacy and dispute settlement, with the present use of gender-neutral words like "ombuds"⁷⁵ or "ombudsperson" indicating a change in language. At its core, the objective of an ombudsman is to address grievances and promote fairness, working as an intermediary to investigate and help settle complaints. This function goes beyond handling complaints, contributing to organizational improvement and promoting justice and impartiality. It aims to foster excellence, increase learning, reduce litigation, and improve relations. This paper will explore the history, functions, types, powers, limitations, impact, benefits, drawbacks, presence in India, and future of the ombudsman institution.

The genesis of the ombudsman notion can be traced back to the 18th century in Sweden. While the institutional institution arose in Sweden, the underlying desire for an impartial body to redress grievances against authority has historical parallels across numerous cultures and time periods. Notably, King Charles XII of Sweden established the first ombudsman post for his government in 1713, a decision influenced by the "Mohtasib," a similar position in the Ottoman Empire entrusted with ensuring the fair application of laws. This cross-cultural influence reveals a long-standing appreciation of the significance of supervision and responsibility. The Swedish "High Ombudsman," as it was initially termed, was granted the authority to investigate complaints and guarantee that judges and government servants executed their obligations according to the law. In 1809, the Government established the Swedish Parliamentary Ombudsman. This transition, from an ombudsman handpicked by the King to one accountable to parliament, marked a crucial step towards greater independence and reflected the developing concept of division of powers. The objective of this parliamentary office was to safeguard citizens' rights by creating a supervisory agency that operated independently. Since then, the ombudsman role has been

⁷⁵ *What is the origin of the term "Ombuds" and the profession? available at: <https://ombuds.ucmerced.edu/content/what-origin-term-ombuds-and-profession>*