

**GOVERNMENT OF INDIA
PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS
LOK SABHA**

STARRED QUESTION NO:480
ANSWERED ON:28.04.2010
INORDINATE DELAY IN TRIAL OF CBI CASES
Dhruvanarayana Shri R.

Will the Minister of PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS be pleased to state:

- (a) whether there has been inordinate delay in the trials of cases registered by the Central Bureau of Investigation (CBI) in designated fast track courts;
- (b) if so, the details thereof and the reasons therefor;
- (c) whether the High Court of Mumbai has expressed its concern over the shortage of prosecutors and designated courts for trial of CBI cases; and
- (d) if so, the details thereof and the reaction of the Government thereto alongwith the efforts made by the Government to fill up the vacant posts in various cadres of CBI?

Answer

Minister of State (Independent Charge) of the Ministry of Science and Technology; Minister of State (Independent Charge) of the Ministry of Earth Sciences; Minister of State in the Prime Minister's Office; Minister of State in the Ministry of Personnel, Public Grievances and Pensions; and Minister of State in the Ministry of Parliamentary Affairs (SHRI PRITHVIRAJ CHAVAN)

(a) to (d) : A statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (d) OF LOK SABHA STARRED QUESTION NO. 480 FOR 28.04.2010

(a)&(b): The trial of cases investigated by the CBI takes longer time than conventional cases as it often involves complicated questions of fact and law, necessitating examination of a large number of witnesses, besides proving voluminous documents. The accused also generally exhausts all possible avenues available under the criminal justice system to prolong trial proceedings.

(c) Though a Criminal Writ Petition No.2166 of 2009 was filed in the Hon'ble Bombay High Court, seeking remedy on account of delay in trial of cases of CBI due to inadequate numbers of Special CBI Courts as well as Prosecutors, the said Writ was dismissed as infructuous by Hon'ble High Court.

(d) In order to facilitate speedy trial of cases investigated by the CBI, the Government has decided to set up 71 additional Special Courts, approved 284 posts of Prosecuting Officers with supporting staff and notified a new scheme for engaging Law Officers on contract basis for a period up to five years.

Similarly, to fill up the vacancies in the CBI at the earliest, several steps have been taken which, inter-alia, include:

Grant of Special Incentive Allowance @ 25% of Pay up to the level of Senior Superintendent of Police and @ 15% for officers above that rank to attract officers on deputation.

Amendment and rationalization of recruitment rules for various posts from time to time to meet the changing requirements of the CBI.

Decentralization of induction of officers upto Inspector level on deputation

Diversion of 77 posts of Deputy Superintendent of Police from deputation quota to promotion quota, as a one time measure in relaxation of Recruitment Rules to expedite filling up of these posts.