

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

STARRED QUESTION NO:412
ANSWERED ON:06.08.2014
AUTONOMY TO CBI
Mahtab Shri Bhartruhari

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

- (a) whether the Government proposes to give functional autonomy to the Central Bureau of Investigation (CBI) in order to insulate it from extraneous influences;
- (b) if so, the details thereof and the reasons therefor;
- (c) whether the Apex Court has directed the Government to put in place an appropriate law in this regard;
- (d) if so, the details thereof and the follow-up action taken by the Government in compliance of the directions of the Apex Court; and
- (e) the other steps taken/being taken by the Government to improve the functioning of CBI?

Answer

Minister of State in the Ministry of Personnel, Public Grievances and Pensions and Minister of State in the Prime Minister's Office.
(DR. JITENDRA SINGH)

(a) to (e): A Statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) to (e) OF LOK SABHA STARRED QUESTION NO 412 FOR 6.8.2014.

(a) & (b): The CBI, as per existing provisions of law, is autonomous in its functioning.

(c) & (d): No, Madam. The Supreme Court passed an order dated 08.05.2013 in Writ Petition (Criminal) No.120 of 2012, and WP (Civil) 463 of 2012 to know whether the Central Government intended to put in place appropriate law for the independence of the CBI and its functional autonomy and insulate it from extraneous influence(s) of any kind so that CBI is viewed as a non-partisan investigating agency. The Court directed the filing of the affidavit by July 3, 2013.

The Government constituted a Group of Ministers (GoM) to consider the matter. Based on the recommendations of the Group of Ministers (GoM), an affidavit proposing amendments to Delhi Special Police Establishment Act, 1946, has been filed in the Hon'ble Supreme Court on 03.07.2013. Government has initiated action to amend the law as per Parliamentary Procedure.

Meanwhile, The DPSE Act 1946, has been amended through the recently enacted Lokpal Act, vesting the appointment of Director CBI in a Committee headed by the Prime Minister and statutory status has been accorded to the post of the Director of Prosecution.

(e): The Director, CBI has been recently vested with greater financial and administrative powers of functional autonomy. The Government has taken following steps to strengthen Central Bureau of Investigation (CBI) to enable it to effectively carry out investigation and prosecution in corruption related cases:-

(i) Government has strengthened CBI by creation of 715 posts at various level/category since 2010.

(ii) Deputation of officers other than IPS has been ensured at the level of Superintendent of Police (SP) to Joint Director (JD) in CBI by amendment of Recruitment Rules thereby making the agency multidisciplinary.

(iii) CBI has been modernized through implementation of various plan schemes. (iv) In order to facilitate speedy trial of cases investigated by CBI, the Government has sanctioned 92 additional special courts out of which 76 additional Special Courts have become operational.

(v) Besides, CBI endeavours through constant monitoring/supervision of its action to ensure that there is no delay in trial.