

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

UNSTARRED QUESTION NO:876
ANSWERED ON:16.07.2014
INVESTIGATION AGAINST SENIOR OFFICERS
Khaire Shri Chandrakant Bhaurao

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

- (a) the details of the existing procedure for initiating investigation against senior officers in the government including of the level of Joint Secretary and above;
- (b) whether inquiry/investigation against official of the said level of officers is conducted by the Ministry/Department concerned and that the Department of Personnel and Training (DoPT) has no role to play in such cases;
- (c) if so, the details thereof and the mechanism put in place to ensure impartial investigations in all such cases;
- (d) whether in a number of cases, the guilty officers are reported to go scotfree due to faults in the existing system due to which corruption and irregularities are proliferating and if so, the reaction of the Government thereto; and
- (e) the number of cases of corruption against senior officers investigated during the last three years along with the number of officers found guilty and the details of the action taken against them?

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): The details of the existing procedure for initiating investigation against senior officers in the government including of the level of Joint Secretary and above is laid down in The Code of Criminal Procedure (CrPC), 1973.
- (b): Yes Madam, inquiry against the said level of officers is conducted by the Ministry/Department concerned. Investigation against the said level of officers is, however, conducted by the State Police/CBI/anti-corruption branches in the Union Territories. The Department of Personnel and Training (DoPT) has no role to play in inquiry/investigation of such cases except in those cases of disagreement of vigilance authority of the Ministry/Department concerned with the advice of Central Vigilance Commission.
- (c): Investigation in all such cases is conducted by Police/CBI/anti corruption branches in the Union Territories under provisions of The Code of Criminal Procedure, 1973 and The Delhi Special Police Establishment Act, 1946, within respective State/UT jurisdiction. Government does not interfere in investigation by them.
- (d): No Madam. Every case in which FIR is registered results in submission of a report by the investigating officer before the competent Court and the Court after taking cognizance of the said report either causes issue of charge-sheet or accepts the closure report in the case. Decision in the matter is, therefore, taken by the competent Courts after thorough judicial scrutiny and following the due process of law.
- (e): Corruption against senior officers is investigated by the State Police, CBI, anti corruption branches of Union Territories as well as other vigilance mechanisms in the State/Union Territory depending on the jurisdiction for which no centralized data is maintained or available. In so far as the CBI is concerned, after following due procedure, it has registered 94 cases against officers of the level of Joint Secretary and above during the last three years and current year, i.e. 2011, 2012, 2013 and up to 31.5.2014. The year-wise details and present status of these cases are enclosed at Annexure 'A'.