

CHAPTER - 8

SPECIAL CHAPTER ON THE FUNCTIONING OF THE DELHI SPECIAL POLICE ESTABLISHMENT (CENTRAL BUREAU OF INVESTIGATION) (AS PER SECTION 14(2) OF CVC ORDINANCE)

8.1 The Central Vigilance Commission Ordinance which was promulgated subsequent to the Supreme Court's direction in the case of Shri Vineet Narain and other Vs. Union of India, empowers the Central Vigilance Commission to exercise superintendence over the functioning of Delhi Special Police Establishment and review the progress of investigations being conducted by them in so far as it relates to investigation of offences covered under the Prevention of Corruption Act, 1988.

8.2 Therefore, in exercise of powers conferred on CVC under Section 8(1)(a), 8(1)(e) and 8(1)(f) on the Central Vigilance Commission Ordinance, the Central Vigilance Commission has evolved the following pattern/cycle for reviewing the progress of the CBI cases:-

First month	:	Cases of Senior officials of the Government
Second month	:	Political Leaders
Third month	:	Executives of Banks and Public Sector Enterprises.

The Commission has also prescribed two MIS formats in which the information has to be furnished by CBI for each of these review meetings.

8.3 As far as the work done by the CBI during the year 1998, the same has been detailed below:-

8.3.1 During the year 1998, CBI registered 1156 cases. Out of these 939 cases were against public servants and 217 against private persons/firms.

8.3.2 During 1998, 486 cases were registered against Gazetted Officers (GO) in which 845 officers are involved. The percentage of GO cases comes to 42.0%.

8.3.3 During 1998, the CBI handled 2735 cases, including those carried over from the previous years. Out of the cases dealt with this year, 576 have been sent up for trial and 352 reported for Departmental Action. The remaining cases are either still under investigation or have been dropped.

8.3.4 In the cases sent up for trial this year, 675 public servants were prosecuted, including 332 of Gazetted rank. The number of private persons sent for trial was 914.

8.4 CONVICTION

8.4.1 441 cases were decided in Courts during 1998, of which 292 ended in conviction while 149 ended in acquittal/discharge or were otherwise disposed of.

8.4.2 During the year, 1998, 89 officers of Gazetted Status were convicted by Courts.

8.4.3 The percentage of conviction during 1998 comes to 71.9%.

8.5 DEPARTMENTAL PUNISHMENT

8.5.1 Of the 594 departmental proceedings concluded during 1998, 446 (83.0%) resulted in punishment.

8.5.2 On the basis of cases and reports made by the Special Police Establishment in Courts or before departmental Authorities savings to Government have been effected during 1998, as under:-

- a) Total fines imposed by Courts:Rs.1,43,35,216/-
- b) Recoveries from public servants:Rs.2,19,600/-
(Departmental Action Cases)