

Module 2

Vigilance Administration

Chapter 4

Superintendence over CBI

The Central Bureau of Investigation (CBI), which originated in 1941 as the Special Police Establishment (SPE) with a mandate to investigate bribery and corruption in the War and Supply Department of India, has evolved into a multi-faceted and multi-disciplinary premier investigative and Prosecuting Agency of Government of India. The department was transferred to the Home Department by the Delhi Special Police Establishment Act, 1946 (DPSE Act 1946). DSPE's scope was enlarged to cover all departments of the Government of India and its jurisdiction extended to the Union Territories and could be further extended to the states with the consent of the state governments involved. The DSPE acquired its popular current name, Central Bureau of Investigation, through a Home Ministry Resolution on 1 April 1963.

The CBI currently functions under the Ministry of Personnel, Public Grievances and Pensions, Government of India. Director, CBI as Inspector General of Police, Delhi Special Police Establishment, is responsible for the administration of the organisation. As on date the CBI has the following Divisions:

- i. Anti-Corruption Division
- ii. Economic Offences Division
- iii. Special Crimes Division
- iv. Directorate of Prosecution
- v. Administration Division
- vi. Policy & Coordination Division
- vii. Central Forensic Science Laboratory

The CVC Act, 2003 enacted by the Parliament mandates the CVC to exercise superintendence over the functioning of CBI in so far as it relates to offence under Prevention of Corruption Act of 1988. The Commission also reviews the progress of the cases under investigation in the CBI in periodic meetings held in the Commission at regular intervals.

The genesis of superintendence of CBI has been laid down in the landmark decision of the Supreme Court delivered in 1997 in Vineet Narain Vs UOI [1 SCC 226] case. In this judgment, directions were issued that the CVC shall be responsible for the efficient functioning of the CBI. For giving effect to this direction, CVC Act, 2003 was enacted. Section 4 of Delhi Special Police Establishment Act, 1946 was also amended w.e.f.01.09.2003. Similar provisions are also there in Clause (a) and (b) of sub-section (1) of section 8 of CVC Act, 2003.
