

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

UNSTARRED QUESTION NO:586

ANSWERED ON:28.07.2010

PROSECUTION OF OFFICERS BY CBI/CVC

Adhalrao Patil Shri Shivaji; Sivakumar Alias J.K. Ritheesh Shri K.

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

- (a) the number of Government officers against whom CBI/CVC has sought permission for prosecution, Departmentwise/Ministry-wise;
- (b) the period from which the request of CBI/CVC is pending;
- (c) the reasons for such pendency;
- (d) whether the Supreme Court has recently asked the Government to clear all such cases expeditiously;
- (e) if so, the details thereof; and
- (f) the steps taken/being taken by the Government in this regard?

**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) and (b): The sanction for prosecution is required by the investigation agencies for filing charge-sheets in the court of law, and not by the CVC. As on 15.07.2010, CBI has sought sanction for prosecution against 390 public servants. The details are given in Annexure-'A'.

(c) :The delay is often caused due to detailed analysis of the available evidence, consultation with CVC, State Governments and other agencies and sometimes non-availability of relevant documentary evidence.

(d) and (e): Hon'ble Supreme Court in the case of Vineet Narain & others vs Union of India and Another (1996 SCC(2)199 JT 1996) has stipulated that time limit of three months for grant of sanction for prosecution must be strictly adhered to. However, additional time of one month may be allowed where consultation is required with the Attorney General or any other law officer in the AG's Office.

(f): In order to check delays in grant of sanction for prosecution, the Department of Personnel & Training has issued detailed guidelines vide its OM No 399/33/2006-AVD-II dated 6th November 2006 followed by another OM dated 20th December 2006, providing for a definite time frame at each stage and fixing responsibility for deliberate delays.