

Powers and Functions of CVC

- to exercise superintendence over the functioning of the Delhi Special Police Establishment (DSPE) with respect to investigation under the Prevention of Corruption Act, 1988; or offence under CRPC for certain categories of public servants and to give directions to the DSPE for purpose of discharging this responsibility;
- to review the progress of investigations conducted by the DSPE into offences alleged to have been committed under the PC Act;
- to undertake an inquiry or cause an inquiry or investigation to be made into any transaction in which a public servant working in any organisation, to which the executive control of the Government of India extends, is suspected or alleged to have acted for an improper purpose or in a corrupt manner;
- to tender independent and impartial advice to the disciplinary and other authorities in disciplinary cases, involving vigilance angle at different stages i.e. investigation, inquiry, appeal, review etc.;
- to exercise a general check and supervision over vigilance and anti-corruption work in Ministries or Departments of the Govt. of India and other organisations to which the executive power of the Union extends; and
- to chair the Committee for selection of Director (CBI), Director (Enforcement Directorate) and officers of the level of SP and above in DSPE.
- to undertake or cause an inquiry into complaints received under the Public Interest Disclosure and Protection of Informer and recommend appropriate action.

Recently, in response to a PIL which was filed in the Supreme Court on account of the murder of Satyendra Dube, the Supreme Court directed the Government to designate a suitable machinery to act on complaints from "whistle blowers" till such time as a suitable legislation was enacted to that effect. The Central Government while implementing the directive of the Supreme Court has reposed its faith on the CVC.

Through a Resolution dated 21 April, 2004, the Government has designated the

Central Vigilance Commission as the agency to act on complaints from "whistleblowers" till such time as the Parliament passes a law on the subject. According to the GOI Resolution on "Public Interest Disclosure and Protection of Informer", 2004, the Commission has been entrusted with the additional responsibility of keeping the identity of the complainant secret and the power to take action against complainants making motivated or vexatious complaints. There is no restriction on jurisdiction of the Commission in the Government of India Resolution, 2004.