



Mains Practice Question

Q. The Central Bureau of Investigation (CBI) has been facing a crisis of credibility and confidence due to various factors. Analyse the causes and consequences of this crisis and suggest measures to restore the public trust and reputation of the CBI. (250 words)

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Approach

- Start your answer by introducing the Central Bureau of Investigation.
- Write Causes of Crisis of credibility and confidence.
- Analyse Consequences of the Crisis.
- Suggest Measures to restore the public trust and reputation.
- Conclude accordingly.

Introduction:

The Central Bureau of Investigation (CBI) is India's premier investigating agency that was established on the recommendation of the Santhanam Committee on Prevention of Corruption, and it deals with cases of corruption, economic offences, special crimes, etc. A Supreme Court Bench in 2013 described the CBI as "a caged parrot speaking in its master's voice".

Body:

Causes of the crisis are:

- **Political Interference:**
 - The CBI is often seen as a tool of the central government to target its political opponents or favour its allies.
 - The CBI's investigations are influenced by the political considerations and pressures of the ruling party or coalition. This affects its impartiality and objectivity and erodes its public image.
- **Internal Conflicts:**
 - The CBI has witnessed several instances of internal conflicts and rifts among its top officials over various issues such as appointments, transfers, promotions, investigations, etc.
 - These conflicts reflect the lack of coordination, cooperation and trust within the organization and hamper its functioning and morale.
- **Lack of Transparency:**
 - The CBI operates in a secretive and opaque manner and does not disclose much information about its cases, procedures, outcomes, etc. to the public or the media.
 - This creates a perception of mystery and suspicion around the CBI and raises doubts about its accountability and integrity.

Consequences of the crisis are:

- **Loss of Public Trust:**
 - The CBI's credibility and confidence have been severely damaged by the various

controversies and scandals that have plagued it in recent years.

- The public has lost faith and respect for the CBI as an independent and professional agency that can deliver justice and fight corruption.

▪ **Judicial Intervention:**

- The CBI's crisis has invited frequent judicial intervention and scrutiny by the Supreme Court, the High Courts, the Central Vigilance Commission (CVC), etc.
- The judiciary has often criticized, censured or monitored the CBI's actions and decisions in various cases.
- This reflects the failure of the CBI to perform its duties in accordance with the law and public interest.

▪ **Impact on Governance:**

- The CBI's crisis has also affected the governance and administration of the country.
- The CBI's investigations have created a climate of fear and uncertainty among the public servants, politicians, businessmen, etc. who are involved or implicated in various cases.
- This hampers their efficiency and effectiveness and undermines their morale and motivation.

Measures to Restore the Public Trust and Reputation of the CBI:

▪ **Statutory Status:**

- The CBI should be given a statutory status by enacting a separate law that defines its powers, functions, jurisdiction and limitations.
- This would provide a legal basis for its existence and operation and insulate it from political interference.

▪ **Selection Committee:**

- The CBI director and other senior officers should be appointed by a high-powered selection committee comprising representatives from the executive, judiciary and legislature.
- This would ensure a broad-based and transparent selection process that respects the principle of separation of powers.

▪ **Fixed Tenure:**

- The CBI director and other senior officers should be given a fixed tenure of at least five years with protection from arbitrary transfer or removal.
- This would enhance their stability and security of service and enable them to perform their duties without fear or favour.

▪ **Financial Autonomy:**

- The CBI should be given financial autonomy by allowing it to have its own budget that is approved by Parliament.
- This would reduce its dependence on the central government for funds and resources and enable it to plan and execute its activities efficiently.

▪ **Oversight Body:**

- The CBI should be accountable to an independent oversight body that monitors its performance and conduct on a regular basis.
- This body could be a parliamentary committee or a statutory authority that has members from different backgrounds and expertise.
- This would ensure that the CBI acts in accordance with the law and public interest and is answerable for any lapses or violations.

Conclusion:

The CBI has a crucial role to play in combating corruption, ensuring accountability and delivering justice. However, the CBI has been facing a crisis of credibility and confidence due to various factors that have undermined its independence, professionalism and integrity. Therefore, it is imperative to reform and strengthen the CBI by addressing the causes and consequences of this crisis and by implementing the measures suggested above. This would restore the public trust and reputation of the CBI and enable it to fulfil its mandate and mission effectively and efficiently.

