



# drishti

## Parliamentary Standing Committee Report on CBI and CAT

---

 [drishtiias.com/printpdf/parliamentary-standing-committee-report-on-cbi-and-cat](https://drishtiias.com/printpdf/parliamentary-standing-committee-report-on-cbi-and-cat)

A **Parliamentary Standing Committee (PSC)** has raised concern over non-filling of vacancies in the Central Bureau of Investigation (CBI).

- In a **separate finding**, the PSC has observed that the **Central Administrative Tribunal (CAT)** lacks human as well as physical infrastructure. Because of this, 14 of the 17 Benches are not fully functional.
- The level of vacant positions in executive rank, law officers and technical officers is about 16, 28 and 56% respectively.
- At the top level, out of four posts of Special Director or Additional Director, three are lying vacant.

### Recommendations on CBI

---

- Terms of **deputation to the CBI be made more rewarding** in order to retain capable officers and to attract best officers from the State police forces, Central paramilitary forces, Intelligence Bureau, etc.
- The committee recommended that the government simplify recruitment rules to **overcome the procedural bottlenecks**.
- The CBI and the government should **expedite approvals** for setting up the **International Centre of Excellence in Investigation (ICEI-CBI) at the CBI Academy in Ghaziabad**, which was announced in 2015.

ICEI-CBI was to offer world-class certified courses on investigation and prosecution in specialised and emerging domains of crime including cybercrime.
- With the **increasing number of cases** now being referred to the CBI pertaining to areas like **internal security, cybercrimes, corruption, financial irregularities**, the nation cannot afford to have its premier investigative agency understaffed and thus ill-prepared.

### Recommendations on CAT

---

- **Strict timelines** to fill the vacancies.
- It suggested that the **appointment process** of tribunal members should start **well in advance** and the government should examine the reasons for members leaving service prematurely and take remedial measures.
- The Department of Personnel and Training (DoPT) and CAT should chalk out strategy to overcome the procedural hurdles in commencement of construction of buildings for Benches. It pointed out that despite allocation of funds, CAT was not carrying out construction at these sites.

## Central Administrative Tribunal

- The **Central Administrative Tribunal** had been established under **Article 323A** of the Constitution (**inserted by the 42nd Constitutional Amendment, 1976**) for adjudication of disputes and complaints with respect to recruitment and conditions of service of persons appointed to public services and posts in connection with the affairs of the Union or other authorities under the control of the Government.

The **42<sup>nd</sup> Constitutional Amendment, 1976 added two articles viz. 323-A and 323-B**. While article 323-A deals with Administrative Tribunals; article 323-B deals with tribunals for other matters.

- It was **established in 1985** by the **Administrative Tribunals Act, 1985**.
- The Tribunal is guided by the **principles of natural justice** in deciding cases and is not bound by the procedure, prescribed by the Civil Procedure Code.
- Initially the decision of the Tribunal could be **challenged before Supreme Court by filing Special Leave Petition**. However, after the Supreme Court's decision in **L. Chandra Kumar vs the Union of India & Ors (1997)**, the orders of Central Administrative Tribunal are now being challenged by way of **Writ Petition under Article 226/227 of the Constitution before respective High Court** in whose territorial jurisdiction the Bench of the Tribunal is situated.
- The Principal seat of Central Administrative Tribunal is **at New Delhi** and it has **16 Outlying Benches scattered all over the Country**.