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ROLE OF CENTRAL VIGILANCE COMMISSION

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ABSTRACT

The Central Vigilance Commission is the main institution in India that deals with preventing corruption in the central government and its departments. In a democracy like India where transparency and integrity are essential for good governance, the CVC plays a crucial role in ensuring that public officials act, honestly, fairly and without abusing their powers. The commission works as an independent body that guides advices and supervisors with administration to keep corruption under control. This blog explores role, structure, powers, significance, and limitations of Central vigilance commission.

ESTABLISHMENT STRUCTURE OF CVC

The Centre commission was set up in 1964, following that on 11th February, the recommendation of Santhanam committee on prevention of corruption. It was established through an executive resolution and did not have any legal backing. However, the increasing need for a strong anti-corruption body led to the passing of the Central Vigilance Commission Act of 2003¹. The act gave the status to the CVC and defined its role and functions.

Section 3 of the act says the commission consists of Central Vigilance Commissioner as had not more than two Vigilance Commissioner. As per Section 4, these officials are appointed by the President of India on the recommendation of a high-level committee that includes the Honourable Prime Minister, Union Home Minister, and the Leader of the Opposition in the Lok Sabha. Section 5 defines the tenure of Central Vigilance Commissioner and vigilance Commissioner is a four-year or until they reach the age of 65 years, whichever is earlier. The

¹ Central Vigilance Commission Act of 2003,

<https://www.indiacode.nic.in/bitstream/123456789/2067/1/A2003-45.pdf>

commission is expected to work independently and is not under the control of any ministry or department.

FUNCTIONS AND POWERS OF CVC

The functions and powers of the central vigilance commission are clearly laid down under section 8 of the Central vigilance commission act, 2003. The commission is primarily advisory in nature, but its advice holds significant weight in administrative precision concerning vigilance matters. Under section 8(1)(b), the commission has the power to enquire or cause an enquiry or investigation to be made on any complaint. Received it regarding offences under the Prevention of Corruption Act, 1988², through the CBI or through departmental authorities.

According to section 8 (1)(b) , the CVC shall exercise supervision over the functioning of the Delhi special police establishment that is CBI in so far as it too investigation of offences regarding corruption. Further, as per section 8(1)(c), the CVC also gives advice to Central government authorities on vigilance and disciplinary matters. Though this advice is not binding, it is generally followed, especially in cases involving senior officers. Additionally, section 8(1)(g) authorised the CVC to review the progress of investigations conducted by the CBI and department authorities in relation to corruption cases. The commission also appoints and supervisors, chief vigilance officers in various department and public sector undertaking to ensure vigilance at the department level.

Moreover, CVC also handles complaint under the public interest, disclosure and protection of informer resolution 2004, commonly referred to as whistleblower protection mechanism. Though not part of the 2003 acted itself, this role has been recognised as the part of CVC's extended mandate, making it a platform where honest individuals can report corruption without fear.

SIGNIFICANT IN GOVERNANCE

The central vigilance commission plays a pivotal role in maintaining clean and transparent administration. By monitoring the conduct of government official, it helps prevent abuse of power and encourages honesty in public service. It also promotes ethical behaviour among servants by spreading awareness about importance of accountability and integrity.

² Prevention of Corruption Act, 1988

https://www.indiacode.nic.in/bitstream/123456789/15302/1/pc_act_1988.pdf

Every year, the CVC observes vigilance awareness week³, where various government department organised activity to raise awareness about corruption and way to fight. Such efforts are helpful in building a culture of integrity, especially among young people and public employees. In this way, the CVC not only punishes wrong, but also to prevent it to education and awareness.

The CVC annual report on its work and submits same to the President of India. These reports are placed before both houses of Parliament, which allows the legislature to examine its functioning and take necessary steps to improve the governance .

Through these actions, the CVC strength, and people trust in governance.

LIMITATIONS AND THE WAY FORWARD

Despite its important role, the central vigilance commission faces certain limitations. One of the main limitation is that its role is mainly ad advisor. It can suggest actions against officials, but the final decisions lies with the concerned department, which may or may not follow the advice. This reduces the impact of its recommendations. Moreover, the CVC does not have the power to take direct disciplinary action or prosecute anyone, despite being a statutory body. It relies on the CBI and departmental authorities for investigations and actions. It's jurisdiction is also limited, as it cannot take up cases involving lower level government employees or officials of the state governments. This restricts its effectiveness, especially in cases where corruption starts at lower level.

Another concern is the need to strengthen the whistle-blower protection mechanism. Many people hesitate to report corruption due to the fear of losing their jobs or facing threats. CVC has a system for handling such complaints; more awareness and protection measures are needed to make it fully effective.

To overcome these challenges, the CVC needs to be empowered with more authority to act on its recommendations. It should be given greater autonomy investigations and decision making. Also, better coordination between the CVC, the CBI and the government departments can lead to faster action on corruption complaints.

CONCLUSION

³ Module 2 by CVC <https://cvc.gov.in/files/trainingmodules-pdf/M2-02.pdf>

The central vigilance commission is a key institution in India's effort, efforts to build a transparent, accountable and corruption, free system of governance. Though it does not have the power to punish corrupt officials directly, it plays an essential role in guiding, advising and supervising the overall business mechanism of Central government. By promoting preventive vigilance and supporting whistleblowers, the CVC is helping to create a cleaner and more ethical administration.