

GOVERNMENT OF INDIA  
MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS  
(DEPARTMENT OF PERSONNEL AND TRAINING)

**LOK SABHA**  
**UNSTARRED QUESTION NO. 3335**  
(TO BE ANSWERED ON 09.08.2023)

**CBI ENQUIRY OF CASES**

†3335. **SHRI HANUMAN BENIWAL :**

Will the **PRIME MINISTER** be pleased to state :

- (a) whether the CBI has not initiated any enquiry in various cases recommended to it by the Government of Rajasthan including the cases of kidnapping of Manohar Rajpurohit Netra, rape of a deaf and mute girl child in Alwar and Lovely Kandara encounter case in Jodhpur;
- (b) if so, the details and the reasons for not initiating the investigation along with the names of such cases; and
- (c) the details of progress made so far in the investigation carried out by the CBI on the mass murder in Chak Rajasar in Hanumangarh district of Rajasthan and Kamlesh Prajapat encounter case along with the other cases, case-wise?

**ANSWER**

**MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES  
AND PENSIONS AND MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE  
(DR. JITENDRA SINGH)**

(a) to (c): CBI derives its authority from the Delhi Special Police Establishment (DSPE) Act, 1946. It functions within an explicit and well-established legal and procedural framework. The provisions of DSPE Act, primarily, apply to the Union Territories and are extended to the States only with their consent.

As per Section 6 of the Delhi Special Police Establishment (DSPE) Act, 1946, Central Bureau of Investigation (CBI) needs the consent from the respective State Government for conducting investigation in its jurisdiction. In terms of the provision of Section 6 of the DSPE Act, 1946, some State Governments have granted a general consent to CBI for the investigation of specified class of offences against specified categories of persons enabling CBI to register and investigate those specified matters.

As per the provisions contained in Section 5 of DSPE Act, 1946, the Central Government with the consent of the concerned State Government u/s 6 of DSPE Act may, by notification, extend to any area in that State, the powers and jurisdiction of members of Delhi Special Police Establishment for the investigation of any offences or classes of offences specified in the Notification u/s 3 of the said Act.

Accordingly, the cases received from the State Governments are referred to the CBI for the feasibility of CBI investigation. After receipt of feasibility from CBI, necessary notification in this regard is issued if it is decided to hand over the case to CBI for investigation and the concerned State Government is informed accordingly.

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