

Writ Petitions (Criminal) Nos. 340 - 343 of 1996

Another initiative came in the form of Writ Petitions (Criminal) Nos. 340-343 of 1996, filed in what is commonly known as the Havala Case. The Supreme Court's judgement, delivered in this case on December 18, 1997, raised issues of considerable significance, the most important of which was about the type of superintendence and control that should be exercised over an important organisation, like the Central Bureau of Investigation (CBI) as the premier investigating agency of the country and thereby must function efficiently and impartially to serve the rule of law.

The directions contained in this judgement included:

- giving statutory status to the Central Vigilance Commission (CVC)
- the CVC to exercise superintendence over the functioning of the CBI
- selection for the post of the Central Vigilance Commissioner to be done from outstanding civil servants and others of impeccable integrity
- selection for the posts of Director CBI and Director Enforcement, each with a minimum tenure of two years, to be done by a Committee headed by the CVC
- declaring the Single Directive, which required the CBI to seek permission from the Government before undertaking any inquiry or investigation against senior civil servants of the rank of Joint Secretary and above, null and void.

Ever since the judgment was delivered, consistent and deliberate attempts were made to see that it was not implemented fully and defeated in its basic purpose. The CHRI documented these efforts in a publication called the "Story of the Central Vigilance Commission Bill, 1999". To read this story, click below:

° [Story of the Central Vigilance Commission Bill, 1999](#) .

