

Prosecution to be sanctioned by the
Administrative Departments.

GOVERNMENT OF GUJARAT**HOME DEPARTMENT**

G.R. No.-SVC-3165-427-H

Sachivalaya, Gandhinagar, Date 15th April, 1966

Resolution

In amplification of orders issued under para 4 (vi) and 4(vii) (a) of GR. GAD No. SVC-1064-G, dated 17-04-64 regarding function, constitution etc. of the Gujarat Vigilance Commission, the Government has decided that-

(i) (a) the Police Department, and the Criminal Investigation Department will forward to the Home Department, through the Vigilance Commission, the final report in the cases of the type referred to in para (ii) (b) of the GR dated 17-04-64 referred to above, investigated by the Police or the Criminal Investigation Department in which they consider that prosecution should be launched, provided that sanction for such prosecution is required under any law to be issued in the name of the Governor; the Police Department or Criminal Investigation Department will simultaneously send a copy to the concerned Secretariat Department, Panchayat or Statutory Corporation concerned for any remarks which it may wish to forward to the Commission.

(b) the Commission will advise the Home Department after examining the case and considering any comments so received, whether or not prosecution should be sanctioned; orders will thereafter be issued by the GAD in whom the power to accord such sanction will be vested;

(ii) (a) an agency other than the Police Department, Criminal Investigation Department and the ACB will forward final report in cases of the type referred to in para 4 (ii) (b) of the GR dated 17-04-64, referred above to the concerned Administrative Secretariat Department and where the question arises whether sanction should be given for a prosecution for which sanction is required under any law to be issued in the name of the Governor, such Secretariat Department shall forward the report and other relevant records to the Commission for its advice in the matter;

(b) The Commission will advise the concerned Administrative Secretariat Department after examining the case whether or not prosecution should be sanctioned; orders will thereafter be issued by the GAD in whom the power to accord such sanction will be vested.

By order and in the name of the Governor of Gujarat,

Sd/-
Deputy/Under Secretary to
Government of Gujarat
Home Department.