

CONFIDENTIAL

*Sanction under section 6 of the
prevention of corruption Act, 1947-
Defects in the-*

GOVERNMENT OF GUJARAT**HOME DEPARTMENT**

Circular No. ACB-1075-2877-H,
Sachivalaya, Gandhinagar, 27th October, 1975.

CIRCULAR

It has been brought to the notice of Government by the Special Inspector General of Police and Director, Anti Corruption Bureau that a number of cases remain pending for want of sanction from the Competent Authorities to prosecute Government Public Servants under section 6 of the Prevention of Corruption Act, 1947. The draft sanction orders are invariably prepared by the Legal Advisor of the Anti Corruption Bureau in respect of cases detected or investigated by the Bureau and are sent to the concerned authorities competent to grant sanctions to prosecute the Public Servants for approval and issue. However, many a time lacunae and defects are noticed in the sanction orders issued by the authorities.

The shortcomings and lacunae commonly noticed in the sanction orders are as under :-

- (1) The number and date under which the sanction is granted by the authority are not mentioned in the blank space at the top;
- (2) Number and date of the forwarding letter under which the Anti Corruption Bureau has forwarded the papers to the authority are not mentioned in the blank space meant for the same;
- (3) The name (Initial and Surname) of the authority granting the sanction is not mentioned in the last para of the sanction order though specifically mentioned in the draft sanction order :
- (4) Initials are not made in the sanction order by the authority where corrections are made ;
- (5) Sanction orders do not bear the seal of the authority granting such sanctions.
- (6) Long delays are caused in granting sanction.

With a view to ensuring that sanction orders for prosecution of a Public Servant are issued without any errors/omission, all the Secretariat Departments and Head of Departments are requested to ensure that the sanction orders are issued in time and without defects.

By order and the name of the Governor of Gujarat,

S. H. PAREKH

Under Secretary to the
Government of Gujarat