

UPHOLDING UNHINDERED OPERATIONAL FREEDOM OF CBI & OTHER CENTRAL INVESTIGATING ORGANIZATIONS: ENSURING EFFICIENT AND UNIMPEDED INVESTIGATION

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ABSTRACT

Intelligence and investigating agencies of India play a crucial role in making society free of modern ailments as they fight against different types of crimes to safeguard common people. But over a long period, severe allegations are made about political influence in these investigating agencies. It is alleged that CBI and others particularly harass leaders from opposition parties and try to strike down their fame among citizens by doing an unnecessary raid and making criminal proceedings. According to research done by Indian Express, the raids and investigations done by these agencies against the opposition have risen by 200% after 2014. Special proceedings and raids are conducted against opposition leaders at the time of the election in the non-NDA govt states. To counter these biases, The Indian Judiciary has to make various reforms like- a corruption-less recruitment process, making a judicial committee to look over the cases of CBI and lastly making sure that these Investigating agencies can work freely.

Keywords: CBI, Political Influence, Biasness, Raid, the opposition party, Social Justice.

INTRODUCTION

The central investigating agencies of India, such as the Central Bureau of Investigation (CBI), Enforcement Directorate (ED), and Narcotics Control Bureau (NCB), play a crucial role in maintaining law and order in the country. These agencies are responsible for investigating cases related to corruption, economic offenses, terrorism, and drug trafficking, among others.

One of the essential aspects of the functioning of these agencies is their operational freedom. This refers to the autonomy and independence that these agencies enjoy in carrying out their duties without any external influence or pressure. The operational

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freedom of these agencies is crucial to ensure that they can perform their duties without fear and maintain the rule of law. The operational freedom of these agencies is guaranteed by the Constitution of India and various laws and regulations that govern their functioning. These laws provide these agencies with the power to investigate cases independently, arrest and prosecute offenders, and seize assets and properties acquired through illegal means. They also provide for the protection of the rights of the accused and ensure that the investigating agencies follow due process and adhere to the principles of natural justice.

However, there have been instances where the operational freedom of these agencies has been questioned, and allegations of political interference and bias have been raised. The government of India has taken several steps to ensure the independence and autonomy of these agencies, including setting up a statutory body, the Central Vigilance Commission, to oversee their functioning and protect the interests of the investigating agencies and their employees.

OVERVIEW OF CENTRAL INVESTIGATING AGENCIES:¹

Central Bureau of Investigation: The primary investigative police organization in India is the Central Bureau of Investigation (CBI). It was founded in 1941 as the Special Police Establishment and given domestic security responsibilities. It is a powerful elite force that ensures the strength of the national economy and plays a crucial role in public life.

- The cases that primarily target Central Government workers or involve Central Government-related undertaking.
- Circumstances where the central government's financial interests are taken into consideration.
- Deception, fraud, cheating, misappropriation of funds from large-scale businesses, and other similar offenses committed by organized gangs or skilled lawbreakers that have consequences in some states.
- Situations involving a few official agencies and those with national and worldwide repercussions.

¹'Central Intelligence and Investigative Agencies of India'(LotusArise, 15 October,2022)
<https://lotusarise.com/central-intelligence-and-investigative-agencies-of-india-upsc/> accessed on 23 February,2023

- Cases involving violations of Central Laws, whose enforcement the Indian Government is primarily concerned with
- It is a non-statutory, extra-constitutional body. The Delhi Special Police Establishment Act, of 1946, gives it the authority to conduct investigations.

National Investigating Agency: Following the Mumbai terror attack in November 2008, the NIA was established on December 31, 2008, by an Act of the Indian Parliament. It is a national investigation agency that looks into and prosecutes offenses that affect India's sovereignty, security, and integrity, state security, friendly relations with other countries, and offenses under laws passed to implement international treaties, agreements, conventions, and resolutions of the United Nations, its agencies, and other international organizations, as well as for matters related to or incidental to those for investigation and prosecution. The NIA serves as the country's primary law enforcement organization for counterterrorism. It serves as the primary law enforcement organization for counterterrorism. The organization is authorized to handle terrorism-related acts committed across states without the government's consent.

Intelligence Bureau: The Indian Bureau of Investigation is a well-known and reputable intelligence organization. The Ministry of Home Affairs has direct authority over the intelligence bureau. The head of the intelligence bureau is the Director IB (DIB), a representative on the Joint Intelligence Committee (JIC). It is regarded as the internal news organization in charge of keeping an eye on all facets of government. It is in charge of terrorism counterintelligence. The intelligence bureau keeps a close eye on changes involving parliamentary commitments and updates the cabinet secretariat. Most of this activity is done by the intelligence bureau's Special Inquiry and Surveillance Unit (SES). The IB, established by presidential fiat, lacks the legal authority to conduct investigations.²

Research & Analysis Wing: The Research and Analysis Wing of India, or RAW, focuses mostly on foreign intelligence. In 1968, the RAW was established as a result of the country's need for an outside intelligence organization following the Indo-Pak War and the Sino-Indian War. The Prime Minister's office directly oversees the Research and Analysis Wing of India. It uses tactical intelligence that is applied daily. Strategic intelligence is used to evaluate potential future outcomes, give the government insight into

² 'Central Bureau of Investigation' (InsightIAS, 2 April 2022), < [Central Bureau of Investigation - INSIGHTSIAS \(insightsonindia.com\)](https://www.insightsonindia.com) > accessed on 23 February 2023

potential crises, and enable essential action. It only has to answer to the Joint Intelligence Committee and the Prime Minister. It detects and takes action against any military deployment and development by other countries which can make strike India's national security.

Director of Revenue Intelligence: An intelligence organization in India is called the Directorate of Revenue Intelligence (DRI). It was established on December 4th, 1957. It primarily focuses on gathering and analyzing data on smuggling operations and on mobilizing all available anti-smuggling resources across the entirety of India. Although its initial focus was on stopping the smuggling of gold into the country, it today now deals with drugs and financial crimes. Moreover, it educates investigators working for the Central Excise Collectorate and Custom Houses. The Ministry of Finance's Department of Revenue is home to the Directorate of Revenue Intelligence, which reports to the Central Board of Excise and Customs. It upholds the ban on the smuggling of goods including illegal narcotics, gold, jewels, electronic devices, foreign cash, fake Indian currency, etc.

Narcotics Control Bureau: A Central Authority must be established to carry out the duties and responsibilities delegated to the Central Government by the Narcotic Drugs and Psychotropic Substances Act of 1985, which took effect on November 14th, 1985.³ On March 17, 1986, the Indian government established the Narcotics Control Bureau. The Bureau is responsible for exercising the Central Government's powers and duties for taking measures related to Coordinating actions by various offices, State Governments, and other authorities under the N.D.P.S. Act, Customs Act, Drugs and Cosmetics Act, and any other law currently in force in connection with the NDPS Act of 1985's enforcement provisions. Its implementation of the duty is to take action against illegal traffic under the numerous international treaties and protocols that are currently in force or to which India may one day ratify or accede, give support to relevant international organizations and authorities in other nations to enable coordination and all-encompassing action for the prevention and eradication of illicit trade in certain drugs and substances.

National Crime Record Bureau: To help detectives connect crimes to their perpetrators, NCRB was established in 1986 to serve as a database of data on crimes and offenders. It was created by merging the Directorate of Coordination and Police Computer (DCPC),

³ 'Narcotics Control Bureau, (Drishti IAS, 10 February 2020) < <https://www.drishtiiias.com/daily-updates/daily-news-analysis/narcotics-control-bureau> > accessed on 23 February 2023

Inter State Criminals Data Branch of CBI, Central Fingerprint Bureau of CBI, and Statistical Branch of BPR&D, by the recommendations of the National Police Commission (1977–1981) and the MHA's Task Force (1985). The National Crime Record Bureau will equip the Indian Police with information technology to help them effectively uphold the law and improve the delivery of public services. It is in charge of gathering and analyzing crime statistics as specified by the Indian Criminal Code (IPC).

Enforcement Directorate: Formed on 1 May 1956; this Enforcement Directorate or the ED is a part of the Ministry of Finance. It is the only investigating agency where officers from IAS, IPS, and IRS are taken into its cadre to form a specialized team. It derives and constitutes its powers from PMLA, 2002, and FEMA, 1999.⁴The main task of ED is to prevent any kind of domestic and international money laundering and take action. It has the authority to conduct raids, make charge sheet, etc. It works like an anti-corruption and money laundering branch of CBI but more in a specialized manner.

ALLEGATION OF BIASES

The term "bias" refers to a tendency to favor one person, group, or perspective over others, regardless of the facts or evidence. Here are some of the key biases and allegations that have been made against these agencies:⁵

Political Bias: One of the most common allegations against central investigating agencies is that they are often used for political vendettas. This means that the ruling government may use these agencies to target political opponents or dissidents. There have been several high-profile cases where the CBI or ED has been accused of being used for political purposes. For example, after the 2021 Bengal election, a series of several CBI investigations were started against many ministers of the Mamata Banerjee government.

Community Bias: There have also been allegations that these agencies disproportionately target certain groups or communities. For example, there have been accusations that the NCB targets individuals from the film industry or certain religious communities more

⁴ 'Like CBI, 95% of ED Cases in NDA-II era Against Opposition' (News Click, 21 September 2022) <[Like CBI, 95% of ED Cases in NDA-II era Against Opposition | NewsClick](#)>accessed on 24 February 2023

⁵ 'The misuse of India's investigative agencies' (Hindustan Times, 22 August 2021) <[The misuse of India's investigative agencies - Hindustan Times](#)>accessed on 24 February 2023

frequently than others. Similarly, the ED has been accused of targeting human rights organizations and NGOs that work on issues related to marginalized communities.

Selective Enforcement: Another allegation is that these agencies selectively enforce the law, depending on who the accused is. For example, in some cases, these agencies may go easy on people with political connections, while targeting other citizens with similar charges. For example, the NCB has been accused of targeting Aryan Khan to cut Shahrukh Khan loose.

Lack of Transparency: There have been allegations that these agencies lack transparency in their operations, making it difficult for the public to hold them accountable. For example, there have been cases where the CBI has refused to share information about its investigations or has delayed providing information in response to RTI queries.

SPECIFIC CASES AND EXAMPLES OF ALLEGATIONS

Though it has been over a decade since honorable Supreme Court Justice R.M. Lodha described the Central Bureau of Investigation as a “caged parrot” that speaks in “its master’s voice” the political biases and false investigation of CBI has skyrocketed. Some cases of political biases are-

In 2016, a raid was conducted on the offices of Rajendra Kumar, the principal secretary of the Delhi government, and Satyendar Jain, a cabinet minister. Manish Sisodia, the deputy chief minister of Delhi, was then questioned by the CBI though it was clear that no proof was located. Before the 2020 Delhi assembly elections, it detained Gopal Krishna Madhya, the officer on special duty in Sisodia's office, in an alleged corruption case involving GST anomalies. To further investigate the liquor license case, Sisodia's home was raided many times in August 2020. In this investigation, the CBI conducted 31 raids at locations in six states and one Union Territory.

An alleged investigation was also started against a former cabinet minister, congress leader P Chidambaram for FDI of about 300 crores. Between May-June of 2017, the CBI seized homes in Chennai that belonged to the Chidambaram. On August 21, 2019, as he was attempting to seek legal recourse, the CBI abruptly detained him at his Delhi home. The Chidambaram family's 14 residential residences in various locations were raided on

October 23, 2019. On December 4, 2019, 106 days have passed since his release.⁶ Since 2014, the CBI has been focusing on Pranoy Roy and his wife Radhika Roy, the owners of the BJP-critical news channel NDTV. In 2017, the CBI investigated them for making investments using fictitious firms. The CBI filed a new complaint against them in August 2019 for alleged FDI breaches. They were dramatically detained at Mumbai airport and stopped from going abroad.

At the time of the 2G situation, the Congress and DMK leaders appeared to have gone beyond the pale of corruption at that time. D Raja, a former union minister, and P Kanimozhi, a member of parliament, spent months in jail. The late chief minister of Tamil Nadu, M. Karunanidhi, had a daughter named Kanimozhi. The Lok Sabha and assembly elections were impacted by the problem. In an unprecedented way, the Congress was defeated and the DMK lost control. Then, all of the suspects were exonerated by a special CBI court. This is not only CBI but also ED, NCB is also said to have participated in this rat race of proving opposition as wrong in every step. According to an IE investigation, 121 political figures have come under ED scrutiny since 2014, with as many as 115—or 95%—coming from the ranks of the opposition. The figures show a stark contrast to the agency's behavior between 2004 and 2014 under the UPA regime when 26 political figures—including 14 members of the opposition—faced ED action.

The Central Bureau of Investigation's playbook and that of the ED before and after 2014 are identical. About eighty percent of the 200 important political figures the CBI has taken action against since 2004 were from the opposition. According to the IE report, among the 72 political figures examined by the CBI between 2004 and 2014, 43 of them, or 60%, were from the opposition between 2004 and 2014. On the other hand, at least 118 (or 95%) of the 124 political figures who came under the CBI's scrutiny after 2014 belonged to the opposition.

Additionally, during Prime Minister Narendra Modi's second term, the family of prominent politicians who have been charged with corruption and money laundering has also come under scrutiny from the ED. There are at least six relatives and family members of prominent Congress politicians under investigation, including Kamal Nath, Captain

⁶ Ajay K Mehra, 'The Uses (and Abuses) of Investigative Agencies' (The Wire, 12 November 2022) <[The Uses \(and Abuses\) of Investigative Agencies \(thewire.in\)](https://www.thewire.in/2022/11/12/the-uses-and-abuses-of-investigative-agencies/)> accessed on 24 February 2023

Amarinder Singh, and the Gandhis. On Monday, Amarinder Singh joined the BJP. The son of Kodyeri Balakrishnan, a senior of the Kerala CPI (M), is also under investigation.

Other prominent opposition politicians under investigation include DK Shivakumar from Karnataka, former Haryana chief minister Bhupinder Singh Hooda, former Rajya Sabha member and Sonia's close ally Ahmed Patel, members of the TMC, including Abhishek Banerjee, the nephew of West Bengal chief minister Mamata Banerjee, NCP leaders Sharad Pawar, Ajit Pawar, Anil Deshmukh, Nawab Malik, and Praful Patel. Lalu Prasad, a former chief minister of Bihar, and his family. According to data the finance ministry supplied to the Lok Sabha in March, the number of ED searches in money laundering cases increased by 26 times, from 112 searches during the UPA administration to 2,974 searches after 2014. Similarly, from 104 during the same period to 839 following 2014, the number of prosecution complaints increased by about eight times. In the last eight years, the value of the assets the ED attached rose dramatically from Rs 5,346 crore to Rs 95,432 crore.

LEGAL FRAMEWORK AND LIMITATIONS OF INVESTIGATING AGENCIES:

Though these investigating and intelligence agencies are governmental organizations, they have certain limitations in their power as they are derived from certain acts, beyond which they could not take action. For example-

1. The National Investigation Agency was given the authority to suo moto take notice of any terrorist actions or movements in India and to record a case as a result of the National Investigation Agency Act, which was passed in 2008 after the terror attack in Mumbai on 26 Nov. Without the consent of the State Government, it may enter the state and conduct an inquiry. Under the provisions of this Act, the Central Government has been given the power to establish a special agency known as the National Investigation Agency for the purpose of looking into or pursuing legal action regarding offenses committed in violation of the Act or its Schedule. While Section 6 lays forth guidelines for investigating scheduled offenses, Section 9 mandates that the State Government work in good faith to communicate with the NIA.⁷

NIA can only investigate offenses that fall under this aforesaid act and beyond this, they have a great limitation. Plus it has a major dependency on the Central Government.

⁷ Shoronya Banerjee, 'Limitations on the powers of investigation agencies' (ipleaders, 23 August 2020) <[Limitations on the powers of investigation agencies - iPleaders](#)>accessed on 25 February 2023

Whenever a case is mentioned that falls under the roof of the NIA Act, 2008 the police report that to the state Govt. and further to Central Govt. But the NIA cannot start investigating the case until the Central Govt decides that the case is worthy enough to fall under NIA Act. So it doesn't matter how important the case is for the police or State Govt. they have to wait until the Central Govt. gives the green signal. And getting the acceptance of Central takes up to 15-20 days and we know how crucial the first few days are for any investigation. Though in the case of Pragma Singh Chandrapalsingh vs The State of Maharashtra, it was argued the competency of Parliament to form an investigating agency and the court rejected that, the court did not make it clear that the parliament only had the jurisdiction to create an agency to look into offenses included by the NIA Act's schedule. The state legislature and the parliament, which both have the authority to enact laws about such offenses, were evaluated by the court. The officer to whom the report on the commission of such an offense is filed has the authority to conduct an investigation under the 1973 Code of Criminal Procedure. According to Sections 154 and 155, it makes no difference whether the case is cognizable or not; if an officer receives such a report, he should enter it in a register that has been prescribed by the State.

IN 2019, an amendment was brought to the NIA Act, of 2008, as the Central Govt. tried to increase the power of the NIA by providing it no to get specific permissions from state govt. This could immensely affect the relationship between the Central and the State govt.

2. The Central Bureau of Investigation (CBI) is a criminal investigation agency as well as a national intelligence and security agency. The CBI members, along with the police officers of the Union territory where the offense occurred, have the authority, duties, and responsibility to conduct an investigation into the offense reported by the Central Government and to arrest anyone implicated. As The Delhi Special Police Establishment Act of 1946 gives the Central Bureau of Investigation its authority, the CBI (established in 1963 by executive order of the Union Home Ministry) has no constitutional valuation. That's why former Gauhati High Court chief justice I.A. Ansari denied the CBI's validity as it threatened India's federal structure. The definition of 'investigation' in Article 8 of the Constitution does not provide the CBI the authority to intervene in a state and probe crimes committed there.

The constitutional backing of CBI along with its power to investigate and prosecute an alleged person was questioned in the case of Navendra Kumar vs The Union of India &

Ors. It was stated that the CBI was just a police force of the Union of Home Ministry that was given the name of Central Investigating Agencies. Also, the validity of the CBI as a part of the Delhi Special Police Establishment Act was questioned as it was derived that the CBI was not an authorized part or organ under the DSPE Act 1946. Even though the CBI gets its powers from the Delhi Special Police Establishment and that Law and Order is a State subject, the CBI can only investigate and intervene in select specific matters such as-Cases involving workers of the Central Government, Cases impacting the financial interests of the Central Government, When the State Government requests CBI assistance from the Central Government, When the Supreme Court directs the CBI to participate in investigations, When the State Government notifies consent under Section 6 of the DSPE Act and the Central Government notifies under Section 5 of the DSPE Act.

ROLE OF INDIAN JUDICIARY TOWARDS OPERATIONAL FREEDOM OF INVESTIGATING AGENCIES

The Indian judiciary has a critical role to play in the functioning of the CBI, ED, NCB, and NCRB as it provides the agencies with the necessary legal framework and oversight to carry out their duties effectively. One of the primary roles of the Indian judiciary in the CBI issue is to ensure that the agency operates within the framework of the law and adheres to established legal procedures. This includes overseeing the CBI's investigations and ensuring that they are conducted fairly and impartially, without any bias or political interference. The judiciary also has the power to review and overturn CBI decisions and actions that are deemed unconstitutional or illegal. For instance, the judiciary can intervene if the CBI oversteps its authority or violates the fundamental rights of individuals during an investigation.

Moreover, the judiciary is responsible for appointing the Director of the CBI, who heads the agency and oversees its day-to-day operations. The appointment of the CBI Director is a highly significant decision, as the individual appointed to this role has a significant impact on the functioning and credibility of the agency. Bias allegations against investigating agencies can be damaging to the credibility of the agency and can undermine public trust in the justice system. The Indian judiciary can take several steps to counter such allegations and ensure that investigating agencies operate in an unbiased and fair manner:

Appointment of independent oversight committees: The judiciary can appoint independent oversight committees to monitor the investigations carried out by the investigating agency.

These committees can review the investigation reports and ensure that the agency is not influenced by any external factors.

Setting up guidelines and standard operating procedures: The judiciary can set up guidelines and standard operating procedures for the investigating agencies to follow while carrying out their investigations. This can help to ensure that the investigations are conducted in an unbiased and impartial manner.

Conducting judicial review: The judiciary can review the investigation reports and can scrutinize the evidence collected by the investigating agency. This can help to ensure that the evidence collected is admissible in court and has been collected in a fair and unbiased manner. The Judiciary can also take action against the chief of these agencies if a false raid has been done due to unwanted influence.

Ensuring proper training for investigating agencies: The judiciary can ensure that the investigating agencies receive proper training on the importance of impartiality and the need to conduct investigations without any bias.

Appointing independent prosecutors: The judiciary can appoint independent prosecutors to oversee the investigations carried out by the investigating agency. This can help to ensure that the investigation is not influenced by political or external factors and this way The Judiciary will have more control and data in these agencies.

In conclusion, the judiciary plays a critical role in ensuring that investigating agencies operate in an unbiased and fair manner. By taking these steps, the judiciary can help to build public trust in the justice system and ensure that justice is served.

PUBLIC PERCEPTION AND SOLUTION FOR EFFICIENT INVESTIGATION

The Central Bureau of Investigation (CBI) is one of the most important investigating agencies in India, responsible for investigating high-profile cases related to corruption, economic offenses, and other serious crimes. The perception of biases or partiality in the functioning of the CBI, ED, and NCB can have a significant impact on the common people in several ways:

Loss of faith in the justice system: If the common people perceive that the CBI, ED is biased or working under political pressure, it can lead to a loss of faith in the justice system. This can

result in people feeling that the justice system is not working in their favor and can cause them to lose trust in the government, which is bad for any democratic country.

Fear of victimization: If people perceive that the NCB, NIA, IB, and TASC Forces are biased, they may feel that they are vulnerable to being victimized by the investigating agency. This can lead to a culture of fear, where people are afraid to speak out or report crimes for fear of being unfairly targeted by the Central Investigating agencies.

Injustice and frustration: If people perceive that the CBI is biased or partial, they may feel that they are not receiving justice. This can lead to frustration and anger, and in extreme cases, it can lead to people taking the law into their own hands.

Political impact: The perception of biasness in the CBI, NCRB, ED, and NCB can have a significant impact on the political climate of the country. It can lead to accusations of political interference and can fuel tensions between political parties. It would create a havoc mess in existing of the opposition party and it would be hurtful to the democratic culture of our country.

Therefore, it is crucial for the Intelligence & Investigating Agencies to operate in a fair and impartial manner, without any bias or political pressure, to maintain public trust and confidence in the justice system. So, here are some possible solutions to counter biases of the Central investigating agencies of India, including the CBI, ED, and NCB:⁸

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Strengthening of Legal Framework: One of the most important solutions to counter biases in these agencies is to strengthen the legal framework that governs them. This could include reforms to ensure that the agencies operate within the limits of their powers, and are subject to appropriate checks and balances. Every agency should have its constitutional backing and certain amendments should be made so that there is no point of tussle between both the state and central govt. **Institutional Reforms:** There is a need for institutional reforms within these agencies to promote greater transparency and accountability in their operations. This could include the establishment of internal mechanisms to ensure that decisions are made fairly and impartially, and the creation of an independent oversight body to monitor their activities.

⁸ India News Desk, 'Is ED the new CBI? Data shows 400 per cent jump in political leaders under agency scanner, majority from Opposition' (Financial Express, 21 September 2022) <[Is ED the new CBI? Data shows 400 per cent jump in political leaders under agency scanner, majority from Opposition | The Financial Express](#)> accessed on 25 February 2023

Training and Capacity Building: The personnel of these agencies must be provided with regular training and capacity-building programs to ensure that they remain up-to-date with the latest laws and best practices. This could include training on how to avoid biases and prejudices in their work.

Strengthening of Oversight Mechanisms: There is a need for stronger oversight mechanisms to ensure that these agencies operate in a transparent and accountable manner. This could include the establishment of an independent oversight body, such as a parliamentary committee or a judicial commission, to monitor their activities. P

Public Awareness and Education: There is a need for greater public awareness and education about the role and functions of these agencies. This could include the creation of public education programs to help citizens understand their rights and obligations under the law, and how to engage with these agencies when required.

Reduction of Political Interference: There is a need to reduce political interference in the work of these agencies. This could include the establishment of clear guidelines for the appointment of personnel and the initiation of investigations, and ensuring that these guidelines are followed in practice. The Indian Judiciary need to reform the way the head of these agencies and other officers are recruited.

Diversification of Personnel: There is a need to diversify the personnel of these agencies to ensure that they are more representative of the communities they serve. This could include the recruitment of personnel from a wide range of backgrounds and communities.

Empowerment of Whistleblowers: There is a need to empower whistleblowers who report instances of bias and discrimination within these agencies. This could include the establishment of an independent mechanism to receive and investigate complaints of misconduct, and the protection of whistleblowers from retaliation.

Implementation of Technology: There is a need to implement technology in the operations of these agencies to increase transparency and accountability. This could include the use of blockchain technology to ensure that investigations are tamper-proof and the use of artificial intelligence to identify instances of bias and discrimination.

Strengthening of Judicial Oversight: Finally, there is a need to strengthen judicial oversight of these agencies to ensure that they operate within the limits of the law. This could include the creation of a special judicial mechanism to monitor their activities, and the strengthening of the powers of the judiciary to review and monitor their operations.

CONCLUSION

In conclusion, the operational freedom of central investigating agencies in India is essential for the effective functioning of the law enforcement system. These agencies play a critical role in maintaining law and order, preventing and investigating crimes, and ensuring justice for the victims. However, there have been instances of misuse of power and interference by political parties, which have raised concerns about the independence of these agencies. It is imperative to strike a balance between operational freedom and accountability to prevent any abuse of power. The government should ensure that the agencies are free from political influence and that the appointments of senior officers are based on merit and competence. Moreover, there should be adequate safeguards to protect the rights of citizens and prevent any arbitrary action. The central investigating agencies should be given the autonomy to carry out their duties without fear or favor, and the public should have trust in their integrity and impartiality. Ultimately, the success of these agencies depends on their credibility and ability to maintain public trust. By ensuring efficient and unimpeded investigation freedom, where there will be no political pressure or bias allegations, these 'Caged Investigating Agencies' will perform the true duty to achieve social Justice without discrimination.