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Q11

**The jurisdiction of the Central Bureau of Investigation(CBI) regarding lodging an FIR and conducting probe within a particular state is being questioned by various States. However, the power of States to withhold consent to the CBI is not absolute. Explain with special reference to the federal character of India.**

UPSC Civil Services Mains 2021 · GS II · 15 marks · Federal Structure and Devolution

Functions and responsibilities of the Union and the States, issues and challenges pertaining to the federal structure, devolution of powers and finances up to local levels and challenges therein.

Facts & figures for this PYQ only.

Numbers move. Confirm the latest Budget, Economic Survey or census round. This sheet is for revision, not a substitute for the model answer.

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**DSPE Act, 1946, Section 6**

Requires State consent for the Delhi Special Police Establishment (CBI) to exercise powers in that State.

**Entry 2, State List / Entry 80, Union List**

Police with the States; Union police extension to a State with consent - the federal hinge.

**Andhra Pradesh and West Bengal**

Major States that withdrew general consent to the CBI, crystallising the 2021 controversy.

**Vineet Narain v. Union of India**

Sought CBI insulation from executive interference; did not erase the consent architecture.

**Articles 32 and 226**

Allow constitutional courts to order a CBI probe even when a State withholds political consent.

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