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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

Home and Hill Affairs Department

Commissions of Inquiry Cell

Nabanna,

325, Sarat Chatterjee Road, Howrah-711 102

No. 104-COI/PL/O/44C-10/26

Date :10.07.2026

NOTIFICATION

WHEREAS, several allegations have been received from various quarters that institutional corruption has taken place during the year 2011 to May, 2026, at various sectors controlled by the Government including the education sector, food and supplies sector, reliefs related to disaster management, municipal and panchayat controlled sectors, housing sector, fisheries, industry, PWD, Land, GTA area etc., and there has been a wide-spread public concern about such incidents of mass level institutional corruption;

AND WHEREAS, in view of the gravity of the situation, it has been made to appear to the Governor that it is necessary to appoint an independent Judicial Enquiry Commission to look into and examine such instances of institutional corruption and financial irregularities across all Departments, including all offices and institutions under their control, occurred throughout the State of West Bengal during the said period;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of section 3 of the Commission of Inquiry Act, 1952 (60 of 1952), the Governor is pleased hereby to appoint, with immediate effect, a Commission of Inquiry, namely, **Commission on Institutional Corruption in West Bengal** under the Chairmanship of Hon'ble Justice Biswajit Basu, Retired Judge of High Court at Calcutta (hereinafter referred to as the Commission) to inquire into the aforesaid incidents.

2. The Composition of the Commission shall be as follows:—

- (a) the Commission will be under the Chairmanship of the Hon'ble Justice Biswajit Basu, Retired Judge of Calcutta High Court alongwith one senior IPS officer who will act as the head of the Investigating Wing of the Commission and an IAS/ WBCS officer who will act as head of the Administrative Wing of the Commission and ex officio Member Secretary;

- (b) the Commission shall also have an officer from West Bengal Revenue Service (WBRs), as a technical expert, to assist the Commission;
- (c) the Commission shall have power to co-opt other Members/ Experts for the sake of investigation and administration with the approval of the State Government;

3. Functions of the Commission:—

- (a) The Commission, so constituted, will investigate all cases of institutional corruption including bribery, extortion in all projects like Cyclone (Amphan) rehabilitation, PMAY, 100 days work, Mid-Day Meal, etc.
- (b) Without prejudice to the generality of the foregoing powers, the Commission may enquire into the following facts and circumstances of public importance relating to allegations of institutional corruption during the year 2011 to May 2026, which inter alia includes:
 - (i) to enquire into subversion of lawful process and well-established conventions, administrative procedures and practices, abuse of authority, misuse of powers, excess and/or malpractices committed during the said period;
 - (ii) to enquire into institutional corruption relating to matters of financial irregularities/ misuse of funds directly and/or indirectly connected with the State Government as well as the Central Government Plans/ Projects and the Commission may propose the steps to be taken to realize and/or recover funds so misused and/or misappropriated even by way of attachment of property, if the Commission has reason to believe that such property has been acquired by resorting to acts of omission and commission which resulted in institutional corruption;
 - (iii) to enquire into misuse of power of arrest and initiation of false cases where such arrests or orders are alleged to have been made on considerations not germane to the purpose of the relevant acts during the said period;
 - (iv) to enquire into the acts of allowing to carry out unauthorized and/or illegal construction wholly compromising with the relevant Municipal Laws and other laws / regulations by way of infringing the individual constitutional rights;
 - (v) to enquire into indiscriminate, highhanded, unauthorized malpractice/ corruption in public employment including contractual employment in public offices under the State Government;
 - (vi) to enquire into malpractices/ corruption in school education (primary, secondary and higher secondary), college education and university education including administration of such educational establishments;
 - (vii) to enquire into corruption/ malpractices in all medical institutions of the state including Medical Education:

Provided that the enquiry shall be in regard to acts of such abuse of authority, misuse of powers, excesses, malpractices etc. alleged to have been committed by public servants;

Provided further that the inquiry shall also cover the conduct of other individuals who may have directed, instigated or aided or abetted or otherwise associated themselves with the commission of such acts by public servants;

- (viii) to enquire into such other matters which, in the opinion of the Commission, have any relevance to the aforesaid allegations.

4. Powers of the Commission:

- (a) The Commission, so constituted, shall have the powers of a civil court, while trying a suit under the Code of Civil Procedure, 1908 (5 of 1908), and shall exercise powers as envisaged in sections 4, 5, 5A and 5B of the

Commission of Enquiry Act, 1952, in respect of summoning and enforcing the attendance of any person, examining any person on oath, requiring the discovery and production of any document, receiving evidence on affidavits, requisitioning any public record or copy thereof from any Court or office, issuing notices for the examination of witnesses or documents etc.

- (b) The Commission shall have power to formulate its own procedure, select venues of sittings and may give to all concerned such notice of inquiry and all the procedures formulated by it as it may consider necessary and proper.
 - (c) The Commission shall receive and examine complaints for any institutional corruption from any person and ensure that every complaint is properly taken up for scrutiny and the Commission shall accept testimonies for investigation.
 - (d) The Investigation Establishment and Administrative Establishment of the Commission including ministerial and administrative staff shall be deployed with the prior approval of the State Government.
 - (e) The State Government shall provide the Commission with such officers and employees and functional support as may be necessary for effective discharge of functions of the Commission.
 - (f) The Commission may recommend prompt filing of FIRs by the respective police authorities if anomalies/irregularities are detected by them in any Institutions and persons involved therein.
 - (g) The Commission shall not act as a substitute of statutory investigation agency.
 - (h) The Commission shall submit its periodic reports embodying the findings and its recommendations thereon to the State Government.
 - (i) The Commission shall not consider cases or complaints of which cognizance taken by other Statutory Commissions and which is under investigation by Central Investigation Agencies.
5. The State Government may, if any situation so demands subsequently, issue additional terms of reference of the Commission.

By order of the Governor,

SANGHAMITRA GHOSH, IAS
Principal Secretary to the Government of West Bengal
&
Home Secretary