

# Constitution (One Hundred and Thirtieth Amendment) Bill, 2025

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### Context

Recently, the **Constitution (One Hundred and Thirtieth Amendment) Bill, 2025** was referred to a **Joint Parliamentary Committee (JPC)** for further examination. The Bill has triggered debate as it proposes a framework for the **removal of Ministers, including the Prime Minister and Chief Ministers, when accused of serious criminal offences** and detained in custody.

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### Key Provisions of the Bill

- The Bill provides for the **removal of the Prime Minister, Chief Ministers, or any Minister at the Centre or in states** if they are arrested and detained in custody due to serious criminal charges.
  - The same provisions will extend to the **Union Territories (UTs) of Delhi, Puducherry, and Jammu & Kashmir** through separate legislations.
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### Grounds for Removal

- A Minister shall be removed if:
  - He is **accused of an offence punishable with imprisonment of 5 years or more**, and
  - He has been **detained in custody for 30 consecutive days**.

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## Procedure for Removal

- In the **Central Government**:

- The Minister will be removed by the **President on the advice of the Prime Minister**.
- The advice must be given by the **31st consecutive day of custody**.
- If no advice is given, the Minister automatically **ceases to hold office from the next day**.

- In the **State Governments**:

- The Minister will be removed by the **Governor on the advice of the Chief Minister**.

- In the **Union Territory of Delhi**:

- The authority will be the **President on the advice of the Chief Minister**.

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## Reappointment Clause

- A Minister removed under these provisions **may be re-appointed after being released from custody**, which ensures political rehabilitation post-legal proceedings.

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## Facts: Joint Parliamentary Committee (JPC)

- A **JPC** is a parliamentary body constituted for detailed scrutiny of a specific Bill or issue.
- It consists of members from **both Houses of Parliament**.
- Its recommendations, though significant, are **not binding** on the government.

- It is dissolved after completion of its mandate.

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## Conclusion

The Constitution (130th Amendment) Bill, 2025 marks a **significant step towards accountability and integrity in public office**, ensuring that individuals facing **serious criminal charges** cannot continue in ministerial positions while in custody. However, the provision for **reappointment after release** raises questions about the balance between **political rights and ethical governance**. The recommendations of the **JPC** will be crucial in shaping the final contours of this legislation.

Source : Indian Express

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