

Bill No. 198 of 2019

THE CONSTITUTION (AMENDMENT) BILL, 2019

By

SHRI GOPAL CHINAYYA SHETTY, M.P.

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BILL

further to amend the Constitution of India.

BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows:—

1. (1) This Act may be called the Constitution (Amendment) Act, 2019.

Short title.

2. After article 21A of the Constitution, the following article shall be inserted,
namely,—

Insertion of
new article
21B.

5 **“21B.(1) The State shall provide protection to life, property and business of
every citizen against the ethnic and social violence and communal and political
disturbances.**

Protection
from ethnic
and social
violence,
communal and
political
disturbances
and provision
of relief.

10 **(2) In case any citizen is deprived of his life, property or business due to any
reason mentioned in clause (1), the State shall ensure that adequate compensation,
rehabilitation and proper arrangement of livelihood is provided to the victim as soon
as possible but in any case within thirty days of the date of occurrence of the incident.”**

STATEMENT OF OBJECTS AND REASONS

Article 21 of the Constitution provides that no person shall be deprived of his life and personal liberty except according to the procedure established by law. Of late, it has been observed that in various parts of the country, incidents of ethnic violence and communal and political disturbances are on the increase leading to a considerable loss of life, property and business of the common citizens. It has been observed that sometimes the victims are not provided with adequate relief in the matter of compensation and rehabilitation measures and they are deprived of even reasonable livelihood. It is the duty of the State to protect the citizens from violence and disturbances which result in human loss, loss to property and business. The Bill, therefore, seeks to amend the Constitution with a view to mandating on the State to protect the citizen's from such violent incidents and also to ensure rehabilitation measures and compensation to the affected victims within a stipulated time frame.

Hence this Bill.

NEW DELHI;
July 16, 2019.

GOPALCHINAYYASHETTY

FINANCIAL MEMORANDUM

Clause 2 of the Bill, if enacted, envisages that the State shall ensure that compensation and rehabilitation measures are provided to the victims of ethnic and social violence and communal and political disturbances in the country within the stipulated time frame. As it is very difficult to anticipate such events and also the extent of damages caused due to such incidents, no exact estimate of the expenditure can be made at this stage. However, it is estimated that a recurring expenditure of about rupees seven hundred crore per annum may be required to meet such relief from Consolidated Fund of India.

No non-recurring expenditure, however, is likely to be involved.

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(Shri Gopal Chinayya Shetty, M.P.)