

AS INTRODUCED IN THE RAJYA SABHA
ON 5TH AUGUST, 2011

Bill No. XIII of 2011

THE CONSTITUTION (AMENDMENT) BILL, 2011

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BILL

further to amend the Constitution of India.

BE it enacted by Parliament in the Sixty-second Year of the Republic of India as follows:—

1. (1) This Act may be called the Constitution (Amendment) Act, 2011.

Short title and
commence-
ment.

(2) It shall come into force on such date as the Central Government may, by notification
5 in the Official Gazette, appoint.

2. After article 24 of the Constitution, the following article shall be inserted, namely:—

Insertion of
new article
24A.

“24. Every citizen shall have the right to corruption—free service in all offices,
organisations, public enterprises, cooperative societies and bodies under the
State.”.

Right to
corruption
free service.

STATEMENT OF OBJECTS AND REASONS

Corruption in India is a major concern. Today corruption is not only in Government department but is prevalent in public life. The economy of India is under the socialist inspired policies and subjected to extensive regulation, protectionism and public ownership, leading to pervasive corruption and slow growth. An estimated sum of rupees 26,768 crore are extracted from our citizens every year by means of corruption. Lower strata with lower earnings are hit harder due to corruption. A study conducted by Transparency International in India found that more than 75 per cent of the people had first hand experience of paying bribe or peddling influence to get a job done in a public office. During 2010, India was ranked 87th in 178 countries in Transparency International Corruption Perception Index. Another study on the illicit flight of money from India concludes that India has been drained of \$ 462 billion (over rupees 20 lakh crore) between 1948 to 2008. The amount is nearly 40 per cent of India's Gross Domestic Product.

Many avenues of corruption cannot be dealt with under the Prevention of Corruption Act, 1988. The corruption has down graded our image to such an extent that all our efforts have been nullified and resulted into poor governance characterised by lack of both transparency and accountability. It lowers investment and hinders economic growth and human development by limiting access to basic social services as well as the cost of their delivery. It also increases poverty, subverts the financial system and undermines the legitimacy of the States. The cost of corruption to a nation is very high. The spate of corruption scandals that has hit India in the recent past were 2G Telecom Licence Scam, Loan Bribery scam in grant of corporate loans, alleged tender manipulations in infrastructure and inflating bills for equipment in Commonwealth Games, 2010 and Mumbai's Adarsh Housing Scam.

Corruption cannot go unchecked. It will kill initiatives, industriousness and skill. It will develop a lack of sensibility and irresponsibility. When we are talking about transparency in administration and freedom of information, augmentation of use of Information Technology to enable quick and easy access to information and enacting law to protect whistle blower, etc then, it would be much appropriate to talk about prevention of corruption which all go together. With this view, it is proposed to amend the Constitution to make corruption free service as a fundamental right.

Hence this Bill.

R. C. SINGH

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(Shri R. C. Singh, M.P.)