

Bill No. XX of 2011

THE CONSTITUTION (AMENDMENT) BILL, 2011

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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 commencement.

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

2. In article 324 of the Constitution, after clause (5), the following clause shall be inserted, namely:—

Amendment of article 324.

10 “(5A) Notwithstanding anything contained in this Constitution, no person who has held the office of the Chief Election Commissioner or an Election Commissioner, as the case may be, shall be eligible for further office either under the Government of India or under the Government of any State after he has ceased to hold his office”.

STATEMENT OF OBJECTS AND REASONS

Article 324 of the Constitution provides for an independent body in the form of Election Commission for conducting free, fair and impartial elections in the country. Recently, it has been observed that members of Election Commission after they ceased to hold office were appointed on important posts under the Government. Such a step erodes the respect and integrity of the office of the Election Commission in the public eye. In order to ensure neutrality and dignity of the office of the Election Commission in its functions and to put a check on this trend of appointment of members of the Election Commission to any political posts, it is necessary to amend the Constitution of India.

The Bill seeks to amend the Constitution with a view to disqualifying a person who has served as Chief Election Commissioner or Election Commissioner in the Election-Commission from holding any other office under the control of the Central Government or the State Government.

Hence, this Bill.

MOHAN SINGH

RAJYA SABHA

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(Shri Mohan Singh, M.P.)