

Union Home Minister and Minister of Cooperation
Shri Amit Shah, in an interview to a news agency,
shared his views on several important issues
including the Constitution (130th Amendment) Bill
2025

It is an insult to the country's democracy that a Prime
Minister, Minister and Chief Minister run government
from jail

It does not suit our democracy that Secretary and
Chief Secretary of the Government go to jail for
orders from the Prime Minister, Chief Minister and
Minister

Modi ji has included PM along with CM and ministers
in this bill, whereas through the 39th Constitutional
Amendment the then Prime Minister had excluded
Prime Minister from the purview of the law

It is within the constitutional ambit to express views
against a bill and vote against it, but the mentality of
not allowing the House to function is not right

The Supreme Court and High Court of the country
are not sitting blindly, if a fake case is filed against

the Chief Minister or Prime Minister, then the court has the right to grant bail

When the Constitution was made, the Constitution makers had never imagined that in future there would be such leaders who would run the government while staying in jail

We should not let the level of our moral values fall

Posted On: 25 AUG 2025 3:32PM by PIB Delhi

Union Home Minister and Minister of Cooperation Shri Amit Shah, in an interview to a news agency, shared his views on several important issues including the Constitution (130th Amendment) Bill 2025. Union Home Minister said that Prime Minister Shri Narendra Modi clearly believes that any minister, Chief Minister or Prime Minister in the country cannot run government from jail. There is a provision in the Constitution (130th Amendment) Bill 2025 that if the Prime Minister, Chief Minister, Minister of the Government of India or Minister of the State Government is arrested under any serious charge and is not granted bail within 30 days, then they will be relieved from their post. He said that if this does not happen then they will be automatically relieved from their post, legally. Shri Shah said that the opposition should not oppose tabling any bill or constitutional amendment before the house, by the elected government

Shri Amit Shah said that he himself had made it clear that this constitutional amendment will be referred to the Joint Parliamentary Committee of the two Houses. He said that a two-third majority is required for the passage of this bill and when voting takes place, all parties can give their views on it. Shri Shah said that not allowing any bill or constitution amendment bill of the government from being presented in the House is not an appropriate behavior exhibited by the opposition in a democracy. He said that both the Houses of the country's Parliament are for debate and discussion and not for noise and uproar. The Home Minister said that this mentality of not allowing the bill to be presented is not democratic, and the opposition will have to explain their actions to the people of this country.

Union Home Minister and Minister of Cooperation said that this bill is not against any opposition party and it also brings our Chief Ministers under its ambit. He said that the opposition is misleading the public by saying that FIRs are not filed against the people in the government. He said that there is a provision that if bail is granted within 30 days, then there will be no action as per the bill. Also, if there is a fake case, the courts of the country are there to grant bail. Shri Shah said that in any case, the High Court and the Supreme Court have the right to grant bail and if bail is not granted, then the person will have to quit. He asked whether any Chief Minister, Prime Minister or Minister should run the government while being in jail? Is this good for the democracy of the country? He said that if bail is granted after 30 days, then they can take oath again.

Union Home Minister said that the provision of imprisonment was not made by our Government, it has been going on for years. He said that in the 130th Constitutional Amendment, serious crime has been defined as where there is a provision of punishment of more than 5 years, then the person will have to resign. It is not right that ministers, chief ministers or prime ministers who are accused of corruption or crimes punishable with more than 5 years of imprisonment should run the government from jail. He said that even today there is a provision in the Representation of People Act of India that if any elected representative is sentenced to two

years or more, he will be relieved of his position as an MP. He said that this law has been in place since independence to determine moral grounds. Shri Shah said that the membership of many people were terminated and were also revived upon acquittal.

Shri Amit Shah said that since independence, many leaders, ministers and chief ministers have resigned and gone to jail. But now this trend has started that even after going to jail, they did not resign. Some ministers of Tamil Nadu, and Chief Minister and ministers of Delhi did not resign. He said that will the Secretary of the Government, DGP, Chief Secretary go to them in jail to get orders? Shri Shah said that there should be concern and discussion on this issue.

Union Home Minister and Minister of Cooperation said that Prime Minister Modi has himself brought the office of Prime Minister under the ambit of this constitutional amendment. He said that the then Prime Minister of the main opposition party had brought the 39th Constitutional Amendment in which she kept herself out of the scope of lawsuits along with the President and Vice President. Shri Shah said that Prime Minister Shri Narendra Modi himself introduced a constitutional amendment mandating that even the Prime Minister must resign if sent to jail. He said that there will be no delay in the court in this law because the court will have to intervene immediately. This will lead to a quick decision because our courts also understand the seriousness of the law.

Shri Amit Shah said that Prime Minister Shri Narendra Modi Ji very clearly believes that no Minister, Chief Minister or Prime Minister in the country can run the government while being in jail. He said that when the Constitution was made, the Constitution makers would not have imagined that any Chief Minister would go to jail and still remain the Chief Minister. He said that we should not let the level of our moral values fall. This law will give a base to the level of moral values and will definitely strengthen our democracy. He said that our courts are sensitive and when someone could lose their positions, then definitely the courts will decide on bail within the time limit.

Union Home Minister said that it does not suit the main opposition party to talk about vendetta. He said that during the time of the opposition government, CBI investigation was done after the court's order in at least 12 cases and many people got trapped. He said that if any party boycotts it even after the decision to form a JPC on the proposed law, then there is no other option available before the government. Shri Shah said that this bill is important and after consulting members of all parties, a considered opinion should be arrived at before the JPC. He said that the government gives the opposition a chance to present its views but it seems the opposition does not want to present its views, and the people of the country are witnessing it. The Home Minister said that if someone is neck deep in corruption, then he will be arrested, he will have to go to jail and will also have to resign.

Shri Amit Shah said that the opposition should not teach him lessons on morality. Shri Shah said that when he was accused and the CBI sent him a summon, he resigned the very next day. The case went on and the judgment also came that he was completely innocent. He said that it was said in that judgment that it was completely a case of political vendetta and he had no involvement in that case, whatsoever. Shri Shah said that he was not acquitted on the basis of doubt but the case against him was dismissed. Shri Shah said that he was granted bail on the 96th day but even then, he did not take oath to become the Home Minister. Not only this, he did not take oath for any constitutional post until all the charges against him were dismissed.

Shri Amit Shah said that the standard of morality is not tied to electoral victory or defeat; rather, it remains constant, like the sun and the moon, always in their place. He said that all our allies are completely in agreement with this law. Shri Shah said that it is not only the ruling party that decides how the Parliament should function. If the opposition does not create a healthy environment for any bill or constitutional amendment, then the people of the country are watching all this. He expressed confidence that this bill will be passed and there will be many people in the opposition who will support it on the basis of morality.

RK / VV / RR / PS

(Release ID: 2160539)