

Bill Summary

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

- The Constitution (One Hundred and Thirtieth Amendment) Bill, 2025 was introduced in Lok Sabha on August 20, 2025. It seeks to provide for removal of the Prime Minister, a Chief Minister of a state, or any other Minister in the central or a state government, if he is arrested and detained in custody on account of serious criminal offences. It also applies these provisions to the Union Territory (UT) of Delhi. Two other Bills have also been introduced to apply these provisions to the UTs of Puducherry, and Jammu and Kashmir.
- **Grounds for removal:** A Minister will be removed from office if: (i) he is accused of an offence punishable with imprisonment for a term which may extend to five years or more, and (ii) he has been arrested and detained in custody for 30 consecutive days.
- **Procedure for removal:** A Minister in the central government will be removed by the President on the advice of the Prime Minister. This advice is to be given by the 31st consecutive day that the Minister is in custody. If the Prime Minister does not advise the President by this time, the Minister will cease to hold office from the day thereafter. The same provisions will also apply at the state level, with the Governor of the state acting on the advice of the Chief Minister. In case of Delhi, the acting authority will be the President on the advice of the Chief Minister.
- In the case of the Prime Minister, or a Chief Minister of a state or Delhi, he must resign by the 31st consecutive day of custody. If he does not resign by this time, he will cease to hold office from the day thereafter.
- **No bar on re-appointments:** A Minister who is removed from office under these provisions, may be re-appointed after being released from custody.

DISCLAIMER: This document is being furnished to you for your information. You may choose to reproduce or redistribute this report for non-commercial purposes in part or in full to any other person with due acknowledgement of PRS Legislative Research ("PRS"). The opinions expressed herein are entirely those of the author(s). PRS makes every effort to use reliable and comprehensive information, but PRS does not represent that the contents of the report are accurate or complete. PRS is an independent, not-for-profit group. This document has been prepared without regard to the objectives or opinions of those who may receive it.