

Amit Shah to move three bills for removal of PM, CMs, Ministers held on serious criminal charges

The Home Minister has written to the Lok Sabha office informing that The Constitution (130th Amendment) Bill, 2025, The Jammu and Kashmir Reorganisation (Amendment) Bill, 2025 and The Government of Union Territories (Amendment) Bill, 2025 be passed in the ongoing session

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Union Home Minister Amit Shah speaks in the Lok Sabha. File photo: Sansad TV via PTI

Union Home Minister Amit Shah is likely to introduce three bills in the Lok Sabha on Wednesday (August 20, 2025) to provide legal framework for removal of the Prime Minister, Union Ministers, Chief Ministers and Ministers in States and union territories who are "arrested and detained in custody on account of serious criminal charges."

The bills say that the Prime Minister, Chief Ministers, Ministers of States and Union Territories who are arrested and detained in custody for 30 consecutive days on allegation of committing an offence punishable with imprisonment for five years or more, shall be removed from office by the 31st day by the President, Chief Minister (in case of State Ministers), Governor (for Chief Ministers) and Lieutenant-Governor (for Chief Minister in Union Territories).

The bills say that they could be subsequently reappointed on release from custody.

Mr. Shah wrote to the Lok Sabha office on Tuesday (August 19, 2025) informing that the following three Bills be passed in the ongoing session — The Constitution (130th Amendment) Bill, 2025, The Jammu and Kashmir Reorganisation (Amendment) Bill, 2025 and The Government of Union Territories (Amendment) Bill, 2025.

The statement of objects and reasons of the Bill sent by Mr. Shah, circulated among Lok Sabha members on Tuesday, said, “the elected representatives represent hopes and aspirations of the people of India. It is expected that they rise above political interests and act only in the public interest and for the welfare of people. It is expected that the character and conduct of Ministers holding the office should be beyond any ray of suspicion.”

It said that a Minister, who is facing allegation of serious criminal offences, arrested and detained in custody, may thwart or hinder the canons of constitutional morality and principles of good governance and eventually diminish the constitutional trust reposed by people in him.

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“There is, however, no provision under the Constitution for removal of a Minister who is arrested and detained in custody on account of serious criminal charges. In view of the above, there is a need to amend Articles 75, 164 and 239AA of the Constitution, for providing legal framework for removal of the Prime Minister or a Minister in the Union Council of Ministers and the Chief Minister or a Minister in the Council of Ministers of States and the National Capital Territory of Delhi in such cases.” the statement said.

The other two Bills define the process of removal of Chief Minister, Ministers in the union territory of Puducherry and Jammu and Kashmir.

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