

**GOVERNMENT OF INDIA
PERSONNEL,PUBLIC GRIEVANCES AND PENSIONS
LOK SABHA**

UNSTARRED QUESTION NO:2417
ANSWERED ON:05.02.2014
AMENDMENTS IN PREVENTION OF CORRUPTION ACT
Jawale Shri Haribhau Madhav

Will the Minister of PERSONNEL,PUBLIC GRIEVANCES AND PENSIONS be pleased to state:

- (a) whether the Government is considering to amend the Prevention of Corruption Act (PCA) 1988, so as to ensure adequate punishment to bribe givers too;
- (b) if so, the details thereof;
- (c) whether semi-autonomous bodies like Indian Farmers Fertilizer Co-operative Limited (IFFCO), Krishak Bharati Co-operative Limited (KRIBHCO), etc. are not covered under the ambit of PCA;and
- (d) if so, the reasons therefor and the steps being taken to include such organisations in PCA?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF PERSONNEL,PUBLIC GRIVANCES AND PENSIONS AND MINISTER OF THE STATE IN THE PRIME MINISTER'S OFFICE. (SHRI V. NARAYANASAMY)

(a) & (b) Government has introduced the Prevention of Corruption (Amendment) Bill, 2013 in the Rajya Sabha on 19.08.2013. The proposed amendments, inter-alia, provide for punishment of any person who offers, promises or gives a bribe to another person to induce a public servant to perform improperly a public function.

(c) & (d) The definition of "public servant" under section 2(c) of the Prevention of Corruption Act covers, inter alia,-

"(iii) any person in the service or pay of a corporation established by or under a Central, Provincial or State Act, or an authority or a body owned or controlled or aided by the Government or a Government company as defined in section 617 of the Companies Act, 1956;

(vii) any person who holds an office by virtue of which he is authorized or required to perform any public duty;

(ix) any person who is the president, secretary or other office-bearer of a registered co- operative society engaged in agriculture, industry, trade or banking, receiving or having received any financial aid from the Central Government or a State Government or from any corporation established by or under a Central, Provincial or State Act, or any authority or body owned or controlled or aided by the Government or a Government company as defined in section 617 of the Companies Act, 1956;

(xii) any person who is an office-bearer or an employee of an educational, scientific, social, cultural or other institution, in whatever manner established, receiving or having received any financial assistance from the Central Government or any State Government, or local or other public authority."

Accordingly, members, office bearers and employees of bodies like Indian Farmers Fertilizers Cooperative Ltd. (IFFCO), Krishak Bharti Co-operative Ltd. (KRIBHCO) etc. fall within the purview of Section 2(c) of the Prevention of Corruption Act.