

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

UNSTARRED QUESTION NO:2983
ANSWERED ON:30.07.2014
ANTI CORRUPTION LAWS
Devi Smt. Rama;Jadhav Shri Prataprao Ganpatrao

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

- (a) whether the Government has reviewed the existing anti corruption laws including the Prevention of Corruption Act, 1988;
- (b) if so, the details and outcome thereof;
- (c) the details of deficiencies/shortcomings identified therein which prevent effective prosecution and conviction of those found involved in corruption related matters; and
- (d) the steps taken/proposed to be taken by the Government to make anti corruption laws more deterrent ?

Answer

Minister of State in the Ministry of Personnel, Public Grievances and Pensions and Minister of State in the Prime Minister's Office.
(DR. JITENDRA SINGH)

(a) to (d): The Prevention of Corruption Act was enacted in 1988. A Bill for amendment of the Act was introduced in Lok Sabha and was passed by Lok Sabha in December, 2008, but the said Bill lapsed due to dissolution of the 14th Lok Sabha. Later developments, such as, India ratifying the United Nations Convention Against Corruption, implications arising out of some judicial pronouncements, international practices on the treatment of the offence of bribery and corruption, necessitated a review of the existing provisions of the Prevention of Corruption Act 1988. On the basis of the said review, a need was felt to amend the Act in order to address the lack of clarity and ambiguity in the Act and to fill in gaps in description and coverage of the offence of bribery so as to bring it in line with the current international practice and also to meet, more effectively, the country's obligations under the United Nations Convention Against Corruption (UNCAC). Accordingly, the Prevention of Corruption (Amendment) Bill, 2013 has been introduced in Rajya Sabha on 19th August, 2013. The proposed amendments are broadly aimed at –

- (a) providing for a clear definition of different forms of bribery including active bribery (i.e., for punishment of the bribe giver) in line with international practice;
- (b) providing for liability of a commercial entity for failure to prevent bribery of a public servant by any person associated with such commercial entity;
- (c) incorporating separate provisions for confiscation and forfeiture of property illegally acquired by corrupt public servants;
- (d) protecting honest public servants from frivolous and vexatious prosecutions/investigations.