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27/07/2018

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The amended prevention of Corruption Act (PCA) seeks to strike a balance between the obvious need to tackle corruption by booking guilty and protect the honest government officials from harassment.

Discuss.

PCA to the Guilty:

1) The Amendment punishes the bribe giver for 7 years except in the case where the bribe giver is forced to do it.

2) The bribe taker has to report the incident in 7 days if he is forced to do it.

3) The amendment defined criminal misconduct as misappropriation of entrusted property and amassing assets disproportionate to known source of income.

4) A provision of special court to attach and confiscate property of convicted.

PCA to the Honest.

1) The main aim of the amendment is to protect the honest. In this regard the Investigating agency like CBI has to get prior approval from the

concerned competent authority before

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Conducting an inquiry.

2) It also changes the time limit for deciding the corruption cases to a maximum of two years, which intends to protect the official from Harassment.

The Amendments in the PCA empowers the government officials to act fearlessly against Corruption. But it also increases the burden of proof necessary for investigating the corrupt. Such kind of problems in the Amendment has to be addressed in the early stage.

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