
ETHICS COMMITTEE – AN INTRODUCTION

Ethics Committee – An Introduction

Morality in Politics

Ethics and morality have been the hallmark of public life in India since ancient times. Rulers were expected to observe stricter ethical values and an unethical king was shown no mercy. Ethics and politics, in other words, were inseparable. This ethical and moral legacy was inherited by its national leaders, who demonstrated a high degree of probity and honesty in public life during the freedom struggle led by Mahatma Gandhi, who himself was an embodiment of this tradition. He not only preached morality in public life but also practiced it. He believed that politics without morality is a thing to be avoided.

However, in recent years there is a general feeling that all is not well with the Indian political system which is functioning under great strain. Concerns are being expressed over the general decline of values in public life. Recent trends in politics, however, appear to have created an impression as if, the capacity of our democratic system to ensure probity in public life is increasingly going down. Such a situation does not augur well for the future of democracy and needs to be arrested immediately.

Role of People's Representatives

That there has been general erosion of moral values in all walks of life cannot be denied. Role of people's representatives, who are largely responsible for guiding the system in such a situation, therefore, becomes very critical. Members of Parliament as people's representatives are looked at by the people as their role models and the ones who are guiding their destiny, have, therefore, to be beyond the realm of any kind of suspicion. By and large, the ideological base and the spirit of service which should activate most of them is getting eroded and the kind of elements who are trying to influence the political parties and the political system at large, make everybody think as to how probity in the entire system could be ensured. There may be many ways for ensuring probity in public life, but a self-disciplining mechanism, appears to be the best in an institution like Parliament.

The Vohra Committee : A Precursor

It was in this backdrop and amidst alleged charges of corruption involving politicians and general perception of criminalisation of politics, that the government of the day appointed on 9 July, 1993, a Committee headed by Shri N.N. Vohra, the then Home Secretary, Government of India, to take stock of all available information about the activities of crime syndicates/mafia organizations who allegedly had developed links with and were being protected by some Government functionaries and political personalities. The Committee after considering the matter presented its report to the

Government of India which laid it before both Houses of Parliament on 1 August 1995. The report was discussed in the Houses of Parliament on 8, 23 and 24 August, 1995.

The Committee in its report, *inter alia*, pointed out that “the nexus between the criminal gangs, police, bureaucracy and politicians” had come out clearly in various parts of the country. The existing criminal justice system, which was essentially designed to deal with the individual offences/crimes, was unable to deal with the activities of the mafia; the provisions of law in regard to economic offences were found to be weak and there were insurmountable legal difficulties in attaching/confiscating the properties acquired through mafia activities.

The report suggested setting up of a nodal agency under the Ministry of Home Affairs, Government of India, to be handled directly by the Union Home Secretary, who would be assisted by one or more selected officers of the Ministry for the collation and compilation of all information received from different intelligence agencies.

Subsequently, an All-Party Meeting was held on 15 September 1995, under the Chairmanship of the then Union Home Minister, Shri S.B. Chavan, to look into the whole gamut of criminal-politician nexus and the related issue of declaration of assets and liabilities by the Members of Parliament and Ministers. The points, which *inter alia*, constituted the agenda were :

1. Setting up of a Parliamentary Committee on Ethics as distinct from the Committee of Privileges which would act as a guardian on the activities of members of Parliament.
2. Adoption of a Code of Conduct at the level of political parties to ensure a cleaner public life, *e.g.*, not to give party tickets to persons having criminal record.
3. All political parties should have open audited accounts which must be published annually.
4. Giving more teeth to the Nodal Group set up as a consequence of the recommendations of the Vohra Committee Report.
5. Changes in the legal system, simplification of the procedure and dispensation of quick justice.

Birth of Ethics Committee

Rajya Sabha, the Second Chamber of Indian Parliament also was seized of the matter for quite some time. The Business Advisory Committee of Rajya Sabha had decided in 1996, that this matter should be considered by Leaders of parties and groups in the House. At the initiative of the former Prime Minister of India, Shri I.K. Gujral, who then was the External Affairs Minister, a meeting was held in 1996, with the leaders of parties and groups in Rajya Sabha to discuss the issue. Thereafter, the matter was placed before the General Purposes Committee of Rajya Sabha in 1997. The Committee after considering the matter carefully, decided to have an internal mechanism of the House itself which would work as a self-regulatory body for the members of Rajya Sabha. The

Committee authorized the Chairman, Rajya Sabha to constitute an Ethics Committee with a mandate to oversee the moral and ethical conduct of its members.

Thus, the Ethics Committee, Rajya Sabha, the first such Committee by any legislature in India was constituted by the Chairman, Rajya Sabha on 4 March 1997, to oversee the moral and ethical conduct of the Members and to examine the cases referred to it with reference to ethical and other misconduct of Members. It was provided that in all respects of procedure and other matters, the rules applicable to the Committee of Privileges shall apply to the Ethics Committee with such variations and modifications as the Chairman, Rajya Sabha may, from time to time, make. The committee was inaugurated by the then Vice-President of India and the Chairman of Rajya Sabha, Shri K.R. Narayanan, on 30 May 1997.

Setting up of an institution like Ethics Committee was, in fact, a significant event in the history of Indian parliamentary democracy. Such Committees are functioning only in a few countries of the world and with the setting up of this Committee here, India also has joined the group of these select countries.

Ethics Committee, Rajya Sabha consists of ten members, including its Chairman, who are nominated by the Chairman, Rajya Sabha. Chairman of the Committee is from the largest party in the House. Other members normally are the Leaders, Deputy Leaders/Chief Whips of their parties/groups in Rajya Sabha. Commenting on the fact that leaders of parties/group are made members of the Ethics Committee, Shri K.R. Narayanan while inaugurating the Committee on the 30 May, 1997 said :

By choosing the leaders of parties as Members we have tried to invest the Committee with prestige and influence. In this way we have also sought to forge a link, though indirectly and informally, with the political parties all of whom are intensely interested in maintaining the highest ethical standards in our parliamentary life. This, indeed, is a common platform on which all of us can meet together to sustain the high standards of the august institution of Parliament.

Initial Deliberations

The Committee, after it was set-up, started deliberating on the issues relating to its mandate. It held discussion with the representatives of various political parties and legal experts. The Committee also met the senior officials of the Union Ministry of Home Affairs, Cabinet Secretariat and the departments of Home Affairs of some of the States and discussed the various questions concerning its mandate. The Committee studied the parliamentary watch-dog bodies existing in some countries which dealt with the moral and ethical aspects of the conduct of the Members of Parliament as well as other institutions, which were concerned with ensuring standards of behaviour in public life in those countries.

The Committee visited certain States in the country and interacted with people from all walks of life namely, Presiding Officers and legislators in States, civil servants, industrialists, legal experts, former judges, Vice-Chancellors of universities, journalists, etc. with the objective of having wider consultations on the issues before it.

The Ethics Committee has also been guided by the wise words of the then Chairman of Rajya Sabha, Shri K.R. Narayanan, who, while inaugurating the committee, had said :

“The institutions are the projection of a people’s character, experience and genius. They become strong and lasting only when they are in keeping with the people’s character and thinking, or else they tend to wither away. The Parliament and its organs cannot be expected to function much above the prevailing moral temper of the society of which they are the products. But they can function as guides and role models and help in defining the standards of conduct and maintaining the standards.”

Work of the Committee

The Committee apart from consulting expert opinion has been meeting simultaneously to hold its own deliberations. It has, so far, held 50 meetings and presented three Reports to Rajya Sabha. Its first Report was presented on 8 December, 1998, the second Report on 13 December, 1999 and the third Report on 12 August 2002. Rajya Sabha discussed and adopted the first and the second Reports on 15 December, 1999 and the third Report is yet to be discussed and adopted by the House.

First Report

The Committee in its first Report has taken a holistic view of the issue and touched upon important aspects of its mandate.

Role of Political Parties

In the first Report, the Ethics Committee expressed its concern about the decline in standard of behaviour in public life and emphasized the need for controlling it. The Committee observed that it was mainly the responsibility of political parties to prevent persons having criminal record entering political process. The Committee was of the view that without the sincerity and the commitment of political parties, probity in public life could not be ensured. The Committee, therefore, urged upon political parties to regulate the conduct of their members. The parameter for the selection of candidates for election by the political parties should be proven standards in public life. This would go a long way in maintaining the credibility of the political system in the estimation of the people. The Committee was happy over the fact that the representatives of the political parties who appeared before the Committee had assured, on behalf of their political parties, their fullest cooperation to the Committee in its endeavour.

Committee : A Permanent Body

The Committee was against subjecting the Members of Parliament to the disciplinary authority of an agency outside the jurisdiction of the House and, therefore, recommended for making the Ethics Committee a permanent institution in Rajya Sabha.

Open Ballot for Second Chambers

The Committee also noted the emerging trend of cross voting by some electors going against their party line, in the elections to Rajya Sabha and the Legislative

Councils in States mainly on extraneous considerations. The Committee, therefore, emphasized the need for holding elections to Rajya Sabha and Legislative Councils in States by open ballot, instead of secret ballot with a view to curbing this disturbing trend.

Need for Electoral Reforms

The Committee also expressed its view on various aspects of electoral reforms such as, revision of ceiling on election expenses, corporate or State funding of political parties and its ramifications, foreign donations to political parties, etc. It emphasized the urgent need for considering these issues in details and suggest suitable measures for minimizing the role of money power in elections.

Code of Conduct for Members

After having deliberated at length, the Committee came to the conclusion that a Code of Conduct be prepared for the Members of Rajya Sabha. Keeping in view the special needs and circumstances which prevail in the Indian context, the Committee recommended the Framework of a Code of Conduct which prescribes certain do's and don'ts for the Members of Rajya Sabha.

Second Report

Having laid down a general Framework of Code of Conduct for Members of Rajya Sabha, the Committee felt the need for providing a procedure for enforcing the Code as well as dealing with cases of ethical misconduct by members. In its second report the Committee considered the procedure for making a complaint to the Committee, taking notice *suo moto* as well as, the mechanism for investigation of a complaint and the question of providing penalties for a proved unethical conduct or for violating the Code.

Register of Members Interests

The Committee was of the view that the members should declare their assets and liabilities and those of their family members. It would also include any pecuniary interest or other material benefits that they may be receiving. For this purpose the Committee suggested that a 'Register of Members' Interests' be maintained under its authority or the authority of the House. This Register may be made available to members for inspection on demand. In the interest of total transparency, the Committee felt that the information furnished by the members would be laid on the Table of the House at the commencement of the next session. In case a member does not furnish the required information or furnishes information which is found to be incorrect in material respects, the Committee may report the matter to the House.

Declaration of Interests

There may be occasions when a member may have direct, indirect or specific pecuniary interest in a matter being considered by the House or a Committee thereof. In such case, the Committee felt that he should declare the nature of such interest notwithstanding any registration of his interests in the Register and desist from

participating in any such debate or vote taking place in the House or its Committees before making such a declaration.

Penalties

In view of its stand that the Members should not be subjected to any outside disciplinary authority, the Committee held that a well functioning Ethics Committee and well laid out procedures were the best guarantee for a correct perception in the public about an in-house mechanism for ensuring the ethical conduct of Members. The Committee suggested that in the event of a proved unethical or other misconduct or a breach of the code it might recommend to the House the imposition of one or more of such penalties as censure; reprimand; suspension from the House for a specific period and any other penalty considered appropriate by it.

Both these Reports were discussed and adopted by The Rajya Sabha on 15 December, 1999. While participating in the discussion on these Reports, Members from all the political parties and groups in the House welcomed the suggestions/recommendations as also the efforts made by the Committee. They all expressed their concern on the general cynicism prevailing about themselves among the people and emphasized the need for correcting this perception urgently. The Minister for Parliamentary Affairs *inter alia* made the comments on behalf of the Government in the following words :

“Political leaders do not act according to the expectations of the people and this is not the problem only in India. There are innumerable countries where the leaders do not behave as is expected of them by the public and it is because of this in many countries of the world that ethics Committees have been formed. I do admit and specially in the Rajya Sabha we have taken the lead in setting up this Ethics Committee. I believe that a man starts reforming only when he realizes his mistakes. If one does not realize one’s mistakes and one feels that there is no need for the Ethics Committee, I don’t think, things can improve. Therefore, whatever the Ethics Committee has thought, whatever it has recommended, I am in agreement with all that not only in my personal capacity but also as a representative of the government and I am not pessimistic about it.”

Both these reports were unanimously adopted by the House on the same day.

Third Report

In the Third Report, the Committee dealt with issues germane to the behaviour of Members in House as well as outside of it. The Committee reiterated that a holistic view had to be taken while dealing with the issues relating to decline in standards of behaviour of the members and that ethical questions cannot be dealt with by legislation alone. These are mainly matters of one’s conscience. Allaying the apprehension expressed in some quarters, the Committee observed that merely by prescribing a Code of Conduct the problem can not be solved. However, the Code, like in some other Parliaments, could help evolve certain standard norms of behaviour which everyone intending to enter a legislature was expected to follow.

The Committee emphasized the role of political parties and called upon the people not to elect persons with “dubious distinction” to legislative bodies. It emphasized the urgency to bring about the much desired though delayed electoral reforms for cleansing public life.

The Committee expressed its serious concern over the increasing trend of disorderly proceedings in legislatures. It called upon both, the Government and the Opposition to be aware of their joint responsibility to the people of this country to ensure that proceedings in the House are conducted uninterruptedly in accordance with the rules, established procedures and conventions of the House.

The Ethics Committee also called upon the legislatures of the States and Union territories to set up Ethics Committees in their respective Houses.

The draft rules for giving effect to the recommendations particularly in regard to the procedures for registration and declaration of interests by members, making complaints, investigation, penalty etc. have been prepared and are currently under the process of adoption.

REPORTS OF THE COMMITTEE

FIRST REPORT

INTRODUCTION

1. I, the Chairman of the Ethics Committee, having been authorised by the Committee to submit the report on its behalf, present this First Report of the Committee.

2. The Committee studied various aspects of the functioning of the Ethics Committees or such like institutions existing in some of the countries.

3. The Committee heard the leaders of various political parties and legal experts on its mandate. The Committee took evidence of the representatives of the Ministry of Home Affairs, Cabinet Secretariat, Government of India and the Department of Home Affairs of some of the States on several questions which concerned its mandate. The Committee also had invited some of the industrial houses to know their views on questions before it. The Committee had the benefit of being briefed by the officials of the U.S. Embassy in India about the working of the Senate Ethics Committee and the House of Representatives Committee on Standards of Official Conduct.

4. The Committee visited Parliaments of U.K., France, Finland and Italy and had held discussions with the parliamentarians and the officials associated with the functioning of the corresponding structures/institutions responsible for enforcing ethics in public life.

5. The Committee wishes to express its thanks to all those who appeared before it.

6. The Committee considered and adopted the report at its meeting held on 1 December 1998.

NEW
DELHI
1
December,
1998.

S.B. CHAVAN
Chairman,
Ethics Committee

THE REPORT

Values in public life

Moral and ethical concerns of the society weigh a great deal with those in public life as their behaviour is keenly watched by the people. At concerned quarters views are being expressed over the general decline of values in public life. The Committee has itself noted the general decline in moral and ethical standards in public life. While the Committee felt that it was a serious trend, it did not, however, fully share the despondency. In this context the Committee would like to quote approvingly what the Committee on Standards in Public Life (the Nolan Committee) of the United Kingdom in its first Report has said about the standards of behaviour of those who are in public life:

“We cannot say conclusively that standards of behaviour in public life have declined. We can say that conduct in public life is more rigorously scrutinised than it was in the past, that the standards which the public demands remain high, and that the great majority of people in public life meet those high standards. But there are weaknesses in the procedures for maintaining and enforcing those standards. As a result, people in public life are not always as clear as they should be about where the boundaries of acceptable conduct lie. This we regard as the principal reason for public disquiet. It calls for urgent remedial action.”

2. There is a general feeling that all is not well with our political system which is functioning under a great strain. In such a situation, the representatives of the people have to set high standards of behaviour in public life. Members of Parliament have not only to represent the society but have also to lead it. Therefore, they have to function as the role models and this naturally casts on them a heavy responsibility.

3. The Committee notes that our freedom fighters and national leaders had set high ethical and moral standards in public life and they followed those principles scrupulously. This tendency, the Committee, painfully observes, is now on a decline.

Ethics Committee: A Self Regulatory Mechanism

4. In order to enforce ethical and moral values in public life, Members of Parliament have, on many occasions, expressed themselves in favour of evolving an internal self-regulatory mechanism. The formation of the Ethics Committee in Rajya

Sabha, as one of the instruments to ensure value based politics may, therefore, be seen a step in that direction.

5. The Ethics Committee was, therefore, constituted by the Chairman of Rajya Sabha on 4 March 1997, with a broad mandate to oversee the moral and ethical conduct of the Members and to examine the cases referred to it with reference to their ethical and other misconduct.

6. The Committee does not favour the idea of subjecting the Members to the disciplinary authority of an agency outside the jurisdiction of the House. The Committee has noted the provisions existing in this regard in several commonwealth countries and in the US Congress and is in favour of making the Ethics Committee a permanent institution in the Rajya Sabha. It is the considered view of the Committee that it should be made compulsory for the Members to declare their assets and liabilities and those of their immediate family which includes spouse, dependent daughters and dependent sons before the Committee. The Committee should place these statements on the Table of the House. The Committee would constantly guide and give advice to the Members on questions of propriety and conduct.

7. At the outset, it was thought that the problem of ethical and moral conduct of members had several dimensions, some of which fell beyond the mandate and jurisdiction of a body like the Ethics Committee. This problem, for example, required looking into issues like role of political parties, criminalisation of politics, comprehensive electoral reforms so as to minimise electoral malpractices to hold free and fair elections, etc. It was felt that adopting a holistic approach in the matter would be more appropriate to comprehend the problem in its entirety. The Committee, therefore, decided to look into aspects like role of political parties and need for electoral reforms also.

Criminalisation of politics, political parties and electoral reforms

8. The Committee notes that provisions exist in various statutes and the Rules of Procedure of both the Houses for regulating the behaviour of Members, both inside and outside the Legislatures. The laws and rules, however, have not had the desired effect. The Committee, therefore, felt that the problem of criminalisation of politics and its causes and effects, cannot be tackled by legislation alone. The Committee instead of taking a purely legalistic view in the matter, thought it prudent to seek the cooperation of the political parties who can play a far more effective role in bringing about probity in public life. The Committee, therefore, decided to discuss various issues before it with the political parties as also the need for evolving a code of conduct for Members. In this connection, the Committee heard the leaders of various political parties.

9. Accordingly, a questionnaire (Annexure-I) was sent to the political parties and their responses were sought on that.

10. Representatives of the political parties who appeared before the Committee had expressed themselves in favour of evolving a code of conduct for regulating the behaviour of the Members. They also assured the support of their respective political parties in the implementation of the code. It was also suggested that all political parties need to have their own separate codes of conduct to regulate the behaviour of their Members. In any case, it is political parties which select candidates to contest elections. If care is taken at the preliminary stage of the screening of candidates, persons with criminal record or those with doubtful integrity could be prevented to a large extent from entering the legislative bodies.

11. The Committee is of the view that it is mainly the responsibility of political parties to stop persons having criminal record entering political process. The Committee, therefore, would like to urge upon political parties to devise self-controlling norms which should regulate the conduct of their Members. The parameter for the selection of candidates for election by the political parties should be proven standards in public life. This would go a long way in maintaining the credibility of our political system in the estimation of the public.

12. The Committee is happy over the fact that the representatives of the political parties who appeared before the Committee have expressed, on behalf of their political parties, their fullest cooperation in implementing the code of conduct for the Members. The Committee is of the view that but for the sincerity and the commitment of political parties, probity in public life cannot be fully ensured.

13. As regards disqualifying persons with criminal record or those with dubious distinction, the Committee notes, it is a very complex issue. Under the Indian legal system, a person is presumed to be innocent unless proved otherwise. The Committee, nevertheless, is of the view that efforts should be made to prevent persons with criminal background from contesting elections at two levels : first, at the level of political parties itself while screening the candidates for contesting elections. Second, the Election Commission or any agency as may be specified under the law may also prevent such persons from contesting elections on the ground specified under the law or by amending suitably section 8 of the Representation of the People Act, 1951.

14. Political parties should deny tickets to such persons on the basis of public perception of their credentials. A well defined benchmark for preventing such people from contesting elections is needed in the other case. The Committee notes that in such a situation, the existing legal provisions are not having the desired impact.

15. When the Committee desired to know the stage of a case during which a Member can be disqualified before the final conviction takes place, one of the Secretaries representing the Home Department of a State deposed as follows:

If you are looking for the criteria for disqualification, on the one end of the spectrum it will be "conviction", that is the fact that a person who is

convicted, he alone can be disqualified. The difficulty is that if you apply this criteria, you will not be able to keep out criminals from the arena of politics. Go to the other end of the spectrum, where one could be applying a lenient standard for disqualification i.e., "anybody, who has got an F.I.R. against him." Such a criteria could lead to whimsical and capricious action for disqualification. That could lead to political vendetta, because almost anybody can then be got disqualified by filing an F.I.R. That criteria too is not possible to accept. So, in this situation what is the criteria that can be found in between F.I.R. and conviction? One such benchmark for disqualification is chargesheet in the court against a person. Once the police has filed a chargesheet in the court against a person an allegation can be made that the chargesheet has been filed by police under some political influence in collusion with some political party. After the chargesheet, the next available benchmark is cognisance of the offence by Magistrate. I think that could be the right stage. When a judicial Magistrate has taken cognisance of any of the I.P.C. offence, we could possibly take that as a sufficient prerequisite for disqualification. In trials in warrant cases where the charge has been framed by the court against a person such person could be disqualified from electoral process and elected office. There it means that the court has come to the *prima facie* conclusion that there is sufficient evidence to show that there is a *prima facie* case against a person, therefore, he should be disqualified. In this case, there is a judicial order or pronouncement which becomes the basis to disqualify a person. So, framing of the charges, I think, could be the right threshold to debar a person from elected office.

16. In order to assess the extent of criminalisation of politics, the Committee took the benefit of the views of the representatives of the Ministry of Home Affairs and Cabinet Secretariat, Government of India and the Department of Home Affairs of a few States.

17. On being enquired about the criteria for holding a person, whether convicted by a lower court or not, as having criminal background, the Union Home Secretary submitted that he could not give a foolproof answer to this question. He, however, added:

If you accept a person convicted by a lower court as ineligible, when you are deeply conscious of the fact that he may be acquitted, he is a loser. But if you do not make him ineligible, you are allowing a convicted person to contest the elections. This is a very hard choice that you have to exercise.

18. After hearing the representatives of the political parties and officers representing the Union Home Ministry, Cabinet Secretariat and the Home Departments of some of the States and also consulting the informed opinion, the Committee is of the view that disqualifications have been prescribed under section 8 of the Representation of the People Act, 1951 (R.P. Act) wherein offences have been listed which entail disqualifications. As per the existing law, a person attracts

disqualifications on the ground of conviction for certain offences mentioned in the R.P. Act but unfortunately the process of conviction gets unduly delayed as a result the very purpose of section 8 of the R.P. Act gets defeated. There are different views about disqualifying a person with alleged criminal record. Whether a person should be disqualified the moment F.I.R. is filed against him or the chargesheet is presented or the cognisance of offence is taken by the Magistrate or the conviction is done by the court or even after the conviction the appeal is pending in the higher court, are questions on which it would be difficult to express any definite opinion. Since the Law Commission, the Election Commission and the Government of India itself is seized of the matter, the Committee would only like to suggest that the Government should expedite the process of initiating major electoral reforms in order to keep criminals out of the political arena.

19. The Committee has also noted the emerging trend of cross-voting in the elections for Rajya Sabha and the Legislative Councils in States. It is often alleged that large sums of money and other considerations encourage the electorate for these two bodies to vote in a particular manner leading sometimes to the defeat of the official candidates belonging to their own political party. In order not to allow big money and other considerations to play mischief with the electoral process, the Committee is of the view that instead of secret ballot, the question of holding the elections to Rajya Sabha and the Legislative Councils in States by open ballot may be examined.

20. Election process involves some expenditure on the part of every candidate and every party. This expenditure has gone up manifold due to excessive role of money power in elections. It was felt that ceiling on poll expenses as provided in law was not realistic and reasonable. Therefore, the maximum limit of election expenses was increased from rupees 4.5 lakh to rupees 15 lakh in Parliamentary constituencies and from rupees 1.5 lakh to rupees 6 lakh in Assembly constituencies.

21. The Committee holds the view that the fixation of ceiling on election expenses for various constituencies must take into account the ground realities.

22. The Committee is of the view that the question of corporate funding of political parties and its ramifications needs to be further examined.

23. The Committee emphasises the need to incorporate suitable provisions in the existing electoral laws with a view to breaking the nexus between the money power and elections. The Committee hopes that this aspect would be looked into by the Committee on State Funding of Elections which is currently seized of the matter.

24. The Committee strongly feels that donations received by political parties, the source of which lies in a foreign country should be totally banned.

25. The Committee appreciates the efforts made by the Election Commission to cleanse the electoral process. The Committee took note of the order issued by the

Election Commission in August 1997, under article 324 of the Constitution requiring the candidates for elections to Parliament and State Legislatures to file affidavits about their convictions in cases covered by section 8 of the Representation of the People Act, 1951, which disqualifies persons convicted of those specified offences. The Commission has also made it clear that the conviction by the trial Court itself is sufficient to attract disqualification and even those who are released on bail during the pendency of their appeals against their convictions are disqualified for contesting elections. The Committee is of the view that this practice should continue.

Framework of Code of Conduct

26. A legal expert who spoke on the mandate and scope of the Committee emphasised the need for having a code of conduct for the Members and suggested that the Parliament should be as much concerned of its privileges as of public integrity.

27. In order to suggest a framework of a code for Members of Rajya Sabha, the Committee has studied the codes/draft codes/rules, etc. existing in Australia, Canada, U.S.A., U.K. and South Africa. The Committee also studied the functioning of the Ethics Committees or such like institutions if existing in these countries. The Committee had also interacted with the representatives of the U.S. Embassy on the functioning of the Ethics Committee in the Senate and Committee on Standards of Official Conduct in the House of Representatives. The Committee had also visited parliaments of U.K., France, Finland and Italy and had interacted with parliamentarians and senior officials associated with the functioning of the structures and institutions responsible for enforcing ethics in public life.

28. After having deliberated on the Code of Conduct for Members at length, the Committee came to a definite conclusion that a framework of Code of Conduct be prepared for the Members of Rajya Sabha. Keeping in view the special needs and circumstances which obtain in our country, the Committee recommends the following framework of a Code of Conduct for Members of Rajya Sabha :

Framework of Code of Conduct for Members of Rajya Sabha:

The Members of Rajya Sabha should acknowledge their responsibility to maintain the public trust reposed in them and should work diligently to discharge their mandate for the common good of the people. They must hold in high esteem the Constitution, the Law, Parliamentary Institutions and above all the general public. They should constantly strive to translate the ideals laid down in the Preamble to the Constitution into a reality. The following are the principles which they should abide by in their dealings:

- (i) Members must not do anything that brings disrepute to the Parliament and affects their credibility.

- (ii) Members must utilise their position as Members of Parliament to advance general well-being of the people.
- (iii) In their dealings if Members find that there is a conflict between their personal interests and the public trust which they hold, they should resolve such a conflict in a manner that their private interests are subordinated to the duty of their public office.
- (iv) Members should always see that their private financial interests and those of the members of their immediate family* do not come in conflict with the public interest and if any such conflict ever arises, they should try to resolve such a conflict in a manner that the public interest is not jeopardised.
- (v) Members should never expect or accept any fee, remuneration or benefit for a vote given or not given by them on the floor of the House, for introducing a Bill, for moving a resolution or desisting from moving a resolution, putting a question or abstaining from asking a question or participating in the deliberations of the House or a Parliamentary Committee.
- (vi) Members should not take a gift which may interfere with honest and impartial discharge of their official duties. They may, however, accept incidental gifts or inexpensive mementoes and customary hospitality.
- (vii) Members holding public offices should use public resources in such a manner as may lead to public good.
- (viii) If Members are in possession of a confidential information owing to their being Members of Parliament or Members of Parliamentary Committees, they should not disclose such information for advancing their personal interests.
- (ix) Members should desist from giving certificates to individuals and institutions of which they have no personal knowledge and are not based on facts.
- (x) Members should not lend ready support to any cause of which they have no or little knowledge.
- (xi) Members should not misuse the facilities and amenities made available to them.

- (xii) Members should not be disrespectful to any religion and work for the promotion of secular values.
- (xiii) Members should keep uppermost in their mind the fundamental duties listed in part IVA of the Constitution.
- (xiv) Members are expected to maintain high standards of morality, dignity, decency and values in public life.

29. Like the codes existing in some of the Parliaments in other countries, the code suggested by the Committee is general in nature.

30. The Committee will consider in its subsequent reports the procedures for making a complaint to the Committee or taking up a matter *suo motu* by it, the mechanism for investigation of a complaint and the question of providing penalties for the violation of the code.

31. The Committee will recommend specific measures to the House for taking a view in each case referred to it or considered by it.

32. The Committee intends to come out with detailed rules and guidelines in its subsequent reports to implement its mandate.

NEW DELHI
1 December, 1998

S.B. CHAVAN
Chairman,
Ethics Committee

ANNEXURE-I

Questionnaire sent to the political parties

1. The Ethics Committee is to oversee the moral and ethical conduct of the Members and to examine the cases referred to it with reference to ethical and other misconduct of Members. Would you like to suggest something more that could be added to the mandate of the Ethics Committee?
2. Do you feel that a mandatory code of conduct for the Members of Parliament is something which the Committee should lay down? If so, what should be the contents of such a code?
3. The Committee would like to have your comments on the implementation of the code and how your party can cooperate with the Committee in its endeavour ?
4. Do you also feel that there should be a fix set of sanctions for the violation of code? If so, what should be the possible sanctions that your party would like to elaborate on ?

5. In matters of ethical misconduct, do you feel that the Committee should have powers to conduct inquiry/investigations. If yes, how should the Committee go about and what should be the position of the Committee, *vis-a-vis* other agencies like the executive and the judiciary?
6. In regard to cases which would be investigated by the Ethics Committee, would you like to draw a line between the public duty of the Members and his right to privacy?
7. Would you like that the Ethics Committee should take up cases of misconduct reported in the newspapers etc., *suo motu* or there should be a formal complaint before the Committee?
8. What can the Committee do to deal adequately with persons who may make frivolous complaints against Members to the Committee? And how these frivolous complaints could be curbed?
9. What is your view about the declaration of assets and liabilities by the Members at the time of becoming Members of the House and also at the time of completing their tenure?
10. Should the statement of assets and liabilities, made by the Member at the time of entering upon his office, and also at the time of relinquishing his office, be made public? Or should it remain with the Committee and opened only when a complaint is received?
11. There are certain provisions under the Representation of the People Act, 1951 under which a person can be disqualified, if he is convicted for certain offences. Often, as you know, it takes a long time for a case to reach the conviction stage. The Committee would like to know whether you are of the view that instead of waiting for the conviction to take place, the Committee should act in the matter?

ANNEXURE-II

±PART IVA

FUNDAMENTAL DUTIES

51A. Fundamental duties - It shall be the duty of every citizen of India-

- (a) to abide by the Constitution and respect its ideals and institutions, the National Flag and the National Anthem;
- (b) to cherish and follow the noble ideals which inspired our national struggle for freedom;
- (c) to uphold and protect the sovereignty, unity and integrity of India;
- (d) to defend the country and render national service when called upon to do so;
- (e) to promote harmony and the spirit of common brotherhood amongst all the people of India transcending religious, linguistic and regional or sectional diversities; to renounce practices derogatory to the dignity of women;
- (f) to value and preserve the rich heritage of our composite culture;
- (g) to protect and improve the natural environment including forests, lakes, rivers and wild life, and to have compassion for living creatures;
- (h) to develop the scientific temper, humanism and the spirit of inquiry and reform;
- (i) to safeguard public property and to abjure violence;
- (j) to strive towards excellence in all spheres of individual and collective activity so that the nation constantly rises to higher levels of endeavour and achievement.

SECOND REPORT

INTRODUCTION

I, the Chairman of the Ethics Committee, having been authorised by the Committee to submit the report on its behalf, present this Report on matters relating to the Ethics Committee.

2. The Committee visited the Parliament of South Africa between 9 and 12 February, 1999 to know about the functioning of the Joint Committee on Ethics and Members' Interests of the National Parliament of South Africa. The Committee had also interacted with the National Public Protector of the Republic of South Africa.

3. The Committee studied in detail various aspects of the rules and procedure being followed by the Ethics Committees or similar institutions existing in some other countries.

4. The Committee discussed various aspects of the proposed procedure with the leaders of political parties.

5. The Committee wishes to express its thanks to all those who appeared before it or sent their suggestions regarding proposed procedure of the Committee.

6. The Committee considered and adopted the report on the 8th December, 1999.

NEW DELHI
8 December,
1999

S.B. CHAVAN
Chairman,
Ethics Committee

THE REPORT

The Committee has presented its first Report to the House on 8 December 1998. In that report the Committee had, *inter alia*, suggested a framework of a Code of Conduct for the members of Rajya Sabha.

2. In its first report, the Committee mentioned that it would consider in its subsequent reports the procedure for making a complaint to the Committee or taking up matter *suo motu* by it, the mechanism for investigation of a complaint and the question of providing penalties for the violation of the code. In this report the Committee has dealt with some of these aspects.

Register of Members' Interests

3. The Committee is of the view that the interest of members in matters before Parliament should be in the public domain. In order to enable members to register their interests, the Committee is of the view that a 'Register of Members' Interests' be maintained under its authority or the authority of the House. This Register may be made available to members for inspection. In the interest of total transparency, the Committee feels that the information contained in the Register may be given to the general public in accordance with the arrangements the details of which will be worked out by the Committee and on payment of such charges as may be determined by the Committee from time to time.

4. For the purpose of inclusion in the Register, every member may be required to furnish information annually relating to any pecuniary interest or other material benefits which he receives to the Committee or to an official authorised by it in such a manner as may be prescribed by the Committee from time to time for being included in the Register. The term 'pecuniary interests' and 'other material benefits' shall include assets and liabilities; remunerated employment; shareholding and directorship; consultancy and sponsorship, etc. The definition of these terms will be finalised by the Committee after consulting the political parties, etc. A member may be required to furnish such information as may relate to the pecuniary interests and which might be reasonably construed to influence his actions, speeches or votes in the House or Committees thereof or actions taken in his capacity as a member of Parliament.

5. The Committee is also of the view that every member may be required to notify changes, if any, in the information so furnished by him within ninety days of such changes occurring to the Committee or the official authorised by it. Information furnished by the member will be laid on the Table of the House at the commencement of the next session. In case a member does not furnish the required information or furnishes information which is found to be incorrect in material respects, the Committee may report the matter to the House.

Declaration of Interests

6. There are occasions when a member may have direct, indirect or specific pecuniary interest in a matter being considered by the House or a Committee thereof. In such case, he may declare the nature of such interest notwithstanding any registration of his interests in the Register and desist from participating in any such debate or vote taking place in the House or its Committees before making such declaration.

Procedure for making complaint

7. The Committee is of the view that a proper and well publicised procedure must be established to deal with complaints and allegations against members regarding alleged ethical misconduct in the interest of fairness and transparency. The Committee is of the view that while any person may be permitted to make a complaint regarding alleged ethical misconduct by a member or alleged incorrect information furnished by a member with regard to his interests, if a person makes complaint to the Committee, he should declare his identity and submit supporting evidence, documentary or otherwise to substantiate his allegations. The Committee would not disclose the name of the complainant, if so requested provided such a request is accepted by the Committee. The Committee would wish to make it clear that a complaint based merely on a media report will not be treated by it as a substantiated allegation. The Committee would also not go into any matter which is *sub judice*. The Committee may, however, take up matters *suo motu*; and Members may also refer cases to the Committee. A complaint may be addressed in writing to the Committee or to an Officer authorised by it in such form and manner as the Committee may specify.

Procedure for Inquiry

8. If the Committee arrives at a decision that a complaint is in proper form and is within its jurisdiction, it would take up the matter for preliminary inquiry. After conducting the preliminary inquiry, if the Committee finds that there is no *prima facie* case or the complaint is false and vexatious, the matter may be dropped. If a complaint is

found to be false or vexatious and has been made *mala fide*, the matter would be taken up by the Committee as an issue of breach of parliamentary privilege. If it is found that there is a *prima facie* case, the matter may be taken up for examination and report. The Committee would frame rules from time to time for regulating the procedure for conducting inquiries either by it or an officer under its authority.

Penalties

9. The Committee believes that a well functioning Ethics Committee and well laid out procedures are the best guarantee for a correct perception in the public mind regarding the ethical conduct of members. The Committee is of the view that it will only be in the rarest of rare cases that the question of having to recommend imposition of a penalty should need to arise. However, if the Committee finds that a member had indulged in an unethical or other misconduct and has contravened the code/rules, it may recommend to the House the imposition of one or more of the following penalties:

- (a) censure;
- (b) reprimand;
- (c) suspension from the House for a specific period; and
- (d) any other penalty considered appropriate by it.

NEW DELHI
8 December,
1999

S.B. CHAVAN
Chairman
Ethics Committee.

THIRD REPORT

INTRODUCTION

1. the Chairman of the Ethics Committee having been authorized by the Committee, present this report of the Committee.

2. The Committee had decided to hold discussions with eminent persons from different walks of life namely, industrialists, trade union leaders, educationists, administrators, social and political workers, jurists, media persons and others on issues concerning the mandate of the Committee and for this it held meetings in Mumbai on the 10th and 11th February, 2000 and in Thiruvanthapuram on the 30th and 31st October, 2000.

3. Some of the members of the Committee had visited the USA between the 11th and 13th September, 2001 to interact with the Senate Committee on Ethics and the House of Representatives Committee on Standards of Official Conduct. In the USA the Committee had also interacted with the Chairman, Joint Committee on Legislative Ethics in the legislature of the State of Maryland.

4. The Committee wishes to express its thanks to all those who met the Committee and provided valuable inputs concerning its mandate.

5. The Committee has considered and has adopted this report at its meeting held on the 5th August, 2002.

NEW DELHI
5 August, 2002

RANGANATH MISRA
Chairman,
Ethics Committee

ETHICS COMMITTEE

THE REPORT

The Committee presented its first report to the House on the 8th December, 1998. The second report of the Committee was presented to the House on the 13th December, 1999.

2. The first report of the Committee had, *inter alia*, dealt with matters like criminalisation of politics, political parties and electoral reforms. It had also suggested a framework of the Code of Conduct for members of Rajya Sabha.

3. In the second report, the Committee had emphasized mainly on the procedural aspects of enforcing the Code of Conduct suggested in the first report. These included maintaining a register of members' interests, declaration of interests by members, procedure for inquiry and penalties.

4. Both these reports of the Committee were discussed and adopted together by Rajya Sabha on the 15th December, 1999.

5. The House took two hours and fifty-eight minutes in discussing and adopting the reports. In the discussion, fourteen members including the Minister of Parliamentary Affairs participated. The Minister for Parliamentary Affairs presented the Government's view on the recommendations contained in the reports. The then Chairman of the Ethics Committee, Shri S.B.Chavan, while replying during the debate had assured the House that the views and suggestions of the members would be considered and taken into account by the Committee with a view to seeing how best these could be incorporated into the subsequent reports of the Committee.

6. Pursuant to its subsequent decisions, the Committee decided to visit some of our State capitals with a view to interacting with wider public opinion namely, legislators, trade unionists, educationists, administrators, social and political workers, jurists, media persons and others on the issues concerning the mandate of the Committee. The Committee, accordingly, held discussions with a cross-section of the people in Mumbai on the 10th and 11th February, 2000 and in Thiruvananthapuram on the 30th and 31st October, 2000.

7. The Committee had also visited the USA to interact with its counterpart Committees working in both Houses of the U.S.Congress. The Committee had also held discussion with the Chairman of the Joint Committee on Legislative Ethics, General Assembly of Maryland.

8. The Committee in its meeting held on the 8th July, 2002, while considering the views expressed by the members in the House on the 15th December 1999, also took note of the resolution adopted by Rajya Sabha on the 1st September, 1997, at the Special sittings of the House held on the occasion of celebration of Fifty Years of Independence, the text of which is placed at **Annexure**.

9. The Committee further took note of the resolution adopted at the Conference of Presiding Officers, Chief Ministers, Ministers of Parliamentary Affairs, Leaders and Whips on "Discipline and Decorum in Parliament and Legislatures of States and Union territories" held at New Delhi on the 25th November, 2001.

10. The Committee after considering the points raised and suggestions made by the members during the discussion in Rajya Sabha on the motion for adoption of the first and second reports of the Ethics Committee; discussions held at Mumbai and Thiruvananthapuram; interactions that the Committee had held in the USA; the points

contained in the resolutions adopted by Rajya Sabha during the Special sittings held on the occasion of celebration of the Fifty Years of Independence at which it was unanimously resolved that continuous proactive efforts be launched for ensuring greater probity and accountability in public life; besides the Conference of Presiding Officers, Chief Ministers, Minister of Parliamentary Affairs, Leaders and Whips on "Discipline and Decorum in Parliament and State Legislatures and Union territories" held in New Delhi, felt the need for submitting another report highlighting important issues having a bearing on standards of behaviour of the members individually as well as collectively both inside and outside the House.

RECOMMENDATIONS/OBSERVATIONS

11. The Members of the Ethics Committee express general appreciation for the work done and recommendations made by the previous Committee in its first and the second reports.

12. The Committee is aware that issues falling within the mandate of the Committee are complex and varied. The Committee is of the view that a holistic view has to be taken while dealing with the issues relating to decline in standards of behaviour of the members. There can be no single remedy for it. The ethical questions cannot be dealt with entirely by legislation. These are mainly matters of one's conscience. The Committee is also aware that merely by prescribing a Code of Conduct the problem cannot be solved. However, the Code of Conduct, like many of them in different countries, could help in evolving certain standard norms of behaviour which everyone intending to enter a legislature is expected to follow.

13. Apart from prescribing a Code of Conduct for members, people should also be educated not to elect persons with "dubious distinction". Political parties and their leaders also can play a crucial role in ensuring probity in public life by denying tickets to persons who are criminals, corrupt or have anti-social proclivities.

14. In paragraph 19 of its first report, the Ethics Committee had stated the following:
The Committee has also noted the emerging trend of cross-voting in the elections for Rajya Sabha and the Legislative Councils in States. It is often alleged that large sums of money and other considerations encourage the electorate for these two bodies to vote in a particular manner leading sometimes to the defeat of the official candidates belonging to their own political party. In order not to allow big money and other considerations to play mischief with the electoral process, the Committee is of the view that instead of secret ballot, the question of holding the elections to Rajya Sabha and the Legislative Councils in States by open ballot may be examined.

The Committee is happy to note that this recommendation of the Committee has been sought to be implemented by the Government by bringing forward the Representation of the People(Amendment) Bill, 2001(Bill No. LXXXII of 2001). Paragraph 2 of the Statement of Objects and Reasons of the Bill reads:

The Ethics Committee of Parliament in paragraph 19 of its first report presented to Parliament on 8th December, 1998 recommended that the issue relating to open-

ballot system for elections to the Rajya Sabha be examined. The issue has again given rise to concerns in the wake of allegations of money power made in the media in respect to biennial elections to the Council of States held in March-April, 2000.

15. In order to make the electoral process transparent, the Committee calls upon the political parties and the Government to bring about the much desired though delayed electoral reforms for cleansing public life.

16. The Committee feels disturbed over the general apathy amongst people about their elected representatives. Behaviour and activities of some of the legislators inside and outside the House have eroded the credibility of legislative institutions to a dangerous level. The Committee emphasises the urgent need for restoring credibility of people's representatives and dignity of the people's institutions.

17. The Committee expresses its serious concern over the increasing trend of disorderly proceedings in legislatures. Behaviour of some of the members inside the House leads to interruptions of its proceedings. Frequent interruptions of the proceedings of the House due to undisciplined behaviour of some of the members put an avoidable financial burden on the national exchequer which our economy could ill-afford.

18. The Committee also notes that despite the existence of a body of rules which is adequate to deal with incidences of indiscipline in the House, still there are occasions when members defy the Chair. The Committee shares the concern expressed in the resolution adopted at the Special sitting of Rajya Sabha on the occasion of the Fifty Years of Independence held on the 1st September, 1997 in this regard and calls upon the leaders of political parties to cooperate effectively with the Presiding Officers of the legislatures in enforcing discipline. They should enthrone their members to faithfully adhere to the norms of discipline and decorous behaviour in the House.

19. The Government too has its share of responsibility for ensuring the smooth functioning of the House. In a parliamentary set up, while the Government has its way, the Opposition should have its say. The Government, therefore, has to be more responsive and accommodating towards the Opposition in allowing it to raise matters of urgent public importance in the House and the Opposition in turn be aware of its joint responsibility with the Government to the people of this country to ensure that proceedings in the House are conducted uninterruptedly in accordance with the rules, established procedures and conventions of the House.

20. The Ethics Committee is an internal self-regulatory mechanism which aims at inculcating in the members certain standard norms of behaviour. Viewed in this perspective, the legislatures of the States and Union territories may consider setting up of Ethics Committees in their respective House(s).

**NEW
DELHI
5 August,
2002**

**RANGANATH MISRA
Chairman

Ethics
Committee**

ANNEXURE

***Resolution adopted by the Rajya Sabha at the Special Session of
the Parliament on the occasion of the Golden Jubilee of Independence,
26 August to 1 September, 1997***

We, the Members of Rajya Sabha, meeting in a specially convened Golden Jubilee Session of both Houses of Parliament, to commemorate the completion of half a century of freedom;

Having remembered with gratitude the great sacrifices made and the salutary service rendered by our freedom fighters;

Having recalled with deep satisfaction and pride the maturity of our people in vigilantly preserving democracy and safeguarding the unity of the nation and the valour of our soldiers, sailors and airmen, including ex-servicemen in service to the country;

Having reflected upon the state of the nation with the Preamble to the Constitution as the guide;

Having then, specifically deliberated upon matters concerning our current political life, state of democracy in the country, our economy, infrastructure, science, technology and human development;

Do now solemnly affirm our joint and unanimous commitment to the issues hereinafter mentioned, and we also do solemnly resolve and direct that they be adopted as minimum tasks, constituting our “Agenda for India” on this historic occasion:

That meaningful electoral reforms be carried out so that our Parliament and other legislative bodies be balanced and effective instruments of democracy; and further that political life and processes be free of the adverse impact, on governance of undesirable extraneous factors including criminalisation;

That continuous and proactive efforts be launched for ensuring greater transparency, probity and accountability in public life so that the freedom, authority and dignity of the Parliament and other legislative bodies are ensured and enhanced; that more especially, all political parties shall undertake all such steps as will attain the objective of ridding our polity of criminalisation or its influence;

That the prestige of the Parliament be preserved and enhanced, also by conscious and dignified conformity to the entire regime of Rules of Procedure and Conduct of Business of the Houses and Directions of the Presiding Officers relating to orderly conduct of business, more especially by

- maintaining the inviolability of the Question Hour,

- refraining from transgressing into the official areas of the House, or from any shouting of slogans, and,
- invariably desisting from any efforts at interruptions or interference with the address of the President of the Republic;

That a vigorous national campaign be launched by all political parties to combat economically unsustainable growth of population, recognising that such growth lies at the root of most of our human, social and economic problems;

That education at all levels be made employment-relevant, special attention being given to quality; that achievement of the Constitutional mandate of universalisation of elementary education be closely monitored; and that universal primary education be achieved by A.D. 2005;

That the national economy be prudently managed, with emphasis on

- efficient use of resources and avoidance of wastes;
- priority attention to development of infrastructure;
- generation of wealth as a sustainable means of achieving full, freely chosen and productive employment of elimination of poverty and of securing equity and social justice; and
- balanced regional development.

That continuous efforts be made for achieving in a time bound manner, marked improvement in the quality of life of all citizens of our country with special emphasis on provision of our minimum needs food, nutrition and health security at the house-hold level; potable water; sanitation and shelter;

That gender justice be established in the spirit of the Declaration and Platform for Action of the U N Fourth World Conference on Women(1995) and be practised as a way of life with particular emphasis on education of the girl child;

That constant efforts to be made in terms of inculcation of values and adjustment of the life and working styles of our people to secure protection of environment and preservation of ecology and bio-diversity;

That science and technology be primarily anchored in the creation of a scientific temper, be developed by promotion of governmental as well as non-governmental efforts and be pressed into service not merely for economic development but human development in all its dimensions;

That, finally, the essence of participatory democracy be seen in the inculcation of our national spirit of self-reliance, in which our citizens are equal partners in all spheres of our national endeavours, and not simply the beneficiaries of governmental initiatives.

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Speeches Delivered at the Inauguration of the Committee

Welcome address by Shri S. B. Chavan
Chairman, Ethics Committee, Rajya Sabha

On behalf of the members of the Ethics Committee and on my own behalf I, as the Chairman of the Committee, welcome you all on this historic occasion. Setting up of an institution like Ethics Committee, in fact, heralds a new era in the history of parliamentary democracy in India. Such Committees, as you are aware, are functioning only in a few countries of the world. Now India has become one of those few.

Today, there is a general feeling that all is not well with our political system which is under great strain. Role of people's representatives, who are largely responsible for guiding the system in such a situation, becomes very critical. Recent trends in politics, however, appear to have created an impression as if, the capacity of our democratic system to ensure probity in public life is increasingly going down. Such a situation, to my mind, does not augur well for the future of democracy in India. It needs to be arrested immediately.

That there has been a general erosion of moral values in all walks of life, cannot be denied. But, we as people's representatives, who are looked at by the people as their role models, and the ones who are guiding their destiny, have to be, like Caesar's wife, beyond the realm of suspicions. There may be many ways to achieve probity in public life but a self-disciplining mechanism, I believe, would be the best manner to achieve this. The constitution of the Ethics Committee in the Rajya Sabha is to be seen in this backdrop. By and large, the ideological base and the spirit of service which activates most of the politicians is getting eroded and the kind of elements who are trying to influence the political parties and the political system at large, make everybody think as to how we can possibly bring about probity in the entire system. The formation of the Ethics Committee as one of the instruments to ensure value-based politics has become imperative in the present situation.

In the case of Members of Parliament, voluntary adherence to basic norms and values is the best way. I do not think that any kind of legislation is going to help us in this regard. It is true that there is no sense of self-controlling norms among our political parties either. Most of the parties do not seem to have any guidelines for their members. Even if they have their observance is not strictly insisted. There was, thus, an urgent need for having a self-regulatory mechanism within the Legislature which could oversee the ethical and moral conduct of the members. The Ethics Committee, in fact, has been set up for this purpose. The Committee will persuade members not to do such things which were beyond the accepted norms of behaviour. It would be an uphill task, which, perhaps the Committee would not be able to do alone. The cooperation of all concerned will form the basis on which the Committee shall strive to formulate a code of conduct for the

Members of Parliament. Such a code, if scrupulously followed, I am sure, would go a long way not only in ensuring probity in public life, but also cleansing the entire system.

As the Ethics Committee is a new concept in India, we would require to study various aspects of functioning of such Committees in other countries especially those in U.K., U.S.A. and, I am told, Australia.

The Committee on Standards in Public Life, popularly known as the Nolan Committee, was set up in U.K. in 1994, to examine current concerns about standards of conduct of all holders of public life and make recommendations to ensure the highest standards of propriety in public life. The Committee in its first report recommended for drawing up of a code of conduct for the Members of Parliament and also to appoint a person of independent standing as “Parliamentary Commissioner for Standards”, who, among other things, will take over the charge of advising M.Ps. on code of conduct and investigating allegations of misconduct. The scheme envisaged by the Nolan Committee regarding functioning of the Parliamentary Commissioner for Standards, as I understand, would be, more or less, functioning on the lines of Ombudsman. We will have to examine how far this is going to be relevant in the case of our country.

Ethics Committees are functioning in both Houses of U.S. Congress since mid-sixties to fulfill the respective Houses' responsibility for self-discipline. The Ethics Committees have been, *inter alia*, authorised to (i) recommend rules or regulations necessary to ensure the appropriate code of conduct; (ii) receive complaints and investigate allegations of improper conduct and violations of law or of the code of conduct and (iii) implement the public financial disclosure requirements. The ethical codes have been drawn up for the members of the Senate as well as for the House of Representatives. Besides, the members of the Congress, officers and employees of both the Houses of Congress have also been brought under the scrutiny of the Committee.

These Committees have survived the test of time though, not a large number of cases have been referred to these Committees. While some observers decry the current practice of judging their own colleagues, others maintain that the behaviour of the Members has to reflect the overall ethical deterioration of the society.

These Congressional Ethics Committees have been following exhaustive rules and procedure. They have set up the required offices to help the Committees in the process of advising the members on the code of conduct and also carrying out investigation in cases of misconduct. *Prima facie* it seems to me that the U.S. system may be more akin to the ideas which led to the constitution of the Ethics Committee here But I sincerely believe that imitation of any system may not be apt in our context. We will have to seriously apply our mind as to what system will be more suitable in the circumstances, we find in our country.

Given the fact that ours is a completely new concept, we have to do a lot of exercise as regards deciding code of conduct for Members of Parliament, framing rules and regulations for enforcing them, laying down procedure for investigation of

complaints, etc. and above all, examine in great detail what kind of sanctions be provided for violation of codes. The task is onerous but interesting. I feel confident that with your cooperation and guidance of our Hon'ble Chairman who was the driving force behind establishing this Committee, we, the members of the Ethics Committee would be able to fulfil the historic task assigned to us. We know that all of us have to work hard and give our future generations something good and noble to cherish. I have great pleasure again in welcoming all of you.

Thank you.

Speech by Shri Sikander Bakht
*Leader of the Opposition, Rajya Sabha**

Only yesterday I came to know that I have to say a few words in this meeting. I wished that the Secretariat had sounded me out beforehand whether I wanted to speak or not. If they had done so, I would have told them that it was not proper for me to speak on this occasion. Now that I have been asked to speak, I am here to honour your wishes. The reason why I was in a quandary is that while I am for the constitution of the Ethics Committee, there are certain aspects on which there is nothing but doubts in my mind.

Since today is the inaugural day of this Committee, one should speak in a formal way. But I will also make some informal observations. First, a few formal words, Shri Chavan has made my task quite easy. He has elaborately talked about how the Ethics Committee was constituted. What its functions will be and what Ethics Committee can achieve through its functions. I don't have to add something to this but, by way of formality, I would like to make a few points before you.

We are passing through a very difficult period. The future of parliamentary democracy has also become a subject of general debate. People have lost confidence in us, the tribe of politicians.

Our character is viewed with suspicion. Our tribe has lost the faith of the people. Corruption has permeated not only the tribe of politicians but also the society at large. I had expressed some doubts about the word 'ethics' in the context of the Ethics Committee, but I believe that constitution of Ethics Committee is the need of the hour. The politicians are on the receiving end of people's criticism and complaint. There is a great need to improve this image of politicians. The Ethics Committee may perhaps be of some help in this regard. I am deliberately using the word "perhaps" as my mind is in the grip of pessimism. Shankar Raoji has been entrusted with the task of heading the Ethics Committee. I regard this as a good omen and believe that under his stewardship, the Ethics Committee will definitely succeed in creating a favourable situation to a certain extent. This is all I have to say for the time being.

I would like to share with you the doubts that I have in my mind at present. People use words. Some words gain currency and people start using them freely without

paying any heed to their meaning. They are not mentally prepared to analyse those words and ask themselves why they are using them. 'Culture' is such a word. It is being widely used. I have tried to look up dictionaries. Every dictionary explains this word in a different manner. The encyclopaedia has explained this word at length and a different kind of definition of culture has emerged. But the word 'culture' is used freely and thoughtlessly. The same is the case with these two words—'ethics' and 'morality'. I have consulted different dictionaries and the various definitions given in them made things more and more difficult. The definition of ethics that appealed to me the most is—"Ethics is the science of morality in human conduct". But this definition also contains a vague term—morality. I thought that it would be better to look up this word also in the dictionary. 'Morality' has been defined as—"concerned with the goodness and badness of human character or behaviour, distinction between right and wrong". Now, what is right and wrong? It is extremely difficult to say whether what is right in my opinion is regarded as right or wrong by Shri Shankar Rao Chavan. The use of words like 'ethics' and 'morality' or 'culture' should first be assimilated emotionally. Can we make people follow the path of ethics and morality through one particular organization? Can ethics be inculcated by framing rules and regulations? Or, can we tread any path with ethics only when such awareness is created in our environment that ethics becomes inherent in our conduct, our character and our actions? While talking to Shri Shankar Raoji I made a general observation. There is a common slogan that politicians should declare their assets. One of my honourable friends said that he filed income tax returns every year. An attempt was made to bring ethics within the ambit of legality. We know how income tax returns are filed. We also know by what means approvals or rejections are obtained. We know all this. Ethics is way above legality. In order to commit oneself to ethics and lead one's society on the path of ethics, one has to do something more than taking recourse to legality. I failed to understand the reply that if the Ethics Committee insists that every Member of Parliament should declare his assets then I had said that you are making us tell another lie. Unfortunately, we are doing a lot of things about which we don't know whether we are treading the right path. Before 1947, when it was decided to launch the Civil Disobedience Movement, everyone was at a loss to know which law should be broken so as to avoid being accused of violating ethics. Gandhiji came to the rescue of all. He said, "Break the Salt Law". So while the law was, no doubt, broken, no harm was done to ethics or morality. Keeping ethics and morality intact, therefore, means that a change should be brought about in the composition of society in the light of ethics and morality without taking recourse to the law. To sin is human. But in a dynamic society the sinner has a sense of shame and fear of society. But we have reached a stage where we commit sins without having any sense of shame whatsoever. This is a very desperate stage. I wonder what service we can do to the society through Ethics Committee. I am all the more aggrieved because Ethics Committee is trying to inculcate ethics only among the politicians, the Members of Parliament. I admit that today it is the politicians who are the most hated section of society and this image must be changed. But is it only the politicians who are committing this sin? There are hundreds of such sections of society in India. I won't name any section. It is in this very context that the Vohra Committee had submitted its report in which both the politicians and the bureaucrats had found a mention. Please excuse me for saying this as these gentlemen are present here. I am speaking quite candidly as I am deeply anguished because I feel that it is a half-baked

idea to try to refurbish the image of only the Members of Parliament through the Ethics Committee. What needs to be changed is the image of society as a whole. Here the Ethics Committee is helpless. It can do nothing about what is happening outside the sphere of Parliament. As regards India, the question of ethics and morality is very comprehensive and it should cover different sections of society but this is difficult. I have placed my views before you and I pointed out some vague words. Code of Conduct, adoption of some kind of Code of Conduct. We have taken upon ourselves a very important and positive task. I don't know where the words we are using that "We have to adopt some kind of Code of Conduct" will lead us to. This too involves audited accounts. I know how accounts are audited. Creating an environment that basically is the requirement of the society.

Shri Chavan has mentioned that there are Ethics Committees in America and U.K. and they have been functioning for a very long time. But he has not mentioned what those Ethics Committees have been able to achieve. I think that the Ethics Committees of the USA have been a failure. They have not been able to arrive at any conclusion. Firstly, their functions are very limited. Besides that, they have failed to achieve anything. I don't want to see this Ethics Committee meet the same fate as that of the Ethics Committees of the USA. I definitely want this Ethics Committee to make some positive contribution towards refurbishing the tarnished image of the politicians. I wish success to Shri Chavan and offer my services to him. I have spoken at length. Please excuse me.

Jai Hind.

Speech by Shri P.A. Sangma
Speaker, Lok Sabha

Let me first thank Honourable Shri Chavan for having invited me for this inauguration of the Ethics Committee of the Rajya Sabha.

Ethics by definition, is a very broad expression. It is a matter of morals, of character and conduct; of rules of behaviour; of accountability and propriety. It is not, as Shri Sikander Bakht pointed out, a legalistic and technical matter to be enforced. It is a matter of uprightness and integrity to be voluntarily observed.

The formation of Ethics Committee which is being inaugurated today hasn't come too soon.

Those engaged in "public life" are increasingly coming under fierce public scrutiny. In our country today, in fact, their credibility stands seriously dented. It is because of the public perception that they tend to place themselves above law, while they are to be participants in the enforcement of the Rule of Law.

What is the reason for this public perception? There has undoubtedly been an overall erosion of values. Our first generation leaders, by the very nature of their task had to lead a life of sacrifice, Often, they had to cut short their education, give up professions;

voluntarily embrace privation from families; suffer imprisonment in the hands of the foreign rulers, and even face violence. The first generation leaders are in the nature of inheritors of a rich patrimony. Their credibility is taken for granted by the public. It is judged by their capacity to deliver service with probity. The public, in the process, makes an inevitable comparison between the present day leaders and the first generation leaders.

Governments all over the world have become very complex. Depending upon the degree of regulation of society and the economy, governments have also come to wield varying degrees of authority, that is power. And everybody is aware of the saying: "Power corrupts and absolute power corrupts absolutely." Recently, I had the privilege of meeting the British Parliamentarians and discussing the Lord Nolan Committee Report on Standards in Public Life. This Committee has also studied the issue of ethics in the perspective of the complexity and changing environment in which modern governments are placed.

Taking the government off the backs of the people, shrinking of the government by deregulation, it seems, is as important for ethics as for adjusting the economy to the competitive forces of the world.

In October 1996, the Presiding Officers of the Legislative Bodies of India went into the issue of ethics. They noted that the entire chain of accountability—of individuals in positions of power to the Executive, of the Executive to the Legislature and of the Legislature to the electorate—had come to be rather rudely disrupted. They ended up by appealing to the people themselves to vote for the right candidates.

It is the political parties which organise the electorate. They need to introspect and their inevitable parameter for nomination of candidates for elections should be proven aptitude and performance in public life. As I mentioned in the Special Inter Parliamentary Conference we hosted in February 1997, those elected to public offices without experience of service to public do not draw their strength from the grass-roots and tend to take recourse to short-cuts for their continuance in such offices. We are going through a phase in which there is an unconscionable level of admixture of politics with casteism and communalism. This has very undesirable and seriously adverse impact on the manner in which public offices are held and power and authority are wielded. Volumes are being written and, indeed, there is an on-going public debate, on the nexus between the civil servants, the politicians, the businessmen and criminals. It is for the senior, enlightened leaders and the idealistic youth who have to come together in a veritable war against their nexus. There is also the need for electoral reform. Elections are costly. Money has to come from somewhere. Political leaders get to be dependent on sources from where money comes. *Quid pro quo* is struck. This kills ethics. Transparency in decision-making is an important factor to be ensured. Rules of procedure and processes of decision-making would need reform to ensure transparency.

Ethics Committees and Codes of Conduct have been tried out in other countries like USA, UK and Australia as well. Ground Rules have been spelt out in terms of personal conduct, registration and declaration of "interests", disclosure of assets, etc.

Ethics Committees are not easy to operate either. When the congressional Ethics Committees came into existence in the 1960s, the saying about the Senate Committee went:

I quote:

"The Senate took to its new offspring with all the glee of a father who has found an illegitimate child dropped on his doorstep."

Unquote.

The House Committee again was described as "the worst kind of sham,giving the appearance of serving as a policeman while extending a marvellous protective shield over Members of the Congress."

Any institution is what we make of it. I am confident, we in our country have enough wisdom to introspect, identify our drawbacks, shed them and make our system work. The formation of this Ethics Committee is, indeed, an important step as we proceed to celebrate the golden jubilee of our Independence.

I wish it all success.

Address by Shri K. R. Narayanan

*Vice-President of India and
Chairman, Rajya Sabha*

I consider it a great honour to inaugurate the first Ethics Committee of the Rajya Sabha. The constitution of this Committee, together with Ethics Committee of the Lok Sabha that is envisaged, may well mark a new milestone in the evolution of parliamentary democracy in India.

The mechanism of an Ethics Committee in Parliament is a new development. Even in the long-established democracies like that of the United Kingdom and the United States of America it is of relatively recent origin. But ethical basis of politics is a very old idea. We in India have been deeply conscious of the ethical dimension of public life. Gandhiji's conception of politics and public life was inextricably connected with high moral standards and sacrifice and service of the people irrespective of caste or creed. He wrote: "I have always derived my politics from ethics... It is because I swear by ethics that I find myself in politics. A person who is a lover of his country is bound to take a lively interest in politics..." With this immediate background of our politics and the spiritual and philosophical heritage from the past, what is surprising is that it is only now that we are setting up a mechanism for maintaining ethical standards in our parliamentary life.

As a matter of fact the question of guaranteeing purity and honesty in administration and public life was a priority item discussed in the Constituent Assembly. When the Assembly was debating the Article relating to the appointment of the Prime Minister and the Council of Ministers several Members moved amendments requiring

every Minister to disclose to Parliament details of his property, shares or titles in business. Prof. K.T. Shah moved an amendment which required that no one would be elected or appointed to any public office who was found guilty of any offence involving moral turpitude. Dr. B.R. Ambedkar summed up the debates in the Constituent Assembly when he said: "We all of us are interested in seeing that the administration is maintained at a high level not only of efficiency but of purity."

Jawaharlal Nehru, the first Prime Minister of India, had observed:

"Parliamentary democracy demands many virtues; it demands, of-course, ability. It demands certain devotion to work. But it demands also a large measure of co-operation, and of self-discipline and of self-restraint." He had noted the deterioration of ethical standards in India's political life and warned people against becoming victims to the lure of power, wealth or privilege. It is in this context that the Santhanam Committee on Corruption was set up by the then Home Minister, Lal Bahadur Shastri, in 1962. The Santhanam Committee had observed that the integrity of Ministers, Members of Parliament and of the State Legislatures was an important factor in creating a social climate against corruption, and recommended the setting up of a Committee of representatives of Parliament and State Legislatures to formulate a code of conduct for legislators. In 1964, a Private Member's Bill was introduced in Lok Sabha on Disclosure of Assets by Ministers and Members of Parliament, and successive Lokpal Bills from 1968 to 1996 contained provisions for disclosure of assets as well as the referring of citizens grievances against corruption at high places.

All these had contained the idea of an Ethics Committee, and even went much beyond it. Today it has become a more important and urgent issue than at any time before. The deterioration of values and standards in public life and the phenomenon of corruption, and the abuse of power and position have assumed alarming proportions. What we are facing today is a crisis in values and standards. It is against this compulsive background that the constitution of an Ethics Committee of Parliament must be viewed.

I may recall here that in 1995, the then Home Minister of India, and now Chairman of the Ethics Committee, Shri S.B. Chavan, had taken the initiative for devising means to arrest the precipitous fall of moral and ethical standards in our public life. An All Party Meeting was called by him to look into, among other things, the formation of an Ethics Committee. The Rajya Sabha was also seized of this issue for quite some time. On 16th August 1995, Shri I.K Gujral, now the Hon'ble Prime Minister of India, had written to me as Chairman of Rajya Sabha, pointing out the need for devising ways and means to preserve the sanctity and ethical standards of our parliamentary life, and suggesting the appointment of an Ethics Committee for the purpose. This is the immediate background to the formation of the Ethics Committee of Rajya Sabha which we are inaugurating today. I must express my gratitude to all those who have contributed to the concept and the structure of this important committee and to all the Hon'ble Members of the House who approved it with acclamation.

As you will notice, the Members of the Committee are distinguished and experienced parliamentarians, and the Chairman of the Committee is none other than the former Home Minister of India. They are also leaders of political parties in the Raiya Sabha. Thus in every sense it is a high level Committee. By choosing the leaders of parties as Members we have tried to invest the Committee with prestige and influence. In this way we have also sought to forge a link, though indirectly and informally, with the political parties all of whom are intensely interested in maintaining the highest ethical standards in our parliamentary life. This, indeed, is a common platform on which all of us can meet together to sustain the high standards of the august institution of Parliament.

Unlike other Committees working in our Parliament, the Ethics Committee has got a somewhat different mandate. Instead of working as a 'watchdog' of the actions of the Executive, this Committee would keep an eye on the conduct of the Members of the Raiya Sabha, oversee the conduct of the Members from the ethical angle, and also deal with cases of misconduct referred to it. In respect of procedure I believe that the Committee would evolve its own methods, but by and large and with necessary variations and modifications, the rules applicable to the Committee of Privileges would apply to the Ethics Committee. Consideration has to be given to the question of avoiding overlapping jurisdiction with the Lokpal in cases where cognisance is taken by Lokpal and *vice versa*. With regard to the functioning and the powers of the Ethics Committee, there is much we can learn from the British and the American experiences. But institutions are unique and cannot be transplanted. Therefore, we will have to devise our own methods and systems. The institutions are the projection of a people's character, experience and genius. They become strong and lasting only when they are in keeping with the people's character and thinking, or else they tend to wither away. The Parliament and its organs cannot be expected to function much above the prevailing moral temper of the society of which they are the products. But they can function as guides and role models and help in defining the standards of conduct and maintaining the standards.

With regard to the experiences in the working of Ethics Committee in U.S.A. and Britain some basic doubts and criticisms have been expressed. In India also doubts have been expressed with regard to this. James Madison had said: "No man is allowed to be a judge in his own case, because his interest would certainly bias his judgment, and not improbably, corrupt his integrity. With equal, nay greater reason, a body of men are unfit to be both judges and parties at the same time." Therefore, it has been asked how a Parliamentary Committee can be expected to sit over judgment of Members of Parliament, how it can function impartially with regard to the misconduct of its own Members. The answer is that the Parliament being a sovereign body, in the ultimate analysis, it can be saved only by itself; it has to function by self-restraint and self-imposed discipline, and it has to guide itself, correct itself, and if necessary punish itself in cases of serious violations of the code of conduct devised by itself. There is of course, the need for institutions like the Lokpal or a Parliamentary Commissioner for enforcing good conduct of Members of Parliament and public personalities. It is important to have them especially in the critical and confused times in which we live. But ultimately what matters is voluntary action by legislators to uphold moral and ethical values. I cannot but quote what Gandhiji said in this context: "Restraint self-imposed is no compulsion ... you,

whose mission in life is service of your fellowmen, will go to pieces, if you do not impose on yourself some sort of discipline ... It is discipline and restraint that separates us from the brute. If we will be men walking with our heads erect and not walking on all fours, let us understand and put ourselves under voluntary discipline and restraint". It is in this spirit the Ethics committee ought to be accepted by Parliament and the public.

The Ethics committee is not intended as an essay in idealism, but as an exercise in pragmatic politics. It does not seek to usher in a moralistic regime in Parliament, but common ethical standards and decency in the conduct of its Members, including of course, Ministers. I hope it will help in dissipating the widely held belief that "politics are a dirty game" repeated often by politicians and the public with some sort of acceptance of the inevitability of unethical behaviour in the practice of the political game. In the democracy of the United States of America there is a popular definition of an honest politician, as one who when bought stays bought! That is something to say of the honesty of people in politics, for these days people do not always stay bought. In politics one has to take into account the realities of the society and the world in which we live and propagate our ideals against the background of the follies and foibles of people, and the imperfections of men and society. The Members of Parliament and the leaders of nations are placed in the situation of having to play the dirty game of politics without being besmirched by or sinking in the mud; they have to touch pitch without being defiled ! Politics cannot be avoided. It has been said that "in our times the destiny of man presents its meaning in political terms". As Plato said in the 'Dialogues', "the heaviest penalty for declining to engage in politics is to be ruled by someone inferior to yourself." The danger has grown since the time of Plato. This is the case the world over wherever decent persons and persons of intelligence and moral fibre have shunned politics. It is against this general background that the Ethics Committee of the Rajya Sabha is being launched this morning. It has an enormous task to shoulder and a heavy responsibility to perform. I am sure that the Ethics Committee, composed of experienced and capable Members of Parliament, under the leadership of its able Chairman, would perform a pioneering role in sustaining and improving the ethical standards in parliamentary functioning. I think, in addition, it would have the effect of attracting able young men and women with a sense of idealism to parliamentary politics. I wish it success, as it is imperative that it should succeed, for the sake of the democracy that we have built up during the last fifty years.

Vote of thanks by Shrimati V. S. Rama Devi
Secretary-General, Rajya Sabha

Hon'ble Chairman, Sir, Hon'ble Speaker, Hon'ble Opposition Leader, Chairman of the Ethics Committee, Chavan Saheb, Members of the Ethics Committee, Stalwarts from the Judiciary, Hon'ble Speaker, the Opposition Leader and Ministers from the Delhi Vidhan Sabha, Hon'ble Members of Parliament, and many VIPs present here, a galaxy of intellectuals and very important persons, I have been assigned a very pleasant job, to thank all of you for gracing the occasion. Sikander Bakht Saheb as Opposition Leader had a lot of constructive criticism of the Ethics Committee and he wondered whether the US Ethics Committee did achieve any results. Sir, if I remember well, very recently a

Senator of 27 years' standing had to resign because of the pressure of the Ethics Committee of the US Senate. There have been many more occasions when very experienced Senators and Congressmen had to resign because of the moral pressure of their Ethics Committees. So I don't think there is any need for pessimism. However, Sir, whatever you have mentioned or thought aloud, you have made such a fine speech, though reluctantly, had you made it willingly, how nice it would have been, I cannot even imagine.

As usual, Speaker Saheb made a forthright speech laced with spicy anecdotes. We are very grateful to you and we hope that you are going to establish a sisterly or camaraderie Committee in the Lok Sabha very soon. I would like to share this with the Hon'ble Chairman—I did not have time to mention it to him because I am seeing him only now after that meeting—some officials from the US Embassy came to see me yesterday evening. They had come to know that the Ethics Committee was being inaugurated today and they came to invite our Ethics Committee Members to come and study the functioning of their Ethics Committee in September because they are going to have their Session in September. They were very happy that we have started this. That means it is evoking a lot of interest in the big democracies of the world. I am sure that this Ethics Committee will not be like a narrow lane but it would be like a wide passage. It is almost impossible to have a correct definition of an enumerative list of items of code of conduct. It can be only illustrative. As you are aware, regarding the privileges also, after so many years and decades, nobody could codify them. In the same way it is difficult to codify ethics or code of conduct. As civilisation extends, this list also would expand.

I am sure our Ethics Committee under the able Chairmanship of Chavan Saheb would widen its scope and it will not remain a pious Committee, because ethics being a pious concept, I do not think that the Committee would remain a pious one, but it would be a vibrant and effective one.

Thank you very much for gracing this occasion.

* Immediate family includes spouse, dependent daughters and dependent sons.

± Ins. by the Constitution (Forty-second Amendment) Act, 1976, s.11.(w.e.f.3.1.1977).

*The speech was delivered in Hindi.