Code of Conduct for Members of Legislature

Why in news?

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Rajya Sabha Chairman has urged political parties to evolve a consensus on the code of conduct for members of legislatures.

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What is the present state of Code of Conducts?

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- A Code of Conduct for members of Rajya Sabha has been in force since 2005.
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- However, there is no such code for the Lok Sabha.
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- A code for Union ministers was adopted in 1964, and state governments were advised to adopt it as well.
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- A conference of Chief Justices in 1999 resolved to adopt a code of conduct for judges of the Supreme Court and High Courts.
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- The 15-point 'Re-instatement of Values in Judicial Life' was adopted.
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- It recommended that serving judges should maintain an air of "aloofness" in their official and personal lives.
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What is the case with Rajya Sabha?

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- The first step was the constitution of Parliamentary Standing Committees on Ethics in both Houses.
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- The Committee came into place in Rajya Sabha in 1997.
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- It was to oversee the moral and ethical conduct of the Members.
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- It was also tasked to examine the cases referred to it with reference to ethical and other misconduct of Members.
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- The First Report of the Ethics Committee was adopted in 1999 and its framework was reiterated in subsequent reports.
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- The Fourth Report was adopted by Rajya Sabha in 2005.
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- A 14-point Code of Conduct for members of the House has been in force since then.
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- These include the following:
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1. In case of conflict between personal interests and public trust, members should resolve it, with private interests subordinated to the duty of public office.
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2. Members should ensure that their and members of their immediate family's private financial interests do not come in conflict with the public interest
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3. In case of any such conflict, it must be resolved without compromising the public interest.
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4. 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. This would apply to
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i. introducing a Bill
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ii. moving a resolution or desisting from moving a resolution
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iii. putting a question or abstaining from asking a question
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iv. participating in the deliberations of the House or a Parliamentary Committee
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- Besides, the Rules of Procedure and Conduct of Business in the Council of States specifies some provisions.
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- It mandates maintaining a ‘Register of Member’s Interests’ in such form as may be determined by the Ethics Committee.
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- This shall be available to members for inspection on request.
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- This is also accessible to ordinary citizens under the RTI Act.
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What is the Code in Lok Sabha?

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- The first Ethics Committee in Lok Sabha was constituted only in 2000.
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- The issue has been raised in every Lok Sabha since then, but has not been taken to its conclusion.
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- The Report of the Ethics Committee was presented to the Speaker in 2014.
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- It related to the amendments to the Rules of Procedure and Conduct of Business in Lok Sabha.
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- Its recommendations were included in the report of the Rules Committee of Lok Sabha.
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- It said that the Ethics Committee shall formulate a Code of Conduct for Members.
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- Also, the committee shall suggest amendments or additions to the Code of Conduct from time to time.
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- The matter has since been pending with the Ethics Committee.
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- The Rules Committee report also recommended that the Ethics Committee make suggestions on
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1. the nature of Members’ interests to be declared
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2. the form of Register of Members’ interest to be maintained for Members of Lok Sabha
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- This matter, too, is under consideration of the Ethics Committee.
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Source: Indian Express

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