

15. COMMITTEE SECTION (ETHICS)

15.1 Main functions of the Committee: Under Rule 290 of the Rules of Procedure and Conduct of Business in the Council of States, the Committee on Ethics has the following functions to perform, namely:

- (a) to oversee the moral and ethical conduct of members;
- (b) to prepare a Code of Conduct for members and to suggest amendments or additions to the Code from time to time in the form of reports to the Council.
- (c) to examine cases concerning alleged breach of the Code of Conduct by members as also cases concerning allegations of any other ethical misconduct of members; and
- (d) to tender advice to members from time to time on questions involving ethical standards either suo motu or on receiving specific requests.

15.2 Constitution of the Committee : The Committee consists of ten members who are nominated by the Hon'ble Chairman, Rajya Sabha. The Committee holds office until a new Committee is constituted. The present Committee was re-constituted on 29th September, 2010. The casual vacancies arising from time to time are filled in by nomination by Hon'ble Chairman, Rajya Sabha.

15.3 Meetings of the Committee : During the year 2010, the Committee held three sittings* , as detailed below:

Sl. No.	Date of Meeting	Agenda considered	Time devoted
1.	15.02.2010 at 11.00 A.M.	An obituary reference was made to the passing away of Shri Janeshwar Mishra, Member, Rajya Sabha and a Member of the Committee. The meeting was adjourned without transacting any business, as a mark of respect to the memory of the departed Member.	15 Minutes
2.	28.04.2010 at 05.00 P.M.	The Committee considered the following:— (i) Memorandum No.3/2009 regarding a reference made by Hon'ble Chairman, Rajya Sabha in the context of an editorial in the Times of India, raising public concerns over MPs having business interests, being represented on various Parliamentary Committees, underlining the need to frame stringent guidelines regarding appointments to Parliamentary panels; (ii) Memorandum No.4/2009 regarding amendment in sub-rule (3) of Rule 293 of the Rules of Procedure and Conduct of Business in the Council of States; and (iii) Memorandum No.5/2009 regarding furnishing of information in respect of pecuniary interests of Members of Rajya Sabha as contained in the "Register of Members Interests", under sub-rule (3) of Rule 293.	1 Hour
3.	20.10.2010 at 10.30 A.M.	The Committee further considered:— (i) Memorandum No. 4/2009 regarding amendment in sub-rule (3) of Rule 293; and (ii) Memorandum No. 5/2009 regarding furnishing of information in respect of pecuniary interests of Members of Rajya Sabha, as contained in the "Register of Members' Interests"; and (iii) The Committee also considered Memorandum No.1 of	1 Hour 45 Minutes

* A sitting of Committee scheduled for 26/08/10 could not be duly constituted for want of quorum.

		2010 regarding a reference made by Hon'ble Chairman, Rajya Sabha in the context of articles published in the Hindustan Times concerning conflict of interests relating to the Members of the Rajya Sabha.	
--	--	---	--

15.4 Record keeper and Overseer of Declaration of Assets and Liabilities of Members

By virtue of Rule 292 of the Rules of Procedure, the Committee functions as the record keeper and overseer of the declaration of assets and liabilities of Members and the assets of their spouses and dependent children. A 'Register of Declaration of Assets and Liabilities of Members' is maintained pursuant to Rule 4 of the Members of Rajya Sabha (Declaration of Assets and Liabilities) Rules, 2004. As on 31st December, 2010, the Register contains declarations of 202 Members of Rajya Sabha which includes 88 declarations of assets and liabilities received from the Members of Rajya Sabha during the year 2010. While during the year 2009, 60 Members of Rajya Sabha submitted their declarations of assets and liabilities.

15.5 Register of Members' Interests: Under sub-rule (1) of Rule 293 of the Rules of Procedure, the Committee is mandated to maintain a "Register of Members' Interests" and also to determine its Form. The Committee in its Fourth Report identified five pecuniary interests viz. (i) Remunerative Directorship (ii) Regular Remunerated Activity (iii) Shareholding of Controlling Nature (iv) Paid Consultancy and (v) Professional Engagement. Information pertaining to these interests is furnished by Members in the prescribed form for Registration in the "Register of Members' Interests". Accordingly, a Register of Members' Interests is maintained by the Section. As on 31st December, 2010, the Register contains declarations submitted by 209 Members of Rajya Sabha which includes 76 declarations received during the year 2010. While during the year 2009, 48 Members of Rajya Sabha submitted their declaration of pecuniary interests.

15.6 Preparation of Paragraphs for inclusion in the Journal of Parliamentary Information: Paragraphs for inclusion in the Journal of Parliamentary Information containing information about the work transacted by the Committee were prepared and sent from time to time to the Research and Library Section for incorporation in the Journal being issued quarterly.

15.7 Settlement of Refreshment Bills: 17 Refreshment Bills received from the Assistant Commercial Officer (Catering), Northern Railway, Tea Board, Coffee Board, Parliament House Complex in respect of refreshment served in the meetings of the Committee and in the Room of Chairman, Committee on Ethics, were received, out of which 13 Bills were processed and sent for payment to the Estt. (A/c) Section.

15.8 Budget allocation : This Section was assigned a sum of rupees ten thousand in the Budgetary grant for the financial year 2010-2011 under the Head "other Administrative Expenses" (02 00 20) by M.S.&A. Section and the same was utilized for settlement of refreshment bills.

15.9 Status of Computerisation: This Section has been provided with two Pentium-IV PCs and two Printers which are being extensively used for maintaining the Register of Assets and Liabilities of Members; Register of Declaration of Interests; addition and updation of information regarding Committee on Ethics on the Rajya Sabha website; browsing the Internet for material for use of the Committee; generation of notes, reports, notices, minutes of the meetings, sending communications and other miscellaneous work of this Section.

15.10 Inspection: The Annual Office Inspection for the year 2009 of the Section was conducted on 9th February, 2010 by Shri Rohtas, Director.

15.11 Goals and Objectives : The main function of the Section is to provide Secretarial assistance to the Committee on Ethics; to maintain the Register containing information of Members' Assets and Liabilities, under the Members of Rajya Sabha (Declaration of Assets and Liabilities) Rules, 2004; the Register of Members' Interests, in terms of Rule 293 of the Rules of Procedure; and processing of and examining complaints of unethical behaviour against Members.

15.12 Information under the Right to information act: During the year 2010, Central Public Information Officer (CPIO), Rajya Sabha Secretariat had forwarded a total of twenty-seven applications seeking information under the Right to Information Act, 2005. Those applications were processed as per the rules, practice and procedure.

15.13 Complaints concerning alleged breach of Code of Conduct: The Section examined five cases of complaints concerning alleged breach of Code of Conduct. The complaints were examined as per the provisions of the relevant rules.

15.14 Initiative proposed to be taken for the next year: Efforts will be made to update the remaining Hindi portions concerning Committee on Ethics in the new website of Rajya Sabha with the help of NIC.

15.15 Analysis : The details of the activities undertaken by the Section in the year 2010 have been enumerated above. Apart from meeting the targets set by it in the Action Plan, the Section also discharged the work entrusted to it within the stipulated time frame.

15.16 Miscellaneous : Besides rendering secretarial assistance to the Committee in the discharging of its functions, this Section also dealt with the references received from the State legislatures, Individuals, MPs, and other Sections of the Secretariat.