



## Ethics & Transparency Reforms in Lok Sabha

**For Prelims:** Fostering **Ethical Conduct**, Declaration of Members' Business Interests, Code of Conduct, Parliamentary Standing Committees on Ethics, [Lok Sabha](#), [Rajya Sabha](#), [RTI \(Right To Information\) Act](#).

**For Mains:** Reforms for Enhancing Ethics and Transparency in Lok Sabha, Parliament and State Legislatures, Important aspects of governance, Transparency and accountability.

**Source:** [IE](#)

### Why in News?

Two crucial reforms are pending within the Lok Sabha, aiming at fostering **Ethical Conduct** and transparency among its members. These are the formulation of a **Code of Conduct for members of Lok Sabha (LS)** and a **Declaration of Members' Business Interests**.

### What is the Code of Conduct?

#### ▪ **Background:**

- A code for **Union ministers was adopted**, and state governments were advised to adopt it as well.
  - Now the Code of Conduct is applicable to **both Union and State ministers**.
- In the case of MPs, the first step was the **constitution of Parliamentary Standing Committees on Ethics** in both the Houses.
  - The Committee in Rajya Sabha was inaugurated in **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.
  - The first Ethics Committee in [Lok Sabha](#) **was constituted in the year 2000** and since then, the issue of a **Code of Conduct** has been periodically discussed and recommended.

#### ▪ **Delay and Current Status:**

- The Ethics Committee of Lok Sabha has been deliberating on the Code of Conduct for over eight years, reflecting a **prolonged delay in addressing** this vital issue.
- The matter was first brought up in **December 2014 when the Lok Sabha Ethics Committee** submitted a report with proposed amendments to the Rules of Procedure and Conduct of Business in Lok Sabha.
  - The Code of Conduct has **long been applicable to members** of Rajya Sabha.

#### ▪ **The Need for a Code of Conduct:**

- The Code's purpose is to guide and ensure appropriate behavior and conduct among Lok Sabha MPs, enhancing the integrity of parliamentary proceedings.
- The historical context dating back almost a century underscores the long-standing concerns about conflicts of interest and the need for regulatory frameworks.
- The significance of a **Code of Conduct is highlighted** in promoting good governance, maintaining transparency, and ensuring MPs' adherence to ethical standards.

## What is the Difference between Code of Ethics and Code of Conduct?

- **Code of Ethics is an aspirational document**, issued by the board of directors containing core ethical values, principles, and ideals of the organization.
  - Code of Conduct is a **directional document** containing specific practices and behavior that are followed or restricted under the organization.
- Code of Conduct originated **from the code of ethics**, and it converts the rules into specific guidelines that must be followed by the members of the organization.
  - Therefore, the latter **concept is wider than the former**.
- **Code of Ethics regulates the judgment of the organization** while a code of conduct regulates the actions.
- **Code of Ethics focuses on values or principles**. On the other hand, the Code of Conduct is focused on compliance and rules.
- Code of Ethics is publicly available, i.e. anyone can access it. Conversely, the Code of Conduct is addressed to employees only.

## What is the Declaration of Members' Business Interests?

- **About:**
  - It is a practice already **in place for Rajya Sabha members**.
  - The purpose is to identify and disclose any personal, pecuniary, or direct interests that could potentially create conflicts of interest, fostering transparency and accountability.
- **Long Running Saga:**
  - Concerns about **conflicts of interest for Members of Parliament (MPs)** were raised as far back as 1925.
  - In 2012, the **Lok Sabha Ethics Committee suggested** adopting the Rajya Sabha's practice of maintaining a 'Register of Members' Interests.'
    - This register provides information about MPs' financial and personal interests.
  - **Rule 293 in the Rajya Sabha outlines** the requirement for this register, which can be accessed by MPs and even ordinary citizens through the [RTI \(Right To Information\) Act](#).
  - The Lok Sabha Secretariat provided an extract, Paragraph 52A, from a publication of Parliament titled 'Directions by the Speaker Lok Sabha'.
    - This paragraph applies to members of **Parliamentary Committees, not to all MPs**.
    - **The extract ("Personal, pecuniary or direct interest of member") says:**
      - (1) Where a member of a Committee has a personal, pecuniary or direct interest in any matter **which is to be considered by the Committee**, such member shall state one's own interest therein to the Speaker through the Chairperson of the Committee.
      - (2) After considering the matter, the Speaker shall give a decision which shall be final."

## What are the Recommendations by Second ARC?

- In addition to the existing Code of Conduct for Ministers, there should be a **Code of Ethics to provide guidance on how Ministers should uphold** the highest standards of constitutional and ethical conduct in the performance of their duties.
- Dedicated units **should be set up in the offices of the Prime Minister (PM)** and the Chief Ministers (CM) to monitor the observance of the Code of Ethics and the Code of Conduct. The unit should also be empowered to receive public complaints regarding violation of the Code of Conduct.
- The PM or the CM should **be duty bound to ensure the observance of the Code of Ethics** and the Code of Conduct by Ministers.
- An annual report with regard to the **observance of these Codes should be submitted** to the appropriate legislature. This report should include specific cases of violations, if any, and the action taken thereon.
- The Code of Ethics should **inter alia include broad principles of the Minister-civil servant**

**relationship** and the Code of Conduct.

- The Code of Ethics, the Code of Conduct and the annual report should be put in the public domain.

## Conclusion

- The adoption and implementation of **these reforms** are **crucial** in fostering **Ethical Conduct and Transparency** within the Lok Sabha.
- These initiatives will contribute to a **more accountable and responsible parliamentary system**, ultimately benefiting the democratic process and the nation as a whole.

## UPSC Civil Services Examination, Previous Year Questions (PYQs)

### Mains:

**Q.** To what extent, in your view, the Parliament is able to ensure accountability of the executive in India? (2021)

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