

LEGISLATIVE PROCEDURE
ASSEMBLY ABSTRACT SERIES

23

**Committee on
Ethics**



TELANGANA LEGISLATURE SECRETARIAT
HYDERABAD

PREFACE

This abstract containing the information pertaining to the **Committee on Ethics** is a part of Legislative Procedure and is intended to serve as handy guide for ready reference. The information contained in this abstract booklet is in consonance with the Rules of Procedure and Conduct of Business in the Telangana Legislative Assembly.

The information contained in this publication is not exhaustive and it cannot be quoted as an authority. It is hoped that this publication will meet the reference requirements. However, for authenticity, the original source may be referred to and relied upon.

Hyderabad,
December, 2018.

Dr. V. NARASIMHA CHARYULU,
Secretary to State Legislature.



COMMITTEE ON ETHICS

(i) The Committee on Ethics is nominated by the Speaker at the commencement of the Assembly and from time to time thereafter to examine the unethical conduct of members both within and outside the House. A Minister within the meaning of rule 2 (m) or Speaker or Deputy Speaker or Government Chief Whip or Government Whip shall not be nominated as a member of the committee and if any member after his nomination to the Committee is appointed as Minister, Government Chief Whip or Government Whip, are elected as a Speaker or Deputy Speaker, he shall cease to be a member of the Committee from the date of such appointment or election.

(ii) A complaint relating to the unethical conduct of a member including the Minister other than the Speaker outside the House can be made by any person to the Speaker in writing in the form of a petition. The House may also refer complaints of unethical conduct of a member on a motion, to the Committee to enquire and report.

(iii) Every complaint should contain a concise statement of material facts on which the complainant relies. It shall also accompany with copies of documentary evidence if any on which the complainant relies. The complaint and every document annexed thereto shall be signed by the complainant and verified in the manner laid down in the Code of Civil Procedure, 1908 (5 of 1908) for verification of pleadings.

(iv) If the complaint complies with the requirement of the rules, it is referred to the Committee by the Speaker for enquiry and report.

(v) After the receipt of the reference, the Committee conducts a preliminary verification to ascertain whether there is a prima facie evidence to proceed further in the matter. After preliminary verification, if the Committee comes to the conclusion that there are grounds to conduct regular enquiry, an opportunity is afforded to the member against whom the complaint was made duly furnishing him copies of complaint and other enclosures if any enclosed thereto to offer his explanation. Every preliminary verification and the subsequent enquiry shall be conducted in camera without disclosing

the identity of the complainant and the member against whom the complaint is made. Every enquiry shall be completed within three months unless there is sufficient cause for not completing it within the said period. Same as otherwise provided in the rules, the procedure for conducting any enquiry shall be so far as may be, the same as the procedure for enquiry and determination of any question as to the breach of privilege of the House. The Committee is at liberty to requisition the services of any agency for the purpose of investigation of the complaint. The Committee, after examination of every complaint with reference to the facts, should submit a report to the House. The report should also suggest the procedure to be followed by the House giving effect to the recommendations made in.

(vi) The Committee, in its discretion may refuse, to enquire into a complaint if it is frivolous or vexatious or is not made in good faith. It may also discontinue the enquiry if there are no sufficient grounds to proceed further in the matter. In either case, the Committee should record the reasons for the refusal to enquire or for discontinuing the enquiry and communicate the reasons to the complainant as well as the member.

(vii) Persons who file false, frivolous or vexatious complaints are liable for punishment by the House. The contents of the complaint should not be made public by anybody till the presentation of the report to the House. If any person makes public the contents before presentation of the report such person is liable for punishment.

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