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R N 14 AUG 2022 NO 03

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## GENERAL STUDIES (TEST CODE : 2214)

Name of Candidate	Abhishek Singh		
Medium Hindi/Eng.	English	Registration Number	1101662
Center	ORN	Date	13/8/22

### INDEX TABLE

Q. No.	Maximum Marks	Marks Obtained
1(a)	10	
1(b)	10	
2(a)	10	
2(b)	10	
3(a)	10	
3(b)	10	
4(a)	10	
4(b)	10	
5(a)	10	
5(b)	10	
6(a)	10	
6(b)	10	
6(c)	10	
7	20	
8	20	
9	20	
10	20	
11	20	
12	20	

Total Marks Obtained:

Remarks:

Signature of Examiner

### INSTRUCTIONS

- Do furnish the appropriate details in the answer sheet (viz. Name, Registration Number and Test Code).  
उत्तर पुस्तिका में सूचनाएं भरना आवश्यक है (नाम, प्रश्न-पत्र कोड, विद्यार्थी क्रमांक आदि)।
- There are **TWELVE** questions printed in **ENGLISH & HINDI** इसमें बारह प्रश्न हैं अंग्रेजी और हिन्दी में छपे हैं।
- All questions are compulsory.** सभी प्रश्न अनिवार्य हैं।
- The number of marks carried by a question/part is indicated against it.  
प्रत्येक प्रश्न/भाग के अंक उसके सामने दिए गए हैं।
- Answers must be written in the medium authorized in the Admission Certificate, which must be stated clearly on the cover of this Question-Cum-Answer (QCA) Booklet in the space provided. No marks will be given for answers written in medium other than the authorized one.  
प्रश्नों के उत्तर उसी माध्यम में लिखे जाने चाहिए जिसका उल्लेख आपके प्रवेश पत्र में किया गया है और उस माध्यम का स्पष्ट उल्लेख प्रश्न-सह-उत्तर (क्यूसीए) पुस्तिका के मुख्य पृष्ठ पर अंकित निर्दिष्ट स्थान पर किया जाना चाहिए। उल्लिखित माध्यम के अतिरिक्त अन्य किसी माध्यम में लिए गए उत्तर पर कोई अंक नहीं मिलेंगे।
- Word limit in questions, if specified, should be adhered to.  
प्रश्नों में शब्द सीमा, जहाँ विनिर्दिष्ट है, का अनुसरण किया जाना चाहिए।
- Any page or portion of the page left blank in the Question-Cum-Answer Booklet must be clearly struck off.  
उत्तर पुस्तिका में खाली छोड़ा हुआ पृष्ठ या उसके अंश को स्पष्ट रूप से काटा जाना चाहिए।

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Delhi- 110009

## EVALUATION INDICATORS

1. Contextual Competence
2. Content Competence
3. Language Competence
4. Introduction Competence
5. Structure - Presentation Competence
6. Conclusion Competence

Overall Macro Comments / feedback / suggestions on Answer Booklet:

1.

2.

3.

4.

5.

6.

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All the Best

## SECTION - A

1. (a) The ideals of 'Dhamma' by Ashoka present key learnings on public morality. Discuss. Also, state their relevance for public servants.

(150 words) 10

अशोक द्वारा प्रतिपादित 'धम्म' के आदर्श सार्वजनिक नैतिकता पर मुख्य शिक्षाएं प्रस्तुत करते हैं। विवेचना कीजिए। साथ ही, लोक सेवकों के लिए उनकी प्रासंगिकता को वर्णित कीजिए।

Ashoka's 'Dhamma' which provided a revolutionary change in the attitude and future course of action post Kalinga war, is of great public service relevance.

Ideals of Dhamma include:



Modern Public Morality

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## Relevance for Public Servants

- ① Quality Service Delivery - Public servant has to be non discriminating and tolerant of differences in society.
- ② Efficient policy making - keeping interest of all, especially the weak ~~the~~ and the marginalised.
- ③ Handling Conflict of Interest - Ashoka's Dhamma → having father like attitude - keeping interest of people above personal interest.
- ④ Ensuring Communal Harmony → Based on idea of universal brotherhood - (Also propogated by Swami Vivekanand)  
  
∴ Indian history is steeped with philosophies which can guide ethical public life with Ashoka's Dhamma being one of them.

1. (b) Although bribery is illegal and counterproductive, public officials still demand bribes, and executives in the private sector remain tempted to pay up. In this context, discuss ways in which corporations can build a framework to eliminate the practice of offering kickbacks. (150 words) 10

हालांकि, रिश्वतखोरी गैर-कानूनी और हानिकर है, लेकिन सरकारी अधिकारी अभी भी रिश्वत की मांग करते हैं और निजी क्षेत्र के कार्यकारी अधिकारी इसका भुगतान करने के लिए हमेशा तैयार रहते हैं। इस संदर्भ में, उन तरीकों पर चर्चा कीजिए जिनसे निगम रिश्वत देने की प्रथा को समाप्त करने के लिए एक ढांचा तैयार कर सकते हैं।

According to Transparency International,

Bribery or Rent-seeking is defined as

"Abuse of official power or authority for personal gains"

Bribery and thereby kickbacks emanate from the lack of basic corporate

ethical values which is commonly known

as : CORPORATE GOVERNANCE

### PRINCIPLES: GUIDE TO FRAMEWORK

1. Ethical Principles over Economic Gains
2. Long Term Benefits over Short Term Gains.



3. Corporate Culture based on ethical social and sound environmental values
4. Sustainability over instant gratification
5. Accountability over procedures (SOP)
6. Checks and Balances in Decision Making
7. Strong Board of Directors with majority being independent.

Strong Corporate Governance is key to sustainable development of a business.

Recommendation of Narash Chandra and Cadbury committee can be inculcated in corporate framework to establish a resilient structure.



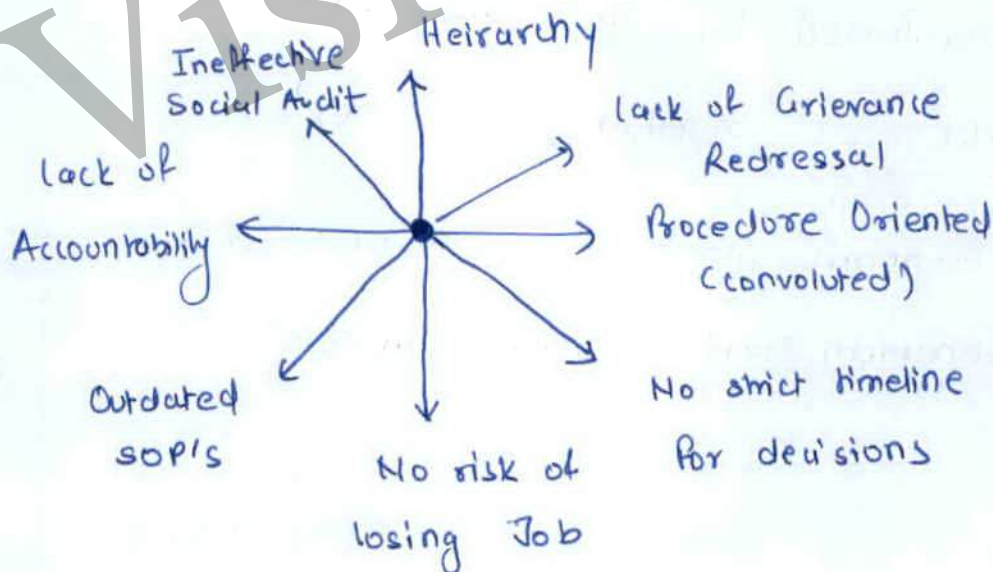
2. (a) It is argued that the Indian bureaucracy suffers from indecision and risk aversion. Do you agree? Justify with logical arguments.

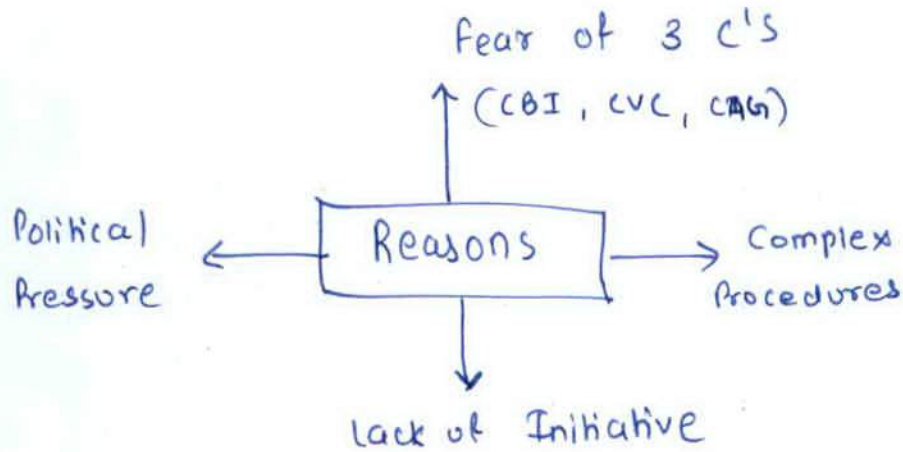
(150 words) 10

यह तर्क दिया जाता है कि भारतीय नौकरशाही अनिर्णय और जोखिम से बचने की प्रवृत्ति से ग्रस्त है। क्या आप सहमत हैं? उचित तर्कों के साथ औचित्य सिद्ध कीजिए।

Indian bureaucracy is referred to as a 'white elephant' which is huge and convoluted → in it's size  
↳ as well as in it's procedures.

Reasons: Indecisions



BUREAUCRACY : Risk AVERSION

Indian Bureaucracy has been suffering from Indecision and Risk aversion as was reinforced by the observation of 2nd ARC → 'regulatory cholestro'

and Economic Survey of India, 2021

⇒ "Behemoth which hardly moves"

2. (b) Although open and transparent governance has gained ground, do you agree with the view that there is merit in withholding some information from people? Justify your arguments with examples.

(150 words) 10

हालांकि, खुले और पारदर्शी शासन ने लोकप्रियता हासिल कर ली है, फिर भी क्या आप इस विचार से सहमत हैं कि लोगों से कुछ जानकारी छिपाने में ही भलाई है? उदाहरणों के साथ अपने तर्कों की पुष्टि कीजिए।

Privacy vs. Transparency has been a debate of great nations with Abraham Lincoln suggesting: "Give the nation required information, the society will be safe".

And the conflicting view of some information i.e. to be withheld keeping national security and peace in mind.

REASONS: MERIT in Withholding Information

(1) Necessary to Maintain National Security

(2) 3rd Party information cannot be revealed to public

(3) Information can be misused by Political Parties, Corporates → Private Gains.



- (4) Some information holds geopolitical significance → can disturb relation between countries

### REASONS : AVAILABILITY OF INFORMATION

- (1) Better decision making by economic agents
- (2) Empowers the citizens and the society at large.
- (3) Increases public trust and accountability
- (4) Reduces corruption and illegal activities  
→ Efficient utilisation of public fund.

∴ there has to be a balance between transparency and privacy. This is seen in the existence of 2 Acts i.e. (1) Official Secrets Act, 1960 and (2) RTI Act, 2004 simultaneously.



3. (a) While it may seem restrictive, anonymity is one of the greatest strengths of the civil services. Comment in the context of growth of social media in recent times. (150 words) 10

हालांकि, यह प्रतिबंधात्मक प्रतीत हो सकता है किंतु अनामिकता लोक सेवाओं की सबसे बड़ी ताकत है। हाल के दिनों में सोशल मीडिया के विकास के संदर्भ में टिप्पणी कीजिए।

'Anonymity' forms one of the seven principles of public service given by

Nolan.

Benefits - Anonymity

(1) Anonymity maintains the balance between the real executives and elected executives

(2) Helps public servants discharge functions without force or pressure

(3) Increases efficiency → due to lack of constant public glare

(4) Makes sure that an individual doesn't become bigger than the system.

## SOCIAL MEDIA: THREAT To ANONYMITY

- (1) Tool ~~that~~ that has made seeking recognition for delivering service - quite easy.
- (2) Negative side → Blame are easily transferred for any mishaps.
- (3) Constant media scrutiny → reduces efficiency and objectivity of public service.
- (4) Programmes delivered where recognition is guaranteed → Discrimination.

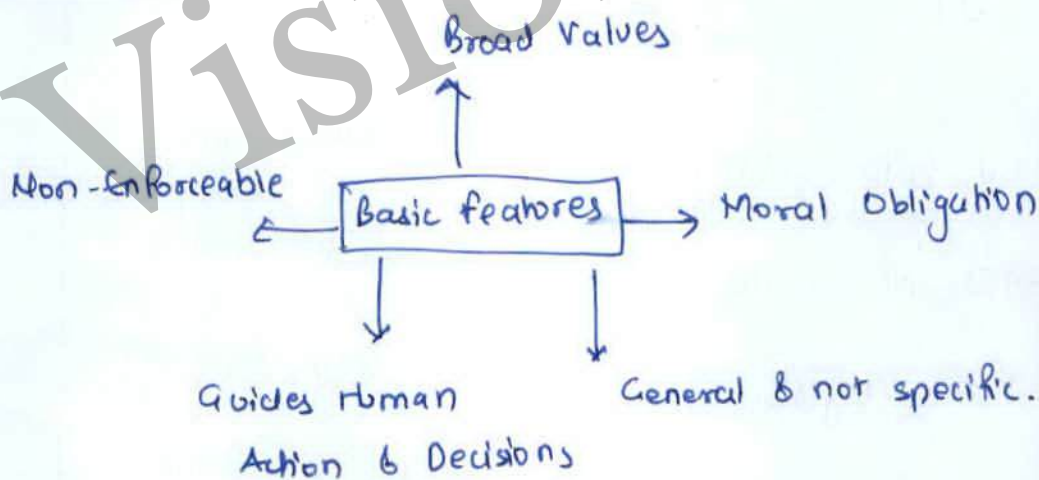
Hence, anonymity is one of the upholding values needed for transparent, fair and efficient governance. Ethical Code of Conduct of Civil servants reinforces the same.

3. (b) A legally enforceable code of ethics for civil servants, which not only prescribes the ethical values they must display in their public life but also provides sanctions for violations of these values, is the need of the hour. Discuss. (150 words) 10

लोक सेवकों के लिए कानूनी रूप से लागू करने योग्य एक नीतिपरक आचार संहिता, जो न केवल उनके सार्वजनिक जीवन में प्रदर्शित होने वाले नैतिक मूल्यों को निर्धारित करती हो, बल्कि उन मूल्यों के उल्लंघन के लिए दण्ड भी निर्धारित करती हो, वर्तमान समय की आवश्यकता है। चर्चा कीजिए।

Code of Ethics are generally defined as broad set of values that should guide on individuals decision making.

Code of Ethics

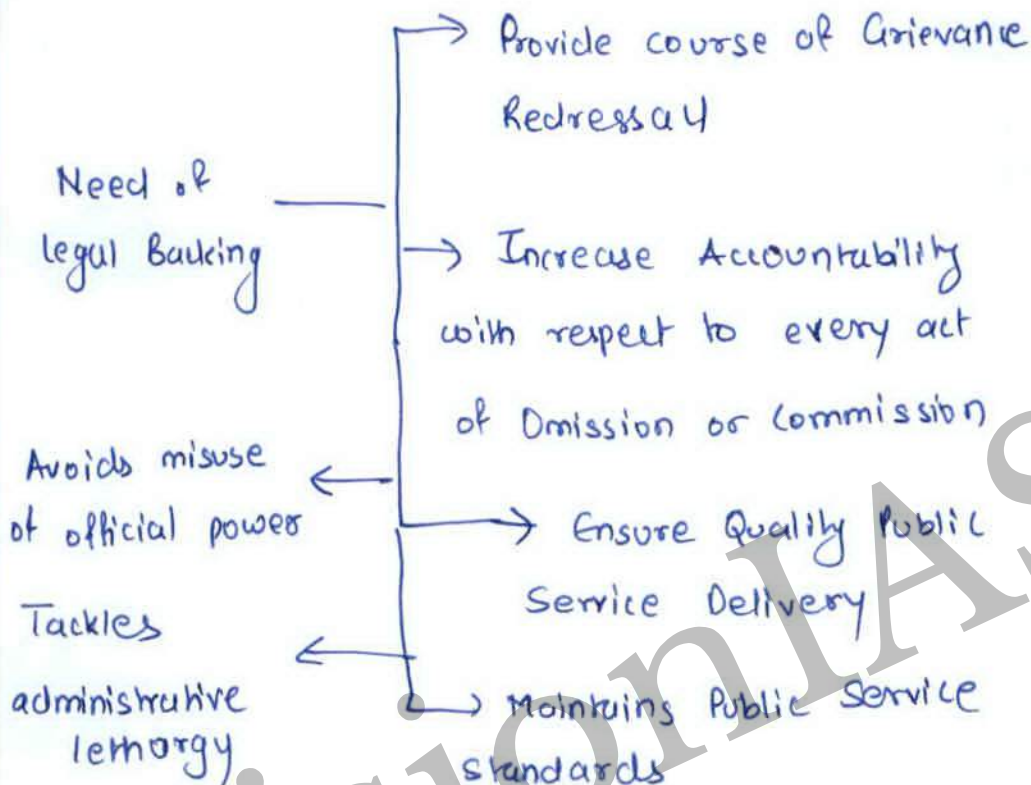


But, this non-enforceable nature of code of ethics has led to:

Proliferation of corrupt & Unethical Practices



## LEGAL ENFORCEABILITY : CODE OF ETHICS



Legal enforceability of Code of Ethics, on the lines of code of conduct in the fields of Medicine, legal, etc are not only necessary but a vital component for next generational public service reforms.



4. (a) Examine the issue of foreign aid in global politics from an ethical perspective. (150 words) 10

वैश्विक राजनीति में विदेशी सहायता के मुद्दे का नैतिक दृष्टिकोण से परीक्षण कीजिए।

Foreign Aid has been the integral component of Global Power's diplomacy plans.

The advent of Global Aid in modern world can be seen with introduction of Marshall Plan post WW2 to counter Soviet Union during Cold War Era.

### GLOBAL AID : GEOPOLITICS

Issues of foreign aid has been an important talking point in the recent held international forums of QUAD, AUKUS, IPEF, etc.

The issues include : (Ethical)

- ① Neo - colonialism : Affecting internal politics of another country through aid for one's countries benefit.

(2) Sovereignty : Initiatives like Belt and Road Initiative of China → compromising sovereignty of indebted nations.

(3) Disregard to Universal Brotherhood

(4) Lack of Rule Based Global Order  
→ Discrimination with respect to poor and weak economies.

(5) Peaceful Coexistence : Peace is compromised as can be seen in the recent Afghanistan conflict → bereavement of local populace.

Global Aid though aimed at helping the needy to stabilise their economic and social needs are increasingly used to push self-serving agendas.



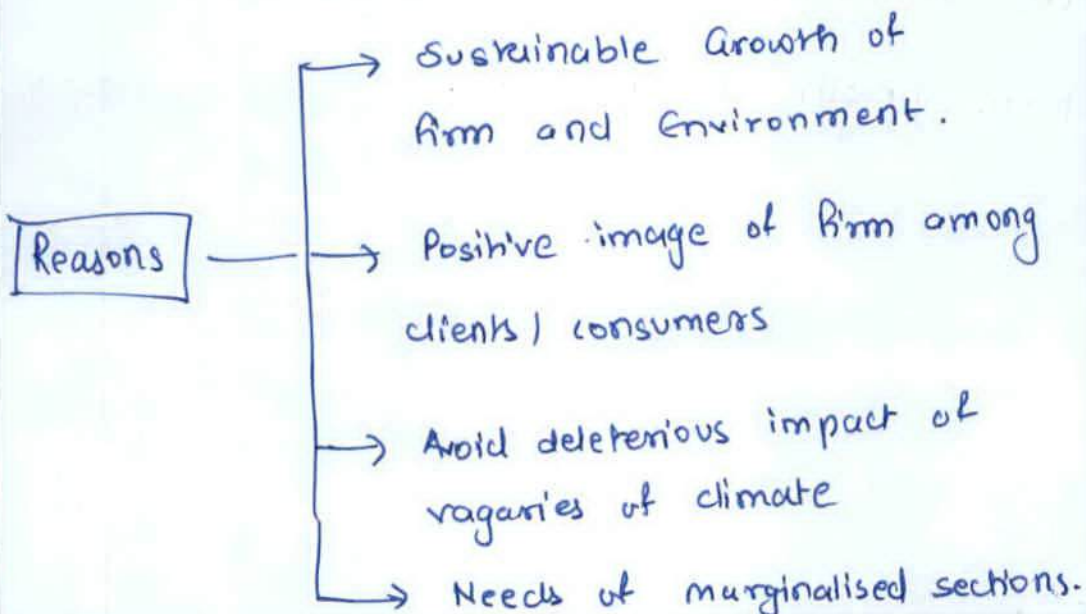
4. (b) There is a need for an effective climate governance structure within the broad framework of corporate governance. Discuss. (150 words) 10

कॉर्पोरेट गवर्नेंस के व्यापक ढांचे के भीतर एक प्रभावी क्लाइमेट गवर्नेंस संरचना की आवश्यकता है। विवेचना कीजिए।

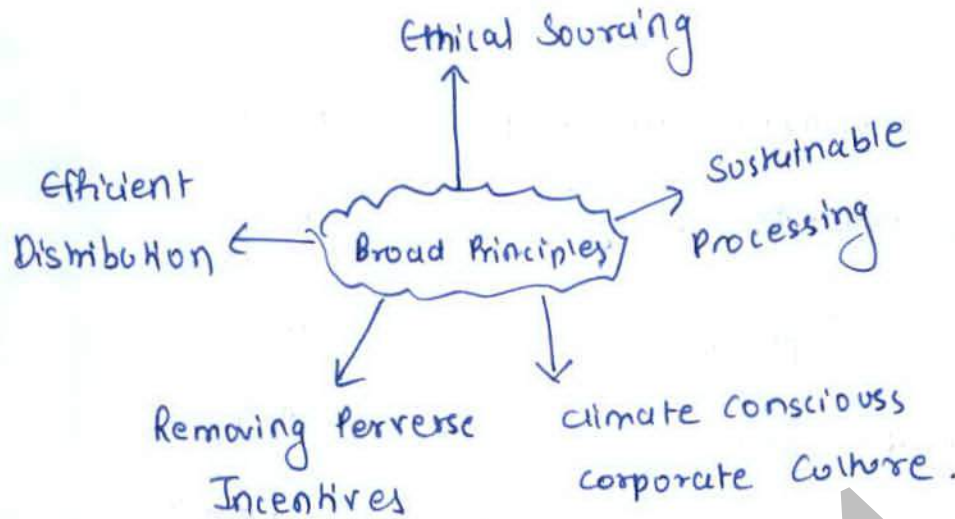
Corporate Governance according to Noreesh Chandra committee is defined as "the ability of a corporate / business to achieve its economic goals in accordance with social and environmental aspect of business"

Climate Governance forms one part of Corporate Governance structure.

Need for an effective Climate Governance



Principle : Climate Governance



Given the growing impact of environment and climatic shifts, as brought forward in the 2nd part of IPCC report 2022, Climate Governance is key for sustainable long term growth of company.



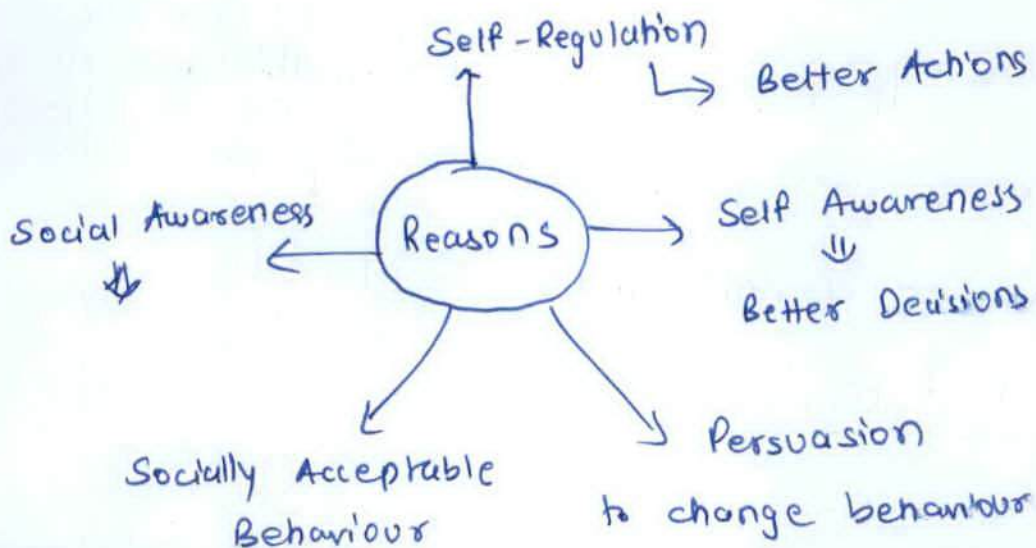
5. (a) "A well-developed Emotional intelligence is not only an instrumental tool in accomplishing goals, but has a dark side as a weapon for manipulating others by robbing them of their capacity to reason." Analyse.  
(150 words) 10

"एक सुविकसित भावनात्मक बुद्धिमत्ता न केवल लक्ष्यों को पूरा करने में एक महत्वपूर्ण उपकरण है, अपितु इसका एक नकारात्मक पक्ष यह है कि यह दूसरों की तर्क करने की क्षमता को समाप्त करके उन्हें धोखा देने के लिए एक हथियार भी है।" विश्लेषण कीजिए।

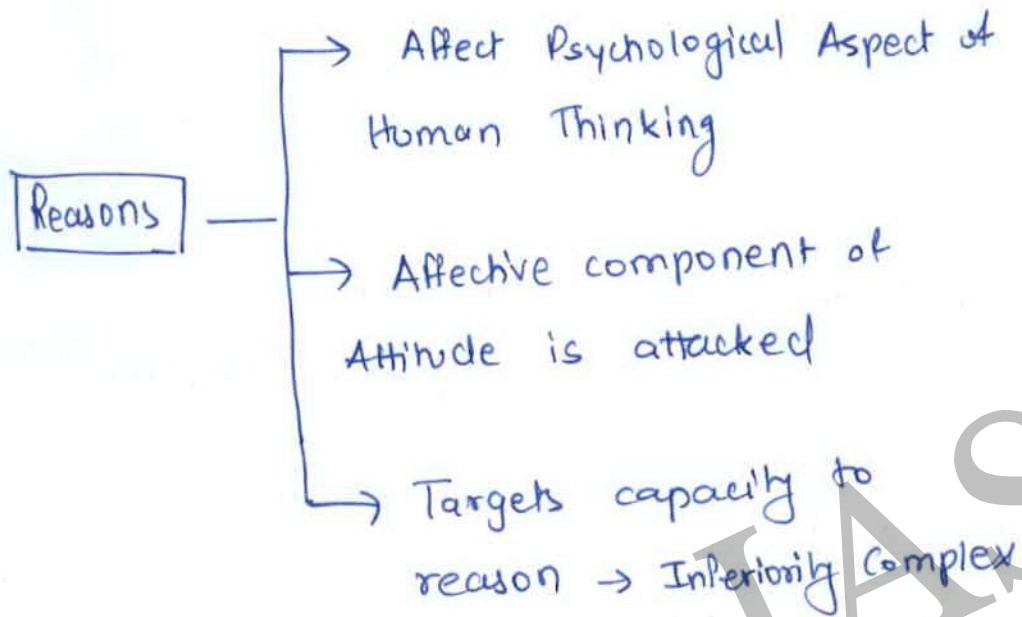
Emotional Intelligence as defined by  
(EI)

Daniel Coleman is "the ability to perceive and differentiate one's emotions and other person's emotions, to use them to act, make decisions, to persuade - in order to achieve self-goals"

EI : Tool for Accomplishing Goals



## EI : Tool for Manipulation



Emotional Intelligence is a double-edge sword just like any modern technology or innovation.

It is not ethical (unethical).  
The very use of it by an agent to achieve certain goals decides its ethical fate.



5. (b) The opportunities and threats created by emerging technologies like Artificial Intelligence (AI) require leaders across business, government and civil society to understand the importance of values and ethics in technological development. Elucidate. (150 words) 10

कृत्रिम बुद्धिमत्ता (AI) जैसी उभरती प्रौद्योगिकियों द्वारा उत्पन्न अवसरों और खतरों ने यह आवश्यक बना दिया है कि व्यवसाय, सरकार और नागरिक समाज के अग्रणी व्यक्ति तकनीकी विकास में मूल्यों एवं नैतिकता के महत्व को समझें। स्पष्ट कीजिए।

Artificial Intelligence is a modern technology which aims at mimicking human intelligence while

- Performing Task (Actions)
- Taking Decisions

AI : Business

Opportunity : Given the efficiency of AI to replace basic human repetitive tasks → Ted efficiency and better return to capital.

Risk : loss of low-level jobs (unskilled / semi-skilled)

AI : Society (Civil)

Opportunity : AI could help in training &



capacity enhancement of people with lack of access to skilling opportunities.

Threat : Can be used to destabilise societal peace and government institutions.

AI: Government

Opportunities:

- Access to Quality Data
- Better Policy Making
- Accountability of Action Taken

Threats:

- Systemic Bookling
- Discrimination
  - Racial
  - Minorities
- Biased Policy Making

Artificial Intelligence, though a revolutionary innovation, can do as much harm as benefit for the human society.

Hence, its efficacy can be only seen through times to come.

6. What do each of the following quotations mean to you?

निम्नलिखित में से प्रत्येक उद्धरण का आपके लिए क्या अर्थ है?

(a) "All persons ought to endeavour to follow what is right, and not what is established." — Aristotle (150 words) 10

"सभी व्यक्तियों को जो सही है उसका पालन करने का प्रयास करना चाहिए, न कि जो स्थापित है उसका पालन करना चाहिए" - अरस्तू

Re Essence of the given statement

The above statement by Aristotle, establishes the importance of following the correct and ethical practices and values while decision making over standard SOP's developed.

Relevance in Public Life

As a public servant, ethical dilemma and conflict of Interest are being faced on a day to day basis.

The following dilemmas and conflict bring out the importance of doing what is just than what is established:



1. Compassion for weak and marginalised  
- As presented by Gandhiji's Tallman
2. Proper utilisation of public fund  
↳ Social welfare over economic
3. Ensuring efficiency  
Quality Public Service Delivery  
↳ Inclusive & Non-discriminating
4. Resolving ethical dilemma → by  
tending to avoid any discomfort to  
the marginalised
5. Fostering Initiative and Creativity

Choosing between what is right  
and what is established could be a  
tricky task.

But sheer dedication and adherence  
to probity could help one achieve the  
middle path → Gautam Buddha's Dhamma



6. (b) "It is compassion, the most gracious of virtues, which moves the world."  
— Tiruvalluvar, Kural (150 words) 10

"करुणा, जो सबसे उदार सद्गुण है, विश्व को संचालित करती है।" - तिरुवल्लुवर, कुरल

Values along with skills determine the holistic competence of an individual, especially, public servants.

Compassion forms the core of every virtue needed to bring about an inclusive and ethical change.

Individual level: Effects

- ① Helps build strong inter-personal relation → Trust (cornerstone of every social contract)
- ② Ensures internal peace → due to fostering of harmony
- ③ Source of help when in need → foundation of Cormaraderie.

## Society level : Effects

- ① Universal Brotherhood is established  
- As propounded by Swami Vivekananda
  - ② Fulfilment of Human life → Self-Realization  
- The ultimate objective of all life is  
to help humanity - Gandhi
  - ③ Communal Harmony - Compassion for  
one other in spite of differences of ideas,  
thoughts, customs, beliefs, etc.
- Compassion for oneself and one  
another has the power to move a  
stone.

The society where compassion  
fosters remains a progressive society.

6. (c) "I understand democracy as something that gives the weak the same chance as the strong." — Mahatma Gandhi (150 words) 10

"मैं लोकतंत्र को एक ऐसी व्यवस्था के रूप में समझता हूँ जो कमजोर को मजबूत के समान अवसर प्रदान करती है" - महात्मा गांधी

### Essence

The above statement brings forth the crux of Gandhiji's Talisman of, thinking about the last person i.e. the most marginalised, while making or implementing policies / decisions.

Democracy is not the rule of the majority but protection of interest of the minority.

### Challenges to this idea of Democracy

- (1) Increasing narrow sectarian view
- (2) Growing polarisation
- (3) Reducing level of tolerance



- (4) Degrading values in society
- (5) Criminalisation of politics
- (6) Growth of 'cult leaders'

### SOLUTION To CHALLENGES

Ethics and its inculcation in every facets of life, establishing the importance



Article 15, 16 and 24-30 signifies the importance laid by our founding fathers in protecting the interest of the minority  
→ Establishing true democracy.

## SECTION – B

In the following questions, carefully study the cases presented and then answer the questions that follow (in around 250 words):

7. You come across a news report of a state 'X', which has a considerable number of school going children suffering from malnourishment. To overcome this, the state recently rolled out a policy to introduce eggs in mid-day meals in schools. However, some parents, teachers and a few religious groups have protested against the move. The report states that the Minister of Education of state 'X' has assured the public of a reversal in the policy. You are aware that this may be because elections are approaching in the state and the party in power may not want to antagonise a particular religious group, which is its key supporter.

In light of this, answer the following:

- (a) Highlight the stakeholders in the given case study.  
(b) Examine the options available in the given situation.  
(c) According to you, what is the best course of action and why?

(20)

आपको एक राज्य 'X' के बारे में एक न्यूज रिपोर्ट प्राप्त होती है, जिसमें काफी संख्या में स्कूल जाने वाले बच्चे कुपोषण से पीड़ित हैं। इस पर नियंत्रण प्राप्त करने हेतु, उक्त राज्य ने हाल ही में स्कूलों में मध्याह्न भोजन में अंडे को शामिल करने की एक नीति लागू की है। हालांकि, कुछ माता-पिता व शिक्षकों और कुछ धार्मिक समूहों ने इस कदम का विरोध किया है। रिपोर्ट में कहा गया है कि राज्य 'X' के शिक्षा मंत्री ने जनता को नीति में बदलाव का आश्वासन दिया है। आप जानते हैं कि ऐसा इसलिए हो सकता है क्योंकि राज्य में चुनाव नजदीक आ रहे हैं और सत्तारूढ़ दल एक विशेष धार्मिक समूह जोकि पार्टी का प्रमुख समर्थक है, उसका वो विरोधी नहीं बनना चाहती है।

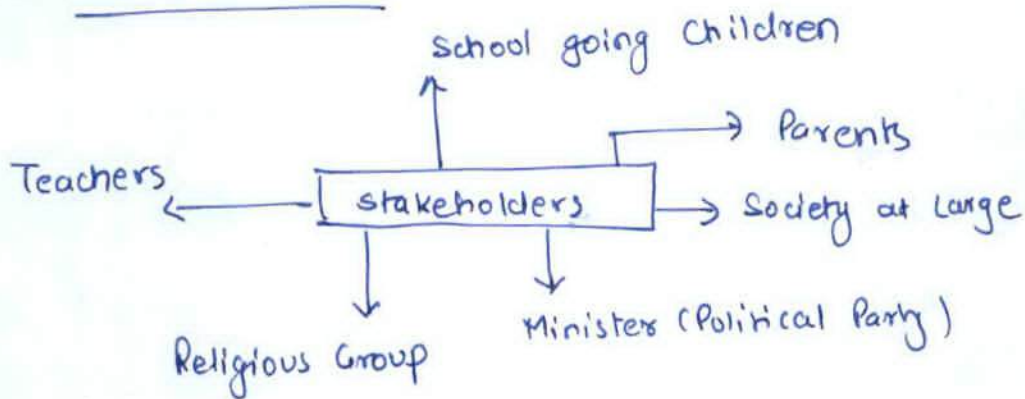
इसके आलोक में निम्नलिखित प्रश्नों के उत्तर दीजिए:

- (a) प्रदत्त प्रकरण में शामिल हितधारकों का उल्लेख कीजिए।  
(b) दी गई स्थिति में उपलब्ध विकल्पों का परीक्षण कीजिए।  
(c) आपके अनुसार, सबसे उपयुक्त कार्रवाई क्या है और क्यों?

The given case highlights a situation where there are conflicting issues dealing with children and their nourishment.



(a) Stakeholders in the case :



(1) School Going Children : The basic necessity of children's nourishment for their holistic development → Responsibility of state

→ Article 15(4)

→ DPSP 42

(2) Teachers : Conflict between teacher's primary role of children's welfare and fear of popular backlash

(3) Religious group : Keeping ~~regi~~ religious sectarian beliefs above general welfare

(4) Parents : Similar case where personal beliefs are tried to be thrust upon



the entire group.

(5) Minister (Politics at Play): The stakes are between general idea of welfare and narrow political gain

(b) Options Available

I as a public servant have the following courses of action available to me:

(1) Status Quo

Not getting involved in the issue and waiting for things to play out.

Pros	Cons
<p>① Strengthens the idea that state should be away from conflicts b/w classes and groups</p>	<p>① Against ethos of public service</p> <p>② Might be able to do more harm than good</p>

(2) Enforcing the ban on serving Eggs  
in Mid-day Meal

Pros : It will have an immediate  
effect on the conflict and the issue  
will be resolved (most efficient)

Cons : The idea of public service and  
welfare of children as enshrined in the  
constitution goes for a toss.

(3) Deliberations with Stakeholders

I would hold discussions on the issue  
with all relevant stakeholders while  
the implementation would be put on hold.

Pros : It would ease the situation for  
now and give time for tendering to each  
stakeholders concern and even persuade them.

Cons : Might just delay the inevitable  
clash without any concrete solution.

(c) I as a public servant would go with the option of holding deliberations with stakeholders because:

- (i) Provides time to sort out differences
- (ii) Tackles the immediate danger of clashes
- (iii) Gives a way out for political class as well.
- (iv) Provides hope for the implementation of provision of egg in MDM.

Ensuring proper nourishment and proper development of children as enshrined by the Constitution (Art. 15(4) & DPSP 42), puts on us not just the constitutional but a moral obligation to work for the cause of welfare of children.



8. Capital punishment, or "death penalty," is an institutionalized practice designed to result in deliberately executing persons in response to actual or supposed misconduct and following an authorized, rule-governed process to conclude that the person is responsible for violating norms that warrant execution. Punitive executions have historically been imposed by diverse kinds of authorities, for an expansive range of conduct, political or religious beliefs and practices, for a status beyond one's control, or without employing any significant due process procedures. Punitive executions also have been and continue to be carried out more informally, such as by terrorist groups, urban gangs, and mobs. For centuries in Europe and America, discussions have focused on capital punishment as an institutionalized, rule-governed practice of modern states and legal systems governing serious criminal conduct and procedures. In light of the above debate of capital punishment, answer the following questions:

(a) What are the arguments in favour of and against having capital punishment in the criminal justice system?

(b) Do you think capital punishment has a place in modern civilised society? Examine in the context of moral implications involved in awarding it.

(20)

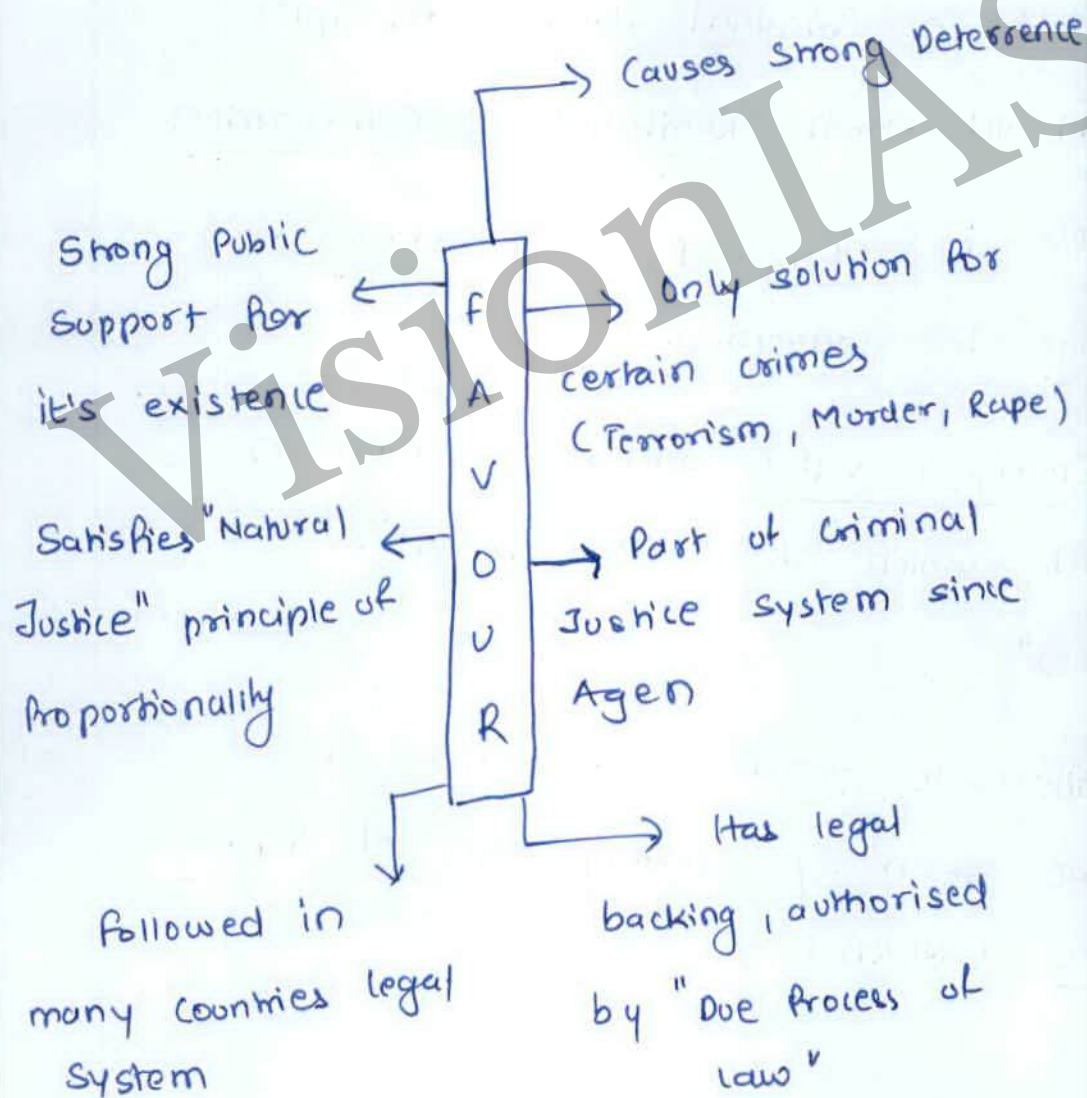
फांसी या 'मृत्युदंड', एक संस्थागत प्रक्रिया है, जिसे वास्तविक या कथित कदाचार की प्रतिक्रिया में जानबूझकर व्यक्तियों को प्राणदंड देने हेतु डिजाइन किया गया है और इसके लिए एक प्राधिकृत, नियम-आधारित प्रक्रिया का पालन किया जाता है ताकि इस नतीजे पर पहुँचा जा सके कि व्यक्ति उन मानदंडों का उल्लंघन करने के लिए जिम्मेदार है जो प्राणदंड का प्रावधान करते हैं। मृत्युदंड, ऐतिहासिक रूप से विभिन्न प्रकार के अधिकारियों द्वारा आचरण, राजनीतिक या धार्मिक विश्वासों और प्रथाओं की एक विस्तृत शृंखला हेतु, किसी के नियंत्रण से परे स्थिति के लिए या किसी भी महत्वपूर्ण स्थापित प्रक्रियाओं का पालन किए बिना भी दिया जाता रहा है। मृत्युदंड का विभिन्न समूहों द्वारा अधिक अनौपचारिक रूप से पालन किया जाता है और वर्तमान में भी इसे जारी रखा गया है, जैसे कि आतंकवादी समूहों, शहरी गिरोहों और भीड़ द्वारा। यूरोप और अमेरिका में सदियों से जारी चर्चाओं ने आधुनिक राज्यों के संस्थागत व नियम-आधारित प्रक्रिया तथा गंभीर अपराधिक आचरण और कार्रवाईयों को नियंत्रित करने वाली कानूनी व्यवस्था के रूप में मृत्युदंड पर ध्यान केंद्रित किया है। मृत्युदंड के संदर्भ में, उपर्युक्त चर्चा के आलोक में, निम्नलिखित प्रश्नों के उत्तर दीजिए:

(a) अपराधिक न्याय प्रणाली में मृत्युदंड के पक्ष और विपक्ष में तर्क क्या हैं?

(b) क्या आपको लगता है कि आधुनिक सभ्य समाज में मृत्युदंड का कोई स्थान है? इसे दिए जाने में शामिल नैतिक निहितार्थों के संदर्भ में परीक्षण कीजिए।

Capital Punishment in modern day and age has both supporters and ardent opposers. With both parties having solid arguments justifying their propositions.

(U) ARGUMENTS : IN FAVOUR





ARGUMENTS (Against) : Capital Punishment (CP)

- ① Against Human Dignity
- ② Opposes basic human philosophy of Gandhiji that said "An eye for an eye" would make entire world blind".
- ③ Shift in Criminal Justice Principles would wid from Retribution → Reformation
- ④ There is no scope for error or change in judgement
- ⑤ Changing value system of modern world which aims at giving "second chances"
- ⑥ Failure to create deterrence as can be seen by growing rate of heinous crime (NCRB)



(b) The western world has initiated steps to encourage every country in the world to abolish Capital Punishment.

Eg: (1) ~~as~~ UK and European Union → abolishing Capital Punishment

(2) UN → persuading members to ratify Convention on Abolishment of Capital Punishment.

The above steps signify that Capital Punishment has no place in modern civilised society. The moral implications involved in awarding Capital Punishment include:

Lack of compassion : Presence of compassion for oneself and one-another is key to human existence and fruitful living.

Lack of Human Dignity: A human in any capacity has no right to take life of other human.

Conscience: "There is court of conscience above all courts" - Gandhi, which would be difficult to answer to in case of Capital Punishment.

Given the moral implications involved, it is of utmost importance that Capital Punishment must be abolished, as is recommended by Malimath Committee on Criminal Justice Reform.



9. An Indian company is active in the telecom sector and is the majority owner of a telecom company based in other geographies across the world. At one of its European headquarters, there emerged whistleblowing allegations that a local executive was bribing local government officials in order to obtain telecom cabling and construction contracts from the local government. The kickbacks were allegedly paid through a third-party consultant. More specifically, there were allegations that the executive, the third party, and a government official had some sort of business interest in common, possibly shareholdings in a limited company or the joint ownership of an undisclosed asset. The company is thought to be particularly close to the ruling dispensation in India and the news has now raised pressure to put its business operations in India under scanner as well. In this context, answer the following questions:

- What are the ethical challenges in the given case?
- Identify the different stakeholders and their interests.
- As the CEO of the firm, how would you respond to the given situation?

(20)

एक भारतीय कंपनी दूरसंचार क्षेत्र में सक्रिय है और विश्व भर के अन्य भौगोलिक क्षेत्रों में स्थित एक दूरसंचार कंपनी के अधिकांश शेयरों की स्वामी है। इसके यूरोपीय मुख्यालयों में से एक में, यह आरोप लगाया गया है कि एक स्थानीय कार्यकारी अधिकारी स्थानीय सरकार से दूरसंचार केवल बिछाने और निर्माण अनुबंध प्राप्त करने के लिए स्थानीय सरकारी अधिकारियों को रिश्वत दे रहा था। कथित तौर पर एक तीसरे पक्ष के सलाहकार के माध्यम से घूस दी गई थी। विशेष रूप से, ऐमें आरोप लगाए गए हैं कि कार्यकारी अधिकारी, तीसरे पक्ष और एक सरकारी अधिकारी के बीच किसी प्रकार का साझा व्यावसायिक हित, संभवतः एक सीमित कंपनी में शेयरधारिता या किसी अज्ञात संपत्ति का संयुक्त स्वामित्व विद्यमान है। उक्त कंपनी को विशेष रूप से भारत में सत्तारूढ़ व्यवस्था के निकट माना जाता है और इस आरोप ने अब इसके भारत में संचालित व्यापार को भी जांच के दायरे में लाने का दबाव बढ़ा दिया है। इस संदर्भ में, निम्नलिखित प्रश्नों के उत्तर दीजिए:

- दिये गये प्रकरण में शामिल नैतिक चुनौतियां क्या हैं?
- विभिन्न हितधारकों और उनके हितों की पहचान कीजिए।
- उक्त कंपनी के एक सी.ई.ओ. के रूप में, आप दी गई स्थिति में किस प्रकार प्रत्युत्तर देंगे?

The above case pertains to the classic situation of bribing for economical gains, which in common parlance refers to Grony Capitalism.



(a) Ethical challenges involved

(1) Protection of whistleblower from the different powers involved in the issue (Capitalist, Political powers, etc)

(2) Bribery or Rent seeking where economic benefits are sought not from ethical competition but from network externalities.

(3) Issue of Corporate Governance as people with conflict of interest, commonly known as Related Party Transaction are involved in the decision making

(4) Business interest over ethical market practices → misallocation of resources

(5) Political interest of ruling dispensation  
against the idea of justice prevailing  
in the society.

(b) STAKEHOLDERS

(1) CEO of the Firm (Me) : The CEO has  
to balance the economic, social and  
ethical interest of the firm along with  
the image which could be tarnished  
from the allegations.

(2) The Government Official : The basic  
conflict is between personal gain which  
is economic (bribery and joint shareholding)  
and public role of ensuring fair and  
free market practices.

(3) Whistle blower : The person has taken a ethical stand and disclosed probable wrong-doing rather than being part of corrupt practice and reaping commercial gain.

(4) Ruling Party in India : The basic choice is between delivering justice by acting against the company with which it has good relations.

(c) COURSE OF ACTION : As CEO

I as CEO, would have the primary goal to ensure that the companies interest are protected, keeping the business ethics in mind.

For achieving above goal, I would :

①. Put the local executive on temporary suspension.



- ② Form an internal committee comprising of top legal and ethical expert to investigate the issue
- ③ Protect the identity and privacy of the whistleblower.
- ④ Communicate the decisions with the ruling dispensation in India.
- ⑤ Apprise the foreign as well as the Indian Government along with the public at large of the developments.
- ⑥ If any wrongdoings are found in the investigation, appropriate legal steps are initiated.

"Commerce without Morality is a sin" - Gandhi. Therefore, the recommendations of Uday Kotak committee on Corporate Governance must be followed diligently.

10. You are the Chairperson of Staff Selection Commission of a state. Recently, an exam for recruitment to the position of sub-inspectors was conducted by the Commission. But a video of some students using hi-tech devices like spy-mics, and placing "solvers" to cheat in the exam by hiding bluetooth devices in wig, has been surfacing on the internet. Also, this is not an isolated incident; many instances of organized cheating scandals have shocked the state in recent years. Students are agitated and demanding cancellation of the exam and there is pressure on you to resign. However, your daughter had also appeared in this exam and is confident of clearing it. There are many other students who had waited for this exam for a long time and are hopeful of clearing it with honest efforts. Whatever decision the Commission takes is bound to affect the career of a large number of candidates who appeared in the exam, including your own daughter.

(a) Highlight the ethical issues concerned in the case.

(b) Why is cheating in examinations prevalent in many states across India?

(c) What measures would you take to make sure that a similar situation does not arise in future? (20)

आप एक राज्य के कर्मचारी चयन आयोग के अध्यक्ष हैं। हाल ही में, आयोग द्वारा सब-इंस्पेक्टर के पद पर भर्ती के लिए एक परीक्षा आयोजित की गई थी। लेकिन कुछ छात्रों द्वारा स्पाई-माइक्रोफोन जैसे हाई-टेक उपकरणों का उपयोग करने और ब्लूटूथ डिवाइसों को विग में छिपाकर परीक्षा में "सोल्वर्स या फर्जी परीक्षार्थी" बैठाने का एक वीडियो इंटरनेट पर सामने आ रहा है। साथ ही, यह कोई अकेली घटना नहीं है, हाल के वर्षों में संगठित तरीके से नकलबाजी की घटना के कई उदाहरणों ने राज्य को भयाकुल कर दिया है। छात्र विरोध कर रहे हैं और परीक्षा रद्द करने की मांग कर रहे हैं तथा आपके ऊपर इस्तीफा देने का दबाव है। हालांकि, आपकी बेटी भी इस परीक्षा में शामिल हुई थी और वो इसे पास करने के लिए आश्वस्त है। ऐसे कई अन्य छात्र हैं जिन्होंने लंबे समय से इस परीक्षा का इंतजार किया था और ईमानदार प्रयासों के साथ इसे पास करने की उम्मीद कर रहे हैं। आयोग जो भी निर्णय लेगा, वह आपकी अपनी बेटी सहित बड़ी संख्या में परीक्षा में बैठने वाले उम्मीदवारों के करियर को प्रभावित करेगा।

(a) इस प्रकरण से संबंधित नैतिक मुद्दों को रेखांकित कीजिए।

(b) भारत भर के कई राज्यों में परीक्षाओं में नकल क्यों जारी है?

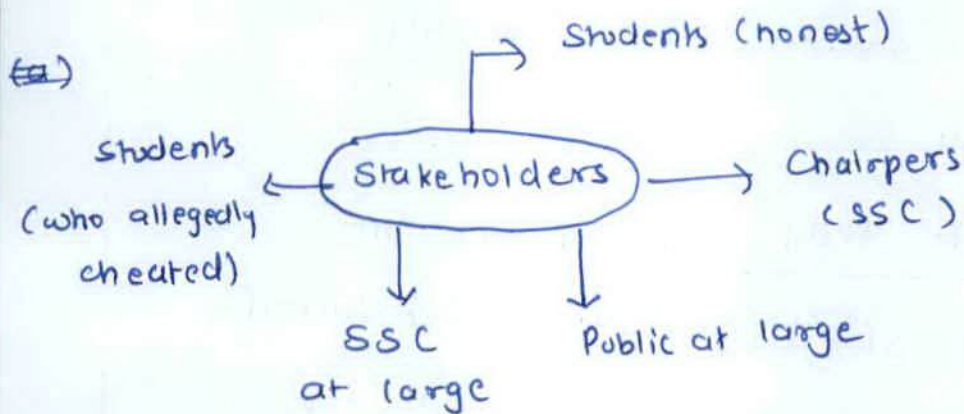
(c) भविष्य में ऐसी स्थिति उत्पन्न न हो, यह सुनिश्चित करने के लिए आप क्या उपाय करेंगे?

India has increasingly witnessing  
'commodification of competitive exams'.

The above issue exactly pertains to



the case seen in recent BPS exam held in Bihar.



(a) Ethical Issues

(1) Free and fair conduct of central level examination and question over its authenticity and due diligence.

(2) Reputation of central executive organisation like staff selection Commission and its competence.

(3) Future of students (honest) and their welfare and the inconvenience caused.



(4) Conflict of interest of Chairperson  
i.e. daughter's success vs. the welfare  
of entire students and sanctity of  
examination.

(5) Public trust vis-a-vis the  
authenticity of examination conducted  
by government authorities, which can  
have spillover effects.

(b) [Prevalence of Cheating in States]

- Commodification of Exams
- Increased competition
- Lack of Alternative Opportunities
- Degradation of human values
- Trust for Quick Success
- Lack of Proper Regulation & Monitoring

- Prevalence of Corruption / Bribery
- Basic sense of 'impunity'
- 'Entitlement' feeling among high class → destined for success.

(c) I as Chairperson of staff selection Commission would divide the course of action into 2 time periods :

(1) Short Term Measures (Immediate)

- (i) Establish an enquiry in the current examination issue.
- (ii) Put on hold - the examination result until the enquiry is complete.
- (iii) Efficient communication with aspiring students and public about the developments.
- (iv) legal Action against those found guilty → students / Executive.

## Long Term Measure

- (1) Enforce strict regulations and monitoring practices during examinations
- (2) Effectively engage all stakeholders such as Parents, students, Teachers about the sanctity of opportunity.
- (3) Make sure all the relevant stipulations are communicated to all the students → to cause deterrence
- (4) Information, Education and Communication (IEEC) campaigns about integrity and ethics in public life.

Probity is the utmost quality sought in a public servant as delineated by the 2nd ARC report. Any attempt to compromise the same must be thwarted.



11. Sunil has been posted as a DM in a hilly district which is vulnerable to several natural disasters. The district is known for a pilgrimage site and is frequently visited by tourists from all over India. The major occupation of locals therefore lies in the hospitality business. Unfortunately, after a few days of his joining, the district faced a major earthquake. It has led to high casualties and damages to the essential infrastructure such as roads and bridges. Both locals and tourists are trapped at different routes and locations. An international convoy of dignitaries from a neighboring country which has come to pay their obeisance at the pilgrimage site, is also trapped due to the disaster. Because of this, Sunil has to divert most of the available resources in the rescue operation of the foreign dignitaries. People are emotionally distressed due to the disaster, and delayed response from authorities to their needs has led to a law-and-order situation in the district. People from other states whose families are trapped and need immediate assistance are also getting restless and flooding the emergency helplines with complaints and requests.

(a) Discuss the issues being faced by Sunil in the given scenario.

(b) Mention a course of action that Sunil must take to maintain law-and-order as well as to expediate rescue operations of all concerned.

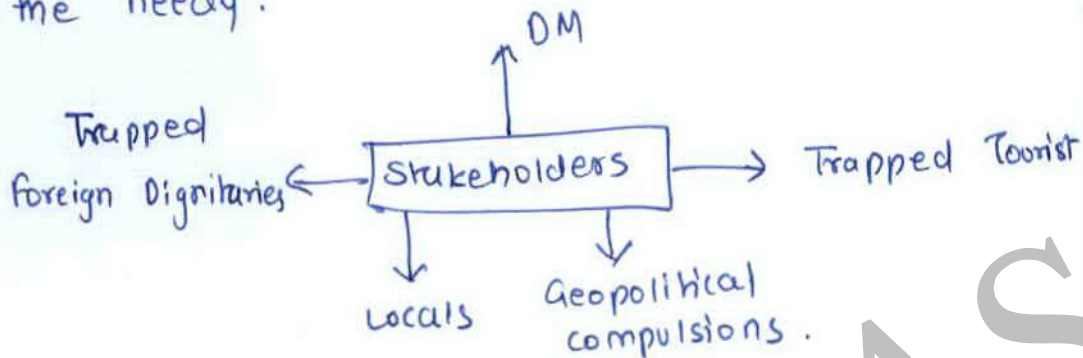
(20)

सुनील को अनेक प्राकृतिक आपदाओं के प्रति सुभेद्य एक पहाड़ी जिले में डी.एम. के रूप में पदस्थापित किया गया है। यह जिला एक तीर्थ स्थल के लिए प्रसिद्ध है और अक्सर यहां पूरे भारत के पर्यटकों द्वारा यात्रा की जाती है। इसलिए, स्थानीय लोगों का प्रमुख कारोबार आतिथ्य व्यवसाय से संबंधित है। दुर्भाग्य से, उसके पदस्थापित होने के कुछ दिनों के बाद, जिले को एक बड़े भूकंप का सामना करना पड़ा। इससे अनेक लोगों की मृत्यु तथा सड़कों और पुलों जैसे आवश्यक बुनियादी ढांचे को भारी क्षति हुई है। स्थानीय लोग और पर्यटक दोनों अलग-अलग मार्गों और स्थानों पर फंसे हुए हैं। तीर्थस्थल पर आए पड़ोसी देश के गणमान्य व्यक्तियों का एक अंतर्राष्ट्रीय काफिला भी आपदा के कारण फंस गया है। इस वजह से सुनील को अधिकांश उपलब्ध संसाधनों को विदेशी गणमान्य व्यक्तियों के बचाव अभियान में लगाना है। आपदा के कारण लोग भावनात्मक रूप से व्यथित हैं और इनकी आवश्यकताओं की पूर्ति हेतु अधिकारियों की विलंबित प्रतिक्रिया ने जिले में कानून-व्यवस्था के लिए प्रतिकूल स्थिति उत्पन्न कर दी है। अन्य राज्यों के लोग जिनके परिवार फंस गए हैं और उन्हें तत्काल सहायता की आवश्यकता है, वे भी व्याकुल हो रहे हैं तथा आपातकालीन हेल्पलाइन पर शिकायतों और अनुरोधों की संख्या में अत्यधिक वृद्धि हो गई है।

(a) दिए गए परिदृश्य में सुनील द्वारा सामना किए जा रहे मुद्दों पर चर्चा कीजिए।

(b) कानून-व्यवस्था बनाए रखने के साथ-साथ सभी संबंधित लोगों के बचाव कार्यों में तेजी लाने के लिए सुनील द्वारा की जाने वाली कार्रवाई का उल्लेख कीजिए।

Case: Natural disasters causing the need for proper allocation of public resources which is scarce for optimum benefit of the needy.



(a) Issues faced by Sunil

(1) Restructuring of damaged physical infrastructure → necessary for rescue operations.

(2) Rescue of trapped tourist who are in a state of fear and being restless due to uncertainty.

(3) Emphasis on the rescue of foreign or international dignitaries which have geopolitical implications.



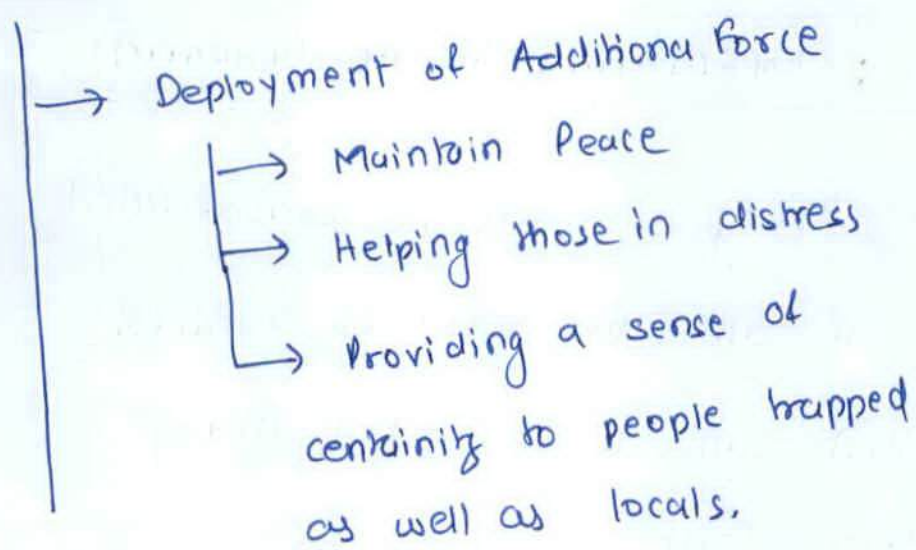
(4) Quick identification of casualties  
and dissemination of information to the  
relatives.

(5) Tending to the creeping law and  
order issue that due to delayed public  
response to disaster (resource crunch)

(6) Capacity Enhancement especially of  
those members who are handling  
emergency helpline.

(b) COURSE OF ACTION

SUNIL : LAW AND ORDER





- Using local representatives / leaders
  - ↳ Local leaders might assuage the restlessness and anxiety.
  - ↳ Helps • in additional support and reaching every section of society.
- Personally visiting affected areas to give a sense of public/government support i.e. missing among those affected.

### SUNIL : EXPEDIATING RESCUE OPERATION

(1) Taking a complete consolidated view of all the resources available and that can be generated through help from centre.

(2) Mapping out the areas that are severely affected and need immediate attention.

(3) Forming a priority list which elucidates order of preference in which rescue operations need to be carried out.

(4) Basic Needs (Food, clothing, water) Medicines are to be provided immediately.

(5) Reconstruction of Physical Infrastructure i.e. damaged to be taken on war footing.

The guidelines to be followed while tackling a Natural disaster are clearly elaborated in NDMA guidelines of 2006.  
~~and~~ It should serve a quick cornerstone to plan such operations.



12. You are the Superintendent of Police (SP) in a district. One of your subordinates informs you that a girl has reached out to him and complained about a potential death threat to her and her boyfriend who belongs to another caste. Both the families are averse to their union. She has also informed that the local police station is neither filing any complaint nor giving her any assurance of protection. The girl belongs to the dominant caste of the region and her father is a prominent local leader of the party which is in power in the state. On further enquiry, you come to know that both the girl and her boyfriend are adults. They have moved out of the house and have started living together. This has further angered both the families and they are accusing each other of abduction. In the given scenario, answer the following questions:

- (a) Bring out the ethical dilemma faced by the you.
- (b) What would be a suitable course of action to resolve the issue?
- (c) At times, such instances lead to violence and may end up in honour killings. Discuss the reasons behind their social acceptance in parts of India despite the legal sanction against them.

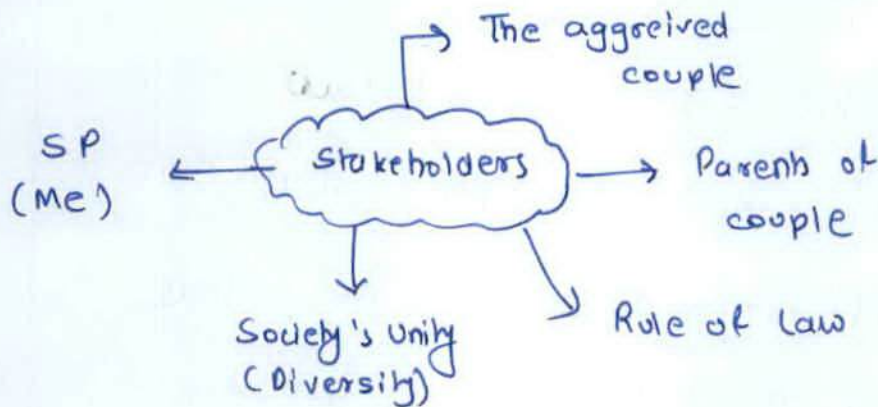
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आप एक जिले में पुलिस अधीक्षक (SP) के पद पर तैनात हैं। आपके अधीनस्थों में से एक ने आपको सूचित किया है कि एक लड़की ने उसके पास संपर्क करते हुए उसे और उसके प्रेमी, जो दूसरी जाति से संबंधित है, को जान से मारने की धमकी के बारे में शिकायत की है। दोनों परिवार उनके साथ रहने के खिलाफ हैं। उसने यह भी बताया है कि स्थानीय थाना न तो कोई शिकायत दर्ज कर रहा है और न ही उसे सुरक्षा का कोई आश्वासन दे रहा है। वह लड़की उस क्षेत्र की प्रभावशाली जाति से संबंधित है और उसके पिता सत्तारूढ़ दल के एक प्रमुख स्थानीय नेता हैं। आगे की पूछताछ में, आपको पता चला है कि लड़की और उसका प्रेमी दोनों बयस्क हैं। वे घर से बाहर चले गए हैं और साथ रहने लगे हैं। इससे दोनों परिवारों में और अधिक नाराजगी उत्पन्न हो गई है और वे एक-दूसरे पर अपहरण का आरोप लगा रहे हैं। दिये गये परिदृश्य में, निम्नलिखित प्रश्नों के उत्तर दीजिए:

- (a) आपके द्वारा सामना की जाने वाली नैतिक दुविधा को स्पष्ट कीजिए।
- (b) इस समस्या के समाधान हेतु कार्रवाई का एक उपयुक्त तरीका क्या होगा?
- (c) कभी-कभी, ऐसे उदाहरण हिंसा का कारण बनते हैं और ऑनर किलिंग में परिणित हो सकते हैं। इसके खिलाफ कानूनी प्रतिबंध होने के बावजूद, भारत के कुछ हिस्सों में इसकी सामाजिक स्वीकृति के पीछे उत्तरदायी कारणों पर चर्चा कीजिए।

Case: The country that faces a situation of honour killing very frequently as seen in the Khap Panchayat case of

Haryana. The issue needs to be tackled efficiently and to be taken seriously.



(a) Ethical Dilemma Involved

(1) Rule of law : According to law and Constitutions (Article 21) Right to life, any two consenting adults have the right to Marry.

(2) Families and the Caste Equation :

Caste in India has been a dominant social factor that affects human psyche.

And with respect to inter-caste marriages it invokes even stronger (mostly irrational)



response from the stakeholder.

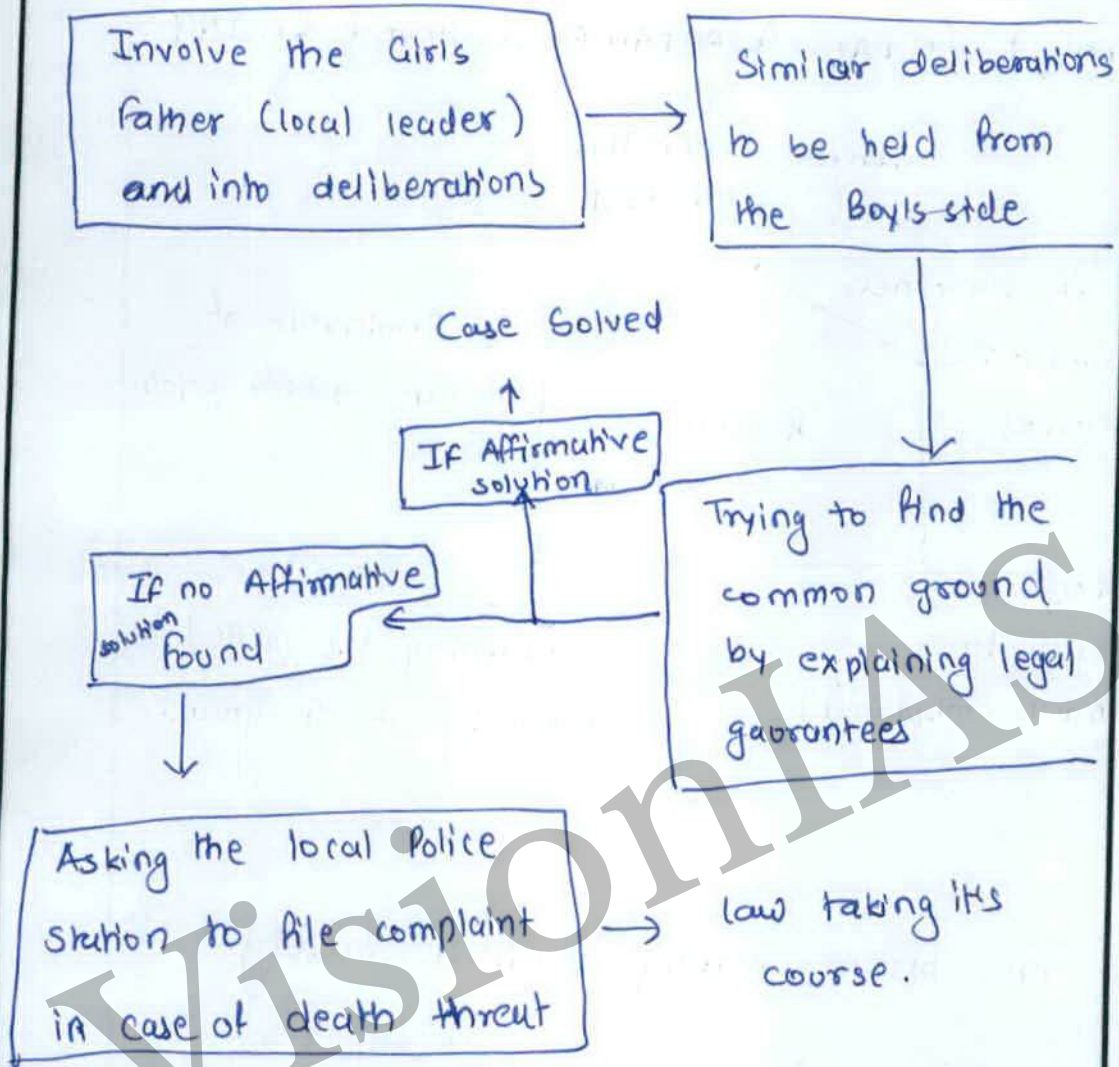
(3) Image of Police : The primary role of police → To uphold law against the view of taking steps that can offend any dominant caste / class → leading to law and order issue.

(4) Position of SP : Entrusted with the highest decision making power in district conflict is b/w public service & risk-aversion.

(5) Unity of Society : Article 14 of Indian constitution does not discriminate people on basis of caste as it can lead to disunity and constant class struggle.

(b) COURSE OF ACTION

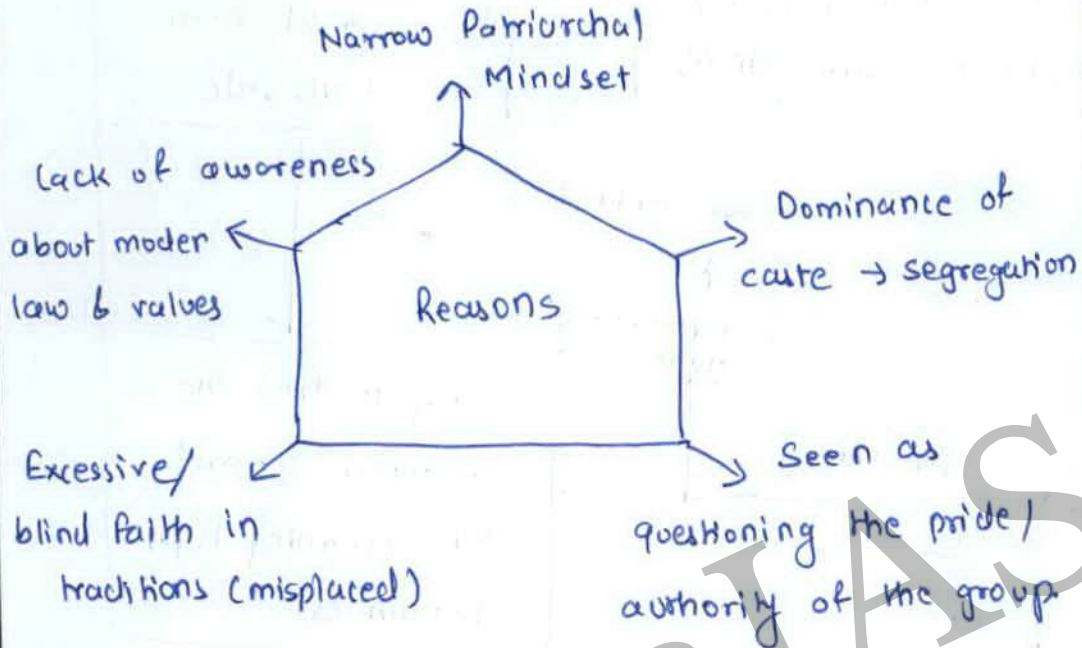
Provide Protection to the Aggrieved Couple →



(c) In most such cases, lack of active interference from the executive leads to honour killing

- Violating Rule of law
- Lack of Basic Human Dignity.



REASONS : SOCIAL ACCEPTANCE OF HONOUR KILLING

The hassle among Indian society based on caste can be termed as

"Silent Pandemic" which take many manifestation's with Honour killing being one of it.