



VISION IAS

Ethics

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GENERAL STUDIES (TEST CODE : 1830)

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Center	online	Date	

INDEX TABLE			INSTRUCTIONS
Q. No.	Maximum Marks	Marks Obtained	
1(a)	10		<p>1. 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)।</p> <p>2. There are TWELVE questions printed in ENGLISH & HINDI इसमें बारह प्रश्न हैं अंग्रेजी और हिन्दी में छपे हैं।</p> <p>3. All questions are compulsory. सभी प्रश्न अनिवार्य हैं।</p> <p>4. The number of marks carried by a question/part is indicated against it. प्रत्येक प्रश्न/भाग के अंक उसके सामने दिए गए हैं।</p> <p>5. 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।</p> <p>6. Word limit in questions, if specified, should be adhered to. प्रश्नों में शब्द सीमा, जहाँ विनिर्दिष्ट है, का अनुसरण किया जाना चाहिए।</p> <p>7. 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।</p>
1(b)	10		
2(a)	10		
2(b)	10		
3(a)	10		
3(b)	10		
4(a)	10		
4(b)	10		
4(c)	10		
5(a)	10		
5(b)	10		
6(a)	10		
6(b)	10		
7	20		
8	20		
9	20		
10	20		
11	20		
12	20		
Total Marks Obtained:			
Remarks:			
Signature of Examiner			

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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.

SECTION - A

1. (a) According to you, what are the main reasons behind prejudice against certain sections of a society? Discuss with examples. (150 words) 10

आपके अनुसार समाज के कुछ वर्गों के प्रति पूर्वाग्रह के पीछे मुख्य कारण क्या हैं? उदाहरणों के साथ चर्चा कीजिए।

Prejudice ~~is~~ refers to biased attitude towards someone or something. Its most common manifestation is against certain sections of society.

Reasons

1. Unscientific / irrational stereotypes → often unchecked perceptions become broad based and turn into prejudice. For eg. a common stereotype was related to tribals as anti-development which leads to prejudice against STs.
2. Ego function of attitude - our attitude often remains unchanged and there is little initiative to look into counter examples, which serves our ego function. For eg. if an upper caste person thinks lower caste people are polluted it helps him with his ego.

3. Political reasons - often parochial tendencies are visible in our democratic system which further strengthens prejudices to benefit of certain vested interest (eg: political party calling out on one particular religion)

4. Limited inter-mingling of ideas - a true cosmopolitan culture is still missing in our society; we have created our own ghettos

5. Misinformation / fake news on social media → echo chambers further strengthen our prejudices (eg: Bangalore exodus of north east students)

To effectively counter prejudices, there is need to be rational and be open towards new ideas. workshops, inter-religious events can help to spread ideas, beliefs & break prejudices.

1. (b) Discuss how persuasion acts as a functional pillar in attitudinal change and attitude formation with requisite examples. (150 words) 10

उचित उदाहरणों के साथ चर्चा कीजिए कि अनुनय (या समझाना-बुझाना) किस प्रकार अभिवृत्ति में बदलाव और अभिवृत्ति के निर्माण में एक व्यावहारिक स्तंभ के रूप में कार्य करता है।

Persuasion is the process of convincing someone with visible action, speech or ^{other} methods aim to alter their attitude.

Persuasion is an important tool for both attitudinal change & attitudinal formation.

Since ancient times, it has been used for positively influencing people. Example of Lord Krishna persuading Arjuna to fight the Dharan yudh & not succumb to emotions.

During nineteenth century, social reform movements, leaders like Raja Ram Mohan Roy, Vidyasagar persuaded common masses to denounce sati, allow widow remarriage.

Gandhiji leveraged his own unique tool of satyagraha, as

a method to bring awareness about plight of Indians against colonial rule.

Most recent examples include leaders, doctors, scientists persuading people to follow COVID appropriate behaviour. People who were initially wary of masses, sanitizers developed from as part of daily ^{social} behaviour.

Several campaigns like Beti Bachao, Beti Padhao, Swachta Abhiyan, Startup India are build on social concept of persuasion to bring more awareness among masses.

Persuasion is most effective when it involves all three elements of pathos, ethos & logos. Hence, they should be used as a comprehensive tool to positively persuade people.

2. (a) 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 is the document prescribing the ethical values for civil servants. It's more generic than code of conduct that has detailed guidelines on dos and don'ts.

2nd ARC Report on Ethics has highlighted the need to implement a code of ethics.

Prescribe ethical values

While civil servants may be aware of foundational values of civil services like integrity, objectivity, selflessness, leadership etc. But they usually stem from ad-hoc sources like Nolan Committee Report, 2nd ARC, government document or even Constitution.

Thus there is a need for standard source to provide legitimacy to these values and allow to further emphasize their importance.

Should be legally enforceable

A good code for anything must not only provide dos and don'ts but also sanctions in case of violation of these ethics.

Further there should be a defined, standard process to ensure compliance to these without any political interference.

It will create twin benefit of → one, providing deterrence against unethical behaviour and two, motivate honest officers to further strengthen the civil society values

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।

UNDP in its 8 core components on good governance, highlights the need of transparency & accountability. It acts as an important tool for providing ready information to citizens, create necessary checks & balances & upholds public trust.

However, not all information needs to be provided to citizens, certain classified information can be withheld.

- 1.) Information on details about national security discussions, classified documents, agreements, negotiations with adversaries
- 2.) Information about army functioning, their military approaches, (they can be misused by enemy states)

- 3.) Often, in name of RTI, many people demand unnecessary details about a project/ department only to uphold their personal interests
- 4.) Complete details about workings of government, could be mis used by external state & non-state actors
- 5.) Consider, the infamous case of NSG operation during 26/11 which was accessible to media, was misused by terrorists

However, a fine balance must be struck. There should be clear guidelines on what should be covered under "confidential information" so that any discretion is avoided.

official secrets Act in this context can be suitably amended as per recommendation of several reports like 2nd ARC.

3. (a) 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 हानिकारक 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।

Jail of Doing Business Report of 2021, highlighted more than 26,000 clauses (often redundant) which invited jail provisions in case of violation.

In this context, it can be imagined how bribes have become a common feature in day to day working at government offices.

Though many regard it as grease of the system, however nothing can be far from truth.

Framework to counter this practice

1. Labour laws and other legal compliances must be simplified, streamlined. Corporations should build pressure on government to do this.

2. focus on technological interventions,
online portals to respond to
government queries
3. Emphasis on rules based approach
to arrive at objective decisions
4. Creation of internal committee
within company which can respond
to bribe demands
5. Collaboration across corporations
against errant officers demanding
bribes
6. Corporations should motivate their
employees to report corruption
cases rather than getting work done

Gandhiji has called Business
without morality as a sin. While
demanding bribe is illegal & unethical,
giving bribe is equally wrong.

3. (b) Identifying the issues associated with utilization of public funds, discuss the various ethical principles which can help devise strategies for better utilization of public funds in India. (150 words) 10

सार्वजनिक धन के उपयोग से जुड़े मुद्दों की पहचान करते हुए, उन विभिन्न नैतिक सिद्धांतों पर चर्चा कीजिए जो भारत में सार्वजनिक धन के बेहतर उपयोग के लिए रणनीति तैयार करने में सहायता कर सकते हैं।

Utilization of public funds is the process of spending public money (including tax & non-tax sources) for development programs, welfare schemes etc.

Issues

1. Delay in projects cost-runs
2. Lack of coordination among various departments
3. Issue of leaking out of money (for personal use)
4. Improper identification of beneficiaries
5. March rush to complete deadlines
6. Lack of training & capacity building
7. Lack of responsibility towards citizens
8. Issue of freebies

Better utilization principles

1. Leverage technology for tracking funds (Ex: single Nodal Agency by MoF for tracking funds to Central sponsored schemes)
2. More coordination & collaboration
Ex: GATI SHAKTI
3. Direct benefit transfers
4. Training government employees
5. Accountability by strengthening measures like Public Account Committee
6. Strengthen measures like RTI
7. Sound fiscal management (as per FRBM Act)

4. 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

The above quotation points out to the importance of ethics as compared to rules and laws.

while following just laws and societal norms is necessary it's not always sufficient. Our ethics should act as the guiding principles in deciding right & wrong.

Further unjust society values, outdated norms must be challenged. Thus everyone should follow what is right (in ethical sense) and well established rules (laws). Consider for example, the

nineteenth century reform movements led by reformers including Raja Ram Mohan Roy. He challenged the sati practised (established in society at that time) and raised awareness to eradicate it on twin principles of humanity & reason.

Considers, the recent debate on criminalizing marital rape. IPC

has certain provisions, our society has certain notions on institution of marriage but this in no way should be against women's rights & their autonomy.

Personally, we find instances in daily life of challenging old radical beliefs (unscientific) and rather seek to follow our inner conscience on what is right.

Aristotle thus lays emphasis on moral good.

4. (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

Compassion is the virtue of not only understanding & comprehending other's pain & sufferings but also acting to alleviate them.

It's regarded as the mother of all values & most important virtue. Dalai Lama has said - "If you want to be happy, practise compassion; If you want others to be happy, practise compassion!"

While integrity, honesty, courage are also important but a virtue like compassion is more outward oriented as it seeks to help others.

Consider example of IAS officer Keerthi Thalli who ensured her presence on ground to help flood victims of Assam.

operation Sulaiman by Prashant Nail, aimed to provide Food to needy.
IAS Armstrong Pame raised funds for his district.

These civil servants went over and beyond their duty to help public, guided by compassion.

In our personal life, compassion helps us to do good. All religions teach compassion, they give example of God as the most compassionate creature.

Example, during COVID while I was safe at home, I realised there are many families who may not have food to eat (daily wage earners). I volunteered at my neighbourhood temple, which supplied food at doorstep of people.

Indeed compassion is most gracious of all virtues.

4. (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

Democracy is famously referred as rule of people, rule by people, rule for people. Everyone is treated alike in democracy based on principle of universal adult franchise.

It's not ~~solely~~ the rule of majority rather everyone even the minority community enjoys equal rights & representation and government is equally responsible for their needs.

Consider the two recent examples of an auto-rickshaw driver becoming CM of Maharashtra and tribal woman all set to be next President.

It's the strength of our democracy that gives the chance

to everyone to only raise their concerns but also become leaders themselves.

It's further reinforced by the democratic institutions like independent judiciary which ensures justice in all forms of social, political & economic to people.

On contrary, authorary and single party system promotes nepotism, bleeds corruption with little or no chance to voice concerns of common people especially minorities.

Consider human rights violation in Balochistan or Xinjiang. Democracy offers the right path for development of all.

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 (EI) refers to understanding, analysis of not only one's emotions but other emotions as well and then suitably responding to situation.

To accomplish goals

- EI can help us to positively comprehend our emotions
- EI helps to build effective communication with others
- It helps to effectively engage in teams and understand others feeling
- It helps to fight negative emotions of hatred, jealousy by properly analysing them
- It help prevent knee-jerk reactions in pressured situation

To manipulate others

EI can be argued of having a dark side where people with strong EQ can negatively persuade others by understanding their weaknesses.

Consider for example, a community who is deprived but if a person starts using it to his advantage by providing subjective realisation of objective reality it can manifest in communal hatred, son of soil policy etc.

Often people exploit others weaknesses, especially emotional to ask them to do a task. Example a manager asking employee to do unethical work by offering him promotion.

Thus, negative aspects of EI should be challenged. It can happen with more self-awareness among opposite parties subject to negative influence.

5. (b) What do you understand by conformity, compliance and obedience? Discuss their relevance in the context of civil services in India.

(150 words) 10

स्वीकार्यता, अनुपालन और आज्ञाकारिता से आप क्या समझते हैं? भारत में लोक सेवाओं के संदर्भ में इनकी प्रासंगिकता पर चर्चा कीजिए।

Conformity - It means to positively accept the conditions, norms, rules with an open-minded approach. Eg: an honest officer conforming to oath of allegiance & works to ensure public service delivery

Compliance - It means merely following the rules and regulations. Whenever there is ambiguity in rules, there is scope of deviation in behaviour.
Eg: an officer complying to code of conduct

Obedience - It simply means obeying / following commands of senior, legitimate personality or leader. Eg: an officer obeying command of his head of department

For civil services, while compliance & obedience can be good but conformity to doctrine of public trust, ensuring probity in governance should be of paramount importance.

As it is said that ethics acts as first line of defence but laws are merely collective. Thus with conformity to foundational values of civil services, an officer can work in public interest.

Further obedience can be wrong sometimes - example if a corrupt serial is asking to take bribe then it must not be followed. Rather conformity to integrity & compliance to Corruption Act should be shown.

6. (a) Though the internal control systems in India are impressive on paper, they have not worked well in curbing the issue of corruption in the administration. Comment. Also, discuss the various reasons for the same.

(150 words) 10

हालांकि, भारत में आंतरिक नियंत्रण प्रणालियाँ कागज़ पर प्रभावशाली हैं, फिर भी वे प्रशासन में भ्रष्टाचार की समस्या को रोकने में ठीक से काम नहीं कर सकी हैं। टिप्पणी कीजिए। साथ ही, इसके विभिन्न कारणों पर भी चर्चा कीजिए।

Indian administration has multiple measures to ensue prevention of corruption, which includes both internal controls & outside controls (like RTI, media etc)

Internal controls

- ↳ Prevention of Corruption Act
- ↳ CVC Act 2003
- ↳ Lokpal & Lokayukta Act
- ↳ Code of Conduct
- ↳ Department guidelines on dos & don'ts
- ↳ Audit mechanism of public accounts

Reasons for inefficiency

1. Institutional reasons

- ↳ lax implementation of provisions
- ↳ Issue of dependence of law enforcement agencies on executive
- ↳ Poor capacity building & training

2. Political reasons

- ↳ Criminalization of politics
- ↳ Politicization of bureaucracy

3. Socio-cultural reasons

- ↳ Acceptance of corruption as a necessary evil
- ↳ Not enough civil society pressure against corrupt officials
- ↳ Collusive bribery

In this context and ARC report has given detailed recommendations on institutional, political & systemic changes which should be pursued

6. (b) There is broad consensus that the state has failed to effectively deliver public services to its citizens, particularly the poor. In this context, discuss the need for providing incentives, building state capacity and ensuring transparency for better service delivery. (150 words) 10

इस विषय पर व्यापक सहमति है कि राज्य अपने नागरिकों, विशेष रूप से गरीबों को प्रभावी ढंग से सार्वजनिक सेवाएं प्रदान करने में विफल रहा है। इस संदर्भ में, बेहतर सेवा प्रदायगी के लिए प्रोत्साहन प्रदान करने, राज्य की क्षमता का निर्माण करने और पारदर्शिता सुनिश्चित करने की आवश्यकता पर चर्चा की जाए।

Indian state has not been entirely successful in providing basic services like healthcare, education, sanitation to the poor sections.

Though there has been constant strides by various governments but a lot needs to be done.

Provide incentives

- 1) We need to ensure vicarious reinforcement through both monetary & non-monetary incentives to public officials to provide effective public service delivery.
- 2) officers need to be motivated and instilled with responsibility that they work in best manner (with limited funds) to reach out to poor.

Building State capacity

- We need better training of our government officers
- we need to increase investment in social sector scheme
- we need to leverage technology to better identify beneficiaries
- we need to ensure more coordination among various departments

Transparency

- It will help to ensure accountability and responsibility
- Measures like RTI should be further boosted with more awareness
- There should be Suo-moto disclosure of information
- Social audits should be conducted to fill any gaps

SECTION - B

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

7. You are the principal of a college which has a long history of student politics. However, due to your personal belief, you are not in favour of conducting student elections and thus have kept the process of yearly student elections pending without any official announcement. While you are mulling over the decision of not conducting elections, you get representation from some professors as well as students who criticize the activities of student unions as obstructive to the academic environment of the college. Some time later, student leaders also come to talk to you regarding conduct of elections, and you tell them about the representation received by you against allowing student elections. You further tell them that you are contemplating suspending all activities related to student politics in the campus. On hearing this, student leaders become aggressive and start sloganeering and destroying college property. In this context, answer the following questions:

- (a) What are the issues involved in the case above?
 (b) How can you separate your personal ethics from professional ethics?
 (c) How would you deal with this situation? (20)

आप एक ऐसे कॉलेज के प्रिंसिपल हैं जिसका छात्र राजनीति का लंबा इतिहास रहा है। हालांकि, अपने व्यक्तिगत विश्वास के कारण, आप छात्र चुनाव कराने के पक्ष में नहीं हैं और इस प्रकार आपने वार्षिक छात्र चुनाव की प्रक्रिया को बिना किसी आधिकारिक घोषणा के लंबित रखा है। जब आप चुनाव न कराने के निर्णय पर विचार कर रहे होते हैं, तो आपसे कुछ प्रोफेसर के साथ-साथ छात्रों का एक प्रतिनिधि मंडल मिलता है, जो छात्र संघों की गतिविधियों की कॉलेज के शैक्षणिक वातावरण में बाधक के रूप में आलोचना करते हैं। कुछ समय बाद, छात्र नेता भी चुनाव के संचालन के संबंध में आपसे बात करने के लिए आते हैं और आप उन्हें छात्र चुनावों की अनुमति के विरुद्ध आपसे मिले प्रतिनिधि मंडल के बारे में बताते हैं। आप आगे उन्हें यह भी बताते हैं कि आप कैम्पस में छात्र राजनीति से जुड़ी सभी गतिविधियों को बंद करने पर विचार कर रहे हैं। यह सुनते ही छात्र नेता आक्रामक हो जाते हैं तथा नारेबाजी और कॉलेज की संपत्ति को नष्ट करने लगते हैं। इस संदर्भ में, निम्नलिखित प्रश्नों के उत्तर दीजिए:

- (a) उपर्युक्त प्रकरण में कौन-से मुद्दे शामिल हैं?
 (b) आप अपनी व्यक्तिगत नैतिकता को पेशेवर नैतिकता से कैसे पृथक कर सकते हैं?
 (c) आप इस स्थिति से कैसे निपटेंगे?

In this case, as a principal, I have ensure law & order in college while deciding on whether elections be conducted given some sections demand against it.

Issues

- 1) Issue of breakdown of law & order with students using violence to ensure compliance to their demand
- 2) Ethical dilemma of personal values and beliefs against dirty politics vs. professional responsibility to conduct free & fair elections
- 3) Issue of accommodating demands of different sections in college
 - ↳ some professors & students don't want elections
 - ↳ some students (active in politics) want elections
- 4) Issue of balancing academics vs non-curricular activities (politics) in students

[Separating personal & professional values]

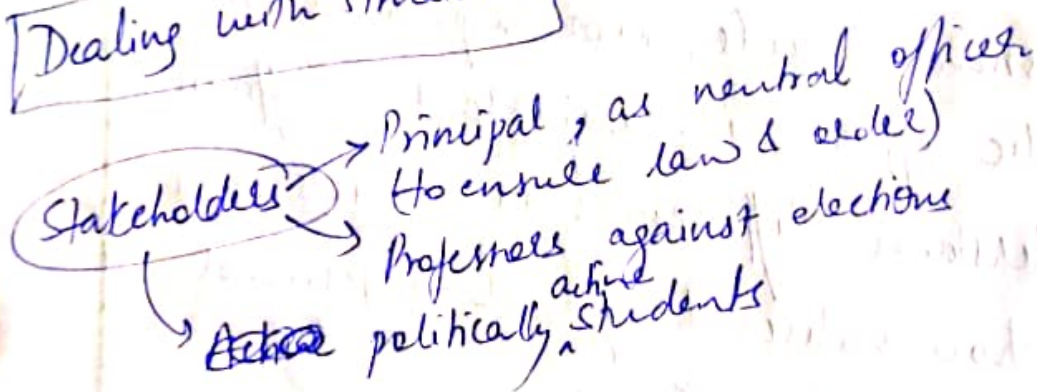
We as human beings are bound to have certain personal values/opinions/beliefs, which are shaped by how we are socialized, our sources of ethics and our inner conscious.

But when we are in a professional role, more importantly in a public office, it's important to effectively understand differences in conflicts between the two values & uphold professional values at work —

- ① Develop Emotional Intelligence to effectively analyse our own emotions
- ② Ensure compliance with written rules of public office along with following any conventions

- ③ Ensure objectivity in decision making
- ④ Equally listen & respond to concerns of all sections of society (including those with opposing demands)
- ⑤ Effectively convey any fear/apprehension

Dealing with situation



Option I → Strictly refuse elections in light of recent violence

+ve: ensure peace in short term
 ensure students go back to academics

-ve: not fail to ^{not} accommodate diverse interests
 will lead to more violence in long term

Option II → Curb down violence and
set out rules & procedures for
conducting elections

+ves: deal with violence in long term
: accommodate the tradition of
elections

-ves: Students may diverge into wrong
activities than studies

↳ Ensure specific hours for election
campaigning

↳ Those accused of violence debarred
from election

↳ Black out hours during academic
hours

↳ Ensure guidelines (based on MCI)
like practices followed during
campaigning, meeting etc.

An objective criteria
must be followed while in public office
to take decision in interest of all stakeholders

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 श्रृंखला के लिए, 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 आपराधिक 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) आपराधिक 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।

This case provides the dichotomy of effective justice systems as to whether capital punishment is fair or not

Arguments in favour

1. Create deterrence against ~~crimes~~
extreme crimes
2. Provide retributive justice to
those wronged by criminals
3. Provide sense of closure to those
suffering mental agony by crime
4. Fundamental right to life has
exception that it can be taken by
procedure established by law
5. It is being enforced after
deliberate court ~~proca~~ proceedings
and not carried infernally
(like public hangings by dictator)
6. The law of capital punishment
is not arbitrary and applies
equally to everyone
7. Law is made by legitimate
Parliament (chosen by people)

Arguments against

1. often the process of giving capital punishment is not objective and there are no transparent rules (as provided by SC in Bachchan Singh case)
2. It ignores the restorative and rehabilitation aspect of justice system
3. It ignores the social & mental aspect of criminals (nobody is born a criminal)
4. It is against inalienable right to life
5. There is no evidence that capital punishment can create deterrence, lifelong imprisonment is equally effective

6. The argument of retributive justice & closure to victim has no scientific basis and is merely based on emotions

In my personal opinion, capital punishment should not be given in a civilized society. There are several moral implications -

* It fails to recognise how we collectively as a society have not been able to understand the wants & needs of downtrodden & backward section (given it's the most vulnerable section who conduct these crimes)

* Capital punishment is an escapist route to merely awarding death sentence without taking measures to ensure rehabilitation

- * Morally, it's against to take someone's life (no one should play God, not even judges)
- * As a civilized society, we need to ensure rehabilitation of criminals rather than further ousting them
- * Other measures like life imprisonment, solitary confinement should be first preferred choice

Recently, CJI has taken suo motu cognisance of the issue to draft guidelines & use this measure as last of last measure. This is a welcome step.

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 केबल 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, ऐसे 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?

In this, an Indian company's overseas business unit has faced allegation of corruption. There is further pressure on Indian operations as well.

Ethical challenges

1. Issue of collusive bribery, with government officials, hand in glove with private executives
2. Issue of dealing with conflict of interest in public office
3. As the CEO, how can there be more effective corporate governance in overseas operations (without being physically present)
4. Challenge of ensuring sanctity of Indian operations & ensuring trust among customers (two business units need not have same ethical issues)

5. Balancing personal relations (with government) while holding important public office
6. Challenge of maintaining neutrality in decision making in government & not being influenced by personal relations.

Stakeholders

1. CEO of global firms → to put European business back in operation by taking action against culprit & ensuring ethical standards in Indian operations (under scrutiny)
2. European headquarters → to ensure business is back on track by getting license in fair manner
3. European government → to ensure compliance with rule of law
4. Corrupt local executive & govt official → to

want to advance personal interests
5. Indian government → ensure Indian operations of company are not mired with corruption

As CEO, I have following options:

option 1: Maintain distance with European operations as not being my responsibility

+ve: get rid of responsibility, ensure trust in Indian operations

-ve: harmful to global sales

option 2: Take responsibility, act against corrupt official, ensure compliance with Indian laws

+ves: → ethical, moral course of action
→ ensure trust of people in company

-ves: → need to create measures, control system to ensure compliance

I will take following steps:

- 1) Reach out to European HR and ask for a detailed enquiry into matter
- 2) If officials are accused collectively issue a public apology to Europeans
- 3) Ensure that Indian control system are in place
- 4) Clearly communicate to local staff that collusion to get work done is not encouraged

As CEO by upholding responsibility I will ensure the trait of leadership & accountability & not letting company profits to go down.

10. 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।

In this case, an earthquake has occurred in my district, as a DM it is my duty to ensure response, relief & recovery measures

Issues faced

1. Managing the panic in the environment which is natural
2. Limited resources due to divergence towards international convoy
 - ↳ As Indian adage of respecting visitors as GOD, it's extremely important that enough care is given to foreign visitors
 - ↳ However, proper care must be given to vulnerable section as well
3. Breakdown of law & order
4. Effectively responding to all complaints on emergency helpline
5. Ethical issue of providing relief to foreign VIPs vs Indian vulnerable sections - women, elderly, PWD

Course of action

- ① Firstly, reach out to center & state and request for more NDRF & SDRF forces for evacuation
- ② Simultaneously, request for more funds from government (parallelly reach out to NGOs, CSR funds for help)
- ③ Effectively maintain leadership spirit and communicate that Government is doing the best & will continue to do so (build confidence in state)
- ④ Request NDRF forces to evacuate the people in following order
(i) women, old, disabled, children

including foreigners who belong
this category

(ii) next focus on more vulnerable
like under dilapidated buildings

(iii) reach out to foreign dignitaries

⑤ Request local communities to
participate in response measures
(especially youth)

⑥ By this time, law & order should
have been maintained as people
see effective govt response.

If not, then order police to
detain the people creating ruckus.
Deploy more police force

⑦ To deal with complaints on
emergency helpline, employ
people from other departments
(at least for next week) to
effectively address citizen's query
looking for loved ones

- ⑧ Ensure NDMA guidelines on relief measures
- ↳ provide food at shelter homes
 - ↳ safety of women & children
 - ↳ hygiene maintenance
- ⑨ Use this as opportunity to build back better.
- ⑩ Engage with NGOs, CSR funds for rehabilitation measures

It's important for DM to not be under pressure and with calm headed mind effectively conduct response activity.

11. You are posted as a Customs official in one of renowned port cities of India. Your team has recently intercepted a consignment having over 5000 kilograms of red sandalwood. Red Sandalwood, also known as Red Sanders, is a prohibited item for export and is covered under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) list and hence you detained a few individuals for their alleged involvement in trying to smuggle it to another country.

However, you later come to know that these people are working for an influential businessman with close ties to the ruling party of the state. Your seniors in the department have verbally instructed you not to register any complaint as yet. You are fearful that a deal will be struck between the businessman and a few corrupt officers of your department and the detained persons will be freed. You are ready to go ahead and file the complaint but at the same time are also fearful of departmental action against you if you disobey your seniors.

(a) What are the various options available to you in the given case? Evaluate the merits and demerits of each of these.

(b) Also indicate (without necessarily restricting to the above options) your course of action and the reasons for the same. (20)

आप भारत के एक प्रसिद्ध बंदरगाह शहर में सीमा शुल्क अधिकारी के रूप में पदस्थापित हैं। आपकी टीम ने हाल ही में 5,000 किलोग्राम से अधिक लाल चंदन की एक खेप को पकड़ा है। लाल चंदन, जिसे रेड सैंडर्स के रूप में भी जाना जाता है, जो निर्यात के लिए एक निषिद्ध वस्तु है तथा इसे वन्य जीवों और वनस्पतियों की लुप्तप्राय प्रजातियों के अंतर्राष्ट्रीय व्यापार पर अभिसमय (CITES) के तहत शामिल किया गया है। इसलिए आपने कुछ व्यक्तियों को इसे दूसरे देश में तस्करी करने में उनकी कथित संलिप्तता के कारण हिरासत में लिया है। हालांकि आपको बाद में पता चलता है कि ये लोग एक प्रभावशाली व्यवसायी के लिए कार्य कर रहे हैं, जिसके राज्य के सत्ताधारी दल के साथ घनिष्ठ संबंध हैं। विभाग में आपके वरिष्ठों ने आपको मौखिक रूप से निर्देश दिया है कि आप अभी कोई शिकायत दर्ज न करें। आपको डर है कि उक्त व्यवसायी और आपके विभाग के कुछ भ्रष्ट अधिकारियों के बीच सौदा हो जाएगा तथा हिरासत में लिए गए व्यक्ति मुक्त हो जाएंगे। आप आगे बढ़कर शिकायत दर्ज करने के लिए तैयार हैं, लेकिन साथ ही अपने वरिष्ठों की अवज्ञा करने पर आपके विरुद्ध की जाने वाली विभागीय कार्रवाई से भी डरे हुए हैं।

(a) प्रदत्त प्रकरण में आपके सामने कौन-से विभिन्न विकल्प उपलब्ध हैं? इनमें से प्रत्येक के गुण-दोषों का मूल्यांकन कीजिए।

(b) साथ ही, अपनी कार्रवाई और उसके लिए कारणों को भी (उपर्युक्त विकल्पों तक सीमित किए बिना) इंगित कीजिए।

As custom official, I have found an illegal parcel. There are allegations of political nexus & various officers in my department.

This case is classical example of dilemma between personal interest & public interest. As custom official, it's my duty to report smuggling but in my individual capacity I would not want any departmental action.

Option I → Take action against only the smugglers while not filing any official complaint.

+ve :- in my personal interest

-ve :- against public interest
- intl. smuggling will continue

Option II → Take a leave for some days

+ves :- get away from dilemma

-ve :- escapist approach
- unethical

Option III → Reach out to seniors
in department and seek their
opinion and act accordingly

+ve: provide more opportunity to be
heard, allay fear of
any enquiry

-ve: seniors may advise against
filing complaint

Option IV → Go ahead & file the
complaint

+ve: → It is my duty to report smuggling
activities

→ Help to break nexus between
smugglers & politicians

→ Action against corrupt police/
government officers

→ prevent illegal smuggling

→ ethical choice

-ves: → no guarantee of action against
criminals, politicians

- loss of trust among colleagues
- threat of departmental action

(b) I will choose the last option → will file the complaint.

As a public servant it's my duty to report any smuggling case.

It will help the state to further track down any such activity.

To counter demerits, I will take following steps

(i) Ensure proper video proof of smuggled parcel

(ii) Ensure the investigation is done in objective manner (with body cameras)

(iii) Give all the proofs to the enforcement agency

(iv) In case any departmental action is taken, I have various legal measures to recourse like appeal in judiciary

It's important to uphold the doctrine of public trust and ensure probity in governance & have perseverance in adversity of pressure from seniors.

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. (20)

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 वयस्क 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।

As SP, it's my duty to enforce law & order & offer protection to any one facing life threat - in this case a young couple. This is an example of honour crime pursued

under name of caste/religion.

Ethical dilemma

- ↳ Dilemma is to interfere in personal matter of a family, however as a SP, it's my duty to ensure law & order
- ↳ Living together is not considered morally right in traditional Indian values, so I have to be aware of families aversion of couple ~~for~~ living together but as consenting adults, it's their right
- ↳ Issue of how to effectively deal with issue of caste system in society's associated crime
- ↳ Issue of sensitizing police station officers that they should have filed a complaint

Course of action

1. Reach out to local police station, ordering them to file complaint of the couple
2. Enquire into matter further, & award police protection is necessary for time being
3. Perseute those who are giving life threats
4. Reach out to families of both youngsters to reach amicable solution
5. Leverage emotional appeal in persuading the father to accept the couple

6. Provide technology support like RFID to track couple (in case any abduction happens)

Reasons despite legal sanctions

- 1.) Legitimacy to caste system from ritual texts
- 2.) Consensus among all sections of society as caste being awarded based on kaarma of last birth (socialisation in such manner)
- 3.) There is little effort among lower caste to effectively fight injustice (emergence of class within caste has further perpetuated differences)

- 4.) Politicization of caste and casteization of politics has led to limited effect on ground with caste only focused to gain votes
- 5.) Capacity building & training of enforcement agencies is still inadequate (Verma Committee)

Both legal enforcement along with societal behaviour should be pursued together to counter caste based issues.