

INSIGHT GS MAINS TEST SERIES

GS TEST – 11 MODEL ANSWERS

1. **Codes of conduct are coercive, quick-fix strategy that reduces ethics to legalism by focusing on both the lowest common denominator and penalties for deviations. Do you agree with the above argument? Justify your answer. (150 words)** **10**

Code of Conduct is an instrument, which helps in guiding individual's conduct. Studies have established that having a code of Ethics/conduct has increased the ethical conduct of individuals in an organisation. Codes of Conduct are often rule based and are found in laws, statues or executive orders. They are directive and top down, typically imposed on employees with no advice from executive implementation, training and development, or recognition of the importance of leadership modeling emphasizing its coercive nature.

Further, by prescribing rules of conduct, it is traditionally believed that the organisation's responsibility is fulfilled and it can overlook the broader requirement of the idea of creating an ethical environment which could inculcate ethical values among its members, reducing conflicts and raising the standards of the organisation.

A code of conduct seldom tends to promote a philosophy of excellence or to engender a sense of personal responsibility. In contrast Code of Ethics demand more than simple compliance. They mandate the exercise of judgment and acceptance of responsibility for decisions rendered which is the real work of Ethics. What Code of Ethics does is to acknowledge the ambiguities and complexities of public service, and offer interpretative frameworks to clarify decision-making dilemmas.

The Nolan Committee, which was set up to look into the issue was of the view that there should be certain ideas/norms (public values) which should be a part of every code of conduct/ethics of any organisation. While code of conduct talks about legal provision, which should guide the actions of officials within the legal framework, it is often not possible to perceive all the circumstances/situation and thereby an ethical set of rules is also required to judge the actions against those standards.

Thereby, if properly formulated, Code of Conduct and Code of Ethics could act as complementary to each other, rather than contradictory, acting as a benchmark cum guiding light for the conduct of human action in any organisation, and creating a work culture promoting ethos, efficiency, effectiveness and equity.

2. **It is impossible to be both ethical and successful in business. Ethics and business are opposites. Either one is unethical and successful, or ethical and unsuccessful. In this context, share your view on the role of ethics in corporate governance? (150 words)** **10**

This is a statement – what people generally think. One can highlight that this is a widespread belief. This isn't the case in reality.

- One can cite examples here – US companies facing crisis, Satyam Company – how unethical conduct resulted into their fall down. And how TATA, Infosys, etc. who have been doing conducting themselves ethically and

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doing good, are gaining profits and good will.

- Good reputation has multiple benefits – it increases the credibility, investment in negotiation and contract, etc. goes down. Number of service providers who are ready to help, increases.
- Creates more ethical behaviour by the members of organisation – higher mutual trust and confidence, and cooperation, which increases productivity and higher profits.

(Elaborately discussed in the Discussion Class)

- 3. (a) Citizen's Charter initiative is considered a paradigm shift in the bureaucracy - client interface that has the potential to transform public service delivery. Comment upon the effectiveness of Citizen Charter in India in improving public service delivery. (150 words) 10**

Introduction

Citizens' Charter is a commitment of a public service organization given to the citizens, to provide a high level of service while meeting the standards contained in the declaration. Citizen's Charter initiative is considered a paradigm shift in the bureaucracy - client interface that has the potential to transform public service delivery.

Citizens' Charter is aimed at demanding from the government and the service organisations (e.g. hospital, post-office, etc.) the fundamentals of accountability, transparency, quality and choice of services supplied to the people. The charter places the citizen at the centre of administration, instead of treating him as a passive recipient of services rendered without regard for quality, cost or timeliness.

In 1991, first time articulated in John Major's government in UK to Empower citizen in public service delivery. It has come up with 6 Principles

- Quality – Improving the quality of service.
- Choices-Wherever possible.
- Standards-What to expect.
- Value for tax payers money.
- Accountability-Individuals and Org.
- Transparency.

In India in 1997, A conference of CM of various states and UTs was held and has come up with 'Action Plan for effective and Responsive government' to improve public interface in Railways, Telecom, Posts and PDS. The Charters India are expected to have

- Vision and Mission statements.

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- Details of the Business transacted by the Organization.
- Details of clients.
- Details of Services.
- Details of grievances redress mechanism.
- Expectation from clients or 'Obligations of the user'.

Critical Evaluation

Most of the government organizations have prepared Citizen Charter since then. Despite this effort there are certain issues like

- Majority were not formulated with consultation.
- Service providers are not familiar with philosophy and goals.
- Adequate publicity was not given.
- Not much funds were allocated to create awareness.

Conclusion

Citizen charters are required to be made more inclusive with wider consultation and lucid in language so that people understand and their rights and duties. If it is done it will have potential to transform public service delivery.

3 (b) Corruption confiscates the welfare programmes and policies and makes them contagious and constipates the progressive development of the nations. Elaborate the effects of corruption in Indian context. (150 words) 10

Introduction

Developing nations like India requires the success of welfare programmes to fight against diseases, ignorance, social inclusion, etc. But Corruption ensures that these welfare programmes and policies fail and constipates the progressive development of the nations.

In India, the corruption has become a serious issue to reckon with since independence.

Effects of corruption in Indian Context

- Those who benefit from a corrupt expect status quo and will try to impede progressive reforms.
- Governments that waste resources through malfeasance or inadvertence are a drag on growth and undermine the achievement of other goals

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- Improvements in human well-being seldom occur spontaneously but, instead, require government actions to complement private efforts.
- High levels of corruption are associated with lower levels of investment and growth and corruption discourages both capital inflows and foreign direct investment.
- Corruption lowers productivity, reduces the effectiveness of industrial policies, and encourages business to operate in the unofficial sector in violation of tax and regulatory laws.
- High levels of corruption produce a more unequal distribution of Income.
- Corrupt governments lack political legitimacy. In circumstances of low government legitimacy, citizens try to avoid paying taxes, and firms go underground to hide from the burden of bureaucracy, including attempts to solicit bribes.

Conclusion

Due to large scale corruption in India, the moral threshold of the society has increased and people now consider it as an integral part of the way- an administration functions. This is increasingly becoming a major obstacle in fighting with this menace.

- 4. While morality is concerned with what is right or wrong, national interest on the other hand is concerned with what is advantageous or disadvantageous in the prevailing situation for the nation. Critically comment. (150 words) 10**

This question tries to find a relationship between morality and national interest. For a few, these are fundamentally different imperatives. For others, morality influences foreign policy, while 'national interest' cannot and vice versa. The very same act or policy might serve national interest and also gratify our moral impulses, but to our luck only. Others argue that what is in the national interest is ipso facto the moral thing to do. So according to this, national interest in itself is a moral concept of power and co-agency. Others argue that the highest moral duty of a state is to ensure the survival of the state and this is the national interest.

We might argue that one is guided by narrow interest (i.e., national interest) and other may be for the whole world or humanity. But if we condescend to the national interest, we will see that in the long run the best way of securing peace and harmony, and happiness is always to seek to do what is right. Many leaders take decisions in the name of national interest, which might lead to systematic errors in the judgment. An effective decision in national interest – one that serves whatever ends a leader chooses to pursue – will require accurately identifying others' goals, grievances, and desires; accurate determination of what one requires and gauging what threats can be there in future.

Once all the leaders worldwide routinely make decisions based on moral motivation, the practical value of attempting to promote common understandings of the requirements of morality becomes apparent. And we can assure peace and harmony worldwide.

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In the present context, we can discuss terrorism and actions taken by respective governments for the same, whistle blowing acts, etc.

5. Given are two quotations of moral thinkers/philosophers. For each of these - bring out what it means to you in the present context.

(a) "If men were angels, no government would be necessary." (150 words)

10

Introduction

The requirement of the state and government came up in the early days were to protect the life and property. Any government is composed of mainly 3 organs. They are Executive, Legislature and Judiciary. Main functions of a government are to make laws, enforce laws and interpret laws. James Madison once said that no government would be necessary if people do know how to behave among themselves peacefully and resolve the issues in friendly manner.

Analysis

If men were angels, they understand the requirement of fellow human beings and the amount of available resources of the nature. They share all the resources and ensure social justice. They show brotherhood among themselves. Their behavior would ensure social and economic justice. In such a society equality of status and opportunity are automatic outcomes of the human behavior and Liberty of thought, belief and expression are naturally followed.

In such a society, no separate entity called government is required to ensure all these pious goals are achieved in the society.

But by nature human beings behave like animal. Might is right principle is followed by animals. Laws are required for addressing human misbehavior. Without a controlling organization, human beings may become a more dangerous species on the earth.

Already such incidents are evident from the human history. People fought deadly wars for controlling the territory, people and property. Humans are doing all kinds of atrocities on the Nature. Unsustainable way of living is causing more damage to all kinds of life on the Earth.

Conclusion

Thus, a government is required to protect the property and life of people and guide the human actions for achieving collective socio-economic goals of the society as a whole.

(b) No success or achievement in material term is worthwhile unless it serves the need or interest of the country or its people by fair and honest means.'--- JRD Tata (150 words)

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Introduction

J.R.D. Tata followed high standards of business ethics in his life time. In the public mind, ethics in business are mainly

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connected with financial integrity. Important as that is, the real meaning of the word "ethics" goes far beyond that. Ethics is defined as "the science of morals in human conduct, a moral principle or code." So the word ethics encompasses the entire spectrum of human conduct.

Analysis

JRD Tata says that no achievement in material term is worthwhile unless it serves the interest of the country by fair and honest means. Business ethics encompass how a person in business deals with his or her:

- Colleagues.
- Staff and workers.
- Shareholders.
- Customers.
- The Community.
- The Government.
- The Environment.
- The nation and its interest.

Fair and honest means in the Business would encourage the economic activities in a country. The fair competition brings out the best in the people of a society.

Primarily it is the individual, the consumer, the employee or the human social unit of the society who benefits from business ethics. In addition the business ethics is important because of the following:

Satisfying Basic Human Needs: Being fair, honest and ethical is one the basic human needs. Every employee desires to be such himself and to work for an organization that is fair and ethical in its practices.

Creating Credibility: An organization that is believed to be driven by moral values is respected in the society even by those who may have no information about the working and the businesses or an organization. Infosys, for example is perceived as an organization for good corporate governance and social responsibility initiatives. This perception is held far and wide even by those who do not even know what business the organization is into.

Uniting People and Leadership: An organization driven by values is revered by its employees also. They are the common thread that brings the employees and the decision makers on a common platform. This goes a long way in aligning behaviors within the organization towards achievement of one common goal or mission.

Improving Decision Making: A man's destiny is the sum total of all the decisions that he/she takes in course of his life. The same holds true for organizations. Decisions are driven by values. For example an organization that does not value

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competition will be fierce in its operations aiming to wipe out its competitors and establish a monopoly in the market.

Long Term Gains: Organizations guided by ethics and values are profitable in the long run, though in the short run they may seem to lose money. Tata group, one of the largest business conglomerates in India was seen on the verge of decline at the beginning of 1990's, which soon turned out to be otherwise. The same company's Tata NANO car was predicted as a failure, and failed to do well but the same is picking up fast now.

Securing the Society: Often ethics succeeds law in safeguarding the society. The law machinery is often found acting as a mute spectator, unable to save the society and the environment. Technology, for example is growing at such a fast pace that the by the time law comes up with a regulation we have a newer technology with new threats replacing the older one. Lawyers and public interest litigations may not help a great deal but ethics can.

Conclusion

If business is practiced in foul means, neither the business owner nor people will be happy about the outcome. Hence, no success or achievement in material term is worthwhile unless it serves the need or interest of the country or its people by fair and honest means.

6. (a) Do you think conscience can act as reliable guide to decision making? If yes, highlight how conscience can act as source of ethical guidance for bureaucrats, politicians and citizens in a democratic set-up. (150 words) 10

Conscience as the most reliable guide to ethical decision making

It is debatable as to whether or not the conscience is the most reliable form of decision making or not. However, there are many different opinions on conscience when it comes to decision making. The idea of the conscience has developed from early Christian views, however it has now developed through the psychological views of it being linked or part of the mind. The idea of the conscience was also later developed by Freud who suggested that the conscience could be explained best by using scientific knowledge instead of using religious views and opinions on the conscience.

Secular perspectives of the conscience support the statement that the conscience is not a reliable guide to ethical decision making as it demonstrates that there is subjectivity within our moral values due to individual experiences and upbringing. Ethical decision-making help us to make the correct decisions when it comes to moral judgment. However, the secular approaches do not provide an accurate method of understanding what the right path is.

St Paul believed the conscience was a moral guide, which is within and doesn't need any rules or theories to be followed. St Paul's idea of the conscience is universal to everyone this means that you don't have to be a Christian to relate and use the conscience as a moral guide. St Paul's idea is that everyone has a conscience within as a moral guide. However it may not always be best use our conscience as our moral guide. As if we do use our conscience, the how can people be committed for crimes, as they believed it was right.

Butler was a christian theologian and philosopher who believed that the conscience was a God given ability to reason. Due to the fact that they were both christians St Paul and Butler agreed on many of their ideas. Butler thought that the conscience should be seen as a judge within everybody, a judge that makes moral decisions for us, he suggests that as it

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is within all of us and appears to have a higher authority we therefore must listen to it, and take on board the decision in which our conscience makes. One of the main weaknesses is the idea that not everyone can have the same type of conscience as young children and people with mental illnesses will not have the same.

Saint Augustine saw the conscience as the voice of God speaking to us from within – it is the law of God in our hearts that we use to understand right and wrong actions. For him, the conscience must always be in every circumstance turned towards the good and away from all that is evil.

Hence, from religious perspectives state that the conscience is a reliable guide to ethical decision-making as it relies on our innate ability to determine what is good and bad.

Conscience as source of ethical guidance for bureaucrats, politicians and citizens in a democratic set- up

Conscience is the inherent intuitive capacity to differentiate between right and wrong. “Inner Voice” is important especially in democracy as it has multiple stakeholders such as citizens, NGOs, corporates to be administered by the politicians who are elected by them only.

But at individual level, every person has conscience which helps them to take important decision. Thus, it can act as strong tool to evade away the individual self centered thinking.

Political Level:- Conscience can help in reducing corruption, nepotism and profit seeking behaviour. Thus provoke them to act in benevolence of society at large and uphold the constitution principles. At each and every decision they should keep in mind that they were elected to serve the citizens and not to serve their own needs and greeds

Bureaucratic Level- the crisis of conscience is important whether to just mere follow the orders from superiors v/s to follow the right path of judgment. The inherent voice of serving the nation maintaining highest standards of integrity and probity is important as they are link between citizens and politicians.

Citizen Level:- Collective and individual conscience of citizens is very important because it defines the existing society conditions. Eg.- keeping surrounding clean, actively participating in elections, dissent to un-democratic principles. Thus adhering to it will also curb mob injustice such as riots, lynching of criminals.

Moreover, it is important to actively excel and improve at individual and institution level. Thus, if everyone acts and adheres to these principles values, the moral degradation can be curbed and faith in governing institutions can be reinstated.

6. (b) Explain the term work culture & its prerequisite for good governance. Do you think the work culture in Indian Administration is undermining efficiency and compromises ethical conduct? (150 words) 10

Work Culture refers to the beliefs, perceptions, norms and orientation towards work in an environment in any organisation. Work culture is intrinsic to any organisation as it shapes the attitude of its employees, which decides their actions and in turn determines the efficiency and effectiveness of any organisation.

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While work culture is normally associated with the work environment in any organisation, it is also important to consider its working in the larger environmental milieu in which it has to function. Human attitudes are a reflection of the society in which they dwell and therefore it is very important for any organisation to take that into consideration, while defining its own work culture.

Its importance is accentuated in public organisations since they have to work empathetically for the larger social good and in a developing country like India, where the remuneration is not at par w.r.t private enterprises, it is the zeal to work for the betterment of the society especially the downtrodden that drives the individual. So a work culture conducive to the requirements of the individual is very essential for its effective functioning and in delivering the public good.

Governance is “the process of decision-making and the process by which decisions are implemented (or not implemented). In India govt. has no problem in framing laws the real problem is the implementation of law and the reason behind this is weak work culture. In govt. institutions employee are reluctant to follow the instructions and are made to work only by strict procedure.

Due to deficiency of probity and transparency in govt., ethical dilemma such as (corruption, nepotism, information leak, policy dilemma, etc.) takes place. In turn result a weak work culture. To resolve ethical dilemmas accountability, responsiveness & some code of ethics etc. should be inherent in policy makers.

An efficient work culture in the Indian Scenario could be developed by shunning the HAKIM-BABU culture of the Indian administrations.

The wide asymmetry of power between the official and the citizen needs to be narrowed down and a service orientation should be promoted as the main motivating factor rather than what the 5th Pay Commission said as officers are interested in i.e. 3P's - Pay, Promotion and Prospects.

Efforts towards increasing punctuality, automation of filing system by using e-governance, which can help in streamlining the filing system, having a conducive workplace for all officers of all rank, a code of conduct in consonance with the professional requirement and a code of ethics consisting of public values, along with an enigmatic and dynamic leadership could provide the necessary impetus required for having a work culture in tune with the needs of 21st century.

7. (a) Huge amounts of public money sanctioned for vital public works often remain unspent, delaying or stalling such projects. In this context, critically examine the reason behind the under-utilization and mis-utilisation of public funds. Suggest with examples how public fund can be effectively utilized? (150 words) 10

(Refer to the Discussion Class)

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(b) Should bureaucrats use their discretion to decide whether or not to obey an order? Clarify your position with examples. (150 words) **10**

Introduction

Bureaucrats are given discretionary powers to improve the efficiency of the administration.

Analysis

In public administration, administrative discretion refers to the flexible exercising of judgment and decision making allowed to public administrators. Earlier it was believed that where law ends, tyranny begins but with discretionary powers tyranny need not begin where law ends.

Kenneth Culp Davis said once "I think that in our system of government, where law ends, tyranny need not begin. Where law ends, discretion begins, and the exercise of discretion may mean beneficence or tyranny, justice or injustice, either reasonableness or arbitrariness."

Administrative discretion allows agencies to use professional expertise and judgment when making decisions or performing official duties, as opposed to only adhering to strict regulations or statuses. For example, a public official has administrative discretion when he or she has the freedom to make a choice among potential courses of action.

Conclusion

But the failure to exercise reasonable judgment or discretion is abuse of discretion. Discretionary powers can be used where laws are either not clear or unethical or a bureaucrat is asked to do an illegal activity by the political executive.

8. What do you understand by probity and integrity in public life? To what extent the Indian administration characterises it? Do you think that there are difficulties in practicing it in the present day Indian administration? How can these difficulties be overcome? (150 words) **10**

Probity and Integrity in Public Life

Probity is the evidence of ethical behaviour in a particular process. The term probity means integrity, uprightness and honesty. For Government employees and agencies, maintaining probity involves more than simply avoiding corrupt or dishonest conduct. It involves applying public sector values such as impartiality, accountability and transparency.

It is also regarded as strict adherence to a code of ethics based on undeviating honesty, especially in' commercial (monetary) matters and beyond legal requirements. Ensuring probity in public sector activities is part of every public official's duty to adopt processes, practices and behavior that enhance and promote public sector values and interests.

Probity in Governance seeks to achieve the following:

- To maintain integrity in public services;
- To ensure accountability in governance;

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- To ensure compliance with processes;
- To preserve public confidence in Government processes;
- To avoid the potential for misconduct, fraud and corruption.

To what extent the Indian administration characterises it

Indian administration is suffering with lack of probity to a large extent. There are several factors that are causing difficulties in practicing Probity and integrity in developing countries like India. The outcome of lack of probity is the corruption. Some of the important of causes for this outcome are as follows:

- Increase in the government's activities, especially its regulatory activities. It enjoys arbitrary powers in areas like recruitment to public services, grant of licenses, permits, contracts, tenders, allotment of railway wagons and so on. It is more pronounced where the public official comes into direct contact with the people at the taluk, registration, excise, public works department and so on, as there is tremendous scope for corruption. The official enjoys a lot of discretionary powers.
- Economic planning also lead to corruption.
- Red-tapism or the cumbersome dilatory procedures are responsible. They cause a considerable amount of delay in moving files. If 'speed money' is paid, the files will move quickly. People do not mind paying extra to get their work done. There is collusion between the bribe giver and the taker.
- The inflationary trends prevailing in the country also lead to the growth of corruption. It will result in the rise of cost of living. To maintain their high standards of living, officials take bribes and it becomes a habit.
- Article 311 of the Constitution of India empowers the government to dismiss a corrupt employee but it should be based on strong evidence against the official and it is not easy to prove the charges. Usually, it favours the corrupt. It is a very cumbersome article, which before the 42nd Amendment went generally in favour of the accused. Accused are given a reasonable opportunity to prove their innocence. Even the Santhanam Committee on Corruption felt that Article 311 made it difficult for the government to take action against the accused.
- Growing materialism and competition to earn material benefits by any means.
- Lack of strict enforcement of anti-corruption laws.

How can these difficulties be overcome?

- Effective Laws, rules and regulations and an effective policy.
- Strict enforcement of anti-corruption laws.
- Speedy justice delivery system.

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- E-governance.
- Proper Implementation of code of conduct.
- Culture of discipline and truth.
- Value based Education system.

Conclusion

Despite the Indian administrative system is suffering with lack of probity at large, some administrations are showing quality of integrity and probity of highest order. By taking necessary steps as mentioned above Indian public life can be seen with probity and integrity.



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SECTION B

9. The two kids of the Mehra family, Kapil and Vasant, have been very bright right from their childhood. Kapil did chemical engineering from Delhi Engineering of College (DEC) while younger Vasant graduated in civil engineering from IIT Kanpur. Both the brothers did Masters in Environmental Engineering from USA and are currently in Central Pollution Control Board (CPCB) serving at the level of Deputy Director in two different areas. Their expertise is fabulous and they have earned many accolades in public service. They are known to have spotless integrity in an environment not worth the discussion.

A few months ago the younger brother Vasant proposed an idea to Kapil that they could render valuable service in many areas of environmental management to individual and corporate clients including consultants. Kapil was initially hesitant but Vasant assured him that they would not do it from office but mostly utilize time at home and that later they may employ a few good professionals who would work under their guidance. They both agreed that they would never accept any client from the pre-eminent public body they are working for. With these ground rules they created a partnership 'VAKA Envirotech' and advertised their services on World Wide platform.

Imagine you are an employee of CPCB and your chamber is next to Kapil's. Today, you overheard a pitched business conversation between Kapil and a client from which it is clear that VAKA Envirotech is finalizing some deal with a client. Last few weeks, you have observed that Kapil has become too engrossed with own self and does not seem to have even time for normal courtesies. On suspicion, you verify the website of VAKA and recognize that the services offered match with the expertise of the two brothers though the website without identifying names spells out qualifications that match too.

In these circumstances what should you do? Should you discuss this with the brothers first or approach their respective superiors? Do you consider the conduct of the brothers unethical and/or violative of the conduct rules? (300 words) 25

The little that I have known from overhearing loud business conversation and perusing the website of VAKA leaves no doubt that the two brothers have come close to being unethical and are violating norms of public service. There are many issues in such moonlighting.

- First Issue is of Conflict of Interest. When VAKA will become known and identity of the main consultants comes to light, many clients would definitely approach them for guidance in matters pending before the CPCB. At that time even if they decide not to take up any matters of parties having engagement with the regulatory body (CPCB), the word will be out. It would become very difficult for them to maintain self-discipline.
- Secondly, public service in India creates a legal fiction that public servants are expected to be all the time in Government Service. Physically, the public servant may be anywhere but he shall have only one professional pre-occupation – service in his specific duties. It is because of this legal fiction that government servants may be called on duty at any odd hours provided the circumstances legitimately demand that. This would rule out even doing any kind of job outside of duty hours for remuneration. No doubt, with prior permission of superiors, one

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can engage in charitable activities of apolitical nature. But in this matter, there is no charitable purpose involved. It is business pure and simple and that is not permitted.

It is also very difficult in practice to create an iron curtain so as to segregate office work and private business. Private clients would call at their convenience and at that time it would indeed be difficult to say no. Already phone calls have started coming in office hours. As VAKA's business develops, more time would be claimed by clients.

Knowing their reputation of integrity, I should not however hasten to charge them with unethical conduct. It is possible that the brothers have not recognized the pitfalls of running a separate business along with regular job especially when the functional areas of the job and the private business merge. They might not have considered the issue of how their activities will appear to peers and office clients.

So, I should first discuss the matter with the Kapil whom I know well. I would like to go out with him for a coffee for a calm discussion. I would begin in a friendly tone congratulating them for creating a new firm and want him to talk out. I would express the concerns of conflict of interest and want to know how they propose to manage it. I would lightly broach the question of managing so much beyond the onerous duties in the CPCB.

In case, Kapil ask for my opinion which I hope he would, I shall convey the problems I see. The problem of appearance is very important for the credibility of individual public servant and also for the institution. There is no way they can escape the credibility trap if they walk far enough down the road they have chosen.

There is a possibility that the brothers will recognize the ethical issues involved and let VAKA be managed by recruited professional without claiming their office time. There is also a risk that VAKA would try to meddle in office matters dealing with parties who have something or other to do in CPCB. If that situation develops and I get the early hint, I would bring this fact to the knowledge of Kapil's supervisor. I hope there would be no need to go that far.

10. You have been recently hired as a quality controller of Food products. On your first inspection only you learnt that there are violations in maintaining the proper sanitation in storage and there is adulteration of food products. To your surprise, your senior inspectors have been ignoring these serious health code violations. You decided to take up this issue with your higher officials. But instead of getting support, you find that the superiors asked you not to raise the issue because of the possible negative publicity that it might attract. Though, they told to gradually rectify the situation. Further, if the issue is taken forward, people might have a perception that if taken forward it might become difficult to persuade people and public media that the senior officers were unaware of the issue, which can lead towards serious trust deficit.

- (a) Should you obey to your higher officials?
- (b) Should you act as a good team player and support the gradual corrective measures that the senior officials are suggesting?
- (c) Should you launch an investigation to take appropriate disciplinary actions?
- (d) What are the other possible course(s) of action in this situation? (250 words)

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Premise

It is a case of gross negligence and possible health hazard due to human misconduct by ignoring willfully a serious issue. Healthy human resources are the biggest assets for any country. A lot of socio, economic loss will be reported if their health is neglected.

(a) Should you obey to your higher officials?

It is a dilemma for quality controller whether to obey the command in the hierarchy or not to obey the commands by respecting the rights of people to get health products. Following the ethical path is not an easy task. It requires a lot of courage to highlight the wrong doing even in front of the seniors. It may cause in convenience to them, but it helps the society as a whole.

Moreover, It is the duty of a quality controller of food products to work for the national interest not for personal gain. Code of ethics says a public servant has to show the qualities of integrity, honesty, selflessness, leadership.

Therefore, duty has to be performed without fear or favour contrary to the advice of the higher officials.

(b) Should you act as a good team player and support the gradual corrective measures that the senior officials are suggesting?

As a good team player, it is the responsibility to support the team. It is a part of work ethics and Code of conduct for a civil servant also demands to be a good team player to achieve the organizational goals. Hierarchy, authority and commands are to be respected for the success of an organization unless there is a gross misconduct in the organization culture itself. If people start violating the organization rules for the self promotion, it will lead to the destruction of the system itself. It is very to the progress of any nation.

Hence, Support has to be given to improve the quality of service delivery and increase the trust of people on the organization.

(c) Should you launch an investigation to take appropriate disciplinary actions?

Accountability has to be ensured in the public service delivery system. Adulteration of food products is a serious issue in a country like India where people are suffering with malnutrition, stunted growth. Often the incidents of school children fallen sick after consuming Mid Day Meal scheme is reported and sometimes caused death as well due to negligence on the part of store maintenance department.

Many people are falling below poverty line due to hospital expenditure whenever there is serious illness in the family. It is not only loss to the family but loss to the nation as a whole.

One can express the patriotism towards the nation by performing the duty and highlighting the wrongdoings as part of the duty without hiding the activities of negligence.

Though it cause inconvenience for some senior officials, it is ethical as well as the official responsibility to launch an

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investigation to take appropriate disciplinary actions.

11. Anita works in a PSU firm. She has just returned to work after taking special leave to take care for her elderly mother. She is facing difficulties with her mother's home care arrangements causing her to miss a number of team meetings which usually take place at the beginning of each day. She is very competent in her work but her absences are putting pressure on her and her overworked colleagues.

You are her manager and you are aware that the flow of work through the practice is coming under pressure. The team is working on its first project from a foreign company and therefore is immense pressure to complete the project on time. If the project is completed on time, the PSU will get international recognition.

One of her male colleagues is beginning to make comments such as "a woman's place is in the home" and is undermining her at every opportunity putting her under even great stress. At times, his remarks amount to sexual harassment.

One day she complains to you about the colleague remarks and seeks immediate redress otherwise she will file a FIR. You are under pressure as your intervention might disturb completion of project work on time.

(a) What are the options available to you?

(b) Evaluate each of these options and choose the best option you would adopt with reasons.(250 words)

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The above situation has raised various ethical issues along with some important values:

Issues

- Work and Life Balance.
- Organisational Reputation.
- Sexual Harassment at Workplace.

Values

- Safety at the workplace.
- Respect to the dignity of women.
- Work culture based on ethics.
- Efficiency.
- Quality of Service.
- Leadership.

Options

- a. Anita should be asked to proceed on leave to take care of her mother which will also not vitiate the organizational environment and action will be taken after the completion of project.

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Merits	Demerits
Care for mother.	Disrespect of Human Rights.
Image of organization sustained.	Ineffective leadership.
	Organisational interest taking precedence over Ethics.
	Difficult to hire a competent person.

- b. Anita will be asked to compromise for the time project is completed as taking action against her colleague will vitiate the organizational environment that may affect its reputation and project may not be finished in time.

Merits	Demerits
Completion of project on time.	Disrespect of Human Rights.
Image of organization sustained.	Ineffective leadership.
	Organisational interest taking precedence over Ethics.
	No provision for her work and life balance.

- c. After verifying the facts, taking superior in confidence a meeting should be arranged in which her colleague will be told to apologise and give a written undertaking that he will not indulge in such act in future provided Anita is willing for such step.

Merits	Demerits
Respect for both ethics and human rights.	The matter may spread to organization which can vitiate environment.
Dignity of women rights respected.	Image of organization may be affected.
Swift Action.	Project may be withdrawn by the company.
Effective Leadership.	No provision for her work and life balance for woman.

- d. Anita should be convinced to file a complaint before Internal Complaints Committee and action should be taken as per the findings.

Merits	Demerits
Legal step as per the law.	Harsh step, first warning should be issued.
Due justice to both.	The matter may spread to organization which can vitiate environment.
Precedent for other organization.	Image of organization may be affected.
Effective Leadership.	Project may be withdrawn by the company.
	No provision for her work and life balance for woman.

Best Option - I will choose Option (c)

Reasons – Generally when any person violates norms and law and if both sides agree, then mediation and arbitration are also used for dispute resolution. First a person given warning and if he accepts his crime, he is remorseful and seeks

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apology then he should be forgiven. It will also not vitiate the organizational environment as the matter will nip the bud. As a manager, it is my duty to work for the interest of all in the organization.

If she does not agree for this Option then the appropriate option is (d) as per the law.

12. You are working as a District Educational Officer (DEO) of the Chikmagalur district and while inspecting the schools, you found that there is huge dropout rate among the children from the government schools in your district. This has become one of the serious issues in the state. The students from government schools are joining the famous private school in the same locality. Initially you took a lot of efforts such as improving the infrastructure and other facilities in the school, but still no fruitful results could be achieved. But every now and then the education minister is asking for the reports and media is also sensitizing the issue.

- (a) What will you do to improve the strength in the government school?
- (b) Being a government employee will you prefer to join your child in a government school instead of a private school?
- (c) In the present context it is not just in your district but around the whole country private school are overriding government schools in all perspectives. What step government should take according to you to improve Government schools. (250 words) 20

Premise

Those who could afford can join the famous private school in the same locality but those who do not have sufficient resources to join the private school will be at loss from both the private as well as government side as the government schools are not providing quality education. This is causing the huge dropout rate in the district and in future it will affect the socio-economic condition of the poor in the state.

Despite the improvement in the infrastructure and other facilities in the school, no fruitful results could be achieved. It shows the lack of faith in people about the quality of government schools. This trend is bothering the District Educational Officer. In addition to it, every now and then the education minister is asking for the reports and media is also sensitizing the issue. This is creating pressure on the DEO.

This kind of situation can be tacked with attitudinal change both in public as well as in public servants like teachers, education officers in the locality and the district.

Motivating the staff

First, it should be ensured that the school staff is disciplined and punctual in their duties. This creates a good work ethics in schools. ICT technologies can be used to ensure the staff performs duties on time. Motivation among the staff by team building activities, rewards, punishments has to be maintained. Proper planning, coordination among the human resource should be ensured.

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Motivating students

A leader has to be an innovator and visionary. Teaching methods are required to be new and interesting for both students and teachers. All round developmental activities are to be inducted in the curriculum so that students show the interest not only about the academic performance but about all round development.

Motivating Parents

Local Panchayat, NGOs, Social activists must be involved in motivating the parents of children. Social Audit of the school also can be conducted to raise the trust of the public. Get the true reports from the ground about the real factors which are inhibiting the parents to send their children to the school.

Coordinate with other Government departments

With help of the District collector, coordinate with other relevant educational departments so that the infrastructure, stationary, sports kits reach the school on time and properly audited and accounted.

Role Models

Meetings with students-teachers-parents-community leaders and role models of the locality who benefited from the Government school can be arranged.

Emotional Intelligence

Sometimes the activities may not happen as they are planned on the ground, still the qualities of perseverance, commitment to change are required to be shown to ensure attitudinal change towards Government schools and improve the enrollment ratio and quality of education.

(b) Being a government employee will you prefer to join your child in a government school instead of a private school?

This is a case of ethical dilemma. It is the responsibility of parents to provide good quality education to their children. As the perception about the government is poor, parents may incline towards the private schools.

But for DEO it gives an opportunity to lead by people with an example. He himself can become the role model for the people. It increases the trust on government schools to people. It also will give the strength to DEO to pursue his goal more vigorously.

Conclusion

The weakness of government schools is the main reason for the success of private schools. Many parents wish to send public schools if the conditions are better than now. If people are assured about the quality and growth of their children, it will increase the trust on this important public service and reduces the dropout ratio in the government schools.

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13. Coco-Cola has set up a bottling plant in Perummati in the southern state of Kerala. Since it opened, local villagers have complained about the fall in the amount of water available to them and have blamed the fall in supplies on Coco-Cola who they claim use upto a million litres per day at the plant. Coco-cola claims that the shortage in the water is due to the lack of rains in the region. Coco-cola sends round tankers of water to the region to help the local community. Local farmers are claiming that their livelihood has been destroyed since the building of the plant and that the number of people working on the land has dropped considerably because they cannot survive.

Following the cleaning of the bottles, a waste sludge is produced that Coco-cola have been disposing of on the land of the local farmers claiming it was a useful fertiliser. Following a BBC Radio 4 programme, samples of the sludge were analyzed by scientists at Exeter University in the South West of England and found to contain toxic chemicals including lead and cadmium – both of which can be harmful to humans – and further suggested that there was little or no benefit of the sludge as a fertiliser. Recent tests by the local state laboratories find that the levels of toxic chemicals is within safety chemicals but that it should not be used as a fertiliser. In a separate development, sales of Coco-Cola have been hit by suggestions that its drinks produced in India contained higher levels of pesticide residues than was healthy. A large number of bodies have joined in the campaign for the local community demanding the plant be closed down and that tests be carried out on Coco-cola to assess its safety.

Discuss the options available with you as a head of Indian Unit of Coca-Cola and their merits and demerits. In your views, what is the most appropriate option and why? (300 words) 25

Premise

The companies like Coco-Cola are a part of society. Corporate Social Responsibility has to be shown towards the society. The impact of their activities on customers, employees, shareholders, communities and the environment must be given at most importance. In other words, CSR is the continuing commitment by business to behave ethically and contribute to economic development while improving the quality of life of the workforce and their families as well as of the local community and society at large. But the Coca-Cola in this case is violating the right to a dignified life to the local people, farmers and customers.

The options available for the head of Indian Unit of Coca-Cola:

1. Closing down the plant

Merits

- Reduces the burden on ground water.
- Availability of water to locals.
- Recharge of ground water reservoir.
- Toxic chemical containing cadmium is stopped dumping into the farm lands.
- People are saved from harmful coca-cola which contains pesticide residues.
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Demerits

- Loss of economic activities in the locality.
- Loss of Employment.
- Economic development may be hampered.
- Reduce the choice of people to have coca-cola.
- May lead to protest in other areas and raise the demands for closing down the plants. It will have cascading effect on economy and employment.

2. Earn the trust among locals, farmers and customers

Immediate steps

Increasing the trust between the company and the public in general and locals in particular is the immediate solution. If this cannot be done, it may lead to closure of the plant itself.

- Order the internal inspection on the issue.
- Immediately test the coca-cola for pesticide residues, if found, stop them from entering the market.
- Reduce the amount of water drawn for coca-cola and reduce the number of bottles manufactured till the time the issue is settled.
- Invite the pollution control boards for inspection.
- Invite the Experts to test the samples on the spot.
- Invite the Environmental activists to come test the quality of coca cola.
- Stop dumping of the sludge on the land of local farmers.

Long Term steps

- Install Water Purification plant in the locality for delivering the clean water for drinking purpose.
- Invest in health expenditure if people suffering from health complications due to unsafe water.
- Invest on water harvesting methods and take steps to replenish the ground water.
- Provide clean drinking water supply and reduce the production of coca-cola during the year of drought.
- Provide employment opportunities for locals by creating more economic opportunities.

Conclusion

Gaining the trust among locals, farmers and customers help the organization to gain respect across the globe. These steps ensure sustainable development without harming the nature and Humans.

14. You are a senior officer in the Home Ministry with a reputation of commitment towards work and public service. You have a loving family including your wife and son. You love your son too much in whom you might see a bright future. Your son got an offer to study abroad when he was around 18. It was only a few weeks before his travel that on a pleasure trip in a car with his friends, he accidentally ran over a pedestrian. It was your son who was driving the

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car and as per his friends he was under mild influence of alcohol. The pedestrian was killed and you are shocked to hear the news.

You are not sure whether your son can handle the subsequent mental torture by police and court proceedings. The victim's relative who intends to make some quick money approaches you. They offer to settle the cases without much complications and court proceedings, if you give them 10 Lakh rupees. If you move as per the legal course, it will take a long time for a solution. As there was fault with your son, there is every chance that the verdict will be negative to him. Besides, he will lose his higher education possibilities in the US. The pedestrian who got killed as per his relatives was a nuisance to the society when he was alive and there are not many who weep over his death. They are happy to close the case for the mentioned amount.

(a) What are the possible options available to you?

(b) Evaluate each of these options and choose the best option you would adopt with reasons. (250 words)

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Premise

The dilemma faced by the senior officer in the Home Ministry is two-fold. If he choose to go for out of court settlement, it goes against the rule of law and disrespect to the life of the victim. If police complaint is made the life his son will be in jeopardy.

Stakeholders involved

- A senior officer in the Home Ministry
- His Son and son's friends (The offenders)
- Pedestrian (Victim)
- Victim Family and Victim relatives
- Police, Court

Possible options available to you

1.Quick settlement with Victim's relatives as they wished

It appears as a quick solution. But in India there is no concept called blood money. Moreover there may be chances that the relatives may blackmail in future. It is an injustice to the victim and victim's family. It caused pain, suffering to the surviving family members and loss of enjoyment of life to the victim. Justice should happen legally. If no one is there to weep over his death, in a welfare country like India, state has to take care of such people.

Victim's relatives are saying that the pedestrian who got killed was a nuisance to the society when he was alive and there are not many who weep over his death. They are happy to close the case for the mentioned amount. This attitude shows lack of respect to the life of a person. If people support the offender based on the character of victim, it will create harm to humanity and shake the foundations of a humane society.

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2. Threatening the victim's relatives not to make the issue public

This is another option before the senior bureaucrat. But It is an abuse of the power and authority. Law should be respected by all. In a civilized society like India offender should get punished, and victim should get the Justice.

3. Manipulate the case with Police and ensure son is escaped from the eyes of the Law

This is a crime committed by the senior bureaucrat. Instead of punishing the offender, it is punishing an innocent and it is mockery on the criminal justice system. Son may commit more criminal activities as he understood how to escape from the wheels of justice.

4. Moving as per the legal course

It is right course of action. If the relatives of the victims are ready to settle, it should be done in front of the judiciary. It is an opportunity for the society to get enlightened about the disasters that are caused due to irresponsible driving under the influence of alcohol.

The duty of the state is to secure the rights of accused as well as aggrieved in accordance with the rule of law. The decision should be based on sound principles of merit, fairness, justice and so on. In light of above, death caused by the driver under the impression of alcohol must be the charge for culpable homicide rather than negligent driving because

- It is the act of free will by driver to drink alcohol and onus is on him/her to know the consequences thereupon. Negligence of it cannot be the excuse for lesser punishment
- It is is the unethical exercise of his free will by driver which has caused the death .Thus consequential ethics demand stricter punishment
- Also the need of justice and securing the rights of those who are dead is also contingent upon stricter punishment

Conclusion

Hence, due process of law as per the step 4 has to be followed because it is not the severity of punishment but certainty of punishment which creates deterrence in future.

For Reference:

The Supreme Court observed in the Alistair Pereira case that the law should be equal for celebrities and ordinary citizens alike in serious offences that result in deaths. Pereira, 21, from a wealthy business family, lost control of his luxury car in Bandra in November 2006 and ran over five labourers and two children sleeping on the pavement. Though the Supreme Court upheld the three-year sentence given by the Bombay High Court, it said that was too "lenient" a punishment for an offence of culpable homicide not amounting to murder.

The Supreme Court indicated that trial courts should not give the benefit of the doubt to those driving drunk and instead convict them under 304 II (punishable with 10 years imprisonment) than the lesser offence of 304 A that provides for a jail term of two years for negligent and rash driving.

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Perhaps the most important message is for society at large: drunken driving could have serious consequences for other people. Deaths caused by drivers under the influence of alcohol should attract the charge of culpable homicide, and not merely that of negligent driving.



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