

UPSC CSE 2019 MAINS PAPER 5 SEPTEMBER 22, 2019 GENERAL STUDIES IV QUESTION PAPER

Ques 1. (a). What are the basic principles of public life? Illustrate any three of these with suitable examples.

Solution- The fundamental principle in a democracy is that all persons holding authority derive it from the people; in other words, all public functionaries are trustees of the people. With the expansion of the role of government, public functionaries exercise considerable influence over the lives of people. The trusteeship relationship between the public and the officials requires that the authority entrusted to the officials be exercised in the best interest of the people or in 'public interest'.

One of the most comprehensive statements of what constitutes principles of public life came from the Nolan Committee, which outlined the following seven principles of public life **Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty, Leadership.**

- **Leadership:** Holders of public office should promote and support the principles of public life by leadership and example.
- For eg. Lal Bahadur Shastri used to fast every Monday to save grains for poor people of the country and he gave a call for the nation to follow it. Thus exhibiting a true example of how leaders should lead from the front.
- **Selflessness:** Holders of public office should act solely in terms of public interest. They should not do so in order to gain financial or other benefits for themselves, their family or their friends.
- For eg. Tukaram Omble of Maharashtra police tackled Kasab one of the terrorists of Mumbai attack so that he couldn't attack his fellow servicemen. Thus showing exemplary courage and the highest degree of selflessness by giving away his life for the cause of his nation.
- Gita also in one of its shloka- karmanye vadhikaraste ma phaleshu kadachana reiterates the principle of selflessness which means one should only focus on our actions and should not worry about the result.
- **Accountability:** Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.
- For eg. Vikram Sarabhai accepted the failure of ISRO first mission without actually putting it on the mission head (APJ Abdul Kalam). Thus taking full accountability for the failure of his team.
- Thus it can be established that principles of public life are important for every democracy. Guidelines of public behaviour arising from such principles can play a crucial role in creating trust between the public functionaries and common public.

Therefore any person who is privileged to guide the destiny of the people must not only be ethical but must be seen to practice these principles of public life.

**Ques 1. (b). What do you understand by the term ‘public servant’?
Reflect on the expected role of the public servant.**

Solution- A public servant is generally a person who is employed directly or indirectly by the government, either through appointment or election. A public servant values public good over his/her personal interests. Taxpayers and public funds partially or fully fund their wages, which is why they are known as servants of the public. The duties of public servants are as diverse as the duties and responsibilities of the government.

There are many elements which a public servant can imbibe to bring about a more humane and ethical governance structure. A few of these are:

- Public Servants have an obligation to **protect and promote our constitutional ideals** enshrined in the preamble, to uphold the **rule of law**, dispense **administrative justice** and ensure **administrative facilitation**.
- As an elite segment of society, public servants have an important role in informing and even formulating **public opinion** and perception on various issues.
- The public servant should be **emphatic** as also advised by Mahatma Gandhi's that if anyone was in doubt if an action was good or not was to put oneself in the situation of the poorest of the poor in the country and see how a particular policy and programme will impact him or her.
- S/He should also be **‘efficient’** as administrators occupying positions of power and authority, it is their responsibility to translate policies into programmes, to implement schemes on the ground.
- They need to be **agile in their thoughts and actions**. For eg. they should be able to access the latest information and knowledge and use them for improving service delivery.
- They should be **impartial** and **incorruptible** as also observed by Sardar Patel and should work for an inclusive national development as mandated by the Constitution.
- They should behave in a **dignified manner** and have the ability to **patiently** listen and take a balanced view. They must eschew arrogance and authoritarianism and be able to approach even the most intractable issues and irritants with a calm demeanour.

Kautilya in his Arthashastra emphasised on the importance of the common citizens: “It is the people who constitute a kingdom; like a barren cow, a kingdom without people yields nothing”. Thus the success of the administration depends upon the involvement, commitment, dedication and sacrifice with which the public servants put their efforts for the welfare of the teeming millions in the country.

Ques 2. (a). Effective utilization of public funds is crucial to meet development goals. Critically examine the reasons for under-utilization and mis-utilization of public funds and their implications.

Solution- Effective utilization of funds for welfare services is one of the key tenets to ensure social and economic justice and meet developmental goals. However, as former Prime Minister Rajeev Gandhi had remarked, “only 15 paise for every 1 rupee spent on public welfare actually reaches to the masses”, thereby highlighting the gravity of ineffective utilization of funds in our country.

Public servants are the **trustees** of the hard earned public funds, therefore it becomes their moral and legal responsibility for their effective utilization. The various reasons due to which these funds are under-utilized and mis-utilized are given below:

▪ **Under-Utilization:**

- High administrative cost and procedural delays in government offices which keeps the funds tied in administrative tangles and bureaucratic loopholes.
- Inappropriate budgetary allocation, for example: use of guillotine voting
- Lack of sufficient staff in government offices
- Improper technological penetration at grassroot level
- Ineffective decentralization of financial power

▪ **Mis-Utilization:**

- Corruption leading to diversion of funds to unauthorised sources.
- Poor accountability mechanism preventing their effective monitoring and utilization.
- Lack of coherence in planning.
- Ineffective decentralization of power
- Populist politics in the country.
- Corporate impact on policy makers i.e crony capitalism
- Favouritism and misuse of office i.e favouring someone over others while allocation of government projects.
- Expenditure rush during the month of March, popularly known as ‘**March Rush**’, which leads to unplanned and improper fund expenditure, to prevent lapsing of funds that have remained unutilized.
- Diversion of funds to other purposes.

Implications

- **Social:** Violation of the rights and entitlements of the masses. It leads to social problems like inequality, illiteracy, poor health and sanitation, increased animosity among different communities etc.
- **Political:** Misallocation and underutilization has led to unequal development in the country, increased corruption and inequality within different states. This has created the problems of regionalism, naxalism, and separatism.

- **Economic:** India's continuous struggle with poverty and inability to build on its demographic dividend has been the major impact. In spite of having a potential of double digit growth, our growth story still revolves around 7%, along with inadequate improvement in infrastructure, human indices, employment etc.
- **Ethical:** Breach of '**Doctrine of Public Trust**' which lays responsibility on public servant for judicious use for the benefits of the masses.

No matter how good the policy we frame, its impact drastically depends on the allocation and effective utilization of funds. Therefore, to realize the ethical and moral duty incorporated in Directive Principles of States Policy to maximize welfare measures and prevent concentration of wealth in few hands, it is important to take appropriate policy measures to realize the goals of national development.

Ques 2. (b). "Non-performance of duty by a public servant is a form of corruption". Do you agree with this view? Justify your answer.

Solution- Transparency International regards corruption as abuse of power which erodes the fabric of society. It undermines people's trust in the political system, in its institutions and its leadership. A distrustful or apathetic public can then become yet another hurdle to challenging corruption.

All civil servants are entrusted with public duty for the welfare of the masses. Negligence to the public duty cost masses by loss of their freedom, health, education, rights and even life sometimes, and hence, nonperformance of duty by a public servant is also a form of corruption. For example: A **doctor** not reaching hospital on time threatens the life of the patients, a **teacher** not performing his duty not only endangers the future of children but of society as a whole and a **police officers** not doing what is mandated in riotous situation leads to loss of life.

Corruption amounts to breach of faith reposed by the public in civil servant and violation of the rights of individuals. It presents a roadblock to effective administration, law and order, failure to achievement of objectives of welfare policies and eventually guarantee of realisation of constitutional goals like social, economic and political justice.

Non-performance of duty by public servants for which they are morally, legally and constitutionally mandated to do, is a form of corruption as the **Prevention to the Corruption Act** considers non-performance of public duty as an offence.

Therefore, it is essential for every civil servant to perform their duty as mandated in order to uphold the constitutional values and become a vehicle for change in the life of masses, so that common public can enjoy what they are entitled to.

Ques 3. (a). What is meant by the term 'constitutional morality' ? How does one uphold constitutional morality?

Solution- Constitutional morality means adherence to the core principles of the constitutional democracy. In **classicist George Grote's** perspective, it means "paramount reverence for the forms of the constitution, enforcing obedience to authority and acting under and within these forms, yet combined with the habit of open speech, of action subject only to definite legal control, and unrestrained censure of those very authorities."

Constitutional Morality

- In India, the term was first used by **Dr. B.R. Ambedkar** during his **parliamentary debates**. In his perspective, it would mean an **effective coordination between conflicting interests of different people and the administrative cooperation to resolve it amicably** without any confrontation amongst the various groups working for the realisation of their ends at any cost.
- In **contemporary usage**, it refers to the **substantive content of a constitution**. To be governed by a constitutional morality is to be governed by the substantive moral entailment any constitution carries. In this sense, constitutional morality is the morality of a constitution itself.
- Its scope is **not limited only to following the constitutional provisions** literally but vast enough to ensure the ultimate aim of the Constitution, a socio-juridical scenario providing an opportunity to unfold the full personhood of every citizen, for whom and by whom the Constitution exists.
- The **sources** of constitutional morality are the text of the **Constitution**, the **Constituent Assembly debates** and the **events** which took place at that period.
- Constitutional morality is important for constitutional laws to be effective. **Without it**, the operation of a constitution tends to become **arbitrary, erratic, and capricious**.
- An important case which employed this concept in an innovative manner was **the Naz Foundation Case** which used the concept of constitutional morality to strike down **Section 377 of the Indian Penal Code and decriminalise homosexuality**.

How does one uphold constitutional morality?

- By letting constitutional morality **guide the Court's decision** instead of popular morality, while interpreting the constitution.
- By **locating the content and contours** of constitutional morality so that it is not being ignorantly and dangerously used in courts.
- By making a **commitment to the values** like constitutional supremacy, rule of law, liberty, equality, parliamentary form of government, self restraint and intolerance for corruption etc.
- By **using it as an aid in making choices** because it can give another set of clues while searching for constitutional meaning in cases wherein the words of the constitutional clause can be read in different ways.

- By **having paramount reverence** for the forms of the constitution, enforcing obedience to authority and acting under and within these forms.

Even the constitution itself mentions this concept only four times (twice in Article 19 and twice in Right to religious Freedom under Article 25 and 26), and it has been understudied and ignored for a long while by people in general as well. It needs to be changed in order to understand the constitution with a new perspective exploring further possibilities of this concept.

Public conscience, moral order and constitutional morality- ethics of politicians, that constitute the core of policy making, must be very sound and strong if democracy is to survive for the long period of progress and prosperity of the people.

Ques 3. (b). What is meant by 'crisis of conscience' ? How does it manifest itself in the public domain?

Solution- There is a higher court than courts of justice and that is the court of conscience. It supersedes all other courts. — Mahatma Gandhi

Crisis of Conscience

- It is the dilemma of being ethically unfair or wrong in the decision making process.
- Sometimes in complex and emotional situations, it is very hard to decide what is the right thing to do. The situation might need a different solution practically which might be immoral but our conscience strongly suggests us a completely different approach.
- It is ethically proper to violate an ethical principle only when it is clearly necessary to advance another true ethical principle which will create the greatest amount of good and the least amount of harm to the greatest number of people, which is the utilitarian approach.

How does it manifest in public domain?

- It manifests in the decision making process by civil servants where the decision can impact a huge number of people. The problem arises when they are pressurised under some ministerial influence to take immoral decisions or implement unethical policies.
- It manifests in the tussle between ethics and the law. For example, restricting public movement in Kashmir for upholding law and order raised the situation of crisis of conscience. Similarly, despite having a legal status as a third gender, transgenders continue to face oppression, marginalisation, lack of employment opportunities which forces them to resort to beggary, and this failure to ascertain to them life of dignity is a manifestation of the crisis of conscience in public domain.

It is common to come across such crises of conscience in public domain where lives and decisions overlap and come face to face almost every time. The key to overcome such crisis of conscience for public servant is through keeping all dimensions in mind, freeing himself from desires or pressures and staying calm & true to public service ethical code and legal framework.

Ques 4. (a). Explain the basic principles of citizens charter movement and bring out its importance.

Solution- Citizen's Charter is a document of voluntary commitments made by a government organization to the citizens/client groups in respect of the services/schemes being provided to them or to be provided to them.

The main objective of Citizen's Charter is to improve the quality of public services. The aim of the exercise is to build bridges between citizens and administration and to streamline administration in tune with the needs of citizens. This is done by letting people know the mandate of the concerned Ministry/ Department/Organisation, how one can get in touch with its officials, what to expect by way of services and how to seek a remedy if something goes wrong.

Principles of Citizen Charter

- **Quality:** improving the quality of services
- **Choice:** for the users wherever possible
- **Standards:** specifying what to expect within a time frame
- **Value:** for taxpayers money
- **Accountability:** of the service provider (individual as well as organisation)
- **Transparency:** in rules, procedures, schemes and grievance redressal
- **Participative:** consult and involve

Importance

- It is helpful in making administration more **transparent** and **accountable**.
- It is citizen-centric in nature and makes the administration more citizen friendly.
- It promotes good governance
- It improves service delivery to the citizens.
- It provides a pathway for grievance redressal.

A Citizen Charter cannot be an end in itself, it is rather a means to an end- a tool to ensure that citizens always remain at the heart of any service delivery model.

Ques 4. (b). There is a view that the Officials Secrets Act is an obstacle to the implementation of RTI Act. Do you agree with the view? Discuss.

Solution- Right to Information (RTI), 2005 is a path breaking legislation that brought in an era of transparency in Indian governance system. It empowered the masses in the following ways:

- Making information accessible to the masses

- Increased accountability of government for their decisions
- A tool to ensure curb on corruption
- It enhanced public trust on the government
- Efficient working of Government employees.
- Ensured Impartiality

However, The Official Secret Act (OSA) enacted by the British Government in 1923, to curb down its Enemy States, acts contrary to provisions of RTI. Not only is it anachronistic and lacks usage in a liberal, modern day democracy, it creates obstacles in the implementation of RTI, in the following ways:

- Colonial era act.

- Majorly used by government to withhold information from citizens by citing security concerns.
- also used to cover up government impropriety.
- Used as a draconian weapon of threat against Journalists and activists to unearth governmental shortcomings.
- Used to silence specific investigations undertaken by citizens or civil society.
- May lead to wrongful suspicion of spying on citizens eg: S Nambi Narayan, an eminent ISRO scientist, was investigated in the ISRO spy case. He faced a criminal trial under OSA and acquitted now after 24 long years.

Moreover,

- Liberal and modern democracy runs on complete participation of citizens in each and every Government decision.

- There would be no espionage if every information is already available in public domain.
- Why should government be afraid/concerned, if there is nothing to hide?
- Why only government get to decide what needs to be kept secret, in a democracy?

However, Complete transparency is neither possible nor desirable due to security concerns, especially when India is faced with multifaceted threats on account of being placed in a hostile neighbourhood.

- Classified and sensitive documents on national security issues like Nuclear Installations, Movement of Troops etc. is of little use to the public and also jeopardise the safety of the nation.
- Espionage concerns cannot be ruled out. Recent theft of design plan of Scorpene Class Submarine is one such example.

Despite, Section 22 of the Right to Information (RTI) Act explicitly stating that it overrides the OSA by forbidding the Government to deny access to a document demanded through an RTI question just on the sole ground that it has been marked secret under the OSA, there needs to be a firmer system in place to differentiate between the use and misuse of OSA. Now, that we have systems like Lokpal at place, so giving an Independent committee the responsibility to curb government's autonomy on deciding what qualifies as "secret" will be a welcome change.

Hence, there is a need to balance secrecy and transparency. As, the Second Administrative Reforms Commission (SARC) Report, 2006, suggested that a culture of secrecy breeds confidentiality, making disclosure a rarity.

**Ques 5. (a). What do you understand by probity in governance?
Based on your understanding of the term, suggest measures for
ensuring probity in government. (150 words)**

Solution- Probity in Governance is a vital need for executing the governance system and socio-economic development. It is defined as adherence to ethical and moral values like honesty. Integrity, rectitude, uprightness etc. It is the presence of procedural integrity with high standards of ethical behaviour.

Probity in Governance additionally elucidates that rather than the conventional civil service values of performance, integrity and patriotism, it's vital for civil officials to adopt as well as undertake ethical and integrity values, which includes respect for human rights, morality in public life and compassion for the downtrodden and dedication to their welfare.

Probity in Governance seeks to fulfil the following purposes:

- It preserves public confidence in Government processes
- It maintains integrity in public services
- It ensures accountability in governance
- It ensures compliance with processes
- It seeks to avoid the potential for misconduct, fraud and corruption

Measures to Ensure Probity in Government

Lack of probity in governance has become one of the biggest menaces of society. To inculcate probity & adherence to ethical practices among them certain strides could be taken:

- A dedicated unit to oversee violation of Code of ethics & Code of conduct by government officials be set up both at state and centre level.
- Information must be made accessible to common public through websites.
- Mandatory declaration of assets and liabilities of government employees, accompanied by proper auditing.
- Establishment of Independent Anti-Corruption Agency
- Citizens Advisory Boards to incorporate ideas of common public in improving governance.
- Mandatory Social Audit of all government programs, for example: Meghalaya has passed a law for social audit of government programs.

Apart from laws and policies, the government should also focus on bringing **behavioural change** in government employees so that they can easily empathize with the problem of common mass so as to fulfil the democratic goal of “government by the people, for the people and to the people”.

Ques 5. (b). “Emotional Intelligence is the ability to make your emotions work for you instead of against you.” Do you agree with this view? Discuss.

Solution- Emotional Intelligence (EI) refers to the ability to understand one’s own emotions and those of others to regulate and manage them and utilize them to execute tasks. It is the basis of the social skills of administrators that contribute to organizational effectiveness.

These set of skills are imperative to deal with the challenges of administration such as political interference, communication with people and conflict management.

E.I. works in your favour in the following manner:

- It helps in maintaining objectivity while dispensing work
- It leads to efficient and desired outcomes.
- Increases trust among colleagues.
- Reduces stress and any extreme outburst.
- Helps in understanding the state of mind of others.
- Prepares you to deal with unexpected circumstances.
- Emotional Intelligence could help an officer to be motivated and to inspire her/his subordinates to execute the given tasks efficiently.

- **In Decision making**, Emotional Intelligence helps civil servant in restricting the overflowing of their emotions and keeping their temperament under control in case of any unwarranted influences.
- Moreover, EI helps the civil servant to have an empathetic attitude towards the common people, especially poor and vulnerable ones.

Eg1: If you had a fight at home just before coming to office, then there is a strong possibility of a spillover of the bad mood at workplace in the form of shouting at the colleagues or being rude and excessively defensive. But, if you are good at E.I., then you'll calm yourself down, managing your extreme emotions. This will assist you in better discharging your duties to the best of your capabilities.

So, this way , you moulded your emotions to work for you, rather than letting them create a hindrance for you.

Eg2: Suppose, you are supervising a very important project in the public domain with a strict deadline. As the deadline approaches, if you have low E.I. you will get easily agitated, anxious, frustrated, discouraged and pessimistic. This will create further obstacles for your projects.

But, if you have high E.I. then you will excel, motivate your team members to expedite the work, will calmly think of other innovative ways to hasten the work through a positive outlook and happy disposition.

Thus, E.I. helps in curbing the randomness and extremity of emotions. This further leads to a positive perspective and stable performance rather than creating any hindrance which may go against us.

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

(a) "An unexamined life is not worth living" — Socrates

Solution- An unexamined human life, is deprived of the meaning and purpose of existence. The ability to introspect removes the individualistic absurdity by invoking a commitment to moral integrity and social solidarity.

Just like a seed needs soil, sunlight and water for its germination, human life needs introspection and examination for its growth. An understanding of the experiences gained in the life at any particular time, enriches one's engagement with self and the universe.

Mahatma Gandhi's examination of self through his autobiography 'My experiments with truth' highlights the significance of reflection on life. Mahatma Gandhi was not only able to map his weaknesses and vulnerabilities through the examination, but was also able to question his prejudices and understand his strength as a human being.

This very ability to reflect on life adds more depth to the character of 'Arjun' in Mahabharat than most of the other characters like Bheeshm, Yudhishtir or the Kauravs. Instead of following the norms and fighting with his clan, Arjun questions the meaninglessness of the war and the purpose of his life.

The fast changing societies and consumerist culture in the contemporary world leave less time for human beings to examine and think about the changes. Adaptation to changes have become automatic and unquestionable.

The quotation has strong relevance in the present times where human beings are burdened with the histories of war, colonisation, nationalisation, erosion of morality in the scientific and technological advancements and the sense of spiritual uprootedness.

It is in these times that one needs to delve deeper into the conscience to find the purpose of existence and engage in a more meaningful manner with the society.

(b). "A man is but the product of his thoughts. What he thinks he becomes." — M.K. Gandhi

Solution- Actions of a person are largely determined by her thought process. One's thoughts are the first engagement points with the society. Thoughts impact behaviour as well as the attitude, while moulding the actions. It therefore, becomes very important for the thoughts to be fixated to a compass of morality and conscience. Ethical behaviour and regulation of actions emerge from ethical thought process.

Thoughts or reflections on experiences open up possibilities for the choices of action to be taken. An understanding and awareness of one's thoughts and feelings, or emotional intelligence can help in regulating her actions accordingly. For example, while thoughts of kindness and compassion can create more empathetic individuals, thoughts of violence and anger can contribute to the making of criminals in society.

Technological advancements like Artificial Intelligence and Big data invoke new questions around ethics in the present day society. Individuals' thinking has become more self centred under the impact of increasing individualism and consumerism, this has further led to the individuals' detachment from the community and society. There has also been an increased desire from the market and the state for the control over people's thoughts, behaviours and actions. This is not only in violation of a person's right to speech and expression but also reduces the individual's tendency to question and to think critically.

It is in these times that people's ability to think freely in a society should be nurtured. Societies need to emphasise more on the education as inculcation of critical ethical thinking can produce individuals who act ethically, thereby impacting society, nation and the world at large.

(c). “Where there is righteousness in the heart, there is beauty in the character. When there is beauty in the character, there is harmony in the home. When there is harmony in the home, there is order in the nation. When there is order in the nation, there is peace in the world.” — A. P. J. Abdul Kalam

Solution- A.P.J Abdul Kalam had highlighted the importance of quality of righteousness through this quote and had given a beautiful connectivity between heart, character, nation and the world.

- **Righteousness** is the quality of being **morally right** and **justifiable** which forms the basis for any peaceful and prosperous society. Every religion focuses on the quality of righteousness as a **means to an end**.
 - **For example:** In Hindu mythologies and texts, **the path of righteousness i.e dharma** is regarded as the ideal path or ultimate duty of every human being.

- By the above quote, he lays down the **path for enabling peace** in a society. By focusing on individual **rejuvenation** as the locus of all activity, he aims to reform and integrate the whole society.
 - **For example:** In the 3rd century BC, **Ashoka** promoted the **code of Dhamma** in his empire, which was the set **ideal social behaviour** for promoting peace and enabling prosperity in the kingdom.

- The contemporary society has been seen digressing from the path of righteous behaviour and has shown more inclination toward the materialistic way of life, which has led to the eruption of several social and societal problems.
- If individuals follow the righteous path, they are more likely to spread happiness to others and succeed in their personal endeavours and will contribute to the upliftment of their household status, which indirectly will contribute to the happiness and upliftment of whole society, and then many social problems like crime, corruption, mob lynching etc can be eliminated from the society.
- Similarly, the more prosperous society will contribute to a more prosperous nation.
- **For example:** Terrorism has become a severe menace in many West Asian countries and threatening the safety and security of whole world. Focus on enabling the order of righteous path in these nations will contribute to maintaining peace in the whole world.

Righteousness in multiple dimensions in the society with the indomitable spirit is essential for realizing the vision of "**Vasudhaiva Kutumbakam**".

Ques 7. You are heading the rescue operations in an area affected by severe natural calamity. Thousands of people are rendered homeless and deprived of food, drinking water and other basic amenities. Rescue work has been disrupted by heavy rainfall and damage to supply routes. The local people are seething with anger against the delayed limited rescue operations. When your team reaches the affected area, the people there heckle and even assault some of the team members. One of pa-Ur team members is even severely injured. Faced with this crisis, some team members plead with you to call off the operations fearing threats to their life.

In such trying circumstances, what will be your response? Examine the qualities of a public servant which will be required to manage the situation.

Solution- My response in such a fervent atmosphere should be thoughtful, cogent and humane because there are various dilemmas involved. Leaving thousands unattended, when they are completely dependent on government help, would be an act of timidity and self preservation which is unbecoming of a public servant.

Morale upliftment: The primary response for me, as the head of the rescue mission, is to reorient the focus of the group towards our real objectives. Since some of them are requesting to call off the mission I need to exhort them, with examples like – **During the 2014 Floods in Kashmir**, when the NDRF team started rescue mission, they were pelted with stones, their boats were snatched and one of them was stabbed but they did not yield and went on to rescue more than 50000 people.

Initially, when **Mahatma Gandhi was marching barefoot in riot hit areas of Noakhali**, his path was strewn with **pieces of glass and animal excreta** by the riot-affected people. Later, His unflinching courage and love for humanity created a miracle, when people themselves promised not to retaliate.

Here, the anger of people is misplaced due to the popular perception of government servants. Once, people witness self-abnegation, dedication and courage in the rescue work they will start cooperating.

Secondly, I would try to persuade people by taking help from those who are willing to cooperate, in such an exercise local leaders can also help.

Apart from this, I will try to get cooperation from the government with respect to protection of my team members so that they may not be hurt in helping the people.

Qualities required to effectively manage such situation

- **Spirit of service:** Since the rescue team is vulnerable to physical and verbal attacks, only some higher cause can help an officer in composed and coordinated rescue work.
- **Leadership:** In such circumstances, finality of any decision lies completely on the wisdom of the leader. He/She also needs to lead the team from the front; displaying personal courage and conviction.
- **Empathy and Emotional Intelligence:** An officer needs to have empathy and emotional intelligence for understanding the behavior of disgruntled local people otherwise one may abort the relief mission or resort to use of force-which will only heighten their anger.
- **Power of persuasion:** People seething with anger are reactive and short-sighted, making them agree for something requires the power of persuasion.
- **Patience and Presence of mind:** A Public Servant can not afford to make spontaneous decisions in such situations. Any further course of action should be guided by considerate assessment and swift thinking.

Thus, we need to have a sensitivity of the situation and not blame people for their reactions. Empathy and support is the key to rescue people in problems.

Ques 8. Honesty and uprightness are the hallmarks of a civil servant. Civil servants possessing these qualities are considered as the backbone of any strong organization. In line of duty, they take various decisions, at times some become bonafide mistakes. As long as such decisions are not taken intentionally and do not benefit personally, the officer cannot be said to be guilty. Though such decisions may, at times, lead to unforeseen adverse consequences in the long-term.

In the recent past, a few instances have surfaced wherein civil servants have been implicated for bonafide mistakes. They have often been prosecuted and even imprisoned. These instances have greatly rattled the moral fibre of the civil servants.

How does this trend affect the functioning of the civil services? What measures can be taken to ensure that honest civil servants are not implicated for bonafide mistakes on their part? Justify your answer.

Solution- The role of civil servants is to take decisions which have huge ramifications on the socio-economic growth of the country. However, instances of wrongful prosecution of honest officers deeply impact the morale of honest officers. It has multiple effects on the functioning of civil services in India:

Affect on the functioning of the civil services

- **Impact on decision-making of officers:** Officers will be averse to expressing their views. This may further aggravate red-tapism due to fear of departmental action for their incorrect decisions.
- **Hampers economic growth:** With increasing private sector participation in public services, fear of prosecution may restrict honest officers to take progressive, bold and courageous decisions across sectors. Delay in taking key decisions will lead to poor governance.
- **Tool to harass honest officers:** Corrupt political leaders and bureaucrats may harass honest officers through baseless complaints and investigations.
- **Impact on reputation of honest officers:** Prosecution of honest officers leads to mental agony and heavy financial loss besides being defamed in the society.

Measures to ensure that honest civil servants are not implicated for bonafide mistakes

- **Ensuring maximum transparency in administration:** The key policy making decisions should be made ensuring maximum clarity and openness about how decisions are taken. This will prevent blaming select individuals for incorrect decisions.
- **Legislative actions:** As recommended by the **Hota Committee report**, amendment to Section 13(1)(d) of Prevention of Corruption Act, 1988, that deals with criminal misconduct by a public servant is a welcome step. It will protect honest civil servants from malicious prosecution and harassment.
- **Reducing politicization of bureaucracy:** The fear of transfers, denial of promotions, or being punished post retirement may impact decision making of officers. Ensuring fixed tenure to civil servants is a much needed step for systemic reforms in civil services.
- **Role of institutions:**
 - **Approach of judiciary:** In a democracy and a rapidly growing economy, courts have to make decisions with a very constructive interpretation of laws. It must clarify the distinction between corruption and wrong administrative decisions.
 - **IAS Association of India and other civil society groups** should support and stand by honest officers undergoing wrongful prosecution.

- **Creating internal oversight mechanisms:** Internal enquiries in each department should consider integrity and past career record of officers before recommending for criminal investigation of bonafide decisions.

Justification

- Since every decision taken may not prove to be correct in the long run, it is unjust to prosecute honest officers for genuine mistakes. Young and aspiring civil servants should preserve the key values of honesty, impartiality and fearlessness.
- Dynamic and honest officials, who are risk-takers for the greater good, must be encouraged, not restrained. No bureaucrat or public official should be fearful for a bonafide decision.
- Officers must stick to honesty and righteousness and ultimately there is victory of right over wrong. As the national motto suggests – **Satyameva Jayate:** Truth alone triumphs; not falsehood.
- **For ex:** Former coal secretary HC Gupta who is known for his integrity and clean career record was acquitted by the Delhi High Court after CBI failed to prove the charges of criminal misconduct against him in the coal scam.

Thus, the need of the hour for the civil servants is to follow the code of ethics along with code of conduct.

Ques 9. An apparel manufacturing company having large number of women employees was losing sales due to various factors. The company hired a reputed marketing executive, who increased the volume of sales within a short span of time. However, some unconfirmed reports came up regarding his indulgence in sexual harassment at the work place.

After sometime, a woman employee lodged a formal complaint to the management against the marketing executive about sexually

harassing her. Faced with the company's indifference in not taking cognizance of her grievance, she lodged an FIR with the Police.

Realizing the sensitivity and gravity of the situation, the company called the women employee to negotiate. In that she was offered a hefty sum of money to withdraw the complaint and the FIR and also give in writing that the marketing executive is not involved in this case.

Identify the ethical issues involved in this case what options are available to the women employee?

Solution- - Facts of the case

- Illeged sexual harassment at workplace by the marketing executive.
- Marketing executive important resource for the company as he increased sales in a short period of time.
- Company management's indifference in not taking cognizance of the woman's complaint.
- Company pressurizing the woman employee to withdraw the case.

Stakeholders involved	Ethical issues
Woman employee	Handling mental agony and societal pressure in pursuing the case. Loss of self respect in negotiating with the company for monetary benefits.
Marketing executive	Saving professional life by negotiating with the woman employee and proving innocence if not guilty.
Company management	Insensitivity towards dignity of a woman. Priority to profit over organizational values by indulging in illegitimate negotiation with the woman employee.
Other employees	To continue working with the marketing executive against moral conscience of other women employees.

Following options are available to the woman employee:

- **Continue with her case by taking a firm stand against the company management.**

- This would give fair chance to her to prove her viewpoint in a court of law and will give her mental peace that she stood for herself.

- However, she will have to face mental agony and societal pressure in pursuing the case and may even prove detrimental for her career prospects.

- Accept the negotiation offer by the company and withdraw the case.
- This may be beneficial for her career and will save her from rigorous investigation process.

- However, this would create dissonance and affect mental peace as her conscience would not allow her to accept monetary gains over self respect. Also, she would never be able to stand for herself in the future.

- Resign from the company and focus on other career opportunities.
- This will let her avoid the situation and will be beneficial for her career prospects.

- However, the scars of sexual harassment will remain with her throughout her life and she will regret that she herself is responsible for denial of justice to her.

Option(1) seems to be the correct way of handling the situation. The women employee can play a leadership role. Her actions will give voice to other genuine concerns of women employees. It is her moral responsibility to come forward and show exemplary behaviour. This will not only bring self satisfaction to her but also increase her confidence and inner strength.

Also, there is a major fault of company management in giving priority to profit motives by saving the marketing executive and not forming the internal complaints committee as mandated by the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013. Gandhiji considered 'commerce without morality' as one of the seven social sins. Thus, it is not only an individual's fault, but an organization's which lack values such as respect for the dignity of woman, work-culture ethics, and gender equality

Ques 10. In a modern democratic polity, there is the concept of political executive and permanent executive. Elected people's representatives from the political executive and bureaucracy forms the permanent executive. Ministers frame policy decisions and bureaucrats execute these.

In the initial decades after independence, relationship between the permanent executive and the political executive were

characterized by mutual understanding, respect and co-operation, without encroaching upon each other's domain.

However, in the subsequent decades, the situation has changed. There are instances of the political executive insisting upon the permanent executive to follow its agenda. Respect for and appreciation of upright bureaucrats has declined. There is an increasing tendency among the political executive to get involved in routine administrative matters such as transfers, postings etc. Under this scenario, there is a definitive trend towards 'politicization of bureaucracy'. The rising materialism and acquisitiveness in social life has also adversely impacted upon the ethical values of both the permanent executive and the political executive.

What are the consequences of this 'politicization of bureaucracy'? Discuss.

Solution- Cooperation between elected representatives and bureaucrats is essential for democratic governance of the country. However, due to 'politicization of bureaucracy', there is a deterioration in the functioning of the civil services.

Values involved in the case

- Political neutrality and impartiality
- Integrity and probity
- Courage of conviction
- Following the code of conduct
- Legal responsibility

Consequences of politicization of bureaucracy

- **Detrimental to moral fibre of bureaucrats:** Even honest civil servants with political leanings have compulsion to take biased decisions in favour of one political group.
- **Dilemma in personal v/s professional life:** A bureaucrat indulged in material benefits have to compromise with his conscience or inner voice just to be in tune with outside reality, thereby disturbing his mental peace and work ethics. The person loses self respect and trust of his family and children who inculcate such inadequate values from him.
- **Impact on governance system:** Lack of impartiality in functioning of civil servants has direct impact on their decisions in day to day administration either in public service delivery or implementing social welfare schemes.

- **Problems in chaotic situations:** Difficult circumstances like communal riots demands officers with strict political neutrality. Biased decisions can lead to loss of lives and property. Hence, a civil servant must be accountable for his decisions in such situations.
- **Policy paralysis:** Fear of political vendetta against non-cooperative officers in the form of frequent transfers, delay in promotions, etc results in red-tapism and culture of secrecy in their decision making.
- **Negative impact on civil society:** Civil servants occupying top positions in the government are role models for young aspiring Indians. Their impartial attitude is detrimental to the societal ethics at large.

Therefore, a civil servant must be politically neutral. As a civil servant, one has the responsibility towards public and must adhere to constitutional principles keeping his conscience intact. His primary job is to perform **Nishkama Karma** (selfless and desire less duty). He must be rational, exemplary, and committed to the public cause.

Materialistic things charms anyone only for short span and in the long run person derive satisfaction by doing his job honestly and making positive contributions in the lives of others. Therefore, civil servants and even politicians should stay away from material gains.

Also, a civil servant should be ready to serve at any position at any time. Fear of transfer should not refrain a civil servant from his commitment towards public cause and larger interest of society.

Ques 11. In one of the districts of a frontier state, narcotics menace has been rampant. This has resulted in money laundering, mushrooming of poppy farming, arms smuggling and near stalling of education. The system is on the verge of collapse. The situation has been further worsened by unconfirmed reports that local politicians, as well as some senior police officers, are providing surreptitious patronage to the drug mafia. At that point of time a woman police officer, known for her skills in handling such situations is appointed as Superintendent of Police to bring the situation to normalcy.

If you are the same police officer, identify the various dimensions of the crisis. Based on your understanding, suggest measures to deal with the crisis.

Solution- The situation in the aforementioned district seems daunting, with the social and administrative system inching towards a total collapse. Consequentially, the

prevalence of such a scenario must be leading to wastage of human and social capital, rise in crime rates, and endangering the future prospects of the district and its people.

The district is grappling with myriad problems which have various dimensions of the crisis can be summarised as below-

- **Legal dimension:** The activities like money laundering, poppy farming, arms smuggling, emanating from narcotics menace, are legally prohibited under respective laws.
- **Security dimension:** Frontier districts in India are susceptible to subversive groups trying to undermine democracy and authority of the State. Arms smuggling and money laundering provides easy means of financing their anti-social activities.
- **Social dimension:** A society ridden with such maladies can never focus on education, health, development, empowerment and welfare which are the key aims of a welfare state.
- **Economic dimension:** Involvement of people in such activities will lead to the emergence of a black economy eating away at the vitals of a state.
- **Political and administrative dimension:** Allegedly, local political leaders and senior police officers are hand in glove with the drug mafia and are providing clandestine support to them- which raises the question of moral and ethical propriety.

Measures to deal with the crisis

- Since the problems have permeated through the social, political and administrative structures, my response, as a lady Superintendent of Police should be calculated, precise and swift, with long term implications in mind.
- Firstly, a thorough investigation must be conducted within the police establishment to identify the black sheep and they should be subjected to lawful punishment.
- **Law enforcement:** I would focus on scrupulous and strict implementation of existing laws -taking a cue from *inspirational lady SP of Sonitpur district, Sanjukta Parashar*, who efficiently curbed insurgency, seized tons of illegal arms and ammunition and arrested dozens involved in illegal arms racket.
- **Taking help from Border Security Forces:** Since my district lies in a frontier state; there is a possibility of involvement of transnational elements. For this, the police force must act in tandem with Border security personnel because with rigorous patrolling and search operations local elements can be isolated.
- Going beyond just law enforcement, I would also discuss the social dimensions of the problem with other administrative officers like District Magistrate- and suggest to involve other benign actors like NGOs, Panchayat heads etc, acting in a concerted way, for engendering education and addressing the issue holistically.
- Efforts should also be made to wean off regular farmers if involved in poppy cultivation.

India's frontier districts need to remain economically prosperous, socially in harmony and free of illegal criminal networks because an afflicted district can have long-term adverse implications on the security, unity and integrity of India.

Ques 12. In recent times, there has been an increasing concern in India to develop effective civil service ethics, code of conduct, transparency measures, ethics and integrity systems and anti-corruption agencies. In view of this, there is a need being felt to focus on three specific areas, which are directly relevant to the problems of internalizing integrity and ethics in the civil services. These are as follows:

- 1. Anticipating specific threats to ethical standards and integrity in the civil services,**
- 2. Strengthening the ethical competence of civil servants and**
- 3. Developing administrative processes and practices which promotes ethical values and integrity in civil services.**

Suggest institutional measures to address the above three issues.

Solution- In recent times, there is an increasing expectation from ordinary citizens, business leaders and Civil Society for higher standards of ethical behaviour and integrity in the Civil Services. To promote this, various methods like Code of Conduct, Citizen Charters, etc have been developed. However, the focus should also be on internalizing professional ethics and integrity in civil services to make it more citizen-friendly.

Values involved in the case

- Ethical integrity of civil servants.
- Probity in governance.
- Moral aptitude of civil servants.
- Accountability and responsibility.
- Transparency and citizen participation.

Specific focus issues and measures to address them

- **Anticipating specific threats to ethical standards and integrity in the civil services.**
- **Red-tapism:** Unnecessary administrative complexities to effective service delivery should be identified and removed.

- **Culture of Secrecy:** Decisions made by civil servants and public officials should be made as transparent and open as possible. Reasons must be given for official decisions.
 - **Inadequate grievance redressal System:** Effective mechanisms should be put in place to ensure timely resolution of public complaints and appropriate feedback provided to the public organisations. Grievance redressal processes should be monitored so as to ensure that systems are reviewed and performance is improved.
 - **Biasedness and Partisan Attitude:** Implementation of conduct rules and code of ethics in order to create a professional and non-partisan civil service hierarchy.
 - **Elitism of civil servants:** Public orientation in Civil servants is crucial to increase public participation and improve public service delivery. Civil servants should be given proper training to ensure citizen-friendly behaviour.
-
- **Strengthening the ethical competence of civil servant.**
- **Training and performance appraisal:** This would incentivise the honest civil servants and make them role models for others to emulate.
-
- **Reward and honours:** It will infuse competition in the civil services to perform better and develop innovative solutions for public service.
 - **Promotion of inclusive work culture:** Diluting strict hierarchy to increase the cooperation among public officials to increase the effectiveness of services.
 - **Social and cultural competence:** This would help the civil servant to understand the diverse Indian society and perform as per the high aspirations of the public.
-
- **Developing administrative processes and practices which promote ethical values and integrity in civil services.**
- **Promoting accountability:** Effective laws which require civil servants to give reasons for their official decisions. For eg. RTI act.
-
- **Reducing Corruption:** Punitive provision like Prevention of Corruption Act and Whistleblower Protection act, technological Interventions in the form of e-governance to remove discretion, promotion of Social Auditing etc to ensure accountability of the administrative work.
 - **Human Resource management strategies:** Performance-based pay, Lateral Entry, Multi-Phase training will increase the efficiency and quality of public service delivery.
 - **Internal and External Committees:** To ensure redressal of complaints and grievances of civil servants and public. This improves the work culture and aligns the behaviour of public servants to the desired civil services values.
 - **Code of Conduct Rules:** It ensures appropriate behaviour from public servants that should be unbiased and non-partisan.

Promotion of ethical behaviour and integrity in civil servants, and revamping the public administration is critical to ensure that the policies of social welfare are implemented in true spirit. It would improve the responsiveness of public servants towards the common citizenry. Also, public trust would increase in the government setup. Greater social capital can in turn help in the promotion of ethical governance.

