

## ETHICS, INTEGRITY AND APTITUDE

Time Allowed: 3 hrs.

Max. Marks: 250

Q.	Marks	Instructions to Candidate
1.		<ul style="list-style-type: none"><li>There are 17 questions.</li><li>All questions are compulsory</li><li>The number of marks carried by a question/part is indicated against it.</li><li>Content of the answer is more important than its length.</li><li>Answers must be written in the space provided.</li><li>Any page or portion of the page left blank in the Question-cum-Answer Booklet must be clearly struck off.</li></ul>
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1. Invigilator Signature [Signature]  
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Name Attendra Prateb Singh  
Roll No. [Redacted]  
Mobile No. \_\_\_\_\_  
Date 18/08/2017  
Signature Attendra Prateb Singh

## SECTION - A

Q1. Why it is, sometimes believed that feelings are better guide to action than reasons? Critically analyze. (150 Words) (10 Marks)

Feelings are outward manifestations of decisions of an individual's inner self. They are generally related with strong emotions to achieve something. Feelings are sometimes considered better guide to action because -

while taking decisions based upon reason we may base our decisions on certain selfish interests which is not the case with feelings which are generally selfless emotions.

Feelings have strong emotional component attached to them and hence they is a better motivation to achieve the task which come out of feelings and hence better are the chances of success. eg. deciding to prepare for civil services exam can be due to feeling also & reason also. But ~~it is~~ only due to inner feeling that strong motivation comes for hard work.

~~But~~ at the same time feelings are not always the better guide to action because

Remarks

They may force individual to get involved in illegal activities. eg. 9/11 attacks as a result of strong feelings of youth. If they would have analysed the reasons properly, they would not have done so.

Feelings are not always rational & hence they promote irrationality.

Thus feelings are good guides to action but certainly not always.

A blend of both feeling & reason can lead to a good decision making.

Q2. Mob violence, also referred to as "Mob Justice" highlights a striking paradox - it approves the dispensation of justice by people, who usurp the authorities of constitutionally delegated bodies and apply a process they define as speedy. Answer the following questions related to it:

- (a) Do you see principal of justice being followed in the 'Mob Justice'?
- (b) How is it interrelated to attitude of any society?
- (c) Analyze why there is increasing incidence of Mob Justice in the recent days?  
(75 Words Each) (5×3=15 Marks)

Mob justice is one of the biggest manifestation of failure of justice delivery and ensuring law & order in the society.

(A) One can't say that principle of justice is being followed in mob justice because-

- Principles of natural justice say that no one should be punished unheard. Mob justice is a clear violation of this.

- Mob justice is done based on premises of someone being guilty without any investigation and hence it may end up punishing the wrong individual.  
- Mob justice may impede the proper justice delivery in the society because controlling the mob becomes the main motto.

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Discuss other ingredients of principle of natural justice

Remarks

(B)' Cases of mob justice occur when society makes a negative attitude towards the justice being done in the society i.e. it feels that govt institutions are ineffective to punish the culprit.

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At the same time it is also related to decrease in the capacity of police to control the mob. In this situation society feels that it can get involved in mob justice and can easily get away with this (because of ineffective judicial & police institutions).

Hence both demand & supply factors promote mob justice in the society. Discuss various traits of such society.

(C)' There are social, political & economic reasons for increasing mob justice in recent days -

Social reasons - Society is increasingly feeling pathetic towards the govt institutions. Many a times police have been found to be favouring the culprits and in this scenario there is no other way for

the society to seek justice than to resort to mob justice.

Political - political parties to fulfill their party interests promote communalism in the society where one group of people feel that their sentiments are being hurt due to others e.g. Dadri lynching incident. This promotes mob justice & intolerance.

Economic - Increasing unemployment is leading to remain many youth without job. This leads to increased frustration which is a cause of persistent tension in the society.

good

Thus there are multiple forces at work to promote mob justice.

Q3. Answer the following questions based on the virtue ethics:

- (a) What is virtue ethics? Can knowledge be equated with virtue?
- (b) If evil or bad actions are the result of ignorance according to the virtue ethics, then why educated people get indulge in White Collar Crimes?
- (c) Give the argument supporting self-control as a master virtue? How the failed-control is evident in the 'social sin'? (75 Words Each) (5×3=15 Marks)

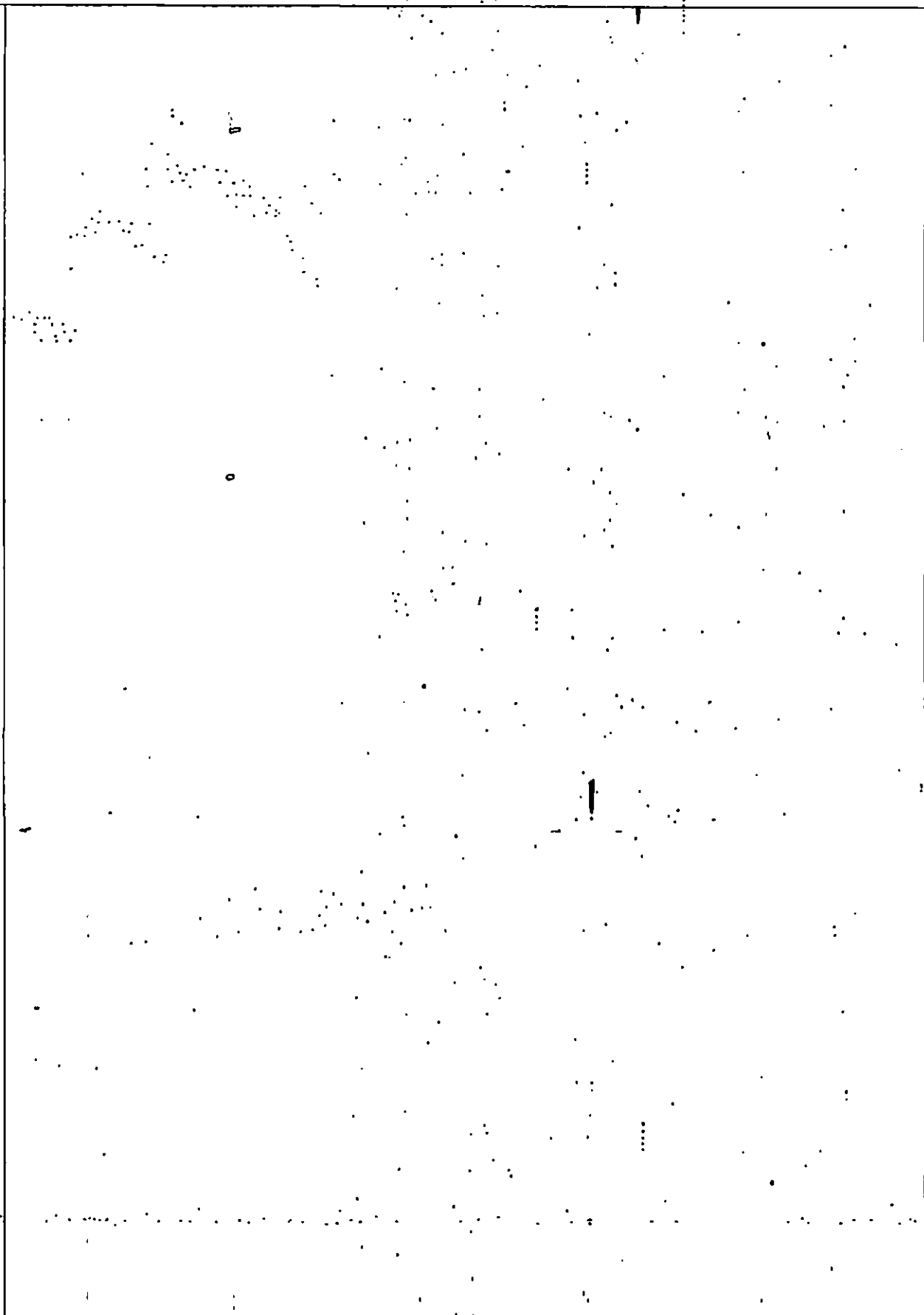
(A) 'virtue ethics is a branch of ethics which emphasises on the individual characters as the bank of moral principles. The main proponent of virtue ethics is Socrates.

Knowledge is an important component of virtue, but it is not the same as virtue because in virtue it is the wisdom which is more important. And this wisdom comes from knowledge and experience and analysis. Thus one should have an analytical knowledge of various things.

Knowledge can be bad used for ill purpose too.

2

Remarks



*Remarks*



Remarks

Q4. What is stoicism? In what way self-mastery of desires and emotions help in achieving the happiness? Is it always good to contain our desires and emotions?

(150 Words) (10 Marks)

It is basically that virtue - the highest good is based on knowledge. To promote knowledge, the school gave emphasis on reason.  
 being indifferent to pain & pleasure. Self mastery of desires & ~~not~~ emotions help in achieving happiness because:

- Desires are never ending phenomenon. Hence at times they need to be controlled. Here a careful distinction needs to be made between two things -

- I want it because I need it &
- I want it because of my desire.

This controlling desires will help individual in getting satisfaction in whatever he has.

- Emotions are strong feeling towards person, object or thing. They need to be controlled because at times they may result in someone doing a task for which he will regret later. eg. A person

Remarks

may feel emotionally very strong to go for a movie but after he returns he may feel that he has wasted his time.

Thus the ability to control the emotions will lead ~~to~~ to live more objective life.

It is not always good to contain desires and emotions because:-

- It will create anxiety in our mind and make us emotionally unstable.

- It will make us feel less confident & lonely.  
- Suppressing emotions for long time may result into disinterestedness.

Thus rather than suppressing the desires & emotions, it is good to understand them properly and respond according to the demand of the situation.

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Q5. Answer the following questions with respect to the concept of motive-consequences relation:

- (a) Is it consequences of actions that make them right or wrong or the motives of the person who carries out the action? Based on the above statement can we say that socialism is better than market economy because the former has more good intentions for the people?
- (b) When government across the world are becoming more as a facilitator for various essential services, on which points should a civil servant pay heed before taking an action with respect to motive-consequences relation?

(75 Words Each) (5×2=10 Marks)

(A) Two combinations can be found out in this situation -

If the motive of the action is wrong then action will be considered wrong irrespective of consequences.  
 eg. If the motive is to kill someone then even if the person doesn't die, the action will be considered wrong.

If the consequence of the action is wrong then action will be considered wrong irrespective of motive.

Taking two conditions into consideration we can say that although socialism has good intentions but its consequences are - loss of freedom of individual, adverse economic situation etc.

Remarks

and hence it is not quite justifiable, whereas the intentions of capitalism is profit making but it results in liberation of individual so it can be considered good.

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(B) Govts worldwide are increasingly becoming more of a facilitator. So in this context while taking any action a civil servant should keep in mind that his actions are according to the accepted govt philosophy. eg. The present govt has accepted the principle that 'Red Carpet not red tape'.

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So in this context the actions of civil servants will be guided by promoting ease of doing business not promoting license permit raj. what is the given content?

Discuss with respect to essential services.

Q6. What is the "principle of permissible harm" in ethics? How do you see stern state action against its own people in certain instances such as the Left Wing radicalism and Jammu and Kashmir disturbance with respect to it? Does 'Principle of Permissible Harm' stand the test of moral laws? (150 Words) (10 Marks)

The principle of permissible harm relates to the extent of damage that can be done by the state against certain individuals to maintain peace & harmony in the society and ensure order in the society.

In the recent times we have seen govt taking stern action against radicals in left wing extremism areas and terrorists in Jammu and Kashmir. These actions are justified because-

- Emergency & terrorism inhibits the economic growth & affects the livelihood of individuals. And right to livelihood is one of the fundamental rights.

- It inhibits the mental & psychological growth of youth & children living in this society, which is a violation of the human rights. eg. interruption in schools due to violence.

Remarks

Principle of permissible harm does stand the test of moral laws because it is intended towards the greater good of the society and hence utilitarian. Also state this to provide justice to the members living in the society and so it stands on the test of theory of Justice of John Rawls.

good  
content

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Remarks

Q7. What is the difference between 'Convention' and 'Law'? Which of these two should be given more attention while taking administrative decisions with regard to the tribal regions? In ethical parlance, which of the above two deserves more compliance?

(150 Words) (10 Marks)

A convention is a resolution of decision makers regarding a dedicated course of action. It does not generally contain penal provisions.

On the other hand a law is that part of established thought which is backed by state & whose violation will invite legal action.

The tribal regions are generally isolated regions in a country. In taking administrative decisions regarding tribal areas, a mix of convention & law can be used.

As convention is based more upon the persuasive power so to the internal affairs of tribals conventions will be more useful as they will give them possible freedom to act accordingly.

But in relation to outside interactions in the tribal areas, legal actions are required e.g. migration of outsiders into tribal areas.

Remarks



In ethical parlance convention will  
deserve more compliance because it's based  
upon persuasion power.

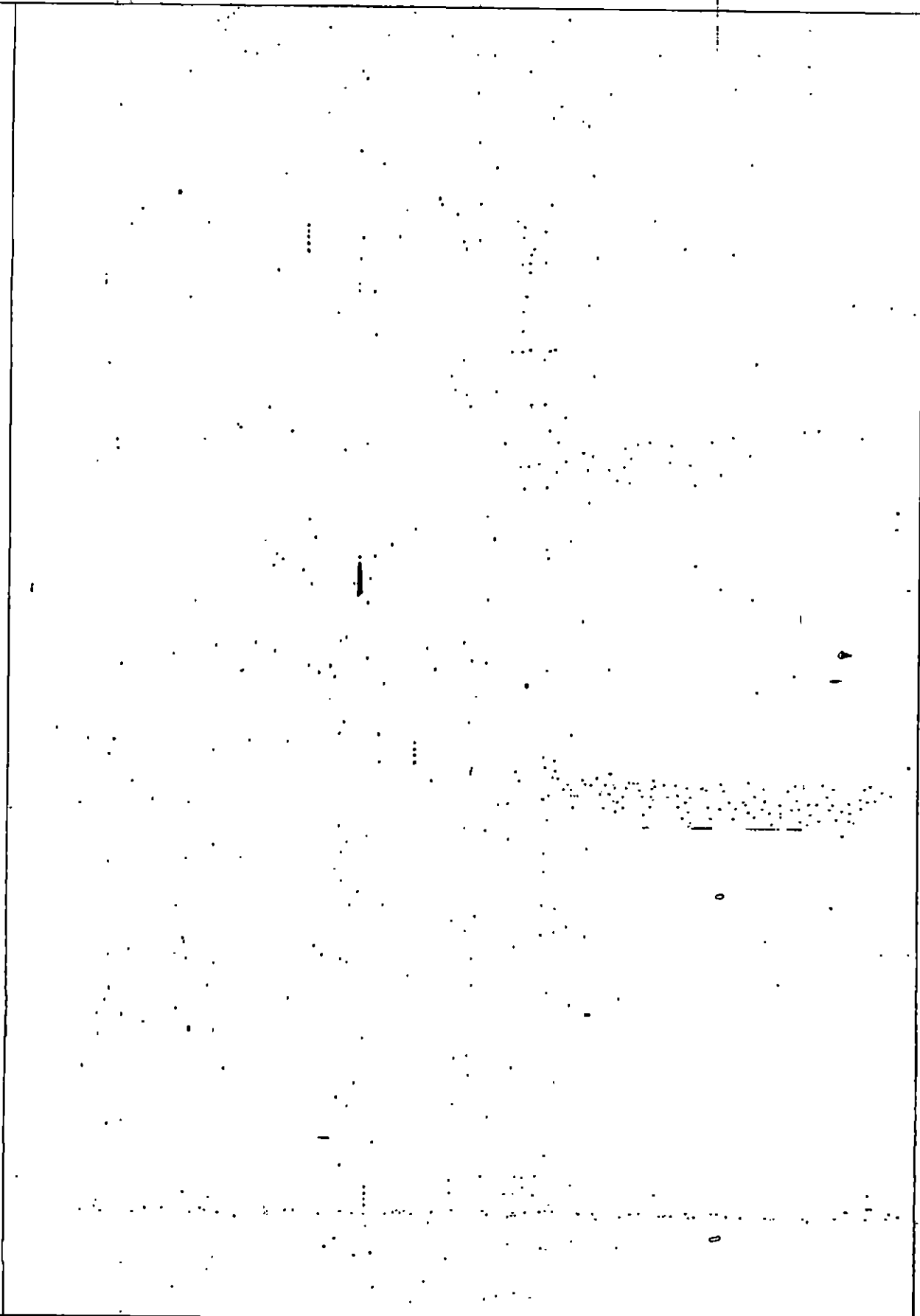
Not ostensibly so.  
Need to decide from the  
perspective of an administrator.

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Remarks

- Q8. (a) Are justice, freedom and equality doles to the ruled, given by the superior authority (nature) or by the government?
- (b) What is the role of struggle, sacrifice and attitudinal change in achieving justice, freedom and equality in the society? Illustrate. (75 Words Each) (5×2=10 Marks)

Remarks



*Remarks*

Q9. Answer the following questions:

- (a) How does cultural relativism defines "good"? Which method does it follow for arriving at moral beliefs?
- (b) Why does cultural relativism supposedly make us more tolerant of other cultures and, critically examine the view that moral values are relative?
- (c) Explain Gau Raksha (cow protection) movement and its dimensions according to the ethical relativism? What should be the ethical approach in case of the cultural conflict between two or more groups? (75 Words Each) (5×3=15 Marks)

(A) Cultural Relativism is an idea which says that judgements regarding good & bad of ~~an~~ action are rooted in the culture of a society. i.e. there are no absolute good or bad actions rather there are culture related good or bad actions. eg. Nazi morality during the world war II where many immoral actions by Nazis were being considered as good by the society (esp. Nazis).

Cultural relativism mainly follows

majority principle to arrive at a cultural belief. i.e. If an act is accepted as good by majority then it is good otherwise it is bad.

But this doesn't necessarily mean that cultural

Remarks

relativism always follow only good conducts.

(B) Cultural relativism essentially states that 'good & bad' are relative to a particular culture and hence if we confront with other cultures then there we acknowledge that the parameters of good and bad are different for them. So facily we accept that they should be guided by their own cultural beliefs.

Although moral values are relative. eg. Indian society favours altruism more than selfishness which is not the case with many western societies. But at the same time there are absolute moral values also - like truth, non violence, compassion, empathy etc. Thus moral values are not always relative.

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Remarks

(c) Gau Raksha movement is the result of belief among blinds that cow is most important animal for them and ~~they should~~ respect cow & stop its killing.

Although the cow protection movement is a result of belief system but it has its political dimensions also. And it is sometimes seen as imposing the majority culture & beliefs over minority. eg. vegetarianism.

An ethical approach in case of

(22) cultural conflict would be to promote respect to each others cultures but at the same time removing the wrongs in both the cultures. eg. though cultural beliefs should be respected but in the name of cultural beliefs we can't tolerate suppression of women's rights.

over all  
good approach

Remarks

Q10. Discuss the essence of consistency? Does consistency guarantee trust? If not then what is the use of it? (150 Words) (10 Marks)

Consistency is objective static behaviour for a long duration of time. It is a very important property of any individual because

It promotes discipline in individual.

It promotes rationality in individual because anyone can't carry on taking & doing irrational things for long duration.

To a civil servant it is even more important because on the basis of this quality he will get more respect and is more likely to bring change he wants.

Consistency in actions & decisions promotes trust because consistent behaviour is a sign that the individual is trustworthy. It also promotes objectivity in decision making due to which individual civil servants get more trust among his colleagues & society.

Consistency has one more important dimension that it promotes evolution of individual into a

It brings predictability of one's action

Remarks

better human being and hence get more trust.

Hence consistency is regarded as the most ~~(imp)~~ property of a civil servant but at the same time it is an essential property of every individual.

3

Remarks



Q11. (a) Consider the following statement and explain it in the context of administration and governance: "It is horribly difficult to perceive our flaws and change our behavior and, at the same time, it is seductively easy to make guilty of our disasters to the sun, the moon and the stars."

(b). What are the essential requirements for being an agent of change?

(75 Words Each) (5×2=10 Marks)

(A) It is said that human being is an status quoist entity in the sense that it does not want to alter the status quo when it is benefitting out of it.

Human being does not want to perceive their flaws because it shows a weakness and feeling of failure on their part. Also, it is against their ego-satisfaction.

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But at the same time they generally blame others for the situation they are in. eg, people, if they fail in exam, blame to question paper and environmental conditions but they don't acknowledge that they didn't study well so they could not do well.

But at the same time we have leaders like Gandhi who acknowledged their flaws and changed themselves accordingly. Thus they managed to achieve great heights.

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you are supposed to discuss in the context of governance and administration as per question

(B) Following are the essential requirements of being an agent of change:-

- Acknowledging that there is a need of change.
- Making an efforts towards attitudinal transformation.
- Developing an ability to learn from others.
- Developing a positive attitude towards the change.

Explain these

Human beings keep on evolving and they should change according to the situations to adjust in the society.

Add more:-

- good communication skill
- Having problem solving attitude

Remarks

## SECTION - B

In the following questions carefully study the cases presented and then answer the question that follows:

Q12. When Sheena reaches to one counter of the RTO office for her driving license renewal, the lady in-charge at the counter pass-on one form to fill for the same purpose. She asked Sheena to turn the page and go through it. Back side of the paper there was organ donation consent form which stated:

"Organ Donation: Upon my death I am willing to donate the following - there were then a set of boxes labelled - eyes, liver, kidney, any organ and none, together with a place for her signature."

Sheena asks the lady -"why such things are being pushed at this counter". Lady at the counter explains that this form of camping has been promoted by NGOs for the larger interest for humanity, however it is voluntary and she can escape it if she is not finding it of any worth. Sheena was not sure about giving consent. She was in dilemma whether to do it or not. After a brief thought she denied and moved from that counter.

On the way to back home, her friend Indrani, who was also at the counter, suddenly said, "I did not wanted to say anything inside, but no way I would ever sign that card. If you get into accident and they see that you have agreed for organ donation, they will not even try to save you. There is organ shortage, and the doctors want to grab what they can get. My mom says those organ donation cards are like signing your death warrant."

Later that evening Sheena decided to talk to one of her teacher. When she explained about her anxiety, teacher replied that she should follow her heart in the matter of organ donation.

Answer the following questions based on the above case study:

- (a) From a utilitarian perspective, should Sheena agree to donate her organs? Provide an analysis.
- (b) From a Kantian perspective, would refusing to donate one's organ violate a moral duty?
- (c) Do you think that people ought to donate their organs? Why or why not? (Make sure that the reasons you provide are ethical reasons, not merely prudent or legal). What will you advice to Sheena in case you are in place of her teacher?

(300 Words) (25 Marks)

Remarks

The given case study is related to a situation where organ donation is being promoted by a driving license issuing office in partnership with an NGO. The logic for doing this is to serve the greater cause of humanity.

(A) Utilitarianism states that an action is good if it provides maximum benefit to the maximum number of people. As it mostly works upon a majority principle.

From a purely utilitarian perspective sheena can agree to donate her organs because her organs can save the life of many people. Also we see that there are many people who are born disabled (like blindness). Donating the organs to them will certainly give a new lease of life to them. Also her acts are according to the greater good of the society because after organ transplant these people will become productive and social prosperity will improve along with social happiness.

But at the same time it needs to be seen that organ distribution is according to the

Remarks

needs of people not according to their paying capacity otherwise the entire exercise will result into catering to the wealthy sections only.

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(B) Kantian ethics states that duty should be performed for the sake of duty.

In this perspective if we consider that to make <sup>an</sup> effort to keep others happy is the duty of each individual then Sheena by refusing will be violating a moral duty. But if we go by legal point of view then since by refusing Sheena is not violating any law so she is not violating her moral duty in this way.

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But overall as organ donation is morally for greater good of the society, so by refusing Sheena will be violating her moral duty.

(C) There are both arguments in support for and against people donating their organs. duty of self conservation first.

Arguments in support -

- From a completely utilitarian perspective it ensures happiness to many people.

Remarks

- Altruism is a commonly accepted philosophy in moral ethics. Here donating organs is an act of altruism which would give happiness to others.

Arguments against -

- Donated organs may be used by persons in a unethical way i.e. by way of selling them in the market which is against the ethical conduct.
- People in whom the donated organ is transplanted may get involve in unethical acts like crime, etc.

- In case of Sheena it is advisable that

(31/32) She should think seriously about donating her organs. There is huge deficit of organs in the market for donation which promotes illegal organ trafficking.

All due to scarcity of organs many people die.

Thus as an ethical & responsible human being

she should give a serious thought to organ

donation. As the activity is carried out by NGO

in partnership with a govt. department. Hence

there is a complete possibility of it reaching to

genuine individuals.

Remarks

Q13. You are a senior civil servant. One of your officer friend is hard working, completes her work on time but always demoralizes her subordinates by blaming them for one or the other thing. She keeps everyone on toes. Often she shouts in her office and want to just follow the blue book while working. She also insults junior officers if one fails to get the things done. Her only mantra to work is to "get the things done -whatever it takes." Due to this bossy attitude your friend is not liked by the subordinates and because of her uneven relation with her team members; she fails to portray a good office culture. Most of the colleagues know about this case but no one wants to discuss it because of your proximity with that lady officer. However one day one close friend happens to be your colleague briefed about the problem subordinate officers are facing.

Answer the following questions based on the above case. Bring merits and demerits related to each course of action and discuss the best option.

- Directly talk to subordinate and assure about correcting the things in future.
- Give responsibility to your friend who briefed you about this case.
- Transfer the lady officer as this case may bring sorry figure for you also in future.
- Request the lady officer not to do so as this may hamper their personal relations also.
- Is there any better option available to correct the things other than what mentioned above?

(250 Words) (20 Marks)

The given case study is related to a civil servant - who is hard working and get the things done in time but the problem is her rough attitude towards her subordinates. Due to this behaviour, the organizational work culture is impacted adversely.

(A) Merits:- Directly talking to subordinates will give them necessary confidence. Since it is clear that due to her proximity with you the subordinates are scared to complain so giving them assurance by directly talking to them is a good idea.

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② Demerits - Giving assurance to subordinates regarding correcting things in future is good but to achieve this there is a need of complete attitudinal transformation on part of lady. This is a herculean task and may not be easy to achieve. In this way there is a danger of you also losing the credibility among the subordinates.

(B) Merits:- Giving responsibility to the friend who believed you is a good idea because it seems that your friend is willing to stand against her autocratic & arrogant behaviour. He may also be able to channelise other subordinates in his favour.

② Demerits:- It may not be easy for your friend to transform her attitude. All it may create chaos in the office & further deteriorate the organisational culture. It may promote insubordination as well. It reflects your escapist tendency.

(C) Merits:- Transferring the lady officer is a good idea to save you her subordinates from her arrogant behaviour as well as save you from the future repercussions.

Remarks



Demerits:- Transferring the lady officer will simply transfer the problem from one office to another as recently happened in Justice Kapan case. It will not solve the root cause of the problem which will be solved only upon her attitudinal transformation.

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(D) 'Meets':- Requesting the lady officer directly is a good idea because in this way you will get to know about her point of view as well. Also directly talking to her will help in persuading her to shed her autocratic behaviour.

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Demerits:- As it is said, 'old habits die hard'. It may not be easy for the lady officer to change her attitude. Hence attitudinal transformation is not an easy process.

(e) Apart from trying one option in isolated manner following course of action can be adopted -

- Talking to the officer directly
- Bringing her notice the subordinates point of view
- Bringing the lady officer's point of view to subordinates.

In this way each party will have something to say in the discussion and the contentious issues can be resolved through persuasion. Though one limitation here is that it may not be easy to

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Remarks

do this in the bureaucratic set-up of our country.  
Do not use this space.

Q14. Suppose you are called as the Chief Guest in an educational institution to address a gathering of youth on the issue of 'cultural transition in India'. You confine your lecture mainly around one of the most apparent pointers of cultural transition taking place in the country, i.e. changing man-woman relationship with the latter being more open, forthcoming and assimilating. But the transition is marred by many sour and ugly events leading to sexual exploitation, honour killings and subjugation and defiance by male dominated office environment. After the lecture there is a question answer session. Answer the following questions that students and teachers posed in front of you:

- Are women outrageous in their liberty with regard to dressing up, breaking silence and asking their share in decision making?
- What should be the "limits of openness" for women in a culturally transitioning India in an era of globalisation?
- Is the institution of family responsible for the aberrant behavior of their male children regarding man-woman relationship?
- What will you do as a Civil Servant to change the attitude of society with respect to women?

(250 Words) (20 Marks)

The given case study is about a person who is chief guest. In an educational institution and addresses the gathering on the issue of 'cultural transition in India'. After the address, students & teachers raise questions before him.

(A) It is a common allegation that women are outrageous with regard to dressing up that outrages the individuals leading to sexual crimes like rape etc. But seen from the evolutionary perspective it can be seen that during the pre-history period, people used to live naked. And even after the dawn of history, people used to wear only minimal cloth but then it was not considered as

Remarks

outrageous. But with the progress of society, women's role was slowly confined to household activities & they were forced to ~~cover~~ themselves with full cloth. Thus in their dressing up their is nothing outrageous. It is only the way we see them makes us feel that it is outrageous. Also such an allegation helps individuals to fulfill their narrow interests (like not allowing women to get involved in decision making).

Regarding breaking silence & share in decision making they have been denied this since centuries and even now they are not allowed to do so (Share of women parliamentarians in India is just 12%). So to be fair on their part they will have to snatch it and for this they will have to fight. But till now their fight has been strictly within the confines of law. eg. Triple Talak issue.

(B) No one can decide the limit of openness for too. Hasty social process can be counterproductive.  
 women in culturally transitioning India except women themselves. Here while deciding the limits to openness they should keep in mind their safety & security because it is often upon the allegation of 'outrageous' dressing that violence is committed.

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Remarks

(2) against them. Also while deciding the limits to openness they should keep the 'social discipline' in mind.

(c) Family is said to be most undemocratic institution in Indian society. Wife battering & violence against women are daily affairs in many families in India. Children growing up in these families create a negative attitude against women that they can be used & exploited.

(2) Hence any reform in women condition should start from family level and family institution should be reformed to make it more democratic.

(d) Gandhi ji once said - "This world can't develop with the contribution of other half!" Other half here was referring to women. So as a civil servant following steps I will take -

(2) - To make society realize that empowering women is in their interest. eg. women Sarpanchs have been found to be more sensitive to household needs.

- Partnering with media, civil society & NGOs to promote women related scheme like Beti Bachha, Beti Padha & Sarva Shiksha Abhiyan etc.

- Making proper educational arrangements from them.

- More focus on persuasion to change the

Remarks

attitude than on enforcing the law.

Q15. You are a no-nonsense police officer. There is a day light murder of a politician in your area. One of your senior police officer is close relative of that murdered politician. After much investigation, you come to know that Naxalites have killed him as he was involved in land grabbing case in remote area. Local people hated that politician. After few days you managed to arrest one naxalite who was involved in this case. He was involved in some other gruesome murder cases also. In an ambush more than 50 security personnels were also killed and his name was also surfaced in that case.

Your senior officer is putting pressure on you to kill that criminal as often these type of cases take much time due to the lack of eyewitness, as they enjoy local support and also villagers have fear.

Home Minister of your state also wants to do the same as it will send a message in the public about handling of law and order problem with iron hands. Thus send filler through one officer that 'if you do the same, you will get the full support of ruling party in future also'.

Answer the following questions:

- In the above case which ethical dilemmas will you face and why will you call it ethical dilemma?
- Will you follow the order of your senior officer and Home Minister? Evaluate your decision from the ethical and legal point of view.
- Which factors will guide you in this case? (250 Words) (20 Marks)

The given case study is related to murder of a politician by naxalites in broad day light. It was found that the naxalite involved in the murder is a habitual offender and so there is a pressure upon you to kill him.

(A) The ethical dilemma in the above case is whether to kill that naxalite or take recourse to normal legal action.

This is an ethical dilemma because the naxalite has been involved in murder of

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a politician as well as gruesome killing of security personnel so applying utilitarian principle it is justified to kill him.

But on the other hand there is duty ethics also according to which your job is to arrest the particular person and let the court of law to decide about the punishment.

So officer will face ethical dilemma here.

(B) Following the orders of senior officer of Home Minister is not a suitable course of action here because-

- from legal point of view 'intentional encounter' to take revenge is illegal and officer may face disciplinary action in future for his actions.

- from ethical point of view it can be said that everybody should be given a chance to reform himself. Maybe the naxalite has been doing this without correctly analysing the consequences and hence proper persuasion may turn him into good human being.

Also from duty point of view it is the duty of every police officer to bring the culprits to justice and not kill them.

(2)

Seen holistically it may also open a Pandora box for future where every <sup>one</sup> raising a genuine case or doing a petty offence may get killed.

(c) Following factors will be guiding in this case -

- Humane factor - Giving a chance to the naxalite to reform himself.

- Duty ethics - where it is the duty of the officer to bring the culprit to justice.

- Courage - As there is a huge pressure from senior & home minister to kill the naxalite so courage will be necessary to withstand pressure.

(2)

Remarks

Q16. You are professor as well as a social activist. There is an educated and well employed couple in your vicinity who often fight on their personal issues. One day they started fighting as usual, starting from arguments, turning loud, slamming doors and finally the male partner resorting to physical violence, the cry of wife and children started coming out. People come out, but do not dare to go to them citing that it is their personal matter, so any interference would be unethical and uncalled for. Answer the following questions based on the above case:

- Would you agree to be a bystander on the advice of the people that it is a personal matter of the couple? Give reasons.
- Suppose you go to the flat of the couple and enquire what is wrong but the male member insists that they be left on their own as it is their personal matter and you should mind your own business. What would be your reaction?
- Can police help in curbing this social malady by using legal authority and provisions?
- What is your moral and ethical locus standi on intervention of neighbours to stop the domestic violence?

(250 Words) (20 Marks)

The given case study is about one of the biggest problems facing our society i.e. domestic violence of wife battering. Here both the couple are well educated and employed but the problem persists.

(A) Agreeing to be a bystander will not solve the problem and also it is not agreeable that it is their personal matter because-

This kind of attitude will affect the mindset of their children who are going to become future citizens of this country. The social values they hold will decide the future of our society and hence the issue is very well related to larger interest of society.

Remarks



- Also this kind of attitude of husband will give encouragement to others that they can beat their wives & get away with so it may adversely affect the present status of society as well.

2

So there is a need of intervention in such cases. You would intervene or not.

(B) The obvious reaction in this case will be that it is not their personal matter. Domestic violence Act makes wife battering a criminal offence and by doing so here it is breaking the law which is not only an individual harm but also a social harm. And even then if they don't agree then I can call the police as well.

2

(C) Issues like wife battering, domestic violence etc. are deeply entrenched in the mindset of our society. This is mainly because women traditionally have been considered as the weaker gender with minimal role in the society. Also there is a belief that they should look after the children only. So police using legal authority & provisions like Domestic violence Act etc can although suppress it but can't curb it. To

Remarks

They cannot take suo motu cognizance unless women report the same.

2) Curb it will require reformation in the larger value system in the society for which efforts on multiple fronts like awareness generation, penetration, making women empowered will be required.

(D) The issue of domestic violence is not only violation of law. But it has its moral & ethical dimensions also.

- The first ethical dimension is equality for all since both men & women are born equal so why one should be made to feel inferior to other.

- The second is regarding the ethical well being of the society. The society in which voices of women are suppressed can't be a prosperous society.

2) The third hand is regarding its impact on future generations who are likely to be more violent & less respectful about social bonds and hence creating disorganisation & chaos in the society.

Remarks

Q17. You are a Superintendent of Police and a huge protest is going on in front of your office. These protesters are Human Right activists. Protest is because of two consecutive incidents happened in your district.

Case one: City SP has received intelligence input that bombs have been planted in various places in the city. SP asked his team for massive search operation. After putting in strenuous hard work, police team raided a house where two people with 2 kg of explosives and IED devices were found. Police team immediately arrested them and brought them to the police station. Police started interrogating them related to the whereabouts of the bombs and their plans. When they failed to take out information from them; one of the Police Officer adopted third degree. Torture in case of new criminals often works. But one of the person died during the process, as he failed to bear the pain of torture. Death in police custody became a big issue.

Case two: Recently communal riots occurred held in your area and few police constables got surrounded by a group, viewing the grave situation and possible threat on life, one of the constable picked a man as a human shield. They found it as easy way to escape as that could also save the life of other police constables. But while they were trying to escape, people started stone pelting and the person who was used as human shield got badly injured. However, he was saved later by proper treatment.

Answer the following questions:

- Analyse the ethical dilemmas you will face as SP in both the stated situations.
- Human Rights Activists are demanding action against official involved in both the cases. What will be your course of action?
- Police Chief of State reaches to you and asks for not taking any action, as it will bring down the morals of the police force. What will be your course of action?
- Can you justify the use of torture technique in any given circumstances?
- Would you justify the use of human shield to save the lives of your colleagues? Give reasons. What are the moral and ethical issues involved in using human shield as the method of action against agitating mob?

(250 Words) (20 Marks)

The given case study is about two different situations where policemen have been found to be doing some 'wrong'. So in protest a huge demonstration is going on outside to office of SP.

Remarks

(A) The ethical dilemma is whether to take action against the police officers involved or not.

In the first case there was a threat to large number of people in the society as they have planted bombs in various places in the city.

To get the information, police used third degree which proved fatal to one of the persons arrested.

2 Hence to serve the greater cause, one of the person dies. Such custodial death & torture killing is illegal and also there was no proved case against them hence in prima facie police persons are guilty in this case.

In the second case police uses one of the persons as human shield to save themselves which is an inhumane act in any situation and cannot be justified.

(B) The appropriate course of action will be to order an enquiry in both the cases regarding the circumstances under which these incidents occurred.

2 If found guilty action must be taken against the police persons. But at the same time it.

Remarks

needs to be told to Human Rights activists that police is doing their job seriously. This can be ensured through taking quick decisions.

(C) The police chief asks for not taking action against police persons involved. But at the same time it needs to be remembered that proper investigation is required so that related facts come out and a precedent is set in the organisation. Action will be taken only when they are found guilty. This is required to maintain discipline in the organisation & maintaining humane nature of police force. (2)

(D) Tortures are generally justified in the name of larger interest of society. They are justifiable also to a certain extent to get some information like planting of bombs etc. But third degree tortures have been denounced by almost all the civil society groups & international organisations like CHR - Commonwealth Human Rights Initiative & UNHCR - UN Human Rights Watch. (2)

Need to seek for alternate of it.

circumstances is advisable but not the third degree.

(c) Police force are generally trained to cope with grave situations and for that they don't need to use human shield. Thus using human shield to save the lives of colleagues is not justifiable.

Moral & ethical issues -

- It leads to violation of human rights of individuals.

- It sends a wrong message to the society that the state is behaving like police state and don't

② Care about the welfare of society.

- Further alienation of state & society.

- Free hand to police to use unethical means.

Thus police should be cautious about using human shield in such circumstances.

Remarks