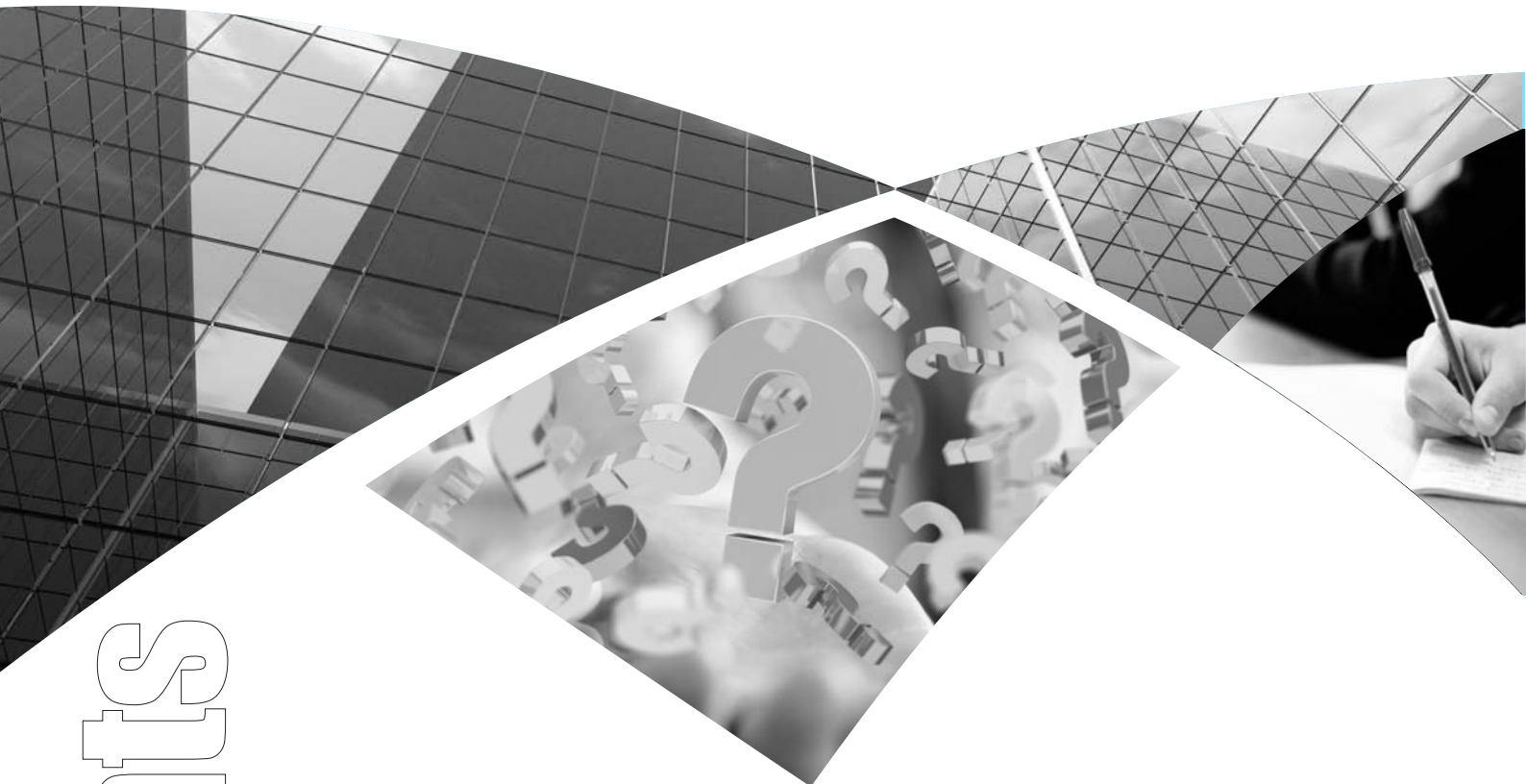


IAS SCORE

An Institute for Civil Services



Model Hints

UPSC Mains 2018

Model Hints

GENERAL STUDIES

Paper - IV

www.iasscore.in

UPSC MAINS 2018

GS PAPER - 4

Time Allowed: 3 hr.

Max. Marks: 250

Section A

1. (a) State the three basic values, universal in nature, in the context of civil services and bring out their importance. (150 words)
(b) Distinguish between “Code of ethics” and “Code of conduct” with suitable examples. (150 words)
2. (a) What is meant by public interest? What are the principles and procedures to be followed by the civil servants in public interest? (150 words)
(b) “The Right to Information Act is not all about citizens’ empowerment alone, it essentially redefines the concept of accountability. Discuss. (150 words)
3. (a) What is meant by conflict of interest? Illustrate with examples, the difference between the actual and potential conflict of interest. (150 words)
(b) “In looking for people to hire, you look for three qualities: integrity, intelligence and energy. And if they do not have the first, the other two will kill you.” - Warren Buffett (150 words)
What do you understand by this statement in the present-day scenario? Explain. (150 words)
4. (a) “In doing a good thing, everything is permitted which is not prohibited expressly or by clear implication”. Examine the statement with suitable examples in the context of a public servant discharging his/her duties. (150 words)
(b) With regard to the morality of actions, one view is that means is of paramount importance and the other view is that the ends justify the means. Which view do you think is more appropriate? Justify your answer. (150 words)
5. (a) Suppose the Government of India is thinking of constructing a dam in a mountain valley bounded by forests and inhabited by ethnic communities. What rational policy should it resort to while dealing with unforeseen contingencies. (150 words)
(b) Explain the process of resolving ethical dilemmas in Public Administration. (150 words)
6. What do each of the following quotations mean to you in the present context?
 - (a) “The true rule, in determining to embrace, or reject anything, is not whether it has any evil in it; but whether it has more evil than good. There are few things wholly evil or wholly good. Almost everything, especially of governmental policy, is an inseparable compound of the two; so that our best judgement of the preponderance between them is continually demanded.” Abraham Lincoln (150 words)
 - (b) “Anger and intolerance are the enemies of correct understanding.” - Mahatma Gandhi (150 words)
 - (c) “Falsehood takes the place of truth when it results in unblemished common good.” - Thirukkural (150 words)

Section - B

7. Rakesh is a responsible district level officer, who enjoys the trust of his higher officials. Knowing his honesty, the government entrusted him with the responsibility of identifying the beneficiaries under a health care scheme meant for senior citizens.

The criteria to be a beneficiary are the following:

- 60 years of age or above.
- Belonging to a reserved community.
- Family income of less than 1 Lakh rupees per annum.
- Post-treatment prognosis is likely to be high to make a positive difference to the quality of life of the beneficiary.

One day, an old couple visited Rakesh's office with their application. They have been the residents of a village in his district since their birth. The old man is diagnosed with a rare condition that causes obstruction in the large intestine. As a consequence, he has severe abdominal pain frequently that prevents him from doing any physical labour. The couple has no children to support them. The expert surgeon whom they contacted is willing to do the surgery without charging any fee. However, the couple will have to bear the cost of incidental charges, such as medicines, hospitalization, etc., to the tune of rupees one lakh. The couple fulfils all the criteria except criterion 'b'. However, any financial aid would certainly make a significant difference in their quality of life.

How should Rakesh respond to the situation?

(250 words)

8. As a senior officer in the Ministry, you have access to important policy decisions and upcoming big announcements such as road constructions projects before they are notified in the public domain. The Ministry is about to announce a mega road project for which the drawings are already in place. Sufficient care was taken by the planners to make use of the government land with the minimum land acquisition from private parties. Compensation rate for private parties was also finalized as per government rules. Care was also taken to minimize deforestation. Once the project is announced, it is expected that there will be a huge spurt in real estate prices in and around that area.

Meanwhile, the Minister concerned insists that you realign the road in such a way that it comes closer to his 20 acres farmhouse. He also suggests that he would facilitate the purchase of a big plot of land in your wife name at the prevailing rate which is very nominal, in and around the proposed mega road project. He also tries to convince you by saying that there is no harm in it as he is buying the land legally. He even promises to supplement your savings in case you do not have sufficient funds to buy the land. However, by the act of realignment, a lot of agricultural lands has to be acquired, thereby causing a considerable financial burden on the government, and also the displacement of the farmers. As if this is not enough, it will involve cutting down of a large number of trees denuding the area of its green cover.

Faced with this situation, what will you do? Critically examine various conflicts of interest and explain what your responsibilities are as a public servant.

(250 words)

9. It is a State where prohibition is in force. You are recently appointed as the Superintendent of Police of a district notorious for illicit distillation of liquor. The illicit liquor leads to many death, reported and unreported, and causes a major problem for the district authorities.

The approach till now had been to view it as a law and order problem and tackle it accordingly. Raids, arrest, police cases, and criminal trials - all these had only limited impact. The problem remains as serious as ever.

Your inspections show that the parts of the district where the distillation flourishes are economically, industrially and educationally backward. Agriculture is badly affected by poor irrigation facilities. Frequent clashes among communities gave boost to illicit distillation. No major initiatives had taken place in the past either from the government's side or from social organizations to improve the lot of the people.

Which new approach will you adopt to bring the problem under control?

(250 words)

10. A big corporate house is engaged in manufacturing industrial chemicals on a large scale. It proposes to set up an additional unit. Many states rejected its proposal due to the detrimental effect on the environment. But one state government acceded to the request and permitted the unit close to a city, brushing aside all opposition.

The unit was set up 10 years ago and was in full swing till recently. The pollution caused by the industrial effluents was affecting the land, water and crops in the area. It was also causing serious health problems to human beings and animals. This gave rise to a series of agitation in which thousands of people took part, creating a law and order problem necessitating stern police action. Following the public outcry, the State government ordered the closure of the factory.

The closure of the factory resulted in the unemployment of not only those workers who were engaged in the factory but also those who were working in the ancillary units. It also very badly affected those industries which depended on the chemicals manufactured by it.

As a senior officer entrusted with the responsibility of handling this issue, how are you going to address it? (250 words)

11. Dr X is a leading medical practitioner in a city. He has set up a charitable trust through which he plans to establish a super-speciality hospital in the city to cater to the medical needs of all sections of the society. Incidentally, that part of the State had been neglected over the years. The proposed hospital would be a boon for the region.

You are heading the tax investigation agency of that region. During an inspection of the doctor's clinic, your officers have found out some major irregularities. A few of them are substantial which had resulted in considerable withholding of tax that should be paid by him now. The doctor is cooperative. He undertakes to pay the tax immediately.

However, there are certain other deficiencies in his tax compliance which are purely technical in nature. If these technical defaults are pursued by the agency, considerable time and energy of the doctor will be diverted to issues which are not so serious, urgent or even helpful to the tax collection process. Further, in all probability, it will hamper the prospects of the hospital coming up.

There are two options before you:

1. Taking a broader view, ensure substantial tax compliance and ignore defaults that are merely technical in nature.
2. Pursue the matter strictly and proceed on all fronts, whether substantial or merely technical.

As the head of the tax agency, which course of action will you opt and why? (250 words)

12. Edward Snowden, a computer expert and former CIA administrator, released confidential Government documents to the press about the existence of Government surveillance programmes. According to many legal experts and the US Government, his action violated the Espionage Act of 1971, which identified the leak of State secrets as an act of treason. Yet, despite the fact that he broke the law, Snowden argued that he had a moral obligation to act. He gave a justification for his "whistle blowing" by stating that he had a duty "to inform the public as to that which is done in their name and that which is done against them."

According to Snowden, the Government's violation of privacy had to be exposed regardless of legality since more substantive issues of social action and public morality were involved here. Many agreed with Snowden. Few argued that he broke the law and compromised national security, for which he should be held accountable.

Do you agree that Snowden's actions were ethically justified even if legally prohibited? Why or why not? Make an argument by weighing the competing values in this case (250 words)



UPSC GS MAINS PAPER - 4

HINTS

Section - A

1. (a) State the three basic values, universal in nature, in the context of civil services and bring out their importance.

Thinking Line:

Civil Services values are accepted principles and standards that are expected to be followed by the civil servants. They act as internal moral compass and guide the civil servants in making decisions in the public interest, especially in situations, where they face dilemma or conflict between public duty and personal interest.

Following are some of such values:

Empathy

- It is the ability to understand another person's feelings, experience, etc. It involves understanding another's heart, mind and spirit - including their motives, backgrounds and feelings. The more empathy we have for others, the more we to appreciate and reverence who they are. For to touch the inner feelings and soul of another human being is to walk on holy ground.
- To gain empathy for another, we must listen to them. But most people do not listen with an intent to understand, rather they listen with the intent to reply. They are busy filtering everything through their own perspectives rather than trying to understand another's frame of reference. Listening with the intent to understand goes a long way towards allowing others to feel comfortable in expressing their thoughts and mind. We never fully understand another until we take our glasses off and see the world through his or her eyes.
- Empathy requires selflessness. "Selflessness" is characterized by low levels of self-centeredness and a low degree of importance given to the self. Selfish motivation often discourages public servants from taking initiative and helping others unless these activities are directly rewarded, which can be detrimental to their long-term performance, reputations and careers.
- Civil servants and public officials should maintain and strengthen the public's trust and confidence in government, by demonstrating the highest standards of professional competence, efficiency and effectiveness, upholding the Constitution and the laws, and seeking to advance the public good at all times and should put possibilities for personal advantage to one side.

Integrity

- Public servants hold their office in trust, which underlies two principles; they shall not use public office for private gain, and they shall act impartially and not give preferential treatment to any private organization or individual.
- Today corruption has become a widespread phenomenon among public officials as they unabashedly use their position and power to enrich themselves personally. How to control corruption is one of the biggest challenges facing the Government. Public officials should also avoid conflict of interest situations. While

rules and laws have been framed for severe punishment, if officials are caught in corruption, they do not act as effective deterrence as rules give so many escape clauses. Only when public servants inculcate the noble values of integrity and honesty, a dent in massive corruption problem facing the country can be made.

- Integrity is the fundamental moral concept in civil services. It is an important basis of ethical behaviour and ethical competency. It is associated with the value of being honest and maintain strong moral principles. This value helps a civil servant to make administration more authentic and non-corrupt. e.g. no favour is given in allotment of purchase tender which would have otherwise might have benefited the official personally.

Objectivity

Objectivity is defined as basing your decision on rigorous analysis of the evidence. It entails that a truth remains true universally, independently of human thought or approaches. If the civil servant is objective, he will provide information and advice, including advice to Minister, on the basis of evidence, and accurately present the options and facts, take decisions on the merits of the case and due account of expert and professional advice. These core values support good governance and ensure that achievement of the highest possible standards in all that the civil service does. Objectivity is carrying out public business whether, appointments, awarding contracts etc purely based on merit. So it can be briefly summarised as-

- The values of impartiality and objectivity are complementary to each other.
- The decisions based on merits and facts lead to an impartial decision making.
- Civil servants should provide information and advice to government on the basis of evidence, facts and should take decisions on the merit of the case, and take professional inputs from experts and professionals.

1. (b) Distinguish between "Code of ethics" and "Code of conduct" with suitable examples.

Thinking Line:

Code of Ethics is: Sometimes referred to as a Value Statement, it behaves like the Constitution with general principles to guide behaviour; outlining a set of principles that affect decision-making. For example if an organization is committed to protecting the environment and "being green", the Code of Ethics will state that there is an expectation for any employee faced with a problem, to choose the most "green" solution. It works on the basis of "treat others as you would like to be treated."

Code of Conduct: is a set of rules, standards, principles and values outlining the expected behaviour for the members of an organisation. These are designed to prevent certain types of behaviours like conflict of interest, self-dealing, bribery and inappropriate actions. There are many types of Codes of Conduct like, Uniform National Code, Department-specific Code, General government-wide Code, etc.

Both a Code of Ethics and a Code of Conduct are similar as they are used in an attempt to encourage specific forms of behaviour by employees. Ethics guidelines attempt to provide guidance about values and choices to influence decision making. Conduct regulations assert that some specific actions are appropriate, others inappropriate. With similarities, comes differences. Both are used in an attempt to regulate behavior in very different ways. **Ethical standards** generally are wide-ranging and non-specific, designed to provide a set of values or decision-making approaches that enable employees to make independent judgments about the most appropriate course of action. **Conduct standards** generally require little judgment; you obey or incur a penalty, and the code provides a fairly clear set of expectations about which actions are required, acceptable or prohibited.

The conduct rules for civil servants in India aim at maintaining integrity and discipline in the service, and neutrality in politics. The following matters are covered in the conduct rules: maintenance of correct behavior; loyalty to the state; regulation of political activities to ensure neutrality of the personnel; enforcement of code of ethics in official, private and domestic life; protection of the integrity of the officials by placing restrictions on investments, borrowings, engagements in trade or business, acquisition or disposal of movable and immovable valuable property, acceptance of gifts and presents; restriction on more than one marriage. Rules also exist for the imposition of minor or major penalties on the civil servant depending on the nature of misconduct. The following activities constitute misconduct: embezzlement, falsification of accounts, fraudulent claims, forgery of documents, theft of government property, defrauding government, bribery, corruption, possession of disproportionate assets, and offenses against laws. These rules are not free from ambiguity.

2. (a) **What is meant by public interest? What are the principles and procedures to be followed by the civil servants in public interest?**

Thinking Line:

Public Interest is anything that affects the rights, health, or finance of the public at large. Public interest is a common concern among citizens in the management and affairs of local, state, and national government. Like the Prime Minister had said that civil servant should consider every action in public interest, which means the ultimate aim should be the welfare of the masses.

The principles and procedures to be followed by the civil servants in public interest are: Selfless service, Openness, Accountability etc.

- Civil servants shall perform their official duties in compliance with the Constitution and law. When performing their operations, civil servants shall act exclusively in the public interest.
- Civil servants shall ensure equal treatment of the citizens and the legal entities when performing official duties.
- Civil servants shall perform their activities in the most conscientious, direct, the most efficient, timely and methodical manner in the interest of the citizens and the other entities in realizing their rights, duties and interests.
- When communicating with citizens and other legal entities, the civil servants shall act in a manner that enables establishment of relations of mutual confidence and cooperation between these entities and the administration. In their relations with the citizens and the other legal entities, the civil servants shall show understanding, courtesy, respectability and highest possible will to help and shall not impede the realization of their rights and interests.

2. (b) **“The Right to Information Act is not all about citizens’ empowerment alone, it essentially redefines the concept of accountability. Discuss.**

Thinking Line:

The RTI Act has completed 10 years, and there are at least 50 lakh RTI applications being filed annually. RTI offers the real empowerment and sense of hope to every Indian citizen. It has redefined the concept of accountability by creating a new breed of activism and citizenship, as it has begun to encourage a culture of asking questions.

Information on issues related to public distribution system, privatisation initiatives, pensions, road repairs, electricity connections, telecom complaints etc. have been sought by people through the RTI. It is a strong deterrent against wrong doing in officialdom and thereby a potent tool to reduce corruption. A vast number of organisations have been covered under the definition of Public Authority. In over one decade of being it’s in force, ordinary citizens have used this law to question various acts of commission and omission on part of government. It played big role in exposing the Adarsh scam, irregularity in MGNREGA and other schemes. The largest role played by RTI has been in institutionalising social audit. Indeed, RTI has been the weapon of the weak and set India’s accountability landscape in a ground-up manner. Worldwide there is increasing recognition that citizens’ involvement is imperative for enhancing democratic governance, improving service delivery, and fostering empowerment. “Demand for Good Governance” refers to the ability of citizens, civil society organisations and other non-state actors to hold the state accountable and make it responsive to their needs thereby highlighting the importance of social accountability in this context. UNDP defines social accountability as, “a form of accountability which emerges from actions by citizens and civil society organisation (CSOs) aimed at holding the state to account, as well as efforts by government and other actors (media, private sector, donors) to support these actions”. Thus, social accountability has the potential for ensuring a more relevant policy process, increased transparency and ultimately good governance.

Though the legislation has certainly increased transparency and accountability in public bodies but it still lacks in various things:

- Poor quality of information is provided, which forces the applicant to go on appeal. In many cases the information is not provided within 30 days.
- It has been seen that there is lack of attitudinal change on the part of PIOs and bureaucrats, as they generally invoke the Official Secrets Act to deny the information.

- Lack of political will to enforce the law as is evident in attempts to dilute the Act and not adhering to the order of CIC on applying the Act to political parties has also been witnessed.
 - A vast number of organisations that should have been covered under the Act have not come forward pro-actively to be covered by the Act.
3. (a) **What is meant by conflict of interest? Illustrate with examples, the difference between the actual and potential conflict of interest.**

Thinking Line:

A conflict of interest occurs when an individual's personal interests – family, friendships, financial, or social factors – could compromise his or her judgment, decisions, or actions in the workplace. Government agencies take conflicts of interest so seriously that they are regulated. A conflict of interest is a situation in which an individual has competing interests or loyalties. A conflict of interest can exist in many different situations. e.g. with a public official whose personal interests conflict with his/her professional position (**Chanda Kochhar case**), with a person who has a position of authority in one organization that conflicts with his or her interests in another organization, with a person who has conflicting responsibilities. In our work lives, we also have interests that could influence the way we do our jobs and the decisions we make. Even if we never act on them, there may be an appearance that a conflict of interest has influenced our decisions. Consider this example. Your supervisor is promoted to department director. His daughter-in-law is hired as a new supervisor within the college but is not reporting to him. Maybe the new supervisor is the best candidate for that position, and maybe the new department director had nothing to do with her hire. Even if this hire met all of the requirements under our Employment of Relatives policy, the situation appears suspicious and employees may think that something was unfair or unethical about her hire.

The difference between the actual and potential conflict of interest:

- An actual conflict of interest involves a direct conflict between a public official's current duties and responsibilities and existing private interests.
- A potential conflict of interest arises where a public official has private interests that could conflict with their official duties in the future.
- An actual Conflict of Interest arises in a situation where financial or other personal or professional considerations compromise an individual's objectivity, professional judgment, professional integrity, and/or ability to perform his or her responsibilities.
- Potential Conflicts of Interest exist in situations where an individual member of the community, a member of the individual's family, or a close personal relation has financial interests, personal relationships, or professional associations with an outside individual or organization, such that his or her activities within the organisation could appear to be biased against the organisation by that interest or relationship.

Example: A civil servant awarding public-contract to a firm owned by his/her relatives is a case of actual conflict of interest. Whereas, according to civil services rules, a civil servant should not be posted in his/her native district is to avoid any potential conflict of interest. Similarly, the Delhi High Court verdict which quashed the appointment of 21 Delhi MLAs as secretaries to ministers was to avoid any potential conflict of Interest. While, an MLA having peculiar benefits from some other Office of Profit is illegal as it is actual conflict of interest.

3. (b) **"In looking for people to hire, you look for three qualities: integrity, intelligence and energy. And if they do not have the first, the other two will kill you." – Warren Buffett**

What do you understand by this statement in the present-day scenario? Explain.

Thinking Line:

Integrity is the cornerstone of all ethical values. This statement reinforces that while intelligence and passion are intrinsic to success, in any profession the direction, focus, uses, outcome depend upon the persons integrity. In most simple terms it means "Quality of being honest and having strong moral principles". Honesty is both towards one's values and that of organisation. For people who are at most responsible positions of the society, dilution of this very value can prove deadly towards the citizens and to society at large. Take the example of Cyber-hackers/frauds although they have high energy and intelligence, but lack of integrity makes cyber-crime all the more dangerous. Some of the present day problems like tax evasion by

corporate India, Terrorism by educated youths, unethical business practices etc. are carried on by intelligence and energetic interest, but become very dangerous due to lack of integrity. Integrity can be promoted through moral education, increasing transparency, following code of ethics, developing a system to award integrity and many more. Integrity gives the direction and purpose to our intelligence and energy.

4. (a) **“In doing a good thing, everything is permitted which is not prohibited expressly or by clear implication”.** Examine the statement with suitable examples in the context of a public servant discharging his/her duties.

Thinking Line:

Governments often struggle to take action on developmental projects due to a number of constraints. These include limited political and fiscal power, lack of access to development finance, low levels of institutional capacity, absence of robust multi-level government cooperation and integration, and the inability to attract or be part of strong multi-stakeholder partnerships. There are many challenges of doing good despite have good intent. Business as usual will not be good enough to bring about the transformative results needed for a sustainable future. While doing good a public servant needs to take care of purity of means also. Because, everything cannot be codified. Every public servant is expected to maintain absolute integrity, devotion to duty and in all times, conduct himself in accordance with specific or implied order of Government. To stick tirelessly to the rules can be detrimental to the very goal that is meant to be achieved by these policies. Ours is developing country, and rules may need to be modified according to the needs of the region. Thus, values and conscience of a public servant should guide him/her to exactly know the extent to which his/her actions are in public interest and welfare.

4. (b) **With regard to the morality of actions, one view is that means is of paramount importance and the other view is that the ends justify the means. Which view do you think is more appropriate? Justify your answer.**

Thinking Line:

Most schools of thought accept a sharp dichotomy between ends and means. It has been observed that in the western tradition there is a tendency of claiming that the end entirely justifies the means – moral considerations cannot apply to the means except in relation to ends.

Gandhi, however, rejects the dichotomy between means and ends and goes to the other extreme and states that it is means, rather than ends, that provide the standard of morality. Although we can choose our ends, we do not have much control over it – we cannot know in advance whether these ends will be achieved. The only thing that is completely within our control is therefore the means with which we approach our various ends.

Both the views are appropriate depending on the situation and therefore there is no one size fits all approach. For example, when police carries out fake encounters of criminals; the means is not ethical. Although they were criminals and a threat to society, the police does not have right to kill them. So, here ends achieved is unethical because means is not justifiable. But during certain situations means may not be ethical, but ends matter more, like physical torture of a terrorist to know where he has planted bomb in the city. Here, although means (use of torture) is not ethical, but it is essential to know the whereabouts of bomb to prevent death of innocent people.

Thus, the situation influences ends as well as means.

5. (a) **Suppose the Government of India is thinking of constructing a dam in a mountain valley bounded by forests and inhabited by ethnic communities. What rational policy should it resort to while dealing with unforeseen contingencies.**

Thinking Line:

This issue involves Environmental security and inclusive, balanced economic development at its core. Since dams are land intensive it often involves deforestation, displacement of tribal and submergence of villages among other challenges. A Rational Policy should address the above mentioned issue through application of environmental ethics, use of Joint Forest Management committees, mobilisation of CSR funds, training/awareness among stakeholders.

It should include the following:

- **Environmental Impact Assessment:** This should not be a one-off document but have to be carried out periodically along with social impact assessment. Members should be drawn preferably from environmentalist groups, academia and Civil Society.
- Early identification of problems and fixing it has to be made culture of the local bureaucracy.
- A List of unforeseen challenges like landslide, earthquake, flash floods, unscientific land-use must be prepared along with actions needed.
- Training of Local youths with basic survival skills, first aid may be undertaken.
- State has to ensure that peripheral activities like tourism, agriculture practices like Jhum cultivation, hunting, deforestation ,land-use pattern has be undertaken with strict vigilance and accountability.
- A Disaster Prediction Mechanism/vulnerability assessment should be developed which can provide early warning based on scientific inputs. Use of radio communication to broadcast such critical information should be undertaken.

Unforeseen circumstances pose most environmentally damaging situation in India. Given that environmental issues are complex, inter-related phenomena addressing it is always a great challenge. Inputs from recent examples like Kerala, Karnataka floods should be a lesson to us.

5. (b) Explain the process of resolving ethical dilemmas in Public Administration.

Thinking Line:

When confronted with the fundamental question what to do and how to act in complex situations, and to the extent that contrasted values or decisional premises could apply in the situation, one is entering the world of ethical dilemmas or that of 'hard choices'. A dilemma is something wider and more demanding than a problem, however difficult or complex the latter may be. The reason is that dilemmas, unlike problems, cannot be solved in the terms in which they are initially presented to the decision-maker. An ethical dilemma is a decision that needs a choice among various principles, mostly in difficult and important contexts. Personal self-interest should be secondary to the common good in all situations, especially when such circumstances give rise to conflict of interest. It can lead to ethical dilemma. e.g. Administrative Discretion, Corruption, Nepotism, Administrative Secrecy, Information Leaks, Public Accountability, Policy Dilemmas. The set of fundamental principles or criteria that integrate and rearrange the process of dealing with ethical dilemmas in public administration are:

1. Democratic accountability of administration,
2. The rule of law and the principle of legality,
3. Professional integrity and
4. Responsiveness to civil society etc.
5. Candidates need to explain these points in detail.
6. **What do each of the following quotations mean to you in the present context?**

- (a) **"The true rule, in determining to embrace, or reject anything, is not whether it has any evil in it; but whether it has more evil than good. There are few things wholly evil or wholly good. Almost everything, especially of governmental policy, is an inseparable compound of the two; so that our best judgement of the preponderance between them is continually demanded." Abraham Lincoln**

Thinking Line:

This statement by Lincoln strikes at the heart of our beliefs in modern values of good/bad, right/wrong as absolute. He means that actions, policies and programs however good they seem to be, produce negative impacts. One should gauge them rationally so that they give maximum good or least negatives. He also advocates that this assessment should be a process where it is researched, revised, updated continually to make most of the positives and least of the negatives.

One can use debates surrounding Aadhaar identification number. As a technological tool, it can bring manifold socio-economic change through Direct Benefit transfer, rapid poverty alleviation, tracking /prevention of crime/criminals, pre-empting generation and accumulation of black money, greater coordination in governance apart from other social good. However it also has bottlenecks like fear of surveillance, privacy curtailment, authoritarianism, targeting of minorities.

This statement rightly points out that we have to weigh pros and cons not as a one-off policy but as a process. Though today we have considered using Aadhaar for social good, in future if we find it a threat to individual rights we should be ready to change the policy.

Similarly, Supreme Court declares practices like Triple Talaq and restriction of women to Sabrimala temple illegal, because although religious groups have right to manage their own affairs (Article 26), but still such derogatory practices were against right to equality (Article 14) and right to live with dignity (Article 21). So these are quashed by the apex court.

Other examples that may be quoted are- Loan waiver to farmers, construction of large dams, interference in Personal laws of the community; all these have pros and cons. It is up-to us to weigh them and use them accordingly is what the statement means to me in today's context.

6. (b) "Anger and intolerance are the enemies of correct understanding." - Mahatma Gandhi

Thinking Line:

Anger and intolerance restricts the rational thinking of an individual, by making him/her biased. This results in lack of correct understanding. Correct understanding means, "a disposition to appreciate or share the feelings and thoughts of others." Anger makes a person to lose his patience and thus slowly gets intolerant.

Anger affects the person who is angry as well as all the people who are touched by that person's anger. An angry person is likely to speak harshly. Sometimes angry people hurt themselves if they are unable or out of reach of the people at whom they want to direct their anger.

Examples: Rising cases of intolerance in society like Mob lynching, communal clashes, internet shaming etc. are because of the intolerance and anger which is causing biased and radical views among masses.

Evils like honour killing, acid attack by spurned lovers is because of anger at the moment. Anger does not allow rational thinking and people take up extreme steps and kill their own children/love ones due to uncontrolled emotions.

Way Ahead: Anger and intolerance can be controlled by speedy Justice delivery, persuasion by leaders, celebrities and well-known personalities, check on social media and provocative sites/platforms, efforts of government, public awareness, value based education, etc.

6. (c) "Falsehood takes the place of truth when it results in unblemished common good." - Thirukkural

Thinking Line:

The above statement justifies that ends are superior to means, and any action which leads to unblemished common good is justifiable even though it is false/unethical.

Evolution in present context: Sometimes, manipulation/falsehood can become useful in achieving desired outcomes. E.g. Bihar government started a campaign in villages that those parents who are not sending their children to schools will be punished by "Maa Sarasvati", as not sending to school means insult to the Goddess. Although, the sanctity/truth behind campaign was absent, it showed positive results and enrolment ratio in primary schools increased.

However, not always falsehood can replace truth. False encounter of criminals based on framed charges are not ethical even though criminals are being killed for common public interest.

Therefore the situation and extent to which the claims are used for public good determines the rightness of the conduct.

Section - B

7. Rakesh is a responsible district level officer, who enjoys the trust of his higher officials. Knowing his honesty, the government entrusted him with the responsibility of identifying the beneficiaries under a health care scheme meant for senior citizens.

The criteria to be a beneficiary are the following:

- (a) 60 years of age or above.
- (b) Belonging to a reserved community.
- (c) Family income of less than 1 Lakh rupees per annum.
- (d) Post-treatment prognosis is likely to be high to make a positive difference to the quality of life of the beneficiary.

One day, an old couple visited Rakesh's office with their application. They have been the residents of a village in his district since their birth. The old man is diagnosed with a rare condition that causes obstruction in the large intestine. As a consequence, he has severe abdominal pain frequently that prevents him from doing any physical labour. The couple has no children to support them. The expert surgeon whom they contacted is willing to do the surgery without charging any fee. However, the couple will have to bear the cost of incidental charges, such as medicines, hospitalization, etc., to the tune of rupees one lakh. The couple fulfils all the criteria except criterion 'b'. However, any financial aid would certainly make a significant difference in their quality of life.

How should Rakesh respond to the situation?

Thinking Line:

- Rakesh is a responsible honest and trusted officer. First of all, he should be guided by the officially given or laid down qualifications to identify the beneficiaries of the healthcare scheme. This is not only the duty of a civil servant to strictly follow the laid down criteria but this is also necessary because the set of given criteria instill the element of transparency and probity and help in governance to be just and fair.
- Nevertheless civil servants are close to the ground realities and they are on striker's end; they may confront situations in which given criteria, here no. 2 criteria, may be inadequate to cover all real beneficiaries, therefore, Rakesh must try to see the scope of using discretion or ways to help the needy within official provisions.
- Rakesh may find provisions of exception and discretion in the said health scheme to consider extremely needy patients. This is not clear from the conditions given above, but a trusted and responsible officer in charge can seek exemptions and support from higher ups for the patient within the scheme by forwarding a case on compassionate and humanitarian grounds. The senior authorities may oblige, especially the concerned department head, or minister or Chief Minister. First he should explore possibilities from the existing internal departmental channel itself, then only he should try for other options.
- Thirdly, if relaxation within the health scheme is not permissible, Rakesh should explore other possibilities like Chief Minister's Relief Fund or even Prime Minister's relief fund after getting an endorsement from the MLA and MP of the region. Every year certain number of people are given assistance for treatment of severe diseases from these funds.
- Lastly, what is important is treatment of the old, jobless and needy patient and not his inclusion in the beneficiaries' list. So, an active Civil servant who commands respect may convince as a citizen and not in his official capacity, good Samaritans of the region to help the old man in need or motivate the locals for crowd funding. But he should directly involve into it, rather be facilitator in the crowdfunding process. The last method has worked in some instances for making local infrastructure or facilities; it may work in this case as well. Two boys who qualified for IIT from Phagwara district in Punjab but did not have money to get admission were helped by a man by urging people through a blog, that mobilised more than required funds overnight. The last option needs care and caution to keep the process clean and transparent and without involving the official capacity.

- Acknowledge before society/community the role of selfless service of doctor.
 - Acknowledge through social media the model that can inspire and set benchmark for socially desirable goals.
8. As a senior officer in the Ministry, you have access to important policy decisions and upcoming big announcements such as road constructions projects before they are notified in the public domain. The Ministry is about to announce a mega road project for which the drawings are already in place. Sufficient care was taken by the planners to make use of the government land with the minimum land acquisition from private parties. Compensation rate for private parties was also finalized as per government rules. Care was also taken to minimize deforestation. Once the project is announced, it is expected that there will be a huge spurt in real estate prices in and around that area.

Meanwhile, the Minister concerned insists that you realign the road in such a way that it comes closer to his 20 acres farmhouse. He also suggests that he would facilitate the purchase of a big plot of land in your wife name at the prevailing rate which is very nominal, in and around the proposed mega road project. He also tries to convince you by saying that there is no harm in it as he is buying the land legally. He even promises to supplement your savings in case you do not have sufficient funds to buy the land. However, by the act of realignment, a lot of agricultural lands has to be acquired, thereby causing a considerable financial burden on the government, and also the displacement of the farmers. As if this is not enough, it will involve cutting down of a large number of trees denuding the area of its green cover.

Faced with this situation, what will you do? Critically examine various conflicts of interest and explain what your responsibilities are as a public servant.

Thinking Line:

- This is case of political interference and conflict of interest if he uses inside information for private gain. Using inside information is also seen as conflict of interest even if one is not direct beneficiary. A Civil Servant is needed to serve the larger public interest, save government resources wherever it is possible and help realise the goal of sustainable development. He should continue to implement the road project as planned rather than buckling under the minister's pressure or getting alluded by personal gains. This is what good governance warrants. This is the best option as it holds the civil servant in good stead with regard to his oath to service, commitment to constitutional values, society, nation and its people. But a civil servant is a human being and s/he may be afraid of the minister's pressure or allured by the offers of personal gains with the help of the minister. A civil servant needs to be upright, courageous, sincere and honest enough to uphold the highest values of good governance that requires selfless service and probity.
- Secondly, the civil servant may oblige the minister by changing the road plan for minister's benefit due to fear. This a bad option. There is no need to be afraid of any pressure for two reasons:
 - (a) constitution and law is on the side of the honest civil servants and
 - (b) as long as a civil servant is not permissive and palpable, there are ample provisions to help a civil servant to be firm on the principles of good governance.
- Only those civil servants who are not willing to exercise their power and authority to uphold their constitutional duty and obligation and have some personal interest of 'out of bound benefits' in career are afraid. The last option of "**doing what the Romans do while living in Rome**" allures because changing the system in which the powerful people like minister's are revered is impossible by one civil servant. **One swallow does not make a summer.**
- Agreeing to the minister may improve the fortunes of the civil servant and the minister may be helpful in future in several ways. But this greed and connivance is not desirable as it flouts the people's and national interest and leads to loss of lot of arable land and destitution. It will also lead to loss to government exchequer and it would be detrimental to sustainable development due to felling of more trees, apart from snatching livelihood opportunities of farmers.
- And above all such a connivance for personal gains by the civil servant and minister is white collar crime and would promote systemic corruption. If both the parties are detected to have indulged in such a corrupt practice, there would be unfathomable shame and stigma. So, this is not an option worth in any respect.

- Being at a more responsible position, My decision will have ramification on many lives. Hence, acting ethically is the most reasonable choice.
9. It is a State where prohibition is in force. You are recently appointed as the Superintendent of Police of a district notorious for illicit distillation of liquor. The illicit liquor leads to many death, reported and unreported, and causes a major problem for the district authorities.

The approach till now had been to view it as a law and order problem and tackle it accordingly. Raids, arrest, police cases, and criminal trials - all these had only limited impact. The problem remains as serious as ever.

Your inspections show that the parts of the district where the distillation flourishes are economically, industrially and educationally backward. Agriculture is badly affected by poor irrigation facilities. Frequent clashes among communities gave boost to illicit distillation. No major initiatives had taken place in the past either from the government's side or from social organizations to improve the lot of the people.

Which new approach will you adopt to bring the problem under control?

Thinking Line:

- I will take up this case not solely as a law and order problem because this approach is not yielding results. Along with conventional policing, I will resort to 'social policing' and 'community policing' as well to seek a complete and effective solution to the problem. As explained in this particular case, conventional policing comprising raids, arrest, police cases and criminal cases are not effective in curbing illegal distilling and consumption of liquor. Notwithstanding the fact that the superintendent of police has the mandate for policing to look after the state of law and order and to take measures to check illegal and criminal activities. So I will carry out my duties according to the mandate given by my position.
- But today policing is facing many problems and challenges which have roots in socio-economic deprivation and development deficit such as agricultural and industrial backwardness, poor infrastructure, lack of employment opportunities, health and education facilities etc.
- A police officer needs to be aware and sensitive enough in order to understand the socio-economic context of crime and illegal activities.
- **So I will**
 - to open a communication and interaction channel/window for the community and locals to understand their plight and also to make them aware about the legal and ethical sources of livelihood.
 - Secondly even while resorting to conventional policing I will try to remain 'human' and 'sensitive' and not generally take 'third degree' measures till it becomes indispensable.
 - Thirdly I will try to interact with and urge other stakeholders in the loop such as district magistrate, MLAs and MPs to carry on development programmes in the right earnest and effectively so as to eliminate deprivation and lack of development that drives people to seek livelihood from illegal distillation which has other serious consequences.

This is necessary as social and community policing will not be possible without taking all the stakeholders together. In the same spirit, I will take along the elders of the region to run an awareness campaign and drive to stop illegal distillation and other criminal activities.

This kind of participatory policing has often proved very effective.

- Fourthly, I will seek permission from higher authorities to offer incentives to the youth who quit illegal distillation and are ready to seek livelihood from self-employment and enterprise in legally permitted avenues. The incentives to 'cooperating' youth helps not only in curbing criminal activities but also in change and progress.
- And lastly I will collaborate with school and university system to educate and make people aware about ill effects of illegal distillation and possibilities of better livelihood opportunities and dignified life. This will touch a very large number of families and youths.

10. A big corporate house is engaged in manufacturing industrial chemicals on a large scale. It proposes to set up an additional unit. Many states rejected its proposal due to the detrimental effect on the environment. But one state government acceded to the request and permitted the unit close to a city, brushing aside all opposition.

The unit was set up 10 years ago and was in full swing till recently. The pollution caused by the industrial effluents was affecting the land, water and crops in the area. It was also causing serious health problems to human beings and animals. This gave rise to a series of agitation thousands of people took part, creating a law and order problem necessitating stern police action. Following the public outcry, the State government ordered the closure of the factory.

The closure of the factory resulted in the unemployment of not only those workers who were engaged in the factory but also those who were working in the ancillary units. It also very badly affected those industry which depended on the chemicals manufactured by it.

As a senior officer entrusted with the responsibility of handling this issues, how are you going to address it?

Thinking Line:

- As a senior government official and civil servant my concern will not be just maintaining law and order or putting a stop on economic activities which lead to pollution and other harmful consequences, but try to find better alternatives or arrangements to keep the businesses going with least or no adverse effect on natural resources as well as people. In modern and free India government officers and civil servants are seen not only as administrators and agents to implement and maintain law and order, but also as 'managers' of development and 'agents' of change and progress. In this spirit, I will not resort to linear and straight solutions in favour of either the businesses or people; a good solution of this problem does not warrant one-sided solution.
- Businesses create wealth and employment, but these also lead to pollution and destitution if these units do not follow the principle of corporate social responsibility and corporate ethics.
- I will actively engage with the directors and CEO of the chemical unit to find out how best the business activities could be reconciled with interest of the people and sustainable development rather than giving a dictate or order to close down.
 - Secondly, I will remain human while dealing with protesting people against the chemical project, but will not decide about the fate of the chemical units. Instead I will take some time to buy peace and talk with people's representative to convince them about the importance of the chemical industry for employment and raising standard of living highlighting its backward and forward linkages.
 - Thirdly I will convene a tripartite platform to frequently bring the business, people and government officials together to analyse and evaluate and act against the evolving challenges due to the chemical and other industries in the vicinity. Many a times people's protests in such cases are aggravated and flared up by local politicians.
 - So I will convene a meeting with them and urge them to understand the gravity of the problem. I will tell them that development cannot be throttled on flimsy or political grounds and even if there are enough grounds based on the adverse effects, a better option would not be to close down the industrial units, but to find alternatives how to mitigate and eliminate the adverse effects.
 - This will entail seeking experts' advice and so I will seek help from experts to find a workable solution which allows the chemical industry to run and at the same time the adverse effects are minimised. Such solutions may take time and may be difficult to negotiate with different stakeholders. Even then I would not fall victim to 'knee jerk' reaction or 'quick fixes; there are times when trampling on the difficult paths yield a holistic solution to a problem, and so I will do the same. I will put all my mind and might to reach a solution which makes development possible with the least real cost or adverse effects while maximises income, output and employment.

11. Dr X is a leading medical practitioner in a city. He has set up a charitable trust through which he plans to establish a super-speciality hospital in the city to cater to the medical needs of all sections of the society. Incidentally, that part of the State had been neglected over the years. The proposed hospital would be a boon for the region.

You are heading the tax investigation agency of that region. During an inspection of the doctor's clinic, your officers have found out some major irregularities. A few of them are substantial which had resulted in considerable withholding of tax that should be paid by him now. The doctor is cooperative. He undertakes to pay the tax immediately.

However, there are certain other deficiencies in his tax compliance which are purely technical in nature. If these technical defaults are pursued by the agency, considerable time and energy of the doctor will be diverted to issues which are not so serious, urgent or even helpful to the tax collection process. Further, in all probability, it will hamper the prospects of the hospital coming up.

There are two options before you:

1. Taking a broader view, ensure substantial tax compliance and ignore defaults that are merely technical in nature.
2. Pursue the matter strictly and proceed on all fronts, whether substantial or merely technical.

As the head of the tax agency, which course of action will you opt and why?

Thinking Line:

- I believe as a civil servant that law does not absolve a law breaking citizen because he has done or he intends to do good work. Law should take its own course for non-compliance and government and society should cooperate a citizen who intends to do good work separately. Law sees these two acts as mutually exclusive.
 - However, there are discretions available to a judge in court and a civil servant in administration to be lenient for good intentions and good works so as to give a fair chance to goodness and overall welfare of the people.
 - Having said this, I will certainly exercise option number 1 because it leads to substantial tax compliance while the points of default by the doctor are mainly of technical nature and do not help much in tax compliance.
 - Secondly, knowing about the good intention of the doctor to establish a super speciality hospital in the city for all the sections, especially the poor and needy people, I would take a broad view and be lenient on technical defaults which are non-consequential either for tax compliance or for revenue to exchequer. This option would optimise tax collection on one hand and enhance public welfare if a super speciality hospital is established in the city on the other.
 - Had I been sure of substantial gains on tax compliance or setting a bad precedent by being lenient for technical defaults of grave nature, I would have exercised the second option of being very strict and pursuing the inspection report and case wholeheartedly to its legal and logical end. But as explained in the above case, the defaults are only of technical nature and pursuing them will not enhance tax compliance but sap out the time and energy of the doctor who intends to set up a super speciality hospital for all the sections.
 - Nevertheless, a broad and lenient view should be taken with care and caution with regard to non-discrimination and equality before law on one hand and promoting Good Samaritan acts on the other.
 - In fact generally these two goals are seen separately and the second, i.e., good acts, do not absolve a citizen from a crime or non-compliance of law.
 - The principles of jurisprudence, however, provide for leniency where the culprit has good intentions and track record of social and community work including philanthropy as seen in US court's judgement about iconic Rajat Gupta's failures on insider trading. This principle may very well be applied in good governance with great discretion and caution in the larger interest.
12. Edward Snowden, a computer expert and former CIA administrator, released confidential Government documents to the press about the existence of Government surveillance programmes. According to many legal experts and the US Government, his action violated the Espionage act of 1971, which identified the leak of State secret as an act of treason. Yet, despite the fact that

he broke the law, Snowden argued that he had a moral obligation to act. He gave a justification for his “whistle blowing” by stating that he had a duty “to inform the public as to that which is done in their name and that which is done against them.”

According to Snowden, the Government’s violation of privacy had to be exposed regardless of legality since more substantive issues of social action and public morality were involved here. Many agreed with Snowden. Few argued that he broke the law and compromised national security, for which he should be held accountable.

Do you agree that Snowden’s actions were ethically justified even if legally prohibited? Why or why not? Make an argument by weighing the competing values in this case

Thinking Line:

- Edward Snowden could be understood in two paradigms- one is about his loyalty to the office, compliance to the laws of the country, professional code of conduct and patriotism. The second paradigm is about the cause of larger public interest, the issue of their privacy, freedom, justice and fairness.
- Edward in the earlier part of life fitted well into the first paradigm. In the later half of his life he decided to act more like a free citizen, to be an individual with concern for moral and ethical values and to be a whistleblower for larger public interest and an international citizen for a just and fair global order. Comparing these two paradigms and deciding as to which paradigms of the two is better and a superior choice will depend on the basis of our value judgment.
- In the first instance, while he was part of the government establishment and CIA, he must have been bound by secrecy acts e.g., Espionage Act 1971 and professional code of conduct, which he did not comply.
- So the critics appear to be right when they allege him for breach of confidentiality and loyalty on one hand and treason against the state on the other hand. Governance is a different ball game where surveillance and monitoring public or outside state and not state players becomes indispensable for national interest. Here national interest takes the central place while ethical and moral concerns take the back seat.
- It is clear the way diplomacy and intelligence are conducted. Privacy of people is violated and. Freedom is encroached in the name of public interest and national interest. An officer in the government is required to maintain confidentiality and loyalty to the office in which Snowden failed.
- When Snowden leaked documents pertaining to government covert surveillance of public and consequent breach of privacy on ethical grounds as his moral duty, it may be treated as a paradigms shift in an individual’s life due may be to the voice of conscience and a sense of justice and fairness as exemplified by his argument “as which is done in their name and which is done against them”. On moral and ethical principles it seems right to act as a whistleblower to bring out truth in order to make a just and fair system for the people and a just and fair global order.
- Breach of privacy of people is also an encroachment on their freedom and dignity. I think that what Snowden did might have violated the law, but it upheld the cause of freedom and dignity of the people and justice and fairness. When state becomes overarching and starts peeping into people’s lives and tries to hideously monitor and regulate people’s lives, it makes the state autocratic, anti-people and brazen and unscrupulous. The states will overpower public will. It is undemocratic.
- Therefore, I think what Snowden did was morally correct and was in favour of freedom, democracy, justice and fairness. Such occasions are rare in history and those who speak against unfair practices of state and violate state’s dictates for a truly great cause, they become Socrates or Gandhi. But doing such acts for populism, problem mongering and personal gains would deserve placing such a person on the lowest rung of the hell.
- Any punishment for such person would not match his guilt, yet such a person should be punished in harshest manner. Since the two paradigms are different and correct in their own rights, it is not easy to decide which of them is better. But Snowden may be faulted legally, he is morally correct!

