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GENERAL STUDIES (TEST CODE : 2088)

Name of Candidate	ATUL TYAGI		
Medium Hindi/Eng.	ENGLISH	Registration Number	
Center	ONLINE	Date	04/08/23

INDEX TABLE

Q. No.	Maximum Marks	Marks Obtained
1(a)	10	
1(b)	10	
2(a)	10	
2(b)	10	
3(a)	10	
3(b)	10	
3(c)	10	
4(a)	10	
4(b)	10	
5(a)	10	
5(b)	10	
6(a)	10	
6(b)	10	
7	20	
8	20	
9	20	
10	20	
11	20	
12	20	

Total Marks Obtained:

Remarks:

INSTRUCTIONS

- Do furnish the appropriate details in the answer sheet (viz. Name, Registration Number and Test Code).
उत्तर पुस्तिका में सूचनाएं भरना आवश्यक है (नाम, प्रश्न-पत्र कोड, विद्यार्थी क्रमांक आदि)।
- There are **TWELVE** questions printed in **ENGLISH & HINDI**.
इसमें बारह प्रश्न हैं अंग्रेजी और हिन्दी में छपे हैं।
- All questions are compulsory.**
सभी प्रश्न अनिवार्य हैं।
- The number of marks carried by a question/part is indicated against it.
प्रत्येक प्रश्न/भाग के अंक उसके सामने दिए गए हैं।
- Answers must be written in the medium authorized in the Admission Certificate, which must be stated clearly on the cover of this Question-Cum-Answer (QCA) Booklet in the space provided. No marks will be given for answers written in medium other than the authorized one.
प्रश्नों के उत्तर उसी माध्यम में लिखे जाने चाहिए जिसका उल्लेख आपके प्रवेश पत्र में किया गया है और उस माध्यम का स्पष्ट उल्लेख प्रश्न-सह-उत्तर (क्यूसीए) पुस्तिका के मुख्य पृष्ठ पर अंकित निर्दिष्ट स्थान पर किया जाना चाहिए। उल्लिखित माध्यम के अतिरिक्त अन्य किसी माध्यम में लिए गए उत्तर पर कोई अंक नहीं मिलेंगे।
- Word limit in questions, if specified, should be adhered to.
प्रश्नों में शब्द सीमा, जहाँ विनिर्दिष्ट है, का अनुसरण किया जाना चाहिए।
- Any page or portion of the page left blank in the Question-Cum-Answer Booklet must be clearly struck off.
उत्तर पुस्तिका में खाली छोड़ा हुआ पृष्ठ या उसके अंश को स्पष्ट रूप से काटा जाना चाहिए।

Is student recommended for One-to-One mentoring?

Recommended

Strongly Recommended

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Plot No. 857, 1st Floor, Banda Bahadur Marg (Opp. Punjab & Sind Bank), Dr. Mukherjee Nagar, Delhi-110009

EVALUATION INDICATORS

1. Contextual Competence
2. Content Competence
3. Language Competence
4. Introduction Competence
5. Structure - Presentation Competence
6. Conclusion Competence

Overall Macro Comments / feedback / suggestions on Answer Booklet:

1.

2.

3.

4.

5.

6.

All the Best

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खण्ड-A (Section-A)

निम्नलिखित प्रश्नों के उत्तर लगभग 150 शब्दों में दीजिए:

- 1.(a) दोहरे प्रभाव का सिद्धांत इस विचार पर आधारित है कि यदि किसी व्यक्ति का व्यवहार या आचरण किसी ऐसे लक्ष्य को प्राप्त करने के लिए है जो नैतिक रूप से सही है, लेकिन उसके परिणामस्वरूप एक नैतिक दुष्प्रभाव भी पड़ता है, तब भी उस विशेष व्यवहार या आचरण को अपनाना स्वीकार्य होगा। यह सिद्धांत कठिन नैतिक स्थितियों को सुलझाने में कहां तक सहायता कर सकता है? उपयुक्त उदाहरणों के साथ चर्चा कीजिए।

The principle of double effect is based on the idea that if a person's behaviour or conduct is intended to achieve a goal which is morally good, however, as a result, there is a morally bad side-effect, then it is still acceptable to adopt that particular behaviour or conduct. How far can this principle aid in resolving difficult moral situations? Discuss with suitable examples. (Answer in 150 words)

10

"Ethics is knowing the difference between what you have a right to do, and what is right to do." Consequence is one major determinant that decides the implications of one's actions.

Double effect in resolving moral situations

- ① When the intention is pure but the unintended consequences may occur.

eg Parents making children study hard but not knowing the subtlety of human and child psychology.

- ② Utilitarian approach for the greater good
 i.e. hard reformation by revoking Right to property against abundance.
- ③ When state fails to do justice ethics before law formation.
 i.e. Giving compensation to hooch victims even in dry states.
- ④ Reformative justice when a crime is committed out of necessity.
 i.e. Stealing food for starving children.

Not applicable

- ① When done in full knowledge of consequence
 i.e. Mao Zedong's cultural revolution that killed millions.
- ② Willful ignorance due to self centered approach
 i.e. Companies preferring profit over environmental sustainability.
- ③ Impact are on others to save self.
 i.e. Driving fast on road for self-happiness.

"A man without ethics is a wild beast loosed upon this world" - Albert Camus. Double effect also needs to be judged ethically.

- 1.(b) भारतीय गणराज्य ने सारनाथ स्थित सम्राट अशोक के सिंह शीर्ष को अपने राष्ट्रीय प्रतीक के रूप में चुना, ताकि वैसी ही सद्भावना को प्रतिबिंबित किया जा सके जैसी सम्राट अशोक द्वारा हासिल की गई थी और आधुनिक भारतीय राष्ट्र के लोगों के लिए उनके द्वारा लागू की गई मानवीय नीतियों की निरंतरता बनी रहे। इस पृष्ठभूमि में, उन नैतिक शिक्षाओं पर चर्चा कीजिए जो सम्राट अशोक के जीवन में प्रतिलिखित होती हैं।

The Indian Republic chose Ashoka's Lion Capital at Sarnath as its state emblem to reflect the same harmony achieved by him and effect a continuity with his humane policies towards the people of the modern Indian nation. In this background, discuss the ethical teachings that find resonance in Ashoka's life. (Answer in 150 words)

10

Ashoka has remained a jewel in Indian history. In terms of personal ethics as well as an ethical state system, he remains a beacon of guiding lights.

1 Ethical teaching from his life

- ① Constant self-introspection, towards betterment.
 (e.g.) After Kalinga war's horrors.
- ② Openness for change: his major reformation on renouncing war.
- ③ Moral courage to accept his mistakes, even after being a king: when he renounced the uselessness of

a victory based on violence.

- ④ Consequent change to Dhamma-vijaya i.e. ethical victory based on principles.
- ⑤ Religious tolerance: such as acceptance of Buddhism ideals.
- ⑥ Non-violence and kindness towards fellow beings, even animals.
 ↳ Rock edict XIII against animal sacrifice.
- ⑦ Duty of a king towards his subjects against his contemporaries who believed in absolute monarchy.
- ⑧ Accountability: as he often took citizen feedback and grievances
 ↳ Mentioned in Arthashastra as a ruler's Dharma.

Ashoka's life was thus towards ethical refinement. He proved the words of Shakespeare true that:
 "If we're true to ourselves, we cannot be false to anyone."

- 2.(a) करुणा और सहिष्णुता अनिवार्यताएं हैं, विलासिता नहीं क्योंकि इनके बिना मानवता जीवित नहीं रह सकती। करुणा और सहिष्णुता के मूल्य किसी लोक सेवक के दैनिक काम-काज में कैसे सहायता करते हैं? उपयुक्त उदाहरणों सहित व्याख्या कीजिए।

Compassion and tolerance are necessities and not luxuries, as without them, humanity cannot survive. How do the values of compassion and tolerance assist in the day-to-day functioning of a civil servant? Explain using suitable examples. (Answer in 150 words)

10

Tolerance is the ability to listen, accept and respect differences.
Compassion is not only feeling other's pain but also being moved to help relieve it (Daniel Goleman).
Both are key to civil servants as:

Tolerance → Day-to-day functioning

- ① Has to listen to multiple stakeholders and multiple viewpoints.
⇒ Government officials, political leaders, beneficiaries of schemes etc.
- ② Is posted in various settings and has to mould as per the need:
⇒ Urban vs rural areas.
- ③ Similarly, will have to deal with

people from different backgrounds and views

ie) In Sabarimala case, feminist groups and devotees confronted DM office together.

(4) Will also have to deal with escalating situations

ie) Aggrieved old man slapped DM but he didn't react seeing the emotional extent of the situation.

1 Compassion

(1) Has to understand the pain of the aggrieved citizenry

ie) Divya Devdajan, IAS learnt Gandhi to understand tribal woes.

(2) Has to work hard situations to overcome issues by compassionate work.

ie) Bear political pressure, anti-social elements etc - Ashok Khemka.

(3) Creates connect with the citizens by empathy → a precedent to compassion.

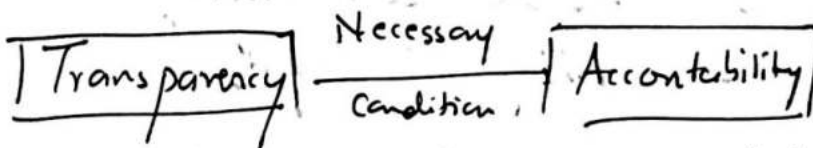
(4) Increase trust and thus cooperation from citizens based on compassionate attitude

"Relationships are the DNA of governance."
Compassion and helps in creating them and tolerance sustains them for better civil services.

2.(b) जवाबदेही के लिए पारदर्शिता एक अनिवार्य शर्त है, लेकिन यह स्वतः जवाबदेही की गारंटी नहीं देती है। चर्चा कीजिए। किन परिस्थितियों में पारदर्शिता जवाबदेही की ओर ले जाती है?

Transparency is a necessary condition for accountability, but it does not automatically guarantee accountability. Discuss. Under what conditions does transparency lead to accountability? (Answer in 150 words) 10

"Information is the currency of democracy." - Thomas Jefferson.
This is because both transparency and accountability through information lead to a virtuous cycle, assisting each other.



- ① Gives clarity on what work has been done by officials.
- ② Thus, provides objective proof for assessment of performance.
- ③ Will keep a check on arbitrary process.
 i.e. CVC to check corrupt and opaque practices.

However, this is not an automatic guarantee

- ① Needs a strong check mechanism to ensure credibility of transparency itself

- 1) Ensure no tampering with data.
- ② Needs an active citizenry to work on it.
 1) PIL to hold government accountable.
- ③ Active disclosure is necessary.
 1) Article 7 of RTI Act.

Therefore, the conducive situations are:

- ① Robust data and record keeping such as noting and drafting.
- ② Active citizenry like RTI activists.
- ③ Strong judicial mechanisms to take punitive actions against wrong-doers.
- ④ Participatory mediums for mass scrutiny.
 1) Digital governance from My Gov platform in India.

"Eternal vigilance is the price of freedom."
 Therefore, transparency and institutions to assert accountability are necessary for a functional democracy.

3. निम्नलिखित में से प्रत्येक उद्धरण का आपके विचार से क्या अभिप्राय है?
What does each of the following quotations mean to you?

- (a) "एक महान व्यक्ति एक प्रतिष्ठित व्यक्ति से इस मायने में भिन्न होता है कि वह समाज का सेवक बनने के लिए तैयार रहता है।" डॉ. भीमराव अंबेडकर

"A great man is different from an eminent one in that he is ready to be the servant of the society." B.R. Ambedkar (Answer in 150 words) 10

The above quote highlights the importance of one's social, civic and even constitutional responsibilities, coming from Indian constitution's architect himself. It is this selflessness that makes one truly great.

Limitations of an eminent person

- ① May have skills and intelligence but will only use for self-interest.
- ② Lack of social rule will prevent them from making a significant change in systems.
 - ie) Desire to establish status quo.
- ③ May even use eminence for unfair gains
 - ie) Vijay Malaya absconding after financial fraud.
- ④ May even not be fully satisfied -

Materialism cannot overcome the happiness of having helped someone.

Eminent man into great man by
servant of the society

① Using one's knowledge and skills for creating social structures

→ IAS Anna Sundarajan formed Kudumbashree to empower rural women.

② Can help capacity building of the masses

→ Varghese Kurien formed the most successful cooperative through AMUL.

③ Will be truly admired for actions over fame like looks, clothes etc

→ A P J Abdul Kalam.

④ Can harness support of masses to form transformational changes

→ Chopal Krishna Gokhale through Servants of India Society.

In Gandhi Ji's teachings, we need to find ourselves by losing self in the service of humanity. This will truly elevate us from eminence to greatness.

3.(b) "हमारे धर्म अलग-अलग हो सकते हैं, भाषाएं अलग-अलग हो सकती हैं, त्वचा का रंग अलग-अलग हो सकता है, लेकिन हम सभी एक ही मानव जाति से संबंधित हैं।" कोफ़ी अन्नान

"We may have different religions, different languages, 'different colored skin', but we all belong to one human race." Kofi Annan (Answer in 150 words) 10

The above quote highlights the importance of tolerance and fraternity in the name of humanity. This resonates with the Indian motto of 'Unity in Diversity'.

If differences are not viewed in the prism of common humanity, conflict may arise:

- ① Religion: communal clashes
 ⇒ Partition of India in the past and Nuh clashes in the present.
- ② Languages: regional chauvinism on one hand and majoritarian domination at the other
 ⇒ Son of the soil concepts in some states or fear of Hindi imposition.

- ③ Race: Racial exploitation as during British Raj or the apartheid regime.

On the other hand, these differences when accepted can lead to strengthening of all human race:

- ① Religion: "Sarva Dharma Sam Bhava" doctrine of India has led to synthesis life: Bhakti movement and Wahadat-ul-Wajud (unity of existence) in Sufism.

- ② Language: The rich linguistic diversity of India: "Kos-kos pe pani badle, char kos pe bani."

- ③ Race: India as a rich tapestry under the Aryan-Dravidian theory. Similarly, USA as a melting pot of differences.

Celebration of
differences together



Harmonious human
race

Acceptance of common humanity is the way for peaceful-coexistence. We need to remember the age old wisdom of Uasudheiva Kutumbakam

3.(c) "शिक्षा का उद्देश्य तथ्यों का नहीं, बल्कि मूल्यों का ज्ञान है।" विलियम राल्फ इंगे

"The aim of education is the knowledge, not of facts, but of values."
William Ralph Inge (Answer in 150 words) 10

Importance of value based education is being emphasised in the quote. A similar sentiment was given by Socrates when he said:
"Educating the head without educating the heart is no education at all."

If education is only of facts:

- ① Will not generate curiosity of students which is the inherent tool for learning.
- ② Spirit of enquiry will not develop, and will reduce to rote-learning.
- ③ Questioning authority will also be discouraged leading to unquestioned status-quo: a challenge to reforms.
- ④ Innovation and enterprise may be stifled, such as absence of

research.

- ⑤ May lose out on civic and constitutional duties when no value education is done.

Education of values:

- ① Will learn one's social role in the human race
 ↳ Sharing and caring through socialisation.
- ② Will form responsible citizens from constitutional values
 ↳ Respecting fundamental rights, contribution in nation building etc.
- ③ Will use knowledge and skills gained for purposeful gains.
 ↳ Scientists of Chandrayaan mission.
- ④ Law-abiding and respectful adults resulting in constructive growth of future.

It is true said that children should be taught not what to read but how to read. Value based education ensures they are equipped for an ethical life.

- 4.(a) नैतिक कॉर्पोरेट गवर्नेंस की अवधारणा समता के संतुलन के सिद्धांत पर काम करती है, जिसके तहत एक तरफ कंपनी, ग्राहकों, आपूर्तिकर्ताओं, वित्त-पोषकों, सरकार और शेयरधारकों तथा दूसरी तरफ बड़े पैमाने पर समुदाय के हितों में संतुलन बनाए रखा जाता है। नैतिक कॉर्पोरेट गवर्नेंस सुनिश्चित करने में कौन-से मूल्य मुख्य भूमिका निभाते हैं?

The concept of ethical corporate governance works on the principle of balance of equity, which seeks to balance the interests of the company, customers, suppliers, financiers, government and shareholders on the one hand and the community at large on the other hand. Which values play a central role in ensuring ethical corporate governance? (Answer in 150 words)

10

As per Narayan Murthy committee, ethical corporate governance is central for an inclusive growth. It ensures all stakeholders are profited sustainably: company, society and environment.

Values playing central role

- ① Asteya (Non-stealing) : as mentioned in Jain philosophy too, it aims at gaining wealth through fair means.
- ② Responsibility : of negative externalities
 i.e. Pollution to environment from untreated industrial waste is unethical.
- ③ Transparency : Ensure that information

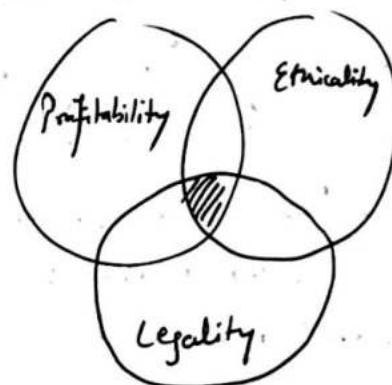
if company performance is easily accessible to prevent information asymmetry.

ie) Balance-sheet to investors, product ingredients for consumers.

④ Accountability such as regular external audits.

⑤ Consensus-orientation to ensure concerns of all a heard.

⑥ Lack of hierarchical sets which compromises employee welfare as well as quality of decision.



■ Ethical corporate governance

⑦ Leadership : in being market leaders for Green-adoption ie) Tata-group using Green bonds.

⑧ Integrity : even in times of conflict of interest. ie) Whistle-blowers on company wrong-doings.

Corporate governance is necessary for compassionate capitalism. It leads to equitable growth of all.

- 4.(b) खराब कार्य परिवेश और अतिरिक्त श्रम ऐसी सामाजिक समस्याएं हैं, जिनके लिए सरकार, श्रमिक संघों, स्वास्थ्य अधिकारियों एवं कॉर्पोरेट जगत को उचित नीति निर्माण करने की आवश्यकता है। इस संबंध में उचित नीति निर्माण करते समय किन नैतिक मुद्दों पर विचार किया जाना चाहिए?

Toxic work environment and overwork are social problems, which require the government, labour unions, health officials and corporates to formulate appropriate policies. What are the ethical issues that should be considered while formulating appropriate policies in this regard? (Answer in 150 words)

10

Recent events like moonlighting, quite-quitting or mass removals such as in BYJU's show problems in work-cultures. These necessitate overhauling of policies.

Ethical issues to be considered

- ① Well-being of the workers:
 - Comfortable environment to work.
 - Growth prospects by learning on the job.
 - Participation in decision-making.
- ② Productivity of the company:
Reaching targets through fair and efficient means.
- ③ Management to be more respectful

and accommodative for consensus

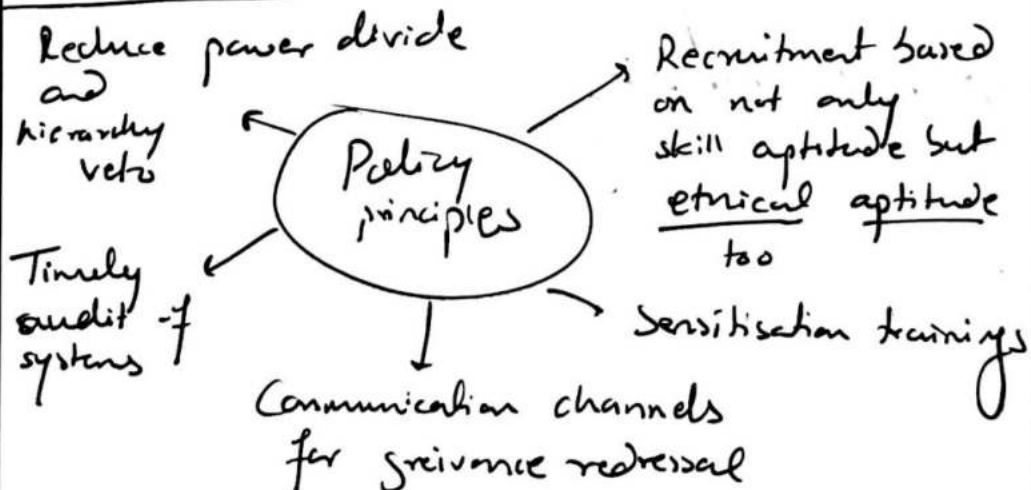
(4) Human Resource department's responsibility to ensure the concerns of employees are heard.

(5) A robust grievance redressal mechanism based on human dignity.

(6) Caring for people over profit: such as asking for over-achievable targets at the expense of mental health.

(7) Work-life balance by proportionate work.

(8) Issue-based efforts such as gender-sensitisation for women, LGBT community.



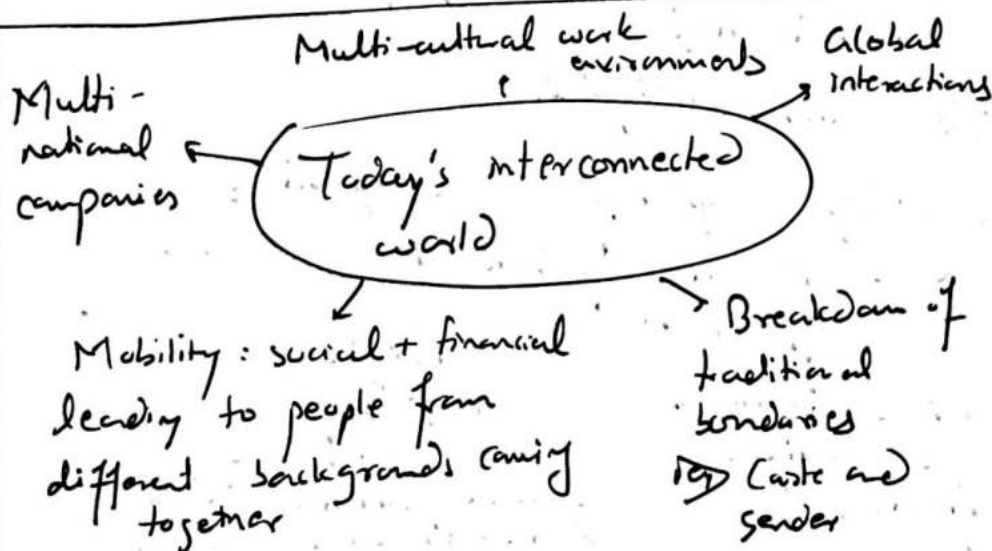
"Customers cannot love a company until its employees do." A healthy work culture is beneficial for not just the workers but the company itself.

5.(a) नेतृत्वकर्ताओं के लिए, सफलता हेतु भावनात्मक बुद्धिमत्ता का होना महत्वपूर्ण है, क्योंकि इससे उन्हें दूसरों की भावनाओं को सहजता से समझने और उनकी भावनात्मक स्थिति का आकलन करते हुए, अपनी भावनाओं को समझने एवं नियंत्रित करने में भी मदद मिलती है। हालांकि, वर्तमान परस्पर जुड़ी हुई दुनिया में प्रभावी नेतृत्व के लिए भावनात्मक बुद्धिमत्ता से परे जाने और सांस्कृतिक बुद्धिमत्ता को विकसित करने की आवश्यकता है। उदाहरण सहित चर्चा कीजिए।

For leaders, having emotional intelligence is vital for success as it helps them to read and regulate their own emotions while intuitively grasping how others feel and gauging their emotional state. But effective leadership in today's interconnected world necessitates going beyond emotional intelligence and cultivating cultural intelligence. Discuss with illustrations.
(Answer in 150 words)

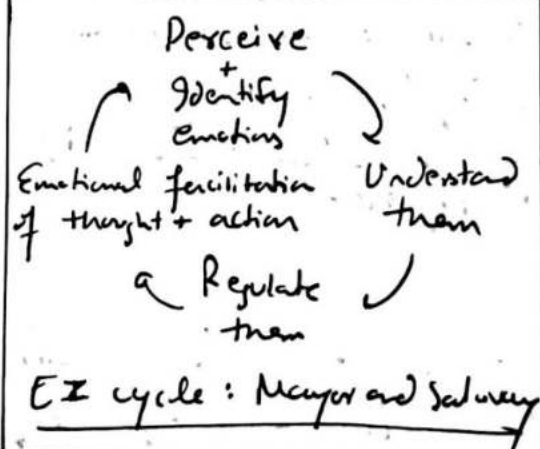
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Daniel Goleman believed 80% EQ (Emotional quotient) is needed over 20% IQ (Intelligence quotient). This is further raised to having cultural intelligence by fusing both EQ and IQ due to globalisation.



This thus needs emotional perception of cultural differences too:

- ① Understand different viewpoints and value-systems
 i.e. An American employee may prioritise individualism but an Indian employee will focus on familial duties.
- ② Consequent acceptance of different life-styles and respect them.
 i.e. Indian adults staying with their parents.
- ③ Creating safe-spaces for cultural expression
 i.e. Allowing Hijabs at workspace.
- ④ Perceive and prevent any possible discrimination
 i.e. L&T bullying.
- ⑤ Develop empathy and compassion among team-members to celebrate differences.
- ⑥ Enrich decisions through multiple perspectives
 Cultural intelligence thus allows a healthy EI cycle. It enhances performance and results.



- 5.(b) शुचिता (प्रोबिटी) सत्यापित सत्यनिष्ठा होती है, जिसके बारे में आमतौर पर माना जाता है कि इसे विकृत नहीं किया जा सकता। अभिशासन में शुचिता का क्या महत्व है? लोक सेवा में शुचिता और नैतिक शासन को बढ़ावा देने में नेतृत्व की भूमिका कितनी महत्वपूर्ण है? उपयुक्त उदाहरणों सहित व्याख्या कीजिए।

Probity is confirmed integrity, which is usually regarded as being incorruptible. What is the significance of probity in governance? How important is the role of leadership in fostering probity and ethical governance in public service? Explain using suitable illustrations. (Answer in 150 words)

10

"One of the truest tests of integrity is its silent refusal to be compromised." — Chinua Achebe.

The same when adhered to in one's professional life is called probity.

Significance of probity in governance

- ① Gives reliability to one's action by ethical consistency over difficult situations like impartiality.
- ② Fosters trust among the service beneficiaries.

- ③ Will then bring cooperation of all i.e. PM's vision of Sabka saath - sabka Vikas, in an ethical setup.



- ④ Prevents misuse of power
 i.e. Atal Bihari Vajpayee's untarnished reputation against corruption.

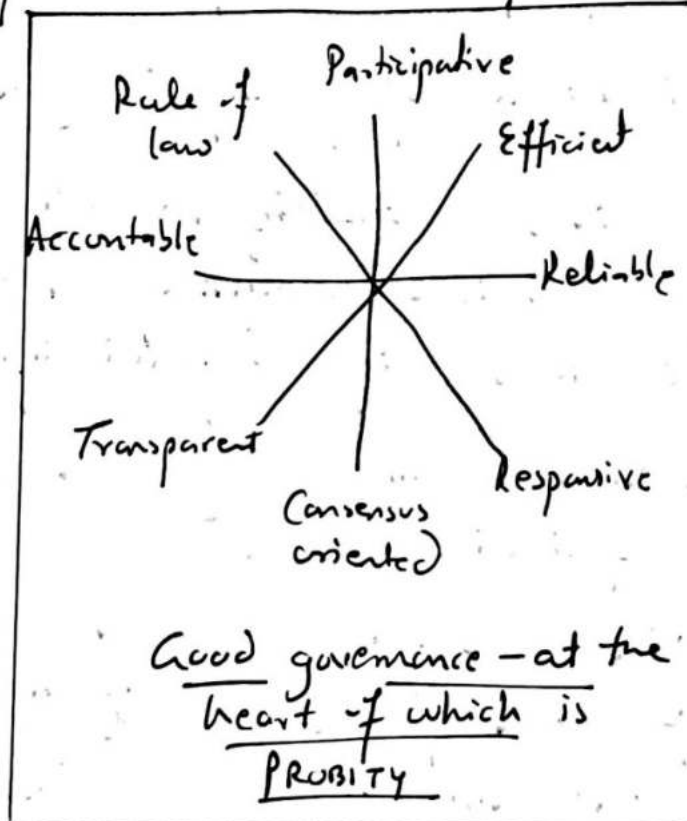
Rule of leadership

- ① Leading by example: setting up observational learning
 i.e. Dr. Kalam in India's missile missions.

- ② Beacon of institutional guidance such as code of ethics and code of conduct.

- ③ Establishing adequate structures for grievance redressal
 i.e. Infosys's CSR norms.

- ④ Ensures checks and balances
 i.e. Strong vigilance committee.



Probity thus alligns with the motto of Shreem Param Bhoshan: character as the jewel of public service.

- 6.(a) भारत में वैवाहिक बलात्कार की धारणा और इसके प्रति अनुक्रिया को आकार देने में नैतिक अभिवृत्ति की भूमिका का विश्लेषण कीजिए। देश में वैवाहिक बलात्कार को अपराध घोषित करने में विद्यमान नैतिक मुद्दों की व्याख्या कीजिए।

Analyse the role of moral attitude in shaping the perception and response to marital rape in India. Explain the ethical considerations in criminalising marital rape in the country. (Answer in 150 words) 10

Despite certain efforts, marital rape has not been recognised in the rule books due to moral differences to the matter. This is an issue of gender justice to be addressed.

Role of moral attitude

Perception

Positive

① Prioritises human dignity of the woman

② Will also consider bodily right and consent of the woman.

Negative

① Will prioritise an paternalistic imposition of the man's will

② May reduce marital rape as a marital duty.

Response

① Will consider it as a heinous crime to be stopped.

② Put efforts to vouch for women rights

① Will be against criminalisation.

② Resistance in the name of traditional values

Ethical considerations

① Right of the individual over social norms that are established: patriarchy.

② Prioritising scientific temperament over superstitions: mental health impact on women, as against prejudice that they should be docile.

③ Equality of both genders: gender neutral law to be framed.

④ Religious sentiments to be reconciled by persuasion and gradual attitudinal change.

"A society's progress is to be viewed by how they treat women" - Dr. Ambedkar.

Marital rape is to be criminalised for gender justice

6.(b) नैतिक निर्णय के लिए चेतना के अलावा विवेक का होना भी आवश्यक है। उपयुक्त उदाहरणों सहित व्याख्या कीजिए।

Apart from consciousness, one needs to possess conscience in order to make ethical decisions. Explain with suitable examples. (Answer in 150 words) 10

"The court of conscience is greater than the court of law" - Gandhi Ji.

Conscience refers to the inner moral voice that acts as a yardstick for ethical judgements.

Consciousness is one's sensory alertness of the external world.

Need of both for ethical decisions

① Consciousness allows one to analyze the various external factors at play

ie) Facts and figures related to a given issue.

② It also helps one perceive subtle hints

ie) Body language and facial expressions - like sweating and shivering one someone is lying.

- ③ Prevents cheating by anyone when one is alert
 ↳ Subordinate trying to mislead about fellow-employees.

However, conscience acts as the real evaluator on ethical terms:

- ① View multiple stakeholders and their concerns
 ↳ Tribals affected due to dam projects.
- ② Evaluates implications of one's action
 ↳ Possible damage to small vendors during lockdowns while online business prospered.
- ③ Check on one's own power
 ↳ here of bribes resisted by the crisis of conscience.
- ④ Larger picture: beyond the self through empathy and compassion.
- ⑤ Moral courage to take hardships
 ↳ IAS Ashok Khemkar transferred over 50 times.

Conscience thus allows one to come out of ethical dilemmas by evaluating decisions on ethical grounds.

खण्ड-B (Section-B)

निम्नलिखित प्रश्नों में, प्रस्तुत मामले का ध्यानपूर्वक अध्ययन कीजिए और फिर इसके बाद आने वाले प्रश्नों का उत्तर दीजिए (लगभग 250 शब्दों में):

7. भले ही LGBTQIA+ युगल एक साथ रहते हों लेकिन कानूनी तौर पर वे एक प्रतिकूल स्थिति में हैं। उन्हें वे सारे अधिकार प्राप्त नहीं हैं जो विवाहित जोड़ों को प्राप्त हैं। उदाहरण के लिए- LGBTQIA+ युगल, बच्चों को गोद नहीं ले सकते या सरोगेसी से बच्चा पैदा नहीं कर सकते हैं, उनके पास विरासत, भरण-पोषण और कर लाभ के स्वतः मिलने वाले अधिकार नहीं हैं तथा अपने साथी के निधन के बाद, उन्हें पेंशन या मुआवजे जैसे लाभ नहीं मिल सकते हैं। इससे भी बड़ी बात यह कि विवाह एक सामाजिक संस्था है जो कानून द्वारा निर्मित और विस्तृत रूप से विनियमित है, ऐसे में सामाजिक स्वीकृति के बिना, समलैंगिक युगल एक साथ जीवन जीने के लिए संघर्ष करते हैं।

समलैंगिक विवाहों को कानूनी मान्यता देने के लिए हाल के वर्षों में न्यायालयों में कई याचिकाएं दायर की गई हैं। लैंगिक अधिकार प्रचारकों के अनुसार, समलैंगिकता को अपराध की श्रेणी से बाहर करने के बाद समलैंगिक विवाह को मान्यता देना अगला तार्किक कदम होना चाहिए।

हालांकि, दूसरा दृष्टिकोण यह है कि न्यायिक व्याख्या विवाह की अवधारणा को अस्त-व्यस्त या कमजोर न कर दे। यह तर्क दिया जाता है कि सरकार के लिए बीच का रास्ता यह हो सकता है कि वह समलैंगिक युगल की दलीलों पर गौर करने और कोई रास्ता सुझाने के लिए किसी पैनल का गठन करे।

एक जागरूक व्यक्ति के रूप में, जो इस मुद्दे के विभिन्न आयामों को समझता है, निम्नलिखित का उत्तर दीजिए:

- (a) इस प्रकरण में शामिल नैतिक मुद्दों पर चर्चा कीजिए।
- (b) क्या आपको लगता है कि भारत में समलैंगिक विवाह को राज्य द्वारा मान्यता दी जानी चाहिए?
- (c) आलोचनात्मक परीक्षण कीजिए कि क्या कानून सामाजिक परिवर्तन लाने में प्रभावी हो सकता है।

Even if the LGBTQIA+ couples live together, legally, they are on a slippery slope. They do not enjoy the rights that married couples do. For example, the LGBTQIA+ couples cannot adopt children or have a child by surrogacy, they do not have automatic rights to inheritance, maintenance and tax benefits, and after a partner passes away, they cannot avail benefits like pension or compensation. Most of all, since marriage is a social institution that is created by and highly regulated by law, without this social sanction, same-sex couples struggle to make a life together.

A number of petitions have been filed in recent years in courts for the legal recognition of same-sex marriages. Gender rights campaigners believe that recognizing same-sex marriages is the next logical step after the decriminalization of homosexuality.

However, the other point of view is that the concept of marriage ought not to be disturbed or diluted by judicial interpretation. It is argued that a middle path could be for the government to set up a panel to look into the pleas of same sex couples and recommend a way out.

As an aware individual, who understands various dimensions of this issue, answer the following:

- (a) Discuss the ethical issues involved in the case.
- (b) Do you think same-sex marriage should be recognised by the State in India?
- (c) Critically examine whether law can be effective in bringing about social change.

20

In the momentous Nartej Singh Johar case, honourable Supreme court decriminalised homosexuality. The grounds given were: human dignity and right to privacy. The same are applicable for matters of same-sex marriage too.

Ethical issues

- ① Denial of rights to LGBT citizens: marry, adopt, inherit etc.
- ② Lack of social security to such couples like joint bank accounts, medical insurance etc.
- ③ Discrimination between LGBT and straight couples.
- ④ Safety as a concern even if law

is changed in a hostile social outlook.

- ⑤ Religious sentiments and existing social reservations against certain alternate sexual expressions.
- ⑥ Resultant reconciliation of social morality with constitutional morality.

(b) Yes, I think that it should be recognised as:

- ① Right to marry has been recognised as part of right to life in Article 21.
- ② Equality and non-discrimination on grounds of sex and gender are established : Article 14, 15.
- ③ Will provide safety to LGBT members who currently have to live in fear and insecurity of secrecy.

④ Social progress by dispelling unscientific stereotypes like this is a disease.

⑤ Time is also ripe with young generation breaking patriarchal binaries

⇒ Non-binary and gender-fluidity concepts.

This is not to deny that sustained attitudinal change efforts are needed.

Law's effectiveness in social change

① Gives legal recognition and sanction to alternate identities.

⇒ Third gender recognised in Naz foundation case.

② Provides a safe-public space to members of varied communities

⇒ SCIST (Prevention of atrocities) Act.

③ Can give affirmative action ad.

thus improve social standing of different communities

ie) Reservations in education institutes.

④ Can enforce regulated behaviour by rules of enforcement.

However, overall attitudinal change needs more than just laws:

① Sustained communication among different sections of the society to create understanding

ie) IPS Suresh Knopade's community engagement programs in Bhivandi.

② Sensitisation to generate empathy

ie) Inclusion of sexual education in schools

③ Scientific temperament to dispel prejudices denying living reality of LGBT members.

④ Awareness generation of contributions from the community ie) Oscar Wilde, Alan Turing, Virginia Woolf etc.

Laws can lay down the basic moral minimum. A liberal and humanistic attitude is needed for long term.

8. लॉयड एक सच्चा और ईमानदार अधिकारी है। वह एक ऐसे राज्य में पुलिस अधीक्षक के रूप में कार्यरत है, जो गैंग कल्चर और आपराधिक गतिविधियों के लिए कुख्यात है। उसके बेदाग ट्रैक रिकॉर्ड के आधार पर, उसे चार महीने पहले राज्य की राजधानी में स्थानांतरित कर दिया गया था। इससे उसकी पत्नी और बेटी भी खुश हैं क्योंकि उनकी पिछली सभी पोस्टिंग की तुलना में राजधानी अपेक्षाकृत सुरक्षित है।

हाल ही में, एक अपराधी जिस पर मुकदमा चल रहा था और उस पर कई गंभीर मामलों के आरोप थे, की अदालत ले जाते समय कुछ लोगों ने राजधानी में हत्या कर दी।

पुलिस हिरासत में अपराधियों की मौत के मामले में राज्य पुलिस का रिकॉर्ड खराब होने के कारण कई मानवाधिकार संगठन इस मामले की निष्पक्ष जांच की मांग कर रहे हैं। उन्होंने इस मामले में अदालतों का दरवाजा खटखटाया है और बाद में इसकी जाँच-पड़ताल के लिए राज्य सरकार द्वारा एक विशेष जांच दल (SIT) का गठन किया गया है।

चूंकि इस घटना के दौरान अपराधी को ले जाने वाले पुलिस अधिकारी उस पुलिस स्टेशन से हैं जो लॉयड के अधिकार क्षेत्र में आता है, इसलिए उसे सभी विवरणों के साथ SIT के सामने पेश होना होगा। जांच के दौरान लॉयड को ऐसे विवरण मिले, जो स्पष्ट रूप से एक प्रमुख राजनेता और अपराधी के बीच सांठगांठ को प्रदर्शित करते हैं। उसने एक रिपोर्ट तैयार की और इसे SIT के साथ साझा करने की योजना बना रहा है। उसके निष्कर्षों के आधार पर, संबंधित अपराधी और राजनेता की सांठगांठ उजागर होगी तथा राजनेता पर भी आरोप लग सकते हैं।

लॉयड के वरिष्ठ अधिकारियों ने उससे रिपोर्ट के निष्कर्षों के बारे में पूछा और रिपोर्ट से राजनेता को प्रभावित करने वाली जानकारी को हटाने की सलाह दी। लॉयड ने बताया कि रिपोर्ट में उल्लिखित राजनेता सार्वजनिक जीवन में एक बहुत ही प्रमुख व्यक्ति है और राज्य के सभी प्रमुख राजनीतिक दलों के साथ उसके संबंध भी अच्छे हैं। लॉयड के वरिष्ठ अधिकारियों ने उसे समझाते हुए कहा कि यदि वह उस राजनेता का नाम हटा देगा तो वह सत्ता में बैठे राजनेता का चहेता बन सकता है। इसके अलावा, उसे राजधानी में तैनात रहने में भी मदद मिलेगी, जिससे उनकी पत्नी और बेटी की सुरक्षा सुनिश्चित होगी।

- इस स्थिति से निपटने के लिए लॉयड के पास क्या विकल्प उपलब्ध हैं?
- प्रत्येक विकल्प का आलोचनात्मक मूल्यांकन कीजिए और लॉयड द्वारा अपनाने योग्य सबसे उपयुक्त विकल्प की पहचान कीजिए।
- पुलिस हिरासत में होने वाली मौतों को रोकने के लिए आप क्या उपाय सुझाएंगे?

Lloyd is an honest and upright officer working as the Superintendent of Police in a state, which is notorious for gang culture and criminal activities. Based on his impeccable track record, he was transferred to the state capital four months ago. His wife and daughter are also happy as the capital city is comparatively safer compared to all his previous postings.

Recently, a criminal who was under trial and facing charges in a number of serious cases, was killed by some people in the capital city while he was being taken to the court.

Due to the poor record of the state police in terms of death of criminals in police custody, various human rights organizations are demanding a fair enquiry in the case. They have approached the courts in this matter and subsequently a Special Investigation Team (SIT) has been formed by the state government to look into this issue.

Since the police officers escorting the criminal during this incident are from the police station that comes under Lloyd's jurisdiction, he will be required to depose before the SIT with all the details. While investigating, he came across details, which clearly establish a nexus between a prominent politician and the criminal. He prepared a report and was planning to share it with the SIT. On the basis of his findings, the nexus of the concerned criminal with the politician would be exposed and the politician may also face charges.

Lloyd's senior asks him about the findings of the report and advises him to drop the information implicating the politician from the report. He informs that the politician mentioned in the report is a very prominent figure in public life, and shares good relations with all the major political parties in the state. His senior further informs that this will bring him in the good books of those in positions of power. Further, this will also help him remain posted in the capital city, which ensures the safety of his wife and daughter.

- What are the options available with Lloyd to deal with the situation?
- Critically evaluate each of the options and identify the most appropriate one for Lloyd to adopt.
- What measures would you suggest to prevent deaths in police custody 20

The given situation highlights the twin issues of - police and political accountability. For Lloyd his and his family's well-being are pitched in front of his duty due to the influential political-criminal nexus.

My vision - corruption and crime are paid by the poor

(a) and (b)

Options	merits	Demerits
① Agree to senior's advice and drop the findings	① In good books of people with power ② Choice posting	① Dereliction of <u>duty</u> which is his <u>dharma</u> ② The nexus will remain and grow stronger. ③ Further derailment as law-breakers become law-makers
② Ignore senior and go ahead	① His conscience will be served ② Criminals-politician will face action	① Double pressure from politician as well as senior and resultant harassment
③ Take the senior on board, highlighting the gravity of the situation	① Justice will be served by objectivity ② Work of	① Will need <u>moral courage</u> to speak against senior's advice

police is
fulfilled

(3) Accountability
upheld

Lloyd should go with option 3
as:

- ① Individual as well as institutional integrity are upheld.
- ② Faith in police institution will be re-established: which is at present shaky due to custodial deaths.
- ③ Serious may actually help against political pressure when convinced and taken on board.
- ④ Safer society which is the prime goal of police.
- ⑤ Justice ethics served to the politician as well.

(c) Measures to prevent custodial death

- ① Guidance of institutional vision
 - Code of ethics and code of conduct for police officials.
- ② Training and sensitisation on the legal and humane position against custodial torture.
- ③ Checks and enforcement measures
 - Body cameras
 - CCTV cameras
 - Badge numbers for identity.
- ④ Citizen empowerment:
 - Awareness on rights under article 20 and article 22
- ⑤ Organisational restructuring for a pro-people police paradigm
 i.e. highlight protective and provisioning role by police during COVID crisis.

DK Basu and Prakash Singh case laid ethical guidelines for a sensitive policing. Same shall lead to a safer society for all.

9. राज, बेहद गरीब परिवार से है और आर्थिक तंगी के कारण उसे अपनी उच्चतर शिक्षा भी ठीक से नहीं हो पाई। हालांकि, वह मेहनती था और उसने अपने परिवार का समर्थन करने के लिए कॉलेज के दिनों में ही कमाई शुरू कर दी थी।

उसने अपना करियर, ग्राहक सहायता विभाग में बनाया तथा उसकी ईमानदारी और कड़ी मेहनत के कारण उसे पदोन्नत भी किया गया। हाल ही में, उसे एक बेहद नामी एड-टेक कंपनी से नौकरी का ऑफर मिला। उसने इस ऑफर को सहर्ष स्वीकार कर लिया, क्योंकि यह कंपनी उसके वेतन में अच्छी वृद्धि के साथ-साथ टीम लीड पद पर पदोन्नति ऑफर कर रही थी।

राज इस नई नौकरी से बहुत खुश था और उसे लगा कि उसकी कई वर्षों की मेहनत आखिरकार सफल हो गई है। उसकी नई नौकरी में वेतन में उल्लेखनीय वृद्धि से उसके लिए उसकी छोटी बहन को पढ़ाना आसान हो जाएगा। हालांकि, कंपनी में ज्वाइन करने के कुछ महीनों के भीतर ही राज को एहसास हुआ कि कंपनी की व्यावसायिक प्रथाओं में कुछ गड़बड़ी है। उसकी ग्राहक सहायता टीम को प्रायः गरीब छात्रों के माता-पिता के फोन आते रहते थे जिन्होंने शिकायत की थी कि कंपनी उन्हें विभिन्न महंगे पाठ्यक्रमों के लिए ऋण या वित्त-पोषण विकल्पों पर गुमराह कर रही है।

कुछ विवरणों को जानने के बाद उसे एहसास हुआ कि उसकी कंपनी की सेल्स टीम गरीब माता-पिता को अपने बच्चों हेतु पाठ्यक्रम खरीदने के लिए लुभाने में कदाचार का सहारा लेती थी। राज ने इसकी जानकारी अपने विभाग के प्रमुख को दी लेकिन विभागाध्यक्ष को इसकी कोई चिंता नहीं थी। उसके कुछ सहकर्मियों ने उसे बताया कि सेल्स के लक्ष्य को हासिल करने के लिए एड-टेक उद्योग में यह एक आम प्रणाली है। इसके अलावा, उसे यह भी बताया गया कि हाल ही में स्टार्ट-अप्स में फंडिंग की कमी के कारण कंपनी पर मुनाफा दिखाने का अधिक दबाव है, अन्यथा बड़े पैमाने पर छंटनी होगी।

- इस प्रकरण से जुड़े नैतिक मुद्दों पर चर्चा कीजिए।
- उपर्युक्त परिस्थितियों में, राज के पास क्या विकल्प उपलब्ध हैं?
- इनमें से प्रत्येक विकल्प का आलोचनात्मक मूल्यांकन कीजिए।
- राज को कौन-सी कार्रवाई अपनानी चाहिए? वैध कारणों के माध्यम से पुष्टि कीजिए।

Raj comes from a very poor family and due to financial constraints, he had to compromise on his higher education. But, he was hard-working and started earning during his college days to support his family.

He made his career in the customer support department and due to his integrity and hard work, he was promoted. Recently, he got a job offer from a very prominent ed-tech company. He happily accepted the offer, as the company was offering a significant salary hike as well as promotion to a Team Lead position.

Raj was really happy with this new job and felt that his hard work of many years had finally paid off. The significant salary jump in his new job would also help him sponsor the education of his younger sister. But, within a few months of joining, Raj realized that something was wrong with the business practices of the company. His customer support team frequently received calls from parents of poor students who complained about the company misleading them on loans or financing options for the various expensive courses.

After going into some details, he realized that the sales team of his company was indulging in malpractices to lure poor parents to buy courses for their children. He informed this to the head of his department but the head did not seem concerned. Some of his colleagues informed him that this is a normal practice in the ed-tech industry to achieve sales targets. Further, he was also informed that due to the recent funding crunch in start-ups, the company is under severe pressure to show profits, else there will be mass layoffs.

- Identify the ethical issues associated with the case above.
- Under the given conditions, what are the options available to Raj?
- Critically evaluate each of these options.
- What course of action should Raj adopt? Justify with valid reasons. 20

A similar situation was witnessed with BYJU's as the given case study. However, Narayan Murthy committee has highlighted that corporate governance on ethical grounds is necessary for long-term growth of any industry.

(a) Ethical issues

- Misinformation for the already poor students and parents.
- Lack of business ethics where: profits > people.
- Breach of trust by the company

and consequent compromise on quality.

(4) Lack of moral courage by head of department to take action despite Raj's concern.

(5) Cut-throat competition of capitalism that is pressuring the company more.

(b) and (c)

Options	Merits	Demerits
(1) Drop his actions as it is an established practice	(1) Company will make profit and his career will remain as it is.	(1) Against justice for the poor students (2) Will hurt his own guilty conscience
(2) Leave the company as it does not rely on business ethics	(1) His conscience is acted upon and he is no more a part of exploitation	(1) Exploitation of students will continue unhindered. (2) His family will face financial woes too

③ Convince the higher authorities to use fair means and build-brand an ethical practices, citing example of other failed unethical companies as warning

① Likely that management will see the benefits of ethical business
② Can create a domino effect in the market

① Convincing will require communication skills and Emotional Intelligence.

Raj should opt for the 1st option with the following course:

- ① Put proof of other ed-tech companies who are losing talented employees by harsh conditions.
- ② Similarly, highlight the risk of market-value decline if the unethical practices are out in public.

- (3) Instead, Raj can suggest participation in government push for digital education initiatives i.e. National Education technology forum under NEP.

Justification

- ① Will serve long-term justice to students from poor backgrounds.
- ② Reformative business ethics by trying to mould company practices.
- ③ Takes into account the involvement pressure on company - they may not willingly indulge in exploiting poor people if business brand is built.
- ④ Will take care of mass-lay-off possibility too by keeping it functional.
Utilitarian ethics.

"Good ethics is good economics". Same shall be followed by the company by Raj's ethical direction.

10. नगर निगम प्रमुख के रूप में, आपको एक चुनौतीपूर्ण स्थिति का सामना करना पड़ रहा है जिसमें संबंधित नागरिकों के दो समूहों ने आपसे संपर्क किया है। पहला समूह शहर में आवारा कुत्तों के खतरे के बारे में अपनी निराशा एवं चिंता व्यक्त कर रहा है और दूसरा समूह, इन बेजुबान जानवरों के प्रति करुणा व मानवीय व्यवहार को प्रोत्साहित करने की दिशा में कदम उठाने का आग्रह कर रहा है। पहली याचिका में आवारा कुत्तों द्वारा समाज के सुभेद्य वर्ग, विशेषरूप से बच्चों पर हमला करने या उन्हें जान से मारने की बढ़ती घटनाओं पर प्रकाश डाला गया है। उनका कहना है कि यह स्थिति कुत्तों की अपर्याप्त नसबंदी और टीकाकरण के कारण हुई है। वे सड़क के कुत्तों को तत्काल हटाने और उन्हें अन्यत्र भेजने की मांग कर रहे हैं। हालांकि, दूसरी याचिका में यह कहा गया है कि इस समस्या का मूल कारण अप्रभावी पशु स्वास्थ्य देखभाल और नियंत्रण, अवैध प्रजनन केंद्र, पालतू जानवरों के मालिकों द्वारा उन्हें सड़कों पर छोड़ देना है। उनका तर्क है कि इस स्थिति के लिए जिम्मेदार लोगों को सजा मिलनी चाहिए, जानवरों को नहीं। इसके अतिरिक्त, भारत में ऐसे कानून हैं जिसके तहत सड़कों से कुत्ते को हटाना गैर-कानूनी है। इसका मतलब यह है कि यदि कोई कुत्ता सड़क पर रहता है, तो गोद लिए जाने तक सड़क पर रहना उसका "अधिकार" है। जानवरों के जीवन के अधिकार को मानव सुरक्षा संबंधी चिंताओं के साथ संतुलित करना एक कठिन काम सिद्ध हो रहा है।
- इस प्रकरण में शामिल नैतिक दुविधाएं कौन-सी हैं?
 - एक याचिका को दूसरे पर तरजीह देने के निहितार्थों का मूल्यांकन कीजिए।
 - कौन-सी कार्रवाई से इस स्थिति का तात्कालिक और दीर्घावधि समाधान होगा?

As the Head of the Municipal Corporation, you are faced with a challenging situation wherein two groups of concerned citizens have approached you. One, expressing their frustrations and concerns regarding the menace caused by street dogs in the city and other, taking steps towards encouraging compassion and humane treatment to these silent beings.

The first plea highlights the rising incidents of stray dogs attacking or killing the vulnerable members of society especially children. They point to inadequate sterilisation and vaccination of dogs as exacerbating the situation. They demand the immediate removal of street dogs and their relocation elsewhere.

The second plea however points to ineffective animal healthcare and control, illegal breeding centres, pet owners abandoning their pets on the streets as root of the problem. They argue that the system or the people responsible for the situation should be punished, not the animals.

Furthermore, India has laws in place that make it illegal to remove a dog from the streets. This means that once a dog is on the streets, it has a "right" to stay there unless adopted. Balancing the animals' right to life with human safety concerns is proving to be a difficult task.

- What are the ethical dilemmas involved in the case?
- Evaluate the implications of favouring one plea over the other.
- What course of action would resolve the situation in the immediate as well as long term?

Fundamental duty Article 51 A (g)
includes care of wildlife.
Institutions like PETA also
highlight the need for animal
care over cruelty. However,
safety of citizens also needs to
be prioritised to the utmost.

(a) Ethical dilemmas

- ① Safety of citizens vs humane treatment to animals : on the question of whether to remove them or not.
- ② Responsibility of municipality safety vs law of the land : which prohibits removal of dogs from streets.
- ③ Short-term action vs long term solution : concerns on ineffective animal care even if dogs are immediately removed.

- ④ Swift action v/s community tension:
need to ensure safe municipality
but risk of escalating clashes
between the two groups.

(b) Evaluation

Option 1: Remove dogs immediately.

Merit	Demerit
① <u>Safety of children</u> ensured.	① Concerns of inadequate animal care
② <u>Duty of municipal</u> organisation for citizens upheld	② Against the law that prohibits removal of dogs.
	③ Pet owners may continue to abandon dogs on streets

Option 2: Humane treatment to dogs

Merits	Demerits
① Prevents cruelty of forced displacement	① May risk the safety of children

② May act as a means to correct the entire system.

② Will agitate concerned parents

1 Course of Action

Short-term

- ① Mission mode vaccination of street dogs as this is the major reason for erratic and aggressive behaviour among dogs.
- ② Demarcation of accident-prone areas such as pack of dogs in a vicinity.
- ③ Request a no-go zone to citizens on temporary basis, especially at night-time

Long-term

- ① Check the status of animal rehabilitation centers to address the concerns of second group.
- ② Track-down and shut illegal breeding centers
- ③ Awareness generation on laws for abandonment of pets.
- ④ Roping in animal welfare organisations for safe adoption of animals on streets.
- ⑤ For dire situations, do sterilisation of infected dogs.

Balancing human and animal rights will lead to peaceful co-existence. This then shall prove dog being man's best friend!

11. आप युवा ईमानदार व्यक्ति हैं और जिले के भ्रष्टाचार निरोधक ब्यूरो में आपकी नई नियुक्त हुई है। ब्यूरो में शामिल होने के बाद, आपके कार्यालय को एक गुमनाम व्यक्ति से सूचना मिली कि शहर के नगर निगम में काम करने वाले एक इंजीनियर ने अपनी आय के ज्ञात स्रोतों से कहीं अधिक संपत्ति अर्जित की है और वह भ्रष्ट गतिविधियों में शामिल है। चूंकि कानून में यह स्पष्ट है कि गुमनाम शिकायतों पर कार्रवाई नहीं की जा सकती, इसलिए आप शिकायत को नजरअंदाज कर देते हैं। हालांकि, अगले कुछ हफ्तों में आपको संबंधित इंजीनियर के खिलाफ कुछ और गुमनाम शिकायतें मिलीं। आप उस इंजीनियर के खिलाफ पूछताछ शुरू करते हैं और यह पाते हैं कि वह वास्तव में एक बहुत ही भ्रष्ट अधिकारी है। कुछ समय बाद, आप उसके कार्यालय और घर पर छापेमारी की योजना बनाते हैं, किंतु आपको आज तक उसके खिलाफ निर्धारित प्रारूप में कोई आधिकारिक शिकायत नहीं मिली है।

छापेमारी के दौरान आपकी जो चीजें बरामद हुईं वे आपके और आपके स्टाफ के लिए चौंकाने वाली हैं। आपको न केवल इंजीनियर की क्षमता से कहीं अधिक मात्रा में बेहिसाब धन-दौलत मिली बल्कि सोना, विदेश यात्रा के टिकट, पांच सितारा होटलों में आरक्षण तथा प्रभावशाली राजनेताओं तथा जिले में पहले नियुक्त और वर्तमान में नियुक्त नौकरशाहों के खिलाफ पुख्ता सबूत मिले।

हालांकि, छापेमारी के तुरंत बाद, आपको अपने वरिष्ठ अधिकारियों से आपके दीर्घकालिक करियर और प्रियजनों की सुरक्षा के हित में जांच छोड़ने के लिए धमकी भरे संदेश प्राप्त होने लगते हैं। आपके वरिष्ठ अधिकारी आप पर आरोप लगाते हैं कि आपने छापेमारी के लिए निर्धारित नियमों का पालन नहीं किया था और यदि यह मामला अदालत तक पहुंच गया, तो प्रक्रियात्मक खामियों के कारण यह ज्यादा दिन तक नहीं चलेगा।

चूंकि, आप एक ईमानदार अधिकारी हैं इसलिए आप इन चेतावनियों को अनदेखा करते हैं और अपनी जांच जारी रखते हैं। हालांकि, जल्द ही आपको नियमों का उल्लंघन करने के आधार पर प्रशासनिक अवकाश पर भेज दिया जाता है। आपको यह भी पता चलता है कि आपके कुछ जूनियर्स ने आपके खिलाफ भ्रष्टाचार में शामिल होने की शिकायत दर्ज कराई है। उन्होंने यह भी शिकायत की है कि आपने उन्हें जांच को रोकने के लिए न केवल संबंधित इंजीनियर बल्कि उन राजनेताओं और नौकरशाहों से भी पैसे वसूलने का निर्देश दिया, जिनके खिलाफ आपने सबूत इकट्ठे किए थे।

उपर्युक्त परिदृश्य के आधार पर निम्नलिखित का उत्तर दीजिए:

- इस प्रकरण में शामिल विभिन्न हितधारकों एवं मुद्दों की पहचान कीजिए।
- प्रदत्त स्थिति में आपके पास क्या विकल्प उपलब्ध हैं?
- इनमें से प्रत्येक विकल्प के गुण और दोषों का विश्लेषण कीजिए।
- औचित्य सिद्ध करते हुए अपनी कार्रवाई पर चर्चा कीजिए।

You are young upright person who has been newly appointed in the Anti-Corruption Bureau of your district. After joining, your office receives a tip-off from an anonymous person that an engineer working with the Municipal Corporation of the city has amassed wealth much beyond his known sources of income and is hand in gloves in corrupt activities. Because the law is clear that anonymous complaints cannot be acted upon, you ignore the complaint. But in the next few weeks, you receive a few more anonymous complaints against the concerned engineer. You begin to make enquiries against the engineer and find that he is indeed a very corrupt officer. Some

time later, you make up your mind to conduct raids on his office and house, even though you have not received any official complaint in the prescribed format against him till date.

What you unearth during the raids is shocking for you and your staff. You find not only vast amounts of unaccounted currency, much beyond the means of the engineer, but also gold, travel tickets to visits made abroad, reservations in five-star hotels, and a whole bunch of clinchng evidence against influential politicians and bureaucrats - appointed in the past as well as present ones - in the district.

However, soon after conducting the raid, you start receiving subtle messages from your superiors to drop the investigation in the interest of your own long-term career and the safety and security of your loved ones. They also point out that you had not followed the rules stipulated for conducting the raid, and if the matter were to reach the courts, it would be disposed off in no time due to procedural lapses on your part.

Since, you are an upright officer, you ignore these warnings and continue with your investigation. However, soon you are put on administrative leave on the ground of flouting the rules. You also come to know that a few of your juniors have filed a complaint against you for being involved in corruption. They have also complained that you instructed them to extort money from not only the concerned engineer but also the politicians and bureaucrats against whom you unearthed evidence, to put a halt to the investigation.

Based on the above scenario, answer the following:

- Identify the various stakeholders and the issues involved in the case.
- What options do you have in the given situation?
- Analyse the merits and demerits of each of these options.
- Discuss your course of action, with proper justification.

20

Gandhi Ji have said : having
"No law is better than bad laws"

In the given scenario the law
does not favour an upright
officer and thus jeopardises his
duty through a political-criminal
nexus.

(a)

<u>Stakeholders</u>	<u>Issues</u>
① Me	① False allegations of corruption ② Safety of family. ③ Inaction on finding.
② Anonymous complainants	① Effort to unearth corruption but not legally viable
③ Corrupt engineer and connected politician-bureaucrats	① Amassing wealth by unfair means. ② Misuse of power to silence me.
④ Superiors	① Lack of moral courage to stand for an upright officer
⑤ Juniors	① Hands-in-glove with the corrupt.
⑥ Judiciary	① Unable to give justice due to flawed legislation

(b) and (c)

Options	merit	Demerit
① Drop the case altogether	① Career and family will be saved	① Corruption nexus will continue with <u>no ethical check</u> .
② Fight the false case of corruption	① Likely to win with no evidence or sound proof	① May be trapped by fabricated means.
③ Make the findings public on strong evidence-backed ground	① Action will be likely in the case of speaking proof. ② Pressure from civil society and media	① Will have to go beyond legal routes of one's official position only.

will prevent
the false
cases from
proceeding

③ Justice
will be
served
against the
deep-rooted
nexus.

(d) Course of Action

I will take option 3 :

① Use networks of whistle-blowers and media to make
the corruption public.

② Will then fight my case
on evidence of untarnished
track-record.

③ Will try to vouch for amending

of law as many may be included under whistleblower (protection) Act that allows for anonymous complaints.

Justification

- ① Justice will be served to politicians, engineers as well as for my own innocence.
- ② Will set an ethical example of moral courage
~~Dep~~ The life of Durga Shakti Nagpal in her fight against sand-mafia.
- ③ Will strengthen civil society against corruption: participative democracy.
- ④ Accountability will be increased coming forward.

Though these actions will require lot of strength and hardwork, it'll ensure: yato Dharmasta, tatra Jaya: where there is Dharma, there is victory.

12. आपको एक राज्य में मुख्य सचिव के पद पर नियुक्त किया गया है। हाल ही में, आपके राज्य के दो लोक सेवकों से जुड़ा एक जटिल मुद्दा सामने आया है। दोनों अधिकारी जो अपनी-अपनी भूमिकाओं में उत्कृष्टता के लिए जाने जाते हैं, सोशल मीडिया पर एक गंभीर सार्वजनिक झगड़े में उलझ गए हैं।

अधिकारी A के द्वारा सोशल मीडिया पर कई इमेज और बयानों को पोस्ट करने के बाद यह विवाद शुरू हुआ, जिसका अंतर्निहित अर्थ यह था कि अधिकारी B, पोस्टिंग और पदोन्नति में अनुचित लाभ प्राप्त करने के लिए व्यक्तिगत संबंधों एवं नेटवर्किंग का इस्तेमाल कर रही है। हालांकि, यह कार्रवाई अप्रमाणित है लेकिन इसने अफवाहों का तूफान खड़ा कर दिया है, जिससे अधिकारी B की प्रतिष्ठा को काफी क्षति पहुंची।

अनुक्रिया स्वरूप अधिकारी B ने सोशल मीडिया पर ही अपना बचाव किया तथा अधिकारी A पर अनैतिक प्रथाओं को अपनाने और गोपनीयता के उल्लंघन का आरोप लगाया। वह अपने आंतरिक विभागीय मुद्दों का खुलासा करके एक कदम आगे बढ़ गई, जिसमें अधिकारी A कथित तौर पर शामिल था। इन आरोपों ने न केवल संघर्ष को बढ़ाया बल्कि जनता के सामने संवेदनशील जानकारी भी उजागर कर दी।

अधिकारी A के सोशल मीडिया पोस्ट को एक स्थानीय समाचार आउटलेट ने प्रमुखता से उठाया एवं उसे प्रचारित किया, जिससे स्थिति और भी बिगड़ गई। यह मुद्दा अब राज्य प्रशासन के दायरे से बाहर चला गया है, जिससे सार्वजनिक अटकलें और मीडिया जांच तेज हो गई है।

ये सभी घटनाएं सार्वजनिक मंच पर सामने आईं, इससे लोक सेवाओं की छवि खराब हुई है और राज्य प्रशासन के काम-काज में व्यवधान पैदा हुआ। केंद्र सरकार स्थिति पर बारीकी से नजर रख रही है और इसमें शामिल अधिकारियों के खिलाफ उचित अनुशासनात्मक कार्रवाई के लिए दबाव डाला गया है।

- (a) इस प्रकरण में कौन-से नैतिक मुद्दे शामिल हैं?
(b) मुख्य सचिव के रूप में आपके पास क्या विकल्प उपलब्ध हैं?
(c) आप कौन-सा विकल्प चुनेंगे और क्यों?

You have been appointed as the Chief Secretary in a state. Recently, a complex issue has surfaced involving two civil servants from your state. Both the officers who are known for their excellence in their respective roles have found themselves embroiled in an intense public feud on social media.

Officer A initiated the dispute by posting a series of images and statements on social media, indirectly implying that Officer B has been utilizing personal relationships and networking for gaining undue advantages in job postings and promotions. This action, while unproven, has stirred up a storm of rumors, leading to severe reputational damage to Officer B.

In response, Officer B defended herself on the same platform, accusing Officer A of unethical practices and breach of confidentiality. She went a step further by revealing his internal departmental issues, which Officer A was supposedly involved in. These allegations have not only escalated the conflict but also exposed sensitive information to the public.

Officer A's social media posts have been prominently picked up and publicised by a local news outlet further escalating the situation. The issue has now gone beyond the realms of the state administration, leading to intense public speculation and media scrutiny.

All these events have unfolded on a public platform and have tarnished the image of the civil services and created a disruption in the working of the state administration. The Central Government is closely monitoring the situation and has exerted pressure for appropriate disciplinary action against the officers involved.

- (a) What are ethical issues involved in this situation?
 (b) What are the options available to you as the Chief Secretary?
 (c) Which option would you choose and why?

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Social media has given new and widened visibility to civil servants. This stands against the principle of anonymity, central to permanent executive, when social media is used irresponsibly to lower the dignity of the office.

(a) Ethical issues

- ① Personal dispute embroiled on a public platform.
- ②. Defamation against officer B by questioning his credibility of promotions.

- (3) Leak of sensitive information that was meant to remain departmental.
- (4) Social media and local news trials : trolling, fake news, viral moments etc.
- (5) Loss of faith in institutions : due to unprofessional behaviour.

(h)

Options	Merits	Demerits
① Issue immediate strict warning to the two officers involved and set committee for investigation.	① Will emphasise on the gravity of the situation. ② Will prevent further escalation for the two officers.	① Media-trial and social media discussions will continue
② Dismissal of the two officers on	① Will send strong message of deterrence	① Against natural justice : as neither is heard

conduct unbecoming
of an officer

③ A combined
hearing of the
two sides and
instruct them
to reconcile

④ Form code
of conduct
on social
media platforms
for the state
officials by
consensus and
provide citizen's
charter to
public

① Both parties
get to put
their side
of the story.

② Backhand
resolution
of the
conflict
possible

① Will
provide
guidance
for conduct
on social
media for
future

② Establish
standards for
civil servants

③ Give power
and check
to citizens to
evaluate their
conduct

① Fair
may
continue

① Will be
a time-
consuming
process and
must involve
all the
stakeholders.

(c) I will choose :

Option 1 in short-run and
+
Option 4 for the long run.

Justification

- ① Objective investigation of the crisis will decide disciplinary action.
- ② Natural justice will be served during investigation itself.
- ③ In the long-run, will give ethical standards of behaviour expected from civil servants.
- ④ Will establish an institution of checks through citizen's charter for accountability.

Through this I shall be able to uphold my duties as the chief secretary. It will not only solve the short-term issue but establish a long-term precedent for dignity of behaviour.