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14 AUG 2022

No.

RECEIVING

GENERAL STUDIES (TEST CODE : 2214)

Name of Candidate	MANAN AGARWAL		
Medium Hindi/Eng.	ENGLISH	Registration Number	629408
Center	LUCKNOW	Date	14/08/2022

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	
4(a)	10	
4(b)	10	
5(a)	10	
5(b)	10	
6(a)	10	
6(b)	10	
6(c)	10	
7	20	
8	20	
9	20	
10	20	
11	20	
12	20	

Total Marks Obtained:

Remarks:

Signature of Examiner

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।

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14:05 → 17:09

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

SECTION - A

1. (a) The ideals of 'Dhamma' by Ashoka present key learnings on public morality. Discuss. Also, state their relevance for public servants.

(150 words) 10

अशोक द्वारा प्रतिपादित 'धम्म' के आदर्श सार्वजनिक नैतिकता पर मुख्य शिक्षाएं प्रस्तुत करते हैं। विवेचना कीजिए। साथ ही, लोक सेवकों के लिए उनकी प्रासंगिकता को वर्णित कीजिए।

Ashoka propounded his Dhamma post the violence at Kalinga war in 3rd century BC.

Ideals of Dhamma : Learnings a Public Morality

1. Ensure compassion towards poor
2. Respect towards adult
3. Giving charity to monks and nuns
4. No use of sacrifices or rituals thus saving public from oppression
5. Treat subordinates with due respect

Relevance for Public Servants

1. Ensure congenial work culture

2. Fulfill policy implementation with compassion

▷ Avoid PDS starvation death (Thanked)

3. Focus more on substance rather than form ~~of~~

▷ Implement law in letter and spirit

4. ~~Remember~~ Maintain public trust in administration

5. Ensure responsiveness of public service

▷ UP Dial 112 average response time at 12 minutes

Through Ashoka's policy of Dhamma-ghosha, the modern civil servants can fulfill ideals of welfare state.

1. (b) Although bribery is illegal and counterproductive, public officials still demand bribes, and executives in the private sector remain tempted to pay up. In this context, discuss ways in which corporations can build a framework to eliminate the practice of offering kickbacks. (150 words) 10

हालांकि, रिश्वतखोरी गैर-कानूनी और हानिकर है, लेकिन सरकारी अधिकारी अभी भी रिश्वत की मांग करते हैं और निजी क्षेत्र के कार्यकारी अधिकारी इसका भुगतान करने के लिए हमेशा तैयार रहते हैं। इस संदर्भ में, उन तरीकों पर चर्चा कीजिए जिनसे निगम रिश्वत देने की प्रथा को समाप्त करने के लिए एक ढांचा तैयार कर सकते हैं।

Bribery is often justified by using terms of "speed money" or "greasing the wheels of system" leading to everydayness of corruption.

Ways For Framework to Eliminate Kickbacks

1. Codify Code of Ethics to ensure expected ethical standards are laid down and adhered to
2. The top leadership must Walk the Talk
 - ▷ Tata refusing ₹600 or bribe on Air India
3. Reward ethical behaviour

- ▷ Kautilya's reward system for honest officers
4. Strict punishment for any offer of Kickbacks by any employee.
 5. Build culture of self-accountability rather than external so it's internalised
 6. Priority be given to Values rather than Profits by the Company
 7. Process of laws and rules be diligently followed rather than "speed money"

Since "corruption is paid for by the peer" (Pope Francis) so all corporates must stick to Zero Tolerance to Kickback offers.

2. (a) It is argued that the Indian bureaucracy suffers from indecision and risk aversion. Do you agree? Justify with logical arguments.

(150 words) 10

यह तर्क दिया जाता है कि भारतीय नौकरशाही अनिर्णय और जोखिम से बचने की प्रवृत्ति से ग्रस्त है। क्या आप सहमत हैं? उचित तर्कों के साथ औचित्य सिद्ध कीजिए।

The Indian bureaucracy is based on Weberian model of rules-orientation, merit-based recruitment and hierarchy.

Indian Bureaucracy Suffers from Indecision and Risk Aversion

1. Due to fear of actions by CVC, CAG, CBI, Courts hence risk averse
2. Excessive RTI applications lead to fear that decision may not be justifiable
3. Prosecution of honest civil servant
Ex: HC Gupta case (coal scam)
4. ~~Max~~ Failure of laws to distinguish

between Malefide Error & Bonafile Error

5. Inability to justify application of Wisdom
on objective criteria

Bureaucracy Not Indecisive or Risk Averse

1. Successful implementation of government programs that required innovation
 - ▷ Swachh Bharat Mission,
 - Aspirational District Program
2. Use of technology to implement policies
 - ▷ Armstrong Lane's 100 km road through fund-raiser
3. Legal process allows right to be heard before punishment

The Indian Bureaucracy expected to work within frames of Constitution and laws while shield of risk-aversion used to prevent hide failures to take wise decision.

2. (b) Although open and transparent governance has gained ground, do you agree with the view that there is merit in withholding some information from people? Justify your arguments with examples.

(150 words) 10

हालांकि, खुले और पारदर्शी शासन ने लोकप्रियता हासिल कर ली है, फिर भी क्या आप इस विचार से सहमत हैं कि लोगों से कुछ जानकारी छिपाने में ही भलाई है? उदाहरणों के साथ अपने तर्कों की पुष्टि कीजिए।

Open and transparent governance
is considered as *sine qua non*
for good governance yet then
is merit in withholding some information:

1. National security, defence establishment,
etc. to protect territorial integrity

Ex: locations of nuclear submarine

2. To promote friendly relations with
foreign countries

Ex: ~~discussions~~ discussions between India-US
~~extent of~~
may impact relations with Russia

3. Any policy in draft stage may
not be shared unless it is complete

- to prevent misunderstanding
4. Budget team not meets family to secure financial integrity of country
 5. To ensure confidentiality and privacy e.g. victim of rape's identity

Not Merit in Withholding

1. Promotes secrecy culture ▷ before RTI Act 2000
2. Leads to disconnect of people with governance
3. May be used as pretext to hide corruption ▷ procurement of defence equipment

There is a grey area on information sharing thus must keep in mind that corruption takes place only in dark areas of secrecy so sharing of information must be the norm

3. (a) While it may seem restrictive, anonymity is one of the greatest strengths of the civil services. Comment in the context of growth of social media in recent times. (150 words) 10

हालांकि, यह प्रतिबंधात्मक प्रतीत हो सकता है किंतु अनामिकता लोक सेवाओं की सबसे बड़ी ताकत है। हाल के दिनों में सोशल मीडिया के विकास के संदर्भ में टिप्पणी कीजिए।

Anonymity of civil services means that civil servant does not get personal credit or ridicule for policy success or failure.

In essence, "Post is important, not the person".

Anonymity as Greatest Strength

1. Prevents politicization of bureaucracy who have to work as permanent executive
2. Can implement policy without fear or favour
3. Allows fearless advice to public representatives

4. Even after transfer of civil servant they must remain committed to their new post of service
5. Avoids damage to personal reputation or to family, etc due to controversial policy

Anonymity as Restrictive in Age of Social Media

1. May lead to lower enthusiasm or incentive in public servant to work
 ↳ Maslow's Need of Social recognition
2. Social media profiles based on personal popularity but not in line with anonymity
3. ~~Helps~~ Can ensure wider reach and real-time tracking through social media
 Ex: Mumbai Police during Covid

Anonymity is an asset to civil servant even with social media since the latter is used for public interest not personal.

3. (b) A legally enforceable code of ethics for civil servants, which not only prescribes the ethical values they must display in their public life but also provides sanctions for violations of these values, is the need of the hour. Discuss. (150 words) 10

लोक सेवकों के लिए कानूनी रूप से लागू करने योग्य एक नीतिपरक आचार संहिता, जो न केवल उनके सार्वजनिक जीवन में प्रदर्शित होने वाले नैतिक मूल्यों को निर्धारित करती हो, बल्कि उन मूल्यों के उल्लंघन के लिए दण्ड भी निर्धारित करती हो, वर्तमान समय की आवश्यकता है। चर्चा कीजिए।

The deteriorating ethical values among civil servants as shown by case of Pooje Singhel (IAS) or Amrita Paul (IPS) highlights need for Code of Ethics.

Legally Enforceable Code of Ethics

BENEFITS

1) Clear prescription of expected ethical values

Ex: Nishkama Karma to deter material benefits seeking

2) ~~External sanctions for violation~~

~~2.1 Punitive form~~

- 2) Legally enforceable $\Rightarrow$ deterrence to violation
- 3) Provide better reference ground for actions
- 4) Reduce deterioration of ethical values
- 5) Clear signal to stakeholders like corporates, political bosses, clients, etc.

CHALLENGES

- 1) Weak law enforcement agencies
- 2) Difficult to prescribe all possible cases
- 3) Still an external agency
- 4) Already laws like AIS Conduct Rules, Prevention of Corruption Act 1988

As pointed by Pillai Report, civil servants must develop an awakened conscience to ensure ethical functioning.

4. (a) Examine the issue of foreign aid in global politics from an ethical perspective. (150 words) 10

वैश्विक राजनीति में विदेशी सहायता के मुद्दे का नैतिक दृष्टिकोण से परीक्षण कीजिए।

Foreign aid refers to grants of funds or resources (food, medicines, disaster relief equipment) from one country to another.

Benefits of Foreign Aid

1. Poverty alleviation

▷ World Bank on education projects

2. Ensure fulfillment of human rights

▷ WHO Vaccines for better health

3. Lead to national development hence better quality of life

▷ Japan JICA for Mumbai bullet train

4. Promotes clean energy and environment protection

▷ Green Partnership : India - UK

5. Promote ~~if~~ Equality and Liberty

▷ India in Africa → Satellites
→ 4G
→ education

Ethical Challenges of Foreign Aid

1. Against national sovereignty

▷ IMF loans prescribe government policy

2. May promote dependence on MNCs, etc.

▷ Supply chain vulnerability

3. May lead to unsustainable debt burden

hence intergenerational inequity

▷ China's BRI

4. May promote vested interests & conflict of interest

▷ Bill Gates Foundations & vaccines

Need to ensure ethical and trust-worthy foreign aid.

4. (b) There is a need for an effective climate governance structure within the broad framework of corporate governance. Discuss. (150 words) 10

कॉर्पोरेट गवर्नेंस के व्यापक ढांचे के भीतर एक प्रभावी क्लाइमेट गवर्नेंस संरचना की आवश्यकता है। विवेचना कीजिए।

Climate governance refers to decision-making on steps for reducing climate impacts of human activity.

Climate Governance Within Corporate

Governance



1. Ensure green projects are sustainably financed by the company

Ex: Yes Bank Green Bonds

2. Minimise adverse impact of business operations on environment

Ex: Brierley's Net Positive Water Plant

3. Incorporate cost of carbon emissions

within the cost of product

Ex : Carbon tax on airline tickets

4. Promote green workplace

Ex : Denmark's Cycle to Work concept

5. Ensure employees become agent of social change

Ex : Green Ambassadors → reduce
plastic waste

6. Incorporate green accounting standards

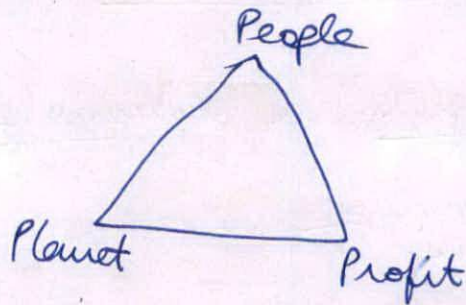


Fig : Aim of Corporate Governance
be in line with Climate
Governance

5. (a) "A well-developed Emotional intelligence is not only an instrumental tool in accomplishing goals, but has a dark side as a weapon for manipulating others by robbing them of their capacity to reason." Analyse.

(150 words) 10

"एक सुविकसित भावनात्मक बुद्धिमत्ता न केवल लक्ष्यों को पूरा करने में एक महत्वपूर्ण उपकरण है, अपितु इसका एक नकारात्मक पक्ष यह है कि यह दूसरों की तर्क करने की क्षमता को समाप्त करके उन्हें धोखा देने के लिए एक हथियार भी है।" विश्लेषण कीजिए।

Emotional Intelligence (EI)

is the ability to reason with emotions.

EI : Instrumental Tool

1. Achieve self-regulation, discipline and commitment

Ex: Ability to prevent mental distractions

2. Able to understand emotions of others

Ex: Empathise with a beggar on street

3. Ability to regulate emotions of society

Ex: Motivate team to work double time during disaster management

4. Control emotions of crowd by staying calm

Ex: IPS sang national anthem to control crowd during anti CAA protests

EI: Dark Side

1. May be used to manipulate people to commit illegal actions

Ex: Brainwashing of terrorists

2. Used to justify to grave war crimes

Ex: Hitler's great oratory against Jews

3. By understanding emotions, may identify what stimulates others

Ex: Use of rewards & conditioning to attract

EI, as any other powerful tool, must be accompanied with voice of conscience and critical thinking to ensure ethical usage.

5. (b) The opportunities and threats created by emerging technologies like Artificial Intelligence (AI) require leaders across business, government and civil society to understand the importance of values and ethics in technological development. Elucidate. (150 words) 10

कृत्रिम बुद्धिमत्ता (AI) जैसी उभरती प्रौद्योगिकियों द्वारा उत्पन्न अवसरों और खतरों ने यह आवश्यक बना दिया है कि व्यवसाय, सरकार और नागरिक समाज के अग्रणी व्यक्ति तकनीकी विकास में मूल्यों एवं नैतिकता के महत्व को समझें। स्पष्ट कीजिए।

AI is the ability of computer to perform intelligent tasks like planning, reading, composing songs, etc.

Importance of Values & Ethics in AI Use

1. Inherent algorithmic bias must be corrected via ethical usage of tolerance

Ex: AI biased against blacks in US police

2. Failure of AI to display compassion

Ex: deny benefits via rigidity

3. Ability to take selfless decision

Ex: AI may promote a particular section's interests

4. Ever-evolving and uncertain global
scenario $\Rightarrow$ need to think on the feet

↓

AI may fail so civil
servant must have critical
thinking & reasoning

5. May be used ~~for~~ unethical ends

Ex: Deep Fakes which need to be
checked via Wisdom

6. May become Partisan if the
algorithm is compromised

7. Data of Training Set of AI may not
represent poor due to digital divide
Hence need to remain aware of ground
realities

In the era of AI, greater need
to show ethical values by leaders.

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

निम्नलिखित में से प्रत्येक उद्धरण का आपके लिए क्या अर्थ है?

(a) "All persons ought to endeavour to follow what is right, and not what is established." — Aristotle (150 words) 10

"सभी व्यक्तियों को जो सही है उसका पालन करने का प्रयास करना चाहिए, न कि जो स्थापित है उसका पालन करना चाहिए।" - अरस्तू

The given quote by Aristotle stresses importance of doing the right thing by application of mind rather than blindly following the authority.

This is an antidote to the "I was simply following orders" argument.
Ex: during concentration camps of Nazis

This is important to ensure the system of checks and balances is preserved, e.g. between legislature and judiciary.

By following what is right,
person fulfills their responsibility
of doing the correct thing.

By doing what is established,
the person is merely following the ~~order~~
~~of~~ society thus becoming complicit in the
act.

As Gandhiji said, "You must
always do the right thing even if you
do not ~~to~~ know what it will lead to."

✱ All reform e.g. abolition
of Sati, widow remarriage, end of
slavery were possible because people chose
right thing not the established one.

Similarly by whistleblowers like
Edward Snowden and Sanjay Chaturvedi who
showed courage of conviction.

6. (b) "It is compassion, the most gracious of virtues, which moves the world."
— Tiruvalluvar, Kural (150 words) 10

"करुणा, जो सबसे उदार सद्गुण है, विश्व को संचालित करती है।" - तिरुवल्लुवर, कुरल

The above quote of Tiruvalluvar highlights importance of Compassion.

Due to compassion, a person is moved by the pain & suffering of others.

Ex: Baba Amte's compassion for leprosy patient moved him to set up his ashram for leprosy.

Compassion is not passive rather it is full of action to alleviate the pain of people.

Ex: Ashwini Sharan's bike ambulance for child delivery in tribal districts.

Via compassion, one can display wisdom to gain insight into cause of suffering as well as Loving Kindness, the willingness to remove the pain (said by Buddha)

Compassion has been called the most gracious of virtues because it ~~is~~ truly captures the essence of humanity, "Nothing About us Without Us" hence we must be together to remove our pains.

6. (c) "I understand democracy as something that gives the weak the same chance as the strong." — Mahatma Gandhi (150 words) 10

"मैं लोकतंत्र को एक ऐसी व्यवस्था के रूप में समझता हूँ जो कमजोर को मजबूत के समान अवसर प्रदान करती है।" - महात्मा गांधी

Gandhiji talks about an important dimension of democracy — equality among sections of society.

In democracy, the weak enjoys the same chance to succeed in life, be educated, be healthy, secure justice, etc. as the strong person.

Here the weak may refer to a poor man, vulnerable sections like women, transgenders, tribals, Dalits, etc.

Ex: free and fair elections via universal adult suffrage

When the ~~#~~strong enjoy better chances e.g. through crony capitalism it is actually undermining of democracy.

When the rich are able to subvert judicial process in their favour, it is, as per Gandhiji, lowering of democracy.

Therefore, a true democracy not just ensures same chances for all (equality before law) but also promotes affirmative action (equal protection of law) to ensure the weak become as strong as the strong people.

SECTION - B

In the following questions, carefully study the cases presented and then answer the questions that follow (in around 250 words):

7. You come across a news report of a state 'X', which has a considerable number of school going children suffering from malnourishment. To overcome this, the state recently rolled out a policy to introduce eggs in mid-day meals in schools. However, some parents teachers and a few religious groups have protested against the move. The report states that the Minister of Education of state 'X' has assured the public of a reversal in the policy. You are aware that this may be because elections are approaching in the state and the party in power may not want to antagonise a particular religious group, which is its key supporter.

In light of this, answer the following:

- (a) Highlight the stakeholders in the given case study.
(b) Examine the options available in the given situation.
(c) According to you, what is the best course of action and why?

(20)

आपको एक राज्य 'X' के बारे में एक न्यूज रिपोर्ट प्राप्त होती है, जिसमें काफी संख्या में स्कूल जाने वाले बच्चे कुपोषण से पीड़ित हैं। इस पर नियंत्रण प्राप्त करने हेतु, उक्त राज्य ने हाल ही में स्कूलों में मध्याह्न भोजन में अंडे को शामिल करने की एक नीति लागू की है। हालांकि, कुछ माता-पिता व शिक्षकों और कुछ धार्मिक समूहों ने इस कदम का विरोध किया है। रिपोर्ट में कहा गया है कि राज्य 'X' के शिक्षा मंत्री ने जनता को नीति में बदलाव का आश्वासन दिया है। आप जानते हैं कि ऐसा इसलिए हो सकता है क्योंकि राज्य में चुनाव नजदीक आ रहे हैं और सत्तारूढ़ दल एक विशेष धार्मिक समूह जोकि पार्टी का प्रमुख समर्थक है, उसका वो विरोधी नहीं बनना चाहती है।

इसके आलोक में निम्नलिखित प्रश्नों के उत्तर दीजिए:

- (a) प्रदत्त प्रकरण में शामिल हितधारकों का उल्लेख कीजिए।
(b) दी गई स्थिति में उपलब्ध विकल्पों का परीक्षण कीजिए।
(c) आपके अनुसार, सबसे उपयुक्त कार्रवाई क्या है और क्यों?

The above case highlights the conflict between adopting progressive methods for socio-economic welfare and sensitivity of religious groups.

(a)

StakeholdersValues

- | | |
|--------------------------|---|
| 1. School going children | > Right to <u>health</u> is compromised due to <u>malnutrition</u>
> Access to <u>safe</u> and <u>healthy</u> food |
| 2. Parents | > Quality education & health of child
> Protecting religion |
| 3. Teachers | > Adequate learning outcomes |
| 4. Religious Groups | > Right to freedom of <u>religion</u> (Article 25, 26) |
| 5. Minister of Education | > <u>Duty</u> to promote public health and education in state |

- (a) I, reading the report
- > Protect political interest by not antagonising any religious group
 - > Fundamental duty to promote scientific temper
 - > Education is public good
 - > School going children are future of country

(b) To resolve the conflict between values, following options are available:

(1) Minister may roll back the policy now.

After elections, due stakeholder consultation may be done and rational decision be taken

MERITS

a) Resolve the antagonised religious group

b) Not threat to winning election

DEMERITS

a) Health of children suffers

b) Flip-flop on government policy reduces public trust

(2) Minister may not withdraw the policy ~~saying that~~ but also not implement it before elections. Hence, status quo prevails.

MERITS

- > No immediate conflict of stakeholders
- > Gives flexibility to implement later on

DEMERITS

- > Amounts to dereliction of duty by not implementing policy
- > Non-implementation itself may become an election issue
- > Leads to ambiguity among policy implementers (administration)

(3) Minister meets the concerned parties who are antagonise
 ↓
 Patiently understand their concerns
 ↓

Instruct administration to explore
alternatives



Suggest tweaked policies to all for draft
hearing (allow ^{choice of} bananas instead of eggs)



Implement as per consensus

MERITS	DEMERITS
1. <u>Health and education</u> of children secured	→ May lead to <u>delays</u> due to consultation
2. <u>Professional commitment</u> of Minister fulfilled	→ Process may be hijacked by vested interest

(C) The best course is option (3) because :

1. Follows transparent, consensus-driven approach
2. Protects the choice of children & parents
3. Objective approach as per facts
4. Protects the religious sensitivities as well

Ultimately public servants must follow
rationality, scientific temper and common good.

8. Capital punishment, or "death penalty," is an institutionalized practice designed to result in deliberately executing persons in response to actual or supposed misconduct and following an authorized, rule-governed process to conclude that the person is responsible for violating norms that warrant execution. Punitive executions have historically been imposed by diverse kinds of authorities, for an expansive range of conduct, political or religious beliefs and practices, for a status beyond one's control, or without employing any significant due process procedures. Punitive executions also have been and continue to be carried out more informally, such as by terrorist groups, urban gangs, and mobs. For centuries in Europe and America, discussions have focused on capital punishment as an institutionalized, rule-governed practice of modern states and legal systems governing serious criminal conduct and procedures. In light of the above debate of capital punishment, answer the following questions:

(a) What are the arguments in favour of and against having capital punishment in the criminal justice system?

(b) Do you think capital punishment has a place in modern civilised society? Examine in the context of moral implications involved in awarding it.

(20)

फांसी या 'मृत्युदंड', एक संस्थागत प्रक्रिया है, जिसे वास्तविक या कथित कदाचार की प्रतिक्रिया में जानबूझकर व्यक्तियों को प्राणदंड देने हेतु डिजाइन किया गया है और इसके लिए एक प्राधिकृत, नियम-आधारित प्रक्रिया का पालन किया जाता है ताकि इस नतीजे पर पहुँचा जा सके कि व्यक्ति उन मानदंडों का उल्लंघन करने के लिए जिम्मेदार है जो प्राणदंड का प्रावधान करते हैं। मृत्युदंड, ऐतिहासिक रूप से विभिन्न प्रकार के अधिकारियों द्वारा आचरण, राजनीतिक या धार्मिक विश्वासों और प्रथाओं की एक विस्तृत शृंखला हेतु, किसी के नियंत्रण से परे स्थिति के लिए या किसी भी महत्वपूर्ण स्थापित प्रक्रियाओं का पालन किए बिना भी दिया जाता रहा है। मृत्युदंड का विभिन्न समूहों द्वारा अधिक अनौपचारिक रूप से पालन किया जाता है और वर्तमान में भी इसे जारी रखा गया है, जैसे कि आतंकवादी समूहों, शहरी गिरोहों और भीड़ द्वारा। यूरोप और अमेरिका में सदियों से जारी चर्चाओं ने आधुनिक राज्यों के संस्थागत व नियम-आधारित प्रक्रिया तथा गंभीर आपराधिक आचरण और कार्रवाई को नियंत्रित करने वाली कानूनी व्यवस्था के रूप में मृत्युदंड पर ध्यान केंद्रित किया है। मृत्युदंड के संदर्भ में, उपर्युक्त चर्चा के आलोक में, निम्नलिखित प्रश्नों के उत्तर दीजिए:

(a) आपराधिक न्याय प्रणाली में मृत्युदंड के पक्ष और विपक्ष में तर्क क्या हैं?

(b) क्या आपको लगता है कि आधुनिक सभ्य समाज में मृत्युदंड का कोई स्थान है? इसे दिए जाने में शामिल नैतिक निहितार्थों के संदर्भ में परीक्षण कीजिए।

Capital punishment or death penalty in India is awarded only under "rarest of rare" circumstances when the "collective conscience of the society" has been shaken by the crime (Bachan Singh case 1980)

(a)

Arguments in Favour of Capital Punishment

1. It is form of retributive justice
2. One who has taken a life or done a grave offence must not be given the right to live
3. Acts as deterrent for future crimes
4. No need for state to spend resources (prisons, etc.) for someone who has done grave offence

5. The state made clear before commission of offence that its penalty would be death then it's fair to award death penalty
6. Those kept in custody may be sought as ransom in hijacks
(Ex: IC 814 hijack)

Arguments Against Capital Punishment

1. By death penalty, law loses its own humanity
"Whenever a human dies, ~~the~~ humanity becomes less"
2. By death penalty, the lost life, ^{of victim} cannot be brought back rather we lose an opportunity to save another human life
3. As Gandhiji said, "An eye for an eye will make the whole world blind."

4. Avoids chances of reform and rehabilitation of criminal

Ex: Tihar Radio & other products

5. The ^{of justice} process may not be foolproof hence an innocent may be punished & killed

6. The commission of offence may have been beyond one's control

Ex: mental health, poor finances, etc.

(b) Moral Implications

1. The state or law itself justifies taking revenge from another

2. May be used to justify "instant justice" of fake-encounters

3. The family of the accused suffers

4. May be used to silence dissent

Ex: Myanmar junta executing & political dissidents

On the basis of above, the modern civilised society established on grounds of Liberty, Dignity, Equality of human lines must respect each and every human for the sake of humanity.

As done by over 100 countries, the capital punishment must not find place in a modern civilised society.

9. An Indian company is active in the telecom sector and is the majority owner of a telecom company based in other geographies across the world. At one of its European headquarters, there emerged whistleblowing allegations that a local executive was bribing local government officials in order to obtain telecom cabling and construction contracts from the local government. The kickbacks were allegedly paid through a third-party consultant. More specifically, there were allegations that the executive, the third party, and a government official had some sort of business interest in common, possibly shareholdings in a limited company or the joint ownership of an undisclosed asset. The company is thought to be particularly close to the ruling dispensation in India and the news has now raised pressure to put its business operations in India under scanner as well. In this context, answer the following questions:

- (a) What are the ethical challenges in the given case?
 (b) Identify the different stakeholders and their interests.
 (c) As the CEO of the firm, how would you respond to the given situation?

(20)

एक भारतीय कंपनी दूरसंचार क्षेत्र में सक्रिय है और विश्व भर के अन्य भौगोलिक क्षेत्रों में स्थित एक दूरसंचार कंपनी के अधिकांश शेयरों की स्वामी है। इसके यूरोपीय मुख्यालयों में से एक में, यह आरोप लगाया गया है कि एक स्थानीय कार्यकारी अधिकारी स्थानीय सरकार से दूरसंचार केबल बिछाने और निर्माण अनुबंध प्राप्त करने के लिए स्थानीय सरकारी अधिकारियों को रिश्वत दे रहा था। कथित तौर पर एक तीसरे पक्ष के सलाहकार के माध्यम से घूस दी गई थी। विशेष रूप से, ऐसे आरोप लगाए गए हैं कि कार्यकारी अधिकारी, तीसरे पक्ष और एक सरकारी अधिकारी के बीच किसी प्रकार का साझा व्यावसायिक हित, संभवतः एक सीमित कंपनी में शेयरधारिता या किसी अज्ञात संपत्ति का संयुक्त स्वामित्व विद्यमान है। उक्त कंपनी को विशेष रूप से भारत में सत्तारूढ़ व्यवस्था के निकट माना जाता है और इस आरोप ने अब इसके भारत में संचालित व्यापार को भी जांच के दायरे में लाने का दबाव बढ़ा दिया है। इस संदर्भ में, निम्नलिखित प्रश्नों के उत्तर दीजिए:

- (a) दिये गये प्रकरण में शामिल नैतिक चुनौतियां क्या हैं?
 (b) विभिन्न हितधारकों और उनके हितों की पहचान कीजिए।
 (c) उक्त कंपनी के एक सी.ई.ओ. के रूप में, आप दी गई स्थिति में किस प्रकार प्रत्युत्तर देंगे?

The given case highlights the conflict of interest at a telecom company and alleged use of unfair means to further its business interests, through unholy nexus

(a)

Ethical Challenges

1. Promotion of business interest of firm by paying kickbacks (v/s) following due process of law and compliance
2. Means be right (v/s) Ends justify means
3. Personal loss to company executive (reputation, jail term, etc.) by working on behalf of company
4. Unethical work culture
5. Conflict of interest and unholy nexus
6. Courage of conviction by whistleblower

(6)	<u>Stakeholders</u>	<u>Interests</u>
1.	Telecom Company	> Brand image & public trust > Adherence to rules > Ethical business operations > Maximising profit
2.	Company executive	> Secure the <u>interests</u> of his company ⇒ <u>professional loyalty</u> > Following <u>due process of law</u>
3.	Third-party consultant	> Deriving <u>pecuniary gains</u> out of kickbacks
4.	European government official	> Adherence to <u>rule of law</u> > Duty (Kantian ethics) to uphold <u>majesty of law</u> > Personal interests fulfilled
5.	CEO of firm	> Professional <u>integrity</u> > Protect <u>image</u> of company.
6.	Ruling dispensation in India	> Public <u>trust</u> & <u>transparency</u>

- (C) ~~To~~ As CEO of firm, I would be guided by Commerce Without Morality is a social sin.

My response would be:

SHORT-TERM

1. Immediate enquiry into allegations at European HQ be conducted
2. Till the enquiry is completed, place the executive on suspension till further orders

MEDIUM-TERM

3. Based on result of enquiry, take action
 - 3.1 If executive found guilty, then place findings before court of law and let the law take action
 - 3.2 If no wrongdoing, then re-instate the executive with explanation to restore his

ReputationLONG-TERM

4. Need Code of Ethics at company to
strengthen ethical competence of employees
5. Strengthen vigilance on employees
6. Rebuild public trust through public
statement explaining the findings of enquiry

Justification

1. Action must be impartial, objective
2. Suspend executive to send a message of
Zero Tolerance and "Justice must not only
be done but also seen to be done"
3. Important for company to promote
ethical work culture to prevent recurrence

The company must always bear in
mind the Trusteeship Model of Gandhiji

10. You are the Chairperson of Staff Selection Commission of a state. Recently, an exam for recruitment to the position of sub-inspectors was conducted by the Commission. But a video of some students using hi-tech devices like spy-mics, and placing "solvers" to cheat in the exam by hiding bluetooth devices in wig, has been surfacing on the internet. Also, this is not an isolated incident; many instances of organized cheating scandals have shocked the state in recent years. Students are agitated and demanding cancellation of the exam and there is pressure on you to resign. However, your daughter had also appeared in this exam and is confident of clearing it. There are many other students who had waited for this exam for a long time and are hopeful of clearing it with honest efforts. Whatever decision the Commission takes is bound to affect the career of a large number of candidates who appeared in the exam, including your own daughter.

(a) Highlight the ethical issues concerned in the case.

(b) Why is cheating in examinations prevalent in many states across India?

(c) What measures would you take to make sure that a similar situation does not arise in future? (20)

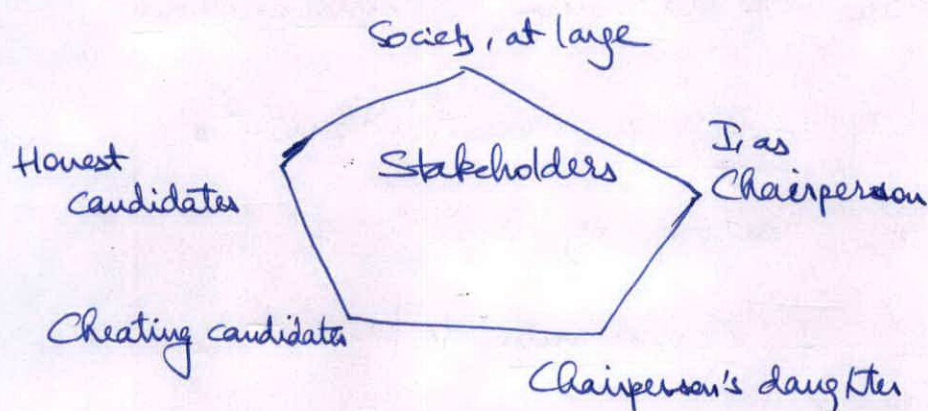
आप एक राज्य के कर्मचारी चयन आयोग के अध्यक्ष हैं। हाल ही में, आयोग द्वारा सब-इंस्पेक्टर के पद पर भर्ती के लिए एक परीक्षा आयोजित की गई थी। लेकिन कुछ छात्रों द्वारा स्पाई-माईक्रोफोन जैसे हार्ड-टेक उपकरणों का उपयोग करने और ब्लूटूथ डिवाइसों को विग में छिपाकर परीक्षा में "सोल्वर्स या फर्जी परीक्षार्थी" बैठाने का एक वीडियो इंटरनेट पर सामने आ रहा है। साथ ही, यह कोई अकेली घटना नहीं है; हाल के वर्षों में संगठित तरीके से नकलबाजी की घटना के कई उदाहरणों ने राज्य को भयाकुल कर दिया है। छात्र विरोध कर रहे हैं और परीक्षा रद्द करने की मांग कर रहे हैं तथा आपके ऊपर इस्तीफा देने का दबाव है। हालांकि, आपकी बेटी भी इस परीक्षा में शामिल हुई थी और वो इसे पास करने के लिए आश्वस्त है। ऐसे कई अन्य छात्र हैं जिन्होंने लंबे समय से इस परीक्षा का इंतजार किया था और ईमानदार प्रयासों के साथ इसे पास करने की उम्मीद कर रहे हैं। आयोग जो भी निर्णय लेगा, वह आपकी अपनी बेटी सहित बड़ी संख्या में परीक्षा में बैठने वाले उम्मीदवारों के करियर को प्रभावित करेगा।

(a) इस प्रकरण से संबंधित नैतिक मुद्दों को रेखांकित कीजिए।

(b) भारत भर के कई राज्यों में परीक्षाओं में नकल क्यों जारी है?

(c) भविष्य में ऐसी स्थिति उत्पन्न न हो, यह सुनिश्चित करने के लिए आप क्या उपाय करेंगे?

The case is similar to recent Karnataka S-I recruitment ~~scandal~~ which highlights the level of erosion of moral values in the society and loss of integrity, probity, honesty among those who seek to serve the society..



② Ethical Issues

- Following the right means by cancelling the exam V/S Focusing on Greatest Good to Greatest Number (Utilitarian) of the honest candidates whose career ^{may be} affected

2. Use of unfair means to pass exam
 - 2.1 Loss of trust among public
 - 2.2 Poor integrity by candidates
3. Personal responsibility to safeguard daughter's future (vs) Professional integrity by adhering to rules and laws
4. Harm to career of honest candidates due to cheating by some
5. Failure of Commission to prevent such incidents
 - 5.1 Poor Quality of Service delivery
 - 5.2 Dereliction of duty

(A) Reason for Prevalence of Cheating

1. Poor institutional apparatus to check
cheating among State Commission

1.1 Limited staff capacity

1.2 Low level of training

2. Unholy nexus among some officials and
cheating mafia

3. Political pressure on state government
to not take action against cheating

4. Limited private sector jobs

⇓

High demand for government jobs

⇓

Demand-supply gap ⇒ Proliferation of
cheating mafia due
to "succeed at any cost" mindset ~~among~~

5. Erosion of moral values and rising
materialism

6. Job security offered ⇒ High demand of
govt job

Ⓒ) Prevent Future Recurrence

1. Institute investigation into present lapse
 - 1.1 Find out loopholes ⇒ Plug them
 - 1.2 Fix accountability ⇒ Take strict action

⏚

Deterrence
2. Cancel the present exam if cheating indeed done ⇒ Show Zero Tolerance to Corruption approach
3. Use technology to monitor candidates in real-time, frisking, jammers near exam centres, debar illicit and non-cooperative exam centres
4. Send out public message about actions taken to restore trust

A man is nothing but the product of his values therefore need to inculcate value-based education to prevent such incidents.

11. Sunil has been posted as a DM in a hilly district which is vulnerable to several natural disasters. The district is known for a pilgrimage site and is frequently visited by tourists from all over India. The major occupation of locals therefore lies in the hospitality business. Unfortunately, after a few days of his joining, the district faced a major earthquake. It has led to high casualties and damages to the essential infrastructure such as roads and bridges. Both locals and tourists are trapped at different routes and locations. An international convoy of dignitaries from a neighboring country which has come to pay their obeisance at the pilgrimage site, is also trapped due to the disaster. Because of this, Sunil has to divert most of the available resources in the rescue operation of the foreign dignitaries. People are emotionally distressed due to the disaster, and delayed response from authorities to their needs has led to a law-and-order situation in the district. People from other states whose families are trapped and need immediate assistance are also getting restless and flooding the emergency helplines with complaints and requests.

(a) Discuss the issues being faced by Sunil in the given scenario.

(b) Mention a course of action that Sunil must take to maintain law-and-order as well as to expediate rescue operations of all concerned.

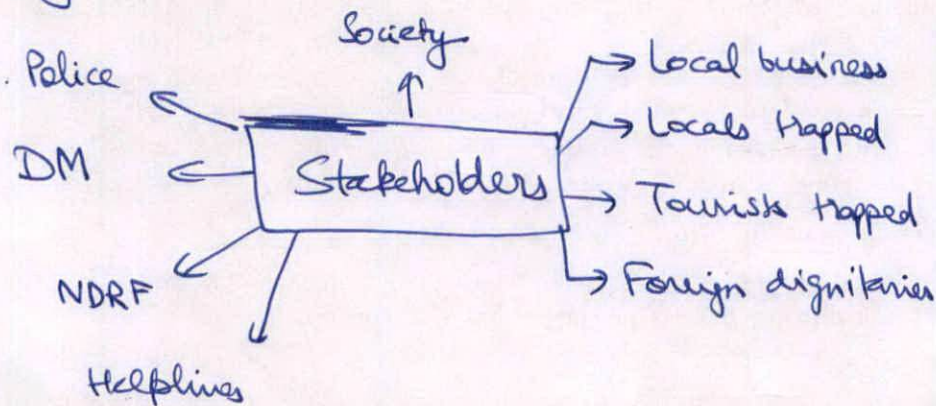
(20)

सुनील को अनेक प्राकृतिक आपदाओं के प्रति सुभेद्य एक पहाड़ी जिले में डी.एम. के रूप में पदस्थापित किया गया है। यह जिला एक तीर्थ स्थल के लिए प्रसिद्ध है और अक्सर यहां पूरे भारत के पर्यटकों द्वारा यात्रा की जाती है। इसलिए, स्थानीय लोगों का प्रमुख कारोबार आतिथ्य व्यवसाय से संबंधित है। दुर्भाग्य से, उसके पदस्थापित होने के कुछ दिनों के बाद, जिले को एक बड़े भूकंप का सामना करना पड़ा। इससे अनेक लोगों की मृत्यु तथा सड़कों और पुलों जैसे आवश्यक बुनियादी ढांचे को भारी क्षति हुई है। स्थानीय लोग और पर्यटक दोनों अलग-अलग मार्गों और स्थानों पर फंसे हुए हैं। तीर्थस्थल पर आए पड़ोसी देश के गणमान्य व्यक्तियों का एक अंतर्राष्ट्रीय काफिला भी आपदा के कारण फंस गया है। इस वजह से सुनील को अधिकांश उपलब्ध संसाधनों को विदेशी गणमान्य व्यक्तियों के बचाव अभियान में लगाना है। आपदा के कारण लोग भावनात्मक रूप से व्यथित हैं और इनकी आवश्यकताओं की पूर्ति हेतु अधिकारियों की विलंबित प्रतिक्रिया ने जिले में कानून-व्यवस्था के लिए प्रतिकूल स्थिति उत्पन्न कर दी है। अन्य राज्यों के लोग जिनके परिवार फंस गए हैं और उन्हें तत्काल सहायता की आवश्यकता है, वे भी व्याकुल हो रहे हैं तथा आपातकालीन हेल्पलाइन पर शिकायतों और अनुरोधों की संख्या में अत्यधिक वृद्धि हो गई है।

(a) दिए गए परिदृश्य में सुनील द्वारा सामना किए जा रहे मुद्दों पर चर्चा कीजिए।

(b) कानून-व्यवस्था बनाए रखने के साथ-साथ सभी संबंधित लोगों के बचाव कार्यों में तेजी लाने के लिए सुनील द्वारा की जाने वाली कार्रवाई का उल्लेख कीजिए।

The present case illustrates challenges before district administration of rescue and evacuation after earthquake in hilly district with limited resources.



Issues Faced by Sunil

1. Ensuring safe and orderly evacuation of all concerned
2. Safety of international dignitaries
3. Maintaining law & order in district
4. Living up to people's expectations from the administration

5. Leadership to be shown to manage the rescue operation

Course of Action by Sanil

IMMEDIATE TERM

1. Control law & order situation first before balloons into a greater crisis

1.1 Take assistance of SP of district

1.2 Use drones for monitoring of people

1.3 Issue prohibitory orders under Section 144 CrPc if appropriate

2. Complete evacuation of international dignitaries immediately (already started) to

free up resources

3. Ensure helplines are ON & working with Compassion

SHORT-TERM

4. Prioritise resources for tourists

4.1 They may not be familiar with
local terrain

4.2 May harm distinct reputation
if any hurt to tourists

4.3 Further, local businesses are them-
selves dependent on tourists

5. Meanwhile, also seek assistance from
SDRF and NDRF and activate
District Disaster Management Plan

6. Then, move on to rescue of locals
with priority to

- old age
- differently abled
- women
- children

~~MEDIUM~~

7. Keep helplines OPEN for transparent
dissemination of information

MEDIUM-TERM

8. Incorporate learnings from current disaster into DDMP
9. Repair of essential infrastructure must be ensured along with "Build Back Better"

Through this course of action, Smit can ensure ethical discharge of official duties keeping in mind civil service values of integrity, objectivity, dedication and selflessness.

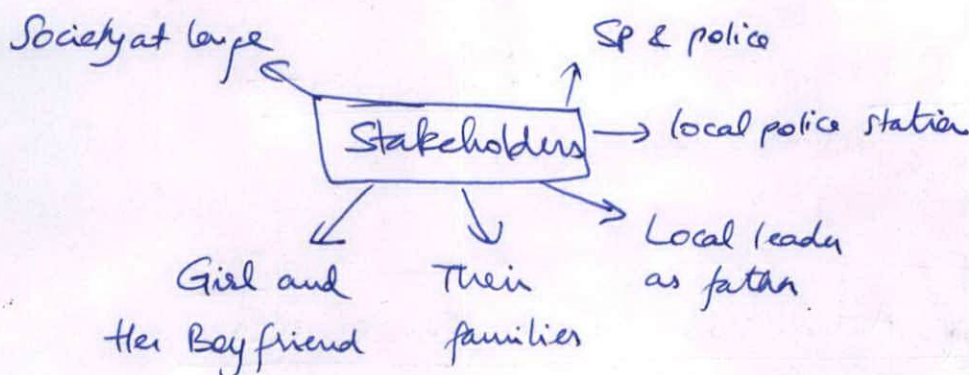
12. You are the Superintendent of Police (SP) in a district. One of your subordinates informs you that a girl has reached out to him and complained about a potential death threat to her and her boyfriend who belongs to another caste. Both the families are averse to their union. She has also informed that the local police station is neither filing any complaint nor giving her any assurance of protection. The girl belongs to the dominant caste of the region and her father is a prominent local leader of the party which is in power in the state. On further enquiry, you come to know that both the girl and her boyfriend are adults. They have moved out of the house and have started living together. This has further angered both the families and they are accusing each other of abduction. In the given scenario, answer the following questions:

- Bring out the ethical dilemma faced by the you.
- What would be a suitable course of action to resolve the issue?
- At times, such instances lead to violence and may end up in honour killings. Discuss the reasons behind their social acceptance in parts of India despite the legal sanction against them. (20)

आप एक जिले में पुलिस अधीक्षक (SP) के पद पर तैनात हैं। आपके अधीनस्थों में से एक ने आपको सूचित किया है कि एक लड़की ने उसके पास संपर्क करते हुए उसे और उसके प्रेमी, जो दूसरी जाति से संबंधित है, को जान से मारने की धमकी के बारे में शिकायत की है। दोनों परिवार उनके साथ रहने के खिलाफ हैं। उसने यह भी बताया है कि स्थानीय थाना न तो कोई शिकायत दर्ज कर रहा है और न ही उसे सुरक्षा का कोई आश्वासन दे रहा है। वह लड़की उस क्षेत्र की प्रभावशाली जाति से संबंधित है और उसके पिता सत्तारूढ़ दल के एक प्रमुख स्थानीय नेता हैं। आगे की पूछताछ में, आपको पता चला है कि लड़की और उसका प्रेमी दोनों बयस्क हैं। वे घर से बाहर चले गए हैं और साथ रहने लगे हैं। इससे दोनों परिवारों में और अधिक नाराजगी उत्पन्न हो गई है और वे एक-दूसरे पर अपहरण का आरोप लगा रहे हैं। दिये गये परिदृश्य में, निम्नलिखित प्रश्नों के उत्तर दीजिए:

- आपके द्वारा सामना की जाने वाली नैतिक दुविधा को स्पष्ट कीजिए।
- इस समस्या के समाधान हेतु कार्रवाई का एक उपयुक्त तरीका क्या होगा?
- कभी-कभी, ऐसे उदाहरण हिंसा का कारण बनते हैं और ऑनर किलिंग में परिणित हो सकते हैं। इसके खिलाफ कानूनी प्रतिबंध होने के बावजूद, भारत के कुछ हिस्सों में इसकी सामाजिक स्वीकृति के पीछे उत्तरदायी कारणों पर चर्चा कीजिए।

The Supreme Court of India has held the right to marry a person of one's choice is guaranteed under Article 21 of Constitution.



Ethical Dilemma Faced by SP

1. Constitutional morality of liberty to individuals $\sqrt{x}$ adhering to social ~~para~~ norms of marriage within same caste
2. Professional integrity ~~is~~ of following

due process of law (V/R) Personal
benefit by not acting against local
leader

3. Protecting modern values of choice for
consensual adults (V/R) following
social morality and family diktat

Course of Action as SP to Resolve Issue

SHORT-TERM

1. Meet the girl and her boyfriend
 - 1.1 Enquire about facts of the case
 - 1.2 Assured oneself that case is not
of any abduction, etc.
2. Ensure they remain protected to ward
of death threat or honour killing

MEDIUM - TERM

3. Call the families involved

3.1 Remind them of legal sanction
against honour killing

3.2 Persuade them to respect choice
made by their adult children

3.3 If not convinced, then legal action
may be taken for issue of death
threats and harassment

4. Fix accountability of local police station

4.1 Remind them of duty to uphold
majesty of law (Kantian ethics)

4.2 Action against errant police officers
for dereliction of duty

LONG-TERM

5. Need to ensure attitudinal change in Society through nukkad natak, role models, influential voices, etc.

(C) Reason Behind Social Acceptance
Despite Legal Sanction

1. Lack of implementation of law
 ↙ ↘
 allows police slow justice system
2. Women (as mothers) themselves not raise voice due to dependence on husbands
3. Institutions of authority as khap panchayat
4. Lack of value-based education
5. Socialization to dare to ensure compliance

The laws only determine direction of social change while the certainty of law & justice determines the ~~direction~~ ^{extent} of social change.