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GENERAL STUDIES (TEST CODE : 2088)

Name of Candidate	Shoham Teberival	Registration Number	995991
Medium Hindi/Eng.	English	Date	28-08-21
Center	online		

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, विद्यापीठ 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 मिलेगा।
- 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

16-B, 2nd Floor, Above National Trust Building, Bada Bazar Marg, Old Rajinder Nagar, Delhi-110060

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

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

In Karma Yoga, Swami Vivekananda argues that every act has an inherent right and wrong. There is no absolutely correct thing. He says even when we breathe, small virus & bacteria inside our body are killed & regenerated every millisecond.

Thus, there is always double effect. Consider for example Sophie's Dilemma while going into Nazi concentration camp when she had to give up one of her child.

Recognizing this can help us in morally

difficult situations or even situations like Ajuna's Dharam sankata.

Therefore Bhagwad Gita calls for Nishkaam Karma without bothering about the fruits of labour. And one should give the best.

Example, ISRO scientists were not sure if they would land but they just gave their best without thinking of repercussions.

For a civil servant there are many such dilemmas like personal responsibility vs professional duty or transparency vs national security, environment vs growth finding a right path and recognizing possible demerits is objective approach.

"Mukhtsair - zindagi ke Aag basane hai, Yaha
Teer Bhi Chalane hai, Aur Panchee Bhi Bachane hai"
— Anil Swarup IAS

- 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, The Great, was among the greatest rulers of ancient India. His life provides important ethical teachings :-

- 1) Good Governance - As Ashokan Lion Pillar is put on new Parliament building, we must remember the ancient ethos of 'Sushan' etc ethical governance
- 2) Harmony among communities - when we see rising communal tensions (eg: Nuh, Bareilly stone pelting) we should look at Ashokan inscriptions for tolerance and harmony

- 3) Compassion towards animals - Ashokan inscriptions gave guidelines to have compassion for animals. It is also part of our fundamental duty. Article 51A(g) and (h)
- 4) Promote of local languages - Ashokan pillars only used Brahmi, Kharoshthi languages for more awareness instead of elite language Sanskrit. Thus, our mother tongue should be promoted as envisaged in NEP
- 3) Leveraging our soft power - Ashoka sent his children for propagation of Buddhism building cultural ties with Sri Lanka.
- 6) Peace and not war - Relevant for current Ukraine crisis

- 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

Compassion refers to value of understanding others' pain and also taking steps to collect it. As Narshihm Mehta said "Vaishnav Jan" should know about others' pain "Peer Parayi Jaani Pe".

Relevance for civil servant

- 1) Look beyond objective parameters and consider unique conditions (Eg: providing jobs as Anganwadi worker to destitutes)
- 2) Look for welfare of vulnerable sections (Eg: Project Sweekirti by Chanchal Rana for integrating transgender into society)
- 3) Dedication for work despite odd & Challenging conditions (Eg: Bijapur hospital by IAS Emboli Ayyaj)

- 4) Provide social justice and rehabilitation
(Eg: IPS Tejawi in Sholapur implemented soft policing for hoosh distilleries)

Tolerance

It means accepting other person's ideology, religions & cultural perspectives

- 1) Civil servant need to maintain law & order and should have tolerance beyond personal bias
(Eg: Manipur violence, Nuh case)
- 2) Civil servants should be tolerant even if they oppose other view point
(Eg: policy debate but should report their counter points objectively)
- 3) Civil servants should tolerate political interference (like frequent transfers) to stay motivated

Thus, both compassion & tolerance are important values of 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

Transparency leads to an environment of data being easily accessible and their being details of inner working of department and outcomes of measures taken.

Necessary Condition

- Eg: RTI provides data so that government can be made answerable
 - Eg: open government (like JIM dashboard) provide details of project to track progress
 - Data provides any misconduct or misfeasance occurrence
 - suo motu discharge (like odisha HC report) helps to ensure accountability
- Creates base for accountability which is answerability for one's actions & grievance redressal or course correction

Not sufficient

Transparency alone is not sufficient
it needs robust accountability
measures. Eg: if there is data but
no means to hold errant officer
accountable then it's useless

Other conditions needed

- ↳ clear matrix of responsibility and accountability
- ↳ data should be of good quality & relevant
- ↳ active civil society
- ↳ reports should be in public domain & in local language
- ↳ grievance redressal mechanism

Thus, Parliament should pass
the Public Service Bill or Social
Accountability Bill to complement the
RTI Act

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

Dr. Ambedkar, a polymath, father of our constitution was not an eminent personality but among the greatest man of modern India.

Great Man

- ↳ More humane knowledge (Eg: social change agent)
- ↳ High on Ed
- ↳ Man of action
- ↳ Has compassion & work to address others' challenges

Eminent one

- ↳ More technical knowledge (Eg: Phd)
- ↳ High on IQ
- ↳ Man of thought
- ↳ May have empathy and feel others' pain (through knowledge)

This means that even if we achieve great success in life (which is often measured in material terms like wealth, degrees etc.) it would be useless if we don't work for other's benefit.

For example, a civil servant selected as IAS is certainly knowledgeable and respected in society as eminent person but not working for others will not make him great. Officers like S.P. Sankaran, Nripendra Mishra are well known for their public connect.

In life no matter what we achieve we must always stay connected to our roots and work for others. Service of humanity is service of God.

—Vivekananda

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।" कोफी 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

It means that humanity succeeds ~~also~~ other man-made divisions of race, caste, colour, gender, language etc. etc.

Religion < Humanity

Our ancient texts have always said that there is only one truth though different paths of achieving it. Our religions don't preach to fight others but to fight the 'evils' and 'shaitan' within us.

Eg: langar in Sikhism is beyond religious differences, Advaita vedanta is above all differences as it sees God within humanity

Language < Humanity Barriers

Language is only a tool to communicate and thus should not be used to segregate people speaking different languages only show our vast rich diversity and unique history but ultimately basic urge to communicate among all humans is same.

Colour < Humanity Race

Colour of skin does not provide the basis to judge one rather it's their character and humanness. Nelson Mandela, Martin Luther King Jr., Rosa Parks are living embodiment of the same.

Thus, we should look at what unites us and not what divides us

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

Knowledge simply means to know something. But what should one know has always been matter of policy debate. Thus NEP 2020 aims for national curriculum framework that imparts holistic knowledge about constitutional values and being deeply rooted in our culture.

Facts is mere information or data

When did world war II happen or who fought Battle of Panipat are mere historical facts. Learning or mugging up these points is of no relevance today especially in age of Google or now Chat GPT when it is available on one click.

Holistic assessment & value development is paramount

Rather knowing about causes of world war helps to assess values of ethical war (for instance fair treaty and not impartial treaty of Versailles). Similarly students should know how to frame the right question and test underlying value.

Value based education

It helps children to become responsible citizens and at some time learn about importance of education itself which is to develop a curious mind.

Thus, lessons of moral science should be complemented with those of social science with an element of critical thinking.

- 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 government leaves more space for private sector under maximum governance & minimum government, these areas are acquired by private sector. This creates it ^{to be} an imperative to adopt ethical governance standards for balancing needs of people & planet along with profits.

Values

1. Inclusiveness — companies should adopt principles that sustains inclusive growth (like address gender stereotypes in hiring)
2. Accountability — companies should be accountable to their stakeholders (both consumers and investors)

3. Transparency - Companies should disclose their data so that customers have better understanding - (Eg: ESG disclosures)

4. Fairness in competition - Companies should not participate in anti-competitive practices or hostile acquisitions or deep discounting practices

5. Look beyond consumers and producers to nations as whole where they are serving (PM guideline during B20 Summit)

6. Incorporate customer care beyond customer rights

7. Responsibility towards planet
In this context ESG framework provides the way ahead for incorporation of these values and publish it in BRSR as mandated by SEBI for triple bottom line.

- 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 suicide of lifestyle employee due to bullying by colleagues should raise our focus to address toxic work ^{culture} and an environment of being ^{available} on-call 24x7 especially after COVID and hybrid work model

Ethical issues

<u>Stakeholder</u>	<u>Issue</u>
① Corporate	<p>→ Need to balance company profits with needs of employees</p> <p>→ Long work hours will affect long term productivity (vs short-term deadlines of deliverables)</p> <p>→ need governance standards against <u>bullying environment</u></p>

Issues

② Health officials

- How to streamline mental health along with physical health concerns?
- How to prevent depression & suicides?

③ Labour Unions

- How to balance freedom of expression with company's prerogative of managing working hours in free market economy?

④ Government

- How to ensure fixed working hours & provide compensation for extra hours
- How to streamline healthy competition among companies & their employees

Platforms like B2D with RAISE framework are right forum for bringing all stakeholders together for consensus dialogue

- 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)

10

Daniel Goleman gave concept of emotional intelligence to regulate and monitor one's emotions for better decision making and staying motivated.

With globalisation, societies, governments, people are interconnected. When one tries to assess other emotions or state of mind they use their own frame of reference to judge others or complex situations.

But situations could vary from one culture to another. Example, it could be completely fine to drink wine in US office but will be looked down in India & banned in Saudi.

Similarly treatment of colleagues vary. Example India respects elders as an ancient value but America gives more consideration to merit and position (than age).

In Germany, Japan being late for even a minute is considered rude. This implies Indians should be more sensitive when dealing with others.

Even with India given our vast cultural diversity having cultural intelligence will help to generate more tolerance and better understanding of others.

Sensitisation trainings, cross cultural workshops could be a potential way forward to develop it.

5.(b) शुचिता (प्रोबिटी) सत्यापित सत्यनिष्ठा होती है, जिसके बारे में आमतीर 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

Probity is developing highest standards of integrity, honesty in administration

Significance

- National Commission to Review Working of Constitution in consultation paper on Probity has called it necessary for socio-economic development
- It helps to transition beyond good governance to ethical governance (Eg: declaring of budget borrowing)
- It ensures efficiency of public service delivery (Eg: NFSI, SNA, TJM dashboard)
- It creates trust in governance (Eg: V Sugayam Ji declaring assets)

Role of Leadership

Bhagwad Gita in Shloka 3.91 says that common people follow footsteps of great people (Yat Yat Charita Shreshtha, Tad Tad Avataro Janah)

Eg: T.N. Seshan Ji created a robust ECI which is model for others to ensure ethos of body

Eg: Sant Manikshaw fostered courage with Army

Eg: IPS Kiren Bedi sought reforms in prison

Eg: IPS Sanjiv Kumar fighting Bodo militants & inspiring others in police force

Thus leaders lead by example and inspire others to follow suit. Right leadership is important to nurture Prebity.

- 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

Attitude refers to our pre-disposition to act-react favourably or against towards a situation or action.

Moral attitude shows our way of reacting towards moral issues like marital rape.

Role

- ↳ It tests the morality of action conducted within the institution of marriage
- ↳ It shapes perception about drawing lines for a crime and whether it can be relativistic
- ↳ It influences response to complex issues like conjugal rights
- ↳ It shapes discourse on women rights

Ethical considerations

1. Parliament vs Judiciary: who should set the stage for criminalization provisions
2. Conjugal rights: to what extent does marriage allow control of one spouse by another
3. Universal consent vs particular consent: does marriage means universal consent for sex?
4. How to ensure safeguards against those misusing (legal terrorism) for personal scores (eg: in divorce)
5. Can Parliament reform a social institution like marriage Our moral attitude towards women & justice will help to address these questions

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

Conscience is the inner voice which tells us the right and wrong of action while consciousness is merely being aware of a situation through living senses (in awakened state)

Role of Consciousness

It involves keep active tracking of all relevant factors. Example person should be aware of pros and cons if he puts his professional duty call above personal interests.

It means to be able to form an informed decision. Example judges recusal.

Role of conscience

Consciousness and being aware of dilemma is not sufficient but one should also listen to inner voice without being biased by external conditioning. (Eg: Jacinda Ardern resigning from PM Post)

It ensures taking an ethical standpoint. Eg: India calling for African Union into G20 on conscience grounds of Vasudev Kutumbhakam although everyone is conscious of new role Africa is playing.

Thus, a fine balance is required, as Aristotle calls golden mean.

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 सरीगेसी 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:

- इस प्रकरण में शामिल नैतिक मुद्दों पर चर्चा कीजिए।
- क्या आपको लगता है कि भारत में समलैंगिक विवाह को राज्य द्वारा मान्यता दी जानी चाहिए?
- 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

This case is about on-going petitions and their hearing in Supreme Court to legalize same-sex marriage and give them recognition under Special Marriage Act

a) Ethical Issues involved

<u>Stakeholder</u>	<u>Issue</u>
(i) LGBTQIA+ community	→ Right to <u>marry</u> under Article 21
	→ Right to <u>live</u> a life a dignity
	→ Right to be <u>accepted</u> & included in society

(ii) Judiciary → judicial restraint & use of Article 142 for complete justice

→ can few judges provide society a new direction with a single verdict

→ how to deal with other laws like adoption

(iii) Parliament → how to regulate marriages & other laws on gender-neutral footing (eg: 'Plus' shows many variations)

→ how to reform personal laws in absence of UCC

(iv) society at large → develop acceptance

→ look beyond religious aspect of marriage

(v) civil society → how to enable social behavioural communication & create bottom-up reforms

5) Recognition of same-sex marriage

Parameters

Verdict

(i) Constitutional
morality

Yes

(ii) Fundamental and
inalienable right
to dignity & liberty

Yes

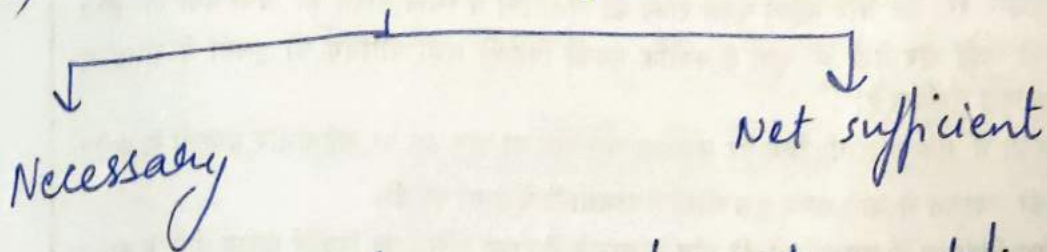
(iii) State power to
reform religion
(allowed under Article
25(2); further
Constitution asks for
UCC (Article 44)]

Yes

(iv) As Vishwaguru

Yes

c) Laws and their effectiveness



↳ it gave guidelines to people as the right thing
(Eg: sati abolishment
Art created more awareness)

↳ law can act as a deterrent

↳ law made by sovereign parliament is ultimately will of people

↳ culture defines
where society
goes

↳ eg: many illegal activities like child marriage still exist

↳ without social sanction it will not be sufficient

Thus, a balanced approach through creating more debates in Parliament can ^{be} way forward.

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 जांच-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।

(a) इस स्थिति से निपटने के लिए लॉयड के पास क्या विकल्प उपलब्ध हैं?

(b) प्रत्येक विकल्प का आलोचनात्मक मूल्यांकन कीजिए और लॉयड द्वारा अपनाने योग्य सबसे उपयुक्त विकल्प की पहचान कीजिए।

(c) 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

This case shows twin challenge of criminalization of politics and politicization of bureaucracy (police in this case). Further, the case also raise eyebrows on ^{extra} judicial killings during police custody & fake encounters.

9) Lloyd's option: -

option I Drop politician's name
merit → Avoid political pressure
↳ Good relations with employees

+ve → politician is not associated with killing directly so will not affect proble

-ve → act against duty of fair enquiry
(demerit)

→ putting personal interest above state interest

→ pliant to political master

→ may incentivize politician towards more criminal activities

Option-II → Ask senior to appoint someone else for SIT

+ve : — avoid conflict of interest
— protect family's safety

-ve — running away from duty
— doing more harm to state than good
— show lack of courage & integrity

option - II → Handover report with objective details as mandated under law and legal convention

+ve : Act with integrity
: safeguard state's interest
: Do not succumb to pressure

-ve : may face transfer
: may face politician's wrath

b) To adopt the right option, principles of legality, accountability and personal integrity should be leveraged.

Therefore, option - II is the right thing to do: report as it is

To mitigate challenges, Lloyd can ask for police protection for his family. Further transfers are part of parcel of civil servant's life.

c) Measures against police custody deaths

Institutional :-

- (i) Implement RCC vs state of Maharashtra case guidelines issued by Bombay High Court for fair enquiry & no out of turn promotion
- (ii) Sipuwar committee recommendations for body worn cameras
- (iii) Implement new APC which enhances digital monitoring during search & surveillance

Police specific

- (i) Sensitization training to workforce
- (ii) Conduct fair enquiries & give

exemplary punishment to errant officers

Civil society specific

- (i) create more awareness about fundamental rights during arrest & detention (Article 20 and Article 22)
- (ii) Police stations should have boards providing rights of citizens and grievance redressal mechanism
- (iii) Do not legitimise encounter as right & just way of dealing with crimes
- (iv) Emphasize on rehabilitative justice

Further, Prakash Singh Guidelines must be implemented for holistic reforms in police system.

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। राजू 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 कार्यवाही 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 misleading calls from parents of poor students who complained about the company 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

This case shows the dark side of digital education and startup ecosystem. Consider the recent fall of Byjus which brings to fore several ethical issues:

a) Issues: —

- Misguiding parents to avail credit and become customers
- Education becoming a mafia industry (against Guru-shishya Parampara)
- unethical marketing & sales practices

- (iv) emphasis on profits only (and not people)
- (v) Business without responsibility (Gandhian sin)
- (vi) Frequent lay offs in tech industry
- (vii) wrong metrics for gaining valuation in startup (overvalued)
- (viii) personal dilemma for Raj to look after family or doing right thing to blow the whistle

b)

Option I: follow & maintain status quo

+ve : he is merely cog in wheel & his action alone will not do anything

: support family & sister

-ve : morally & ethically wrong

Option II: Resign & look for job elsewhere

+ve: avoid conflict of interest
: follow voice of conscience

-ve: actual problem of unethical
practise not solved

Option III: Persuade others to talk to
senior management

+ve: collective effort
: look at long-term concerns
of company

-ve: senior management could
be hand in gloves

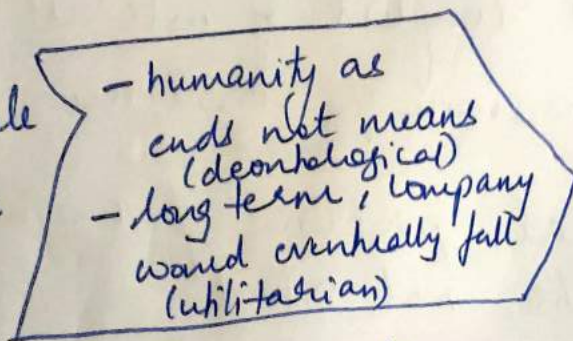
Option IV: Blow the whistle

+ve: protect other poor families
: doing right & justified thing

-ve: would have to look ^{for} another
job

d) Right course of action:

Multiple
option



Mix of
option III
& option IV

Framework

Thus, first he should ask for governance reforms as company's market image would otherwise be tarnished in long term and debt of customers would start reflecting in balance sheet.

Else, it is important to blow the whistle so that government should bring ex-ante regulations.

Recently Education Department had issued guidelines against online platforms misuse. Thus, this course of action is both legal & ethical.

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 अत्यन्त 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 ज़िम्मेदार 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।
- (a) इस प्रकरण में शामिल नैतिक दुविधाएं कौन-सी हैं?
- (b) एक याचिका को दूसरे पर तरजीह देने के निहितार्थों का मूल्यांकन कीजिए।
- (c) 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.

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

Amidst the rising cases of dog bites and dog even attacking children, (Hyderabad) this case discuss the dilemma of animal rights & welfare

a) Dilemmas involved:

(i) Human rights vs animal rights

↳ Article 21 provides right to live with dignity but there are no such constitutional rights for animals, so does human welfare trump animal welfare

(ii) Compassion vs security

↳ Dog menace is causing challenges to common people does compassion is right in case of dogs showing violent behaviour

(iii) funds diversion to vaccination & sterilization of dogs or fellow ongoing projects (like road construction)

↳ municipalities face resource crunch, their own source of revenue is abysmal (RBI report on state finances & Arjun Committee on ULBs) so how can municipality provide funds for animals in dire resource crunch

b) Implications —

(i) favouring animal welfare (2nd plea)

↳ dog menace will not be solved in short term thus dog bite cases will continue

↳ funds shortage

↳ people angry & may strike

(ii) Removal of dogs (1st plea)

↳ illegal ↳ non-sustainable
↳ unethical

c) course of action: a balanced approach is needed

Short term

↳ In pockets of high bites incidents adopt sterilization measures

↳ Rope in NGOs for vaccination
(Eg: Frëndicoes in Delhi)

↳ Follow guidelines of "AB(2023"
(i.e. Animal Birth Control Rules
by AWBI)

↳ Strict check against unregistered pet breeders

↳ Increase capacity of hospital
↳ deal with rabies

Long Term

↳ Promote adoption of street dogs

↳ Leverage Kerala model where community members take care of dogs

↳ Recognize "community feeders" & make them accountable for sterilization of dogs

↳ Increase capacity of municipality to deal with these local issues (2nd APC)

↳ Remove garbages where dogs feed

Constitution under Article 51A(9) and 51A(h) makes it our fundamental duty to ^{have} compassion & humanism.

Further Prevention of Cruelty to Animals Act also talks of freedom for animals. Thus, a rights based approach should be followed for animal welfare.

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 आपको 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:

- (a) इस प्रकरण में शामिल विभिन्न हितधारकों एवं मुद्दों की पहचान कीजिए।
- (b) प्रदत्त स्थिति में आपके पास क्या विकल्प उपलब्ध हैं?
- (c) इनमें से प्रत्येक विकल्प के गुण और दोषों का विश्लेषण कीजिए।
- (d) 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 clinging 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

This case highlights procedural and legal loopholes faced by those in vigilance organizations are often subject of harassment by corrupt people

9) Stakeholders & issues

Myself → how to act against corrupt officers while following due process of law

→ act against senior advice or pursue investigation

→ ensure personal credibility against fake case

ACB → protection of honest officers

→ acting against corrupt officials

→ follow due process of law during investigation

Corrupt officials → misuse of machinery to harass honest officers

→ lack of deterrence against corruption

Seniors at department → they should motivate young officers and act as bulwark against those misusing law

Society at large → they are most affected by corruption (socio-economic development is halted)

Parliament → remove legal loopholes & allowing to act on legitimate anonymous complaints

b) options

I : Drop the case

+ve : protect against procedural lapses
: ensure job security against false complaints

-ve : against voice of conscience

: promote illegal & unethical practices

: set wrong precedents for others

II : Continue the investigation and rectify procedural lapses

Merits: Act with integrity

: Follow right legal & ethical course

: Do duty without fear of consequences

: Protect state interest

Demerit: Effect family's safety

d) Course of action

Principles to decide

(i) Duty Theory — I should do my duty no matter what

(ii) fulfill oath under constitution

(iii) Follow rule of law

Thus, option II is to be followed: -

(i) To correct procedural lapses

- (*) Read code of conduct book & follow guidelines
- (*) create paper work diligently
- (*) Record proof (digitally)
- (*) Seek out senior's help for what to do if anonymous tip is received (for conventions)

(ii) To protect family

- (*) Ask police protection if needed
- (*) Act with courage

(iii) Against fake complaint

- (*) nothing to be worried off for honest officer

"Dharma Raksheti Rakshatah",
dharma protects those who protect
it should be the mantra and thus
duty be performed.

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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This case showcase the recent incident in Bangalore where two officers held a public spat over the internet bringing down values of selflessness of civil services and showing one man upmanship.

Issues

- ① Against principle of anonymity
- ② Misuse of social media
- ③ Violating code of conduct which calls for integrity

- ④ Bringing personal fight / issues into public arena
- ⑤ Eroding trust of common people
- ⑥ Bringing bad name to department and demotivating other employees
- ⑦ Against fundamental duty to act in harmony & breach of limits of right of expression (Article 19(2))

Options available

I) Ask both officers to amicably resolve the dispute

+ve : reduce conflict on public platform
: promote mediation method of dispute resolution

-ve : act as precedent for other officers if strict action not taken

II) Suspend both officers and
conduct an independent enquiry

Merit: fair & right course of action
: Right precedence for others

Demerit: nothing as such except work
will be affected in short term

III) Transfer them to far off
locations in state

Merit: Avoid future conflict

Demerit: No action taken

Course of action

As per Civil service Conduct Rules,
both officers should be suspended
for violating integrity of service and
action be taken

Further, as chief secretary he should give strict guidelines on use of social media by civil servants.

This way, principles of objectivity, fairness would be promoted. Further a message will be sent to other officers who would consider twice before any such mishap.

Further, it should be ensured that sensitive department issue is removed from internet (using right to forgotten guidelines by SC asking ISP to remove it.)