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SUBMITTED IN 3 HOURS
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GENERAL STUDIES (TEST CODE : 634)

Name of Candidate	AAYUSH GARG		
Medium Hindi/Eng.	ENGLISH	Registration Number	14100
Center	RN	Date	22/11/15

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	10	
7	10	
8	10	
9	20	
10	20	
11	20	
12	20	
13	20	
14	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 FOURTEEN questions printed in HINDI and ENGLISH.
इसमें चौदह प्रश्न हैं तथा हिन्दी और अंग्रेजी दोनों 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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EVALUATION INDICATORS

1. Alignment Competence
2. Context Competence
3. Content Competence
4. Language Competence
5. Introduction Competence
6. Structure - Presentation Competence
7. Conclusion Competence

Overall Macro Comments / feedback / suggestions on Answer Booklet:

1.

2.

3.

4.

5.

6.

All the Best

SECTION - A

Answer the following questions in not more than 150 words each:

1. (a) Even though women may have equal skills, qualifications and commitment as men, they face much more difficulty in rising up the leadership hierarchy. Discuss the reasons for the same. Also, explain the importance of having gender parity in positions of leadership. 10
- पुरुषों के समान कुशलता, योग्यता और प्रतिबद्धता जैसे गुणों से युक्त होने के बावजूद भी महिलाओं को नेतृत्व श्रृंखला में उच्च सौपानों तक पहुँचने के लिए अपेक्षाकृत अधिक कठिनाई का सामना करना पड़ता है। समस्या की पृष्ठभूमि में निहित कारणों पर चर्चा कीजिये। इसके साथ ही नेतृत्व के विविध स्तरों पर लैंगिक समानता के महत्व का उल्लेख कीजिए।

Still only 5% of the top Indian leadership positions are occupied by women as per McKenzie. Also, recently when SEBI gave guidelines for appointing at least 1 female director on board, most organisations were found to be in violation of the same.

The reasons for this, despite being equal in skills, qualifications and commitment are →

→ Discrimination at the family level that does not allow women to work outside.

→ Childhood discrimination in education and discrimination causes a deficit that affects their potential for future.

→ Social notions held by recruiters that still hold women as being unequal to men.

→ A perceived sense of control being controlled that undermines the confidence in women to take on leadership.

Importance of gender parity →

→ It reduces undue risk taking by the top, as per Christine Lagarde

→ It promotes merit over gender as more women would be sympathetic to women rising in organisations.

→ This will ensure financial independence and boost confidence in women to break the patriarchal notions

→ This is essential for social justice

As per the constitution under Article 15 forbids any discrimination on grounds of sex alone and equity in leadership is essential for it.

1. (b) All correct decisions are honest and all incorrect decisions are dishonest. Do you agree? How should the correctness and incorrectness of a decision be decided? 10

सभी सही निर्णय ईमानदारी भरे होते हैं और सभी गलत निर्णय बेईमानी भरे होते हैं। क्या आप सहमत हैं? किसी निर्णय के सही होने और गलत होने का निर्धारण किस प्रकार किया जाना चाहिए।

Correctness of a decision can be decided by its impacts, the decision itself and by ~~decision~~ intuition. Eg → A policy which benefits the lower rung of the society but was framed with a malicious intent may be treated as correct.

Honesty is the value of putting self interest out of picture when making a decision and disclosing the facts and intentions about the same. Eg → An interviewer who discloses his interest in interviewing his own son and recusing himself from it can be said to have made an honest decision.

There is a lot of common space between correct and honest

decisions, but not all correct decisions may be honest and not all incorrect decisions may be dishonest.

Incorrect decisions might be honest mistakes and not necessarily arising out of dishonesty and correct decisions might not always have been made with honest intentions.

Criteria for correctness →

- Consequences of the decision
- The nature of decision itself. → Decision to kill can never be considered correct.
- Intuition - A gut feeling about decisions passes a judgement on their criteria.
- Intention - Eg → A soldier and a terrorist both fire bullets, but one's decision might be correct and others' is not.

A balance between honesty and correctness has to be struck but honesty is ~~per~~ the best policy and should lead the decision making process.

2. (a) Should birth control be a voluntary exercise or a government policy in a country? In this regard, examine the ethical dimensions of having a One Child Policy in India. 10

किसी राष्ट्र में जन्म पर नियंत्रण, स्वैच्छिक प्रयास के माध्यम से होना चाहिए या सरकारी नीति के माध्यम से होना चाहिए? इस संबंध में, भारत में एक बच्चे की नीति के नैतिक आयामों का परीक्षण कीजिए।

Birth control is a decision that impacts the parents, the nation, the government and the unborn child.

Control should be with parents →

→ It goes in spirit of Article 21 and 19 of the constitution assuring dignity and freedom.

→ It will avoid disasters like the recent Chhattisgarh massotomy case if they are not pressurised to go for the same.

→ It affects the emotional and psychological well being of parents.

It should be with government →

→ It affects the overall population growth.

→ Unchecked growth takes a toll on limited resources of the nation.

However, it seems that on the

whole, the spirit of democracy demands that birth control be a voluntary right which gives the parents economic, emotional freedom and assures dignity.

One Child Policy →

Such a policy will ensure that the population growth remains in check and that resources are more equitably distributed. Also it may reduce burden of social expenditure in future.

However such a policy, has proved to be a demographic disaster for China which is now returning to birth control freedom. Also it goes against the freedom of parents and enforcing such a policy would be problematic.

Instead of this, we need a persuasive approach to convince the citizens of merits of birth control to assure them dignity and freedom while checking the undue burden on state.

2. (b) An organisation consists of a variety of individuals with varying values and degrees of motivation. What challenges do leaders face when forging a harmonious work culture in such an organisation? How can leaders engender a sense of inclusion in face of such diversity? 10

एक संगठन का निर्माण अलग-अलग मूल्यों और अलग-अलग अभिप्रेरणा स्तर वाले विविध प्रकार के व्यक्तियों से होता है। इस प्रकार के संगठन में सामंजस्यपूर्ण कार्य-संस्कृति के विकास के मार्ग में नेतृत्व के द्वारा किन चुनौतियों का सामना किया जाता है? इस प्रकार की विविधतापूर्ण स्थिति में नेतृत्व के द्वारा कार्य करने वाले व्यक्तियों में समावेशिता की अनुभूति किस प्रकार समाविष्ट की जा सकती है?

Diversity is the insurance against extinction and the same holds true in organisations. With rising transborder organisations, there are challenges of building a harmonious work culture due to →

- Different values held by workers.*
- Different preferences of incentives and amenities. Eg → A well off worker may want a holiday home, while others may want cash incentives.*
- Biases that are held by workers against others from different backgrounds which hampers team formation.*
- There are linguistic barriers that hamper communication in an organisation.*

How can leaders engage →

- The leader should lead by example, by being accommodative of diversity himself.
- Cross cultural and sensitivity training
- Build an inclusive culture with cross cultural teams.
- Strict action should be taken against those that oppose others on the basis of culture.
- A diversity policy needs to be devised chalking out a vision.
- Be accommodative of others' views.

These steps can create an inclusive environment which is essential for multi cultural organisations which is the brand ~~today~~ today.

3. (a) Notwithstanding compassion and morality, it is national interest that ultimately determines a country's decisions in international relations. Discuss this statement in the context of the current refugee crisis. 10

दया और नैतिकता जैसे मूल्यों का महत्वपूर्ण स्थान होते हुए भी, अंतर्राष्ट्रीय संबंधों के परिप्रेक्ष्य में अंततः राष्ट्र के निर्णयों को राष्ट्रिय हितों के आधार पर ही निर्धारित किया जाता है। वर्तमान शरणार्थी संकट के संदर्भ में इस कथन पर चर्चा करें।

The current refugee crisis has been labelled by the UNO as the worst war since World War 2. The same has been born out of domestic trouble in Syria and Myanmar and aggravated by the policies of the countries where these refugees are headed to.

The dimension of morality implores the nations to share this burden jointly and have a humanitarian view of the situation and accommodate the refugees for as long as the situation demands.

However, the national interests in the form of →

- Local economy which will be burdened by refugees
- Domestic political repercussions

- Rehabilitation expenditure
- Fear of permanency

have prompted some nations like Hungary to be unaccommodative of them.

In this light it seems that international relations which need to be based on morality and compassion have been overridden by national interest.

There needs to be a balance between compassion and national interests and the nations need to share the burden jointly. The same spirit has been shown by the likes of Germany, France etc. Further the relations must not be guided simply by their interests but be regulated by international treaties and their compliance to ensure order.

3. (b) What are the ethical issues involved in climate change negotiations? Suggest some strategies to address the divergence in ethical positions of different nations. 10

जलवायु परिवर्तन पर होने वाली वार्ताओं में समाहित नैतिक मुद्दे क्या हैं? विभिन्न राष्ट्रों के नैतिक मुद्दों से संबंधित दृष्टिकोण में जो भिन्नता है, उसके का समाधान के लिए अपनाई जा सकने वाली रणनीतियों का सुझाव दीजिये।

Climate change negotiations are an issue which have various ethical dimensions both for the so called developed and developing nations, as follows→

- There is the issue of equitable distribution of carbon budgets globally.
- There is issue of historical burden
- The problems of non contributors but who will suffer none the less, like Pacific Island States
- The issue of sovereignty and forcing nations to raise their targets.
- The issue of tackling poverty while protecting the planet for the developing world.

Here, different strategies can be used to tackle the ethical divergence

- between nations, such as →
- The principle of common but differentiated responsibility must be upheld to ensure equity and tackle historic responsibility.
 - The developing nations must be incentivised to invest in carbon less development via mechanisms like REDD+
 - Technology and funds must be provided to developing world for sustainable development, to pull their people out of poverty.
 - A mechanism to share burden of non contributors and the eventuality of the exodus of their population needs to be worked out.
 - The developing world must be given extra time to comply with their obligations.
 - All parties must act in good faith towards a common responsibility.
- This will ensure that the duties towards planet earth and towards people are met.

4. (a) Why is there a need for Performance Management System in an outcome oriented government? Evaluate the feasibility of peer review in context of Indian civil services. 10

एक परिणामोन्मुख सरकार में "कार्यनिष्पादन प्रबंधन प्रणाली" की आवश्यकता क्यों है? भारतीय लोक सेवाओं के संदर्भ में "सहकर्मी समीक्षा" (peer review) के औचित्य का मूल्यांकन कीजिए।

Performance management system looks into the performance of an individual and helps in shaping the same as per the organisation's needs.

In an outcome oriented government, that focusses on effectiveness of programme, the need for it is as follows:

- > It ensures a balance between propriety, efficiency and effectiveness, as efficiency would also be a criterion.
- > It promotes merit to the higher echelon as promotions can be based on it.
- > It inculcates the value of diligence in public servants.
- > It ensures the best usage of natural resources.

Thus a good performance management system linked to performance

Pay and promotion is relevant.

Feasibility of peer review →

- Peer review requires
- Cross functional ~~training~~ ^{knowledge}
 - Presence of peers i.e. ~~superior~~ same level officers
 - Non accommodative appraisals
 - 360° Feedback.

However by capacity building and Cross functional training, the peer review can be worked out while giving ~~an~~ a chance to explain performance.

4. (b) Discretionary power in the hands of public servants is a necessary evil. Discuss. 10

लोक सेवकों के हाथों में विवेकाधीन शक्तियाँ एक आवश्यक बुराई हैं। चर्चा कीजिए।

Discretionary power refers to the ~~the~~ decision making authority in respect of which no law / rules are available.

It is required →

- All contingent situations can not be imagined while designing laws
- It makes the administration accommodative and responsive to public needs.
- It trains the civil servants for managerial roles in future.
- It is necessary to implement the laws in spirit.

It is not required →

- Excess discretion defeats the purpose of rules / laws itself.

→ It may lead to arbitrary actions by the public servants.

→ It may cause discriminatory actions against certain sections, undermining confidence in administration.

However, ^{though} absolute discretion is neither feasible nor advisable in a democracy, a reasonable amount of discretion with a mechanism to check its arbitrary usage by the way of RTI, Citizen Charters and grievance redressal mechanism is required.

5. (a) The landmark judgment by the Supreme Court of India recognized the transgender as a third sex. What attitudes do you notice towards the transgender people in India? Discuss some steps to facilitate a dignified life for the transgender people. 10

भारत के सर्वोच्च न्यायालय द्वारा दिए गए ऐतिहासिक निर्णय से ट्रांसजेंडर्स को तृतीय लिंग के रूप में मान्यता दी गई है। आप भारतीय परिस्थितियों में ट्रांसजेंडर्स समुदाय के लोगों के प्रति किन अभिवृत्तियों की अनुभूति करते हैं। ट्रांसजेंडर्स के लिए गरिमापूर्ण जीवन निर्माण की दिशा में उठाए जा सकने वाले कदमों के संबंध में चर्चा कीजिए।

The attitude refers to the predisposition held towards an object/person. The attitudes towards transgenders is as follows ->

- > There is a belief that they are all economically ~~are~~ not well off
- > A notion that they are all beggars and blackmailers.
- > Questions are raised about their hygiene ~~and~~
- > There is a taboo associated with them and people hold a bias against them considering their sexual orientation.

Steps for dignified life ->

- > They need to be economically

rehabilitated and settled in public life.

- A greater acceptance for them has to be promoted in society and awareness made about them and their issues.
- They need to be given more public representation by reservation in educational institutions and political representation.
- A collective social attitude towards them needs to be altered by help of community leaders, spiritual leaders

5. (b) What key characteristics of a person conveying a message make it more persuasive? When celebrities endorse a product, they do so knowing that their endorsement will persuade people to buy it. What duty do they have towards the consumers? 10

संदेश देने वाले व्यक्ति की कौन-सी महत्वपूर्ण विशेषताएँ संदेश को और अधिक आग्रहपूर्ण बनाती हैं? जब ख्याति प्राप्त व्यक्ति किसी उत्पाद का विज्ञापन करते हैं, तो वे ऐसा यह जानते हुए करते हैं कि उनके द्वारा किसी वस्तु का किया गया विज्ञापन, लोगों को वह वस्तु खरीदने हेतु प्रेरित करेगा। इस सन्दर्भ में उपभोक्ताओं के प्रति उनके क्या दायित्व हैं?

The characteristics of ~~message~~ sender that affect persuasion are →

- His credibility based on his trustworthiness
- Domain knowledge of the sender
- Attractiveness, which could be physical, attitudinal, ~~and~~ situational
- Power held by the sender which could be rewarding, coercive, legitimate etc.

In case of celebrities, they endorse products for an endorsement fee and persuade prospective customers to buy that product, in this regard they have the following duties →

- They need to act responsibly in the choice of their endorsements considering they are public figures who can influence people's choices.
- They need to endorse those products that they believe in and genuinely use.
- They need to disclose their interest in the endorsement.
- They should not endorse those products that go against social values. Eg → Fairness creams, food products with health effects
- They should also ensure that the negative effects of the product are brought to light.

6. It is said that child labor cannot be ethical at all. Do you agree? Discuss with respect to the proposed amendments to the Child Labour Act. 10

यह कहा जाता है कि बाल-श्रम किसी भी परिस्थिति में नैतिक नहीं हो सकता। क्या आप सहमत हैं? बाल-श्रम अधिनियम में प्रस्तावित संशोधनों के संदर्भ में चर्चा कीजिए।

Child labours takes away the childhood from a child and keeps them in poverty. In this light, the arguments are →

It is unethical →

- It deprives of childhood
- It keeps them in low skill cycle, thus cycle of poverty
- They are exploited both physically, mentally and at times sexually at work place.
- They do not get proper education which is a right under article 21 A.
- Hazardous workplaces.

It is ethical →

- It provides the child and their family with the livelihood to survive themselves.
- It helps child learn the skills

required for family occupation, if being employed in family workshop.

In this regard, the recent amendment to Child Labour Act makes employment of children below 14 impossible, subject to exceptions of home enterprises and television / film industry.

This ensures that most of the occupations are blocked but the exceptions may be used to subvert the law and deprive the children of childhood and education.

On the whole, the law seems to be progressive, which blocks most of the avenues and needs to be supplemented with safeguards to check misuse.

7. Are emotions an inhibiting factor in effective decision-making? Discuss in the context of public services. 10

क्या भावनाएं प्रभावपूर्ण निर्णय लेने के मार्ग में बाधक तत्व हैं? लोक सेवाओं के संदर्भ में चर्चा कीजिए।

Emotions that were earlier viewed as hindering decision making are being increasingly seen as keys to ~~the~~ effective decision making.

It is bad →

- The logic is subverted to emotions
- Actions become impulsive
- Rules may be overridden,

It is essential →

- It brings greater ethical deliberation
- It builds trust in decision making
- It helps in empathising with stakeholders
- It helps in more logical reasoning if emotions are managed.

Thus, it seems that they are not that bad and are helpful.

to public services as →

→ Help in conflict management
by tactfulness

→ Help in flow of communication
by trust building

→ The manager can act as a change
catalyst with emotional intelligence

→ It helps build social capital.

→ It helps in prioritisation of
work by paying attention to all
stakeholders

☉ Thus, it seems that emotions
if turned into emotional intelligence
can be of immense value in public
services.

8. What do you understand by the Sarvodaya philosophy of Gandhiji? Why is Sarvodaya relevant for civil servants in India? 10

गांधीजी के सर्वोदय दर्शन से आप क्या समझते हैं? भारत में लोक सेवकों के लिए सर्वोदय क्यों प्रासंगिक है?

SECTION – B

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

9. You are the leader of a 5 member team that has been assigned to carry out social impact assessment of a project proposed in a Naxal area. Members have been allotted a remote village each to conduct surveys and ascertain views of local people. You are under strict instructions not to disclose the identity of respondents outside the project. While compiling data, you are puzzled by the responses from one of the villages. You accompany the point-person for that village next day for verification. You randomly pick a person from the list of respondents and ask her for clarification of the response she had given earlier. She seems confused and denies any knowledge of the survey being conducted, let alone she being questioned. You try to verify this from other respondents and get similar replies. This raises serious doubts about the integrity and credibility of the survey process.

(a) What are the ethical issues involved in the situation?

(b) As a team leader accountable for credibility of the survey and working on a hard timeline, what are the possible options before you? List their merits and demerits.

(c) Giving reasons, state the course of action you would follow.

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आप एक पांच सदस्यीय टीम के नेतृत्वकर्ता हैं, जिसे नक्सल क्षेत्र में प्रस्तावित एक परियोजना के सामाजिक प्रभाव आंकलन का कार्य सौंपा गया है। सर्वेक्षण करने और स्थानीय लोगों के दृष्टिकोण का पता लगाने के लिए प्रत्येक सदस्य को एक सूदूरवर्ती गांव आवंटित किया गया है। आपको सख्त निर्देश दिए गए हैं कि उत्तरदाताओं की पहचान को परियोजना से बाहर प्रकट नहीं किया जाए। आंकड़ों को संकलित करते समय, आप एक गाँव से प्राप्त उत्तरों से उलझन में पड़ जाते हैं। आप उस गाँव हेतु नियुक्त व्यक्ति (प्वाइंट पर्सन) के साथ अगले दिन सत्यापन करने जाते हैं। आप उत्तरदाताओं की सूची में से यादृच्छिक रूप से एक व्यक्ति का चयन करते हैं और उनसे कहते हैं कि वह पहले दिए गए अपने उत्तरों का स्पष्टीकरण करें। वह कुछ भ्रमित प्रतीत होती है और न केवल स्वयं से प्रश्न पूछे जाने, बल्कि सर्वेक्षण किए जाने के संबंध में जानकारी होने तक की बात भी नकारती है। आप इस तथ्य को अन्य उत्तरदाताओं से सत्यापित करने का प्रयास करते हैं और एक समान उत्तर प्राप्त करते हैं। यह सर्वेक्षण प्रक्रिया की सत्यनिष्ठा और विश्वसनीयता पर गंभीर संदेह पैदा करता है।

(a) इस परिस्थिति से सम्बंधित नैतिक मुद्दे क्या हैं?

(b) आप इस टीम के नेतृत्वकर्ता के रूप में सर्वेक्षण की विश्वसनीयता हेतु और निश्चित समय-सीमा के अंतर्गत कार्य पूर्ण करने हेतु उत्तरदायी हैं। ऐसे में आपके सामने संभावित विकल्प क्या हैं? उन विकल्पों के लाभ और हानियों को सूचीबद्ध कीजिए।

(c) इस संबंध में आपके द्वारा की जाने वाली कार्यवाही का उल्लेख करें। इसके साथ ही कारण को भी स्पष्ट करें।

a) In the above case, there are issues concerning the accuracy of the social impact assessment exercise carried out, which gives rise to the following ethical issues ->

1. The accountability of the team members who conducted the survey
2. The confidence of the ~~tribal~~ local population in the administration that would be undermined, if their true views are not accommodated.
3. The issue of meeting a tight deadline versus professionalism of accuracy of the report.
4. My personal leadership skills which would be questioned, if the project is not completed on time.

b) In this case, the following options are available ->

1. Proceeding with the survey results as is -> This will have the following benefits -
- The deadline for the project would be met.

- The staff who conducted the survey would be satisfied with my leadership.
- The administration would be satisfied by my leadership and project management.
- However, this may lead to a false report being issued which is not accommodative of the actual responses of the villagers and being a naval area, it might flare up, undermining the confidence of people in administration. Also, if exposed it would reflect bad on the team and my part.

2. Conducting the whole survey afresh under my personal supervision →

- Here the accuracy of the facts would be established and villagers view accommodated.
- Also there would be no risk of any problems in data at a later stage.
- It will boost confidence of people in administration.
- It reflects positively on my leadership.

However, it may be met with resistance from the team and the administration. Also, it might lead to missing the hard timeline, defeating the purpose and questioning my leadership.

3. Test check for other villages →

- This will be a fact finding exercise to see if the same is experienced elsewhere.

- Then asking for responses from the people who conducted the survey to explain the discrepancies.

- If they still persist, then the exercise would be conducted afresh.

This ensures that accuracy and people's confidence is maintained.

At the same time, ~~an~~ unnecessary exercise of straightway conducting the whole survey will be avoided.

However, this might again be met with resistance and might cause delay if the survey has to be done again and question my leadership.

→ I will be inclined towards the third option as it combines fact finding with urgency of the project.

If the test results of other villages are found true, then the given case might be treated as an anomaly and only a fresh survey in the given village would be needed. However, if the tests show a similar result elsewhere, then I will ask for an extension of timeline, so that accurate results can be given. This ensures -

- Urgency of timeline is not overlooked
- Accuracy of facts is established
- Confidence of people is maintained
- No. problems will occur in future
- The staff will not be as resistant as in conducting survey afresh.

10. Gajendra, once a struggling film actor, was accused and later exonerated of rape charges, which the jury found out to be motivated and fake. Not able to cope up with the situation, he changed profession and moved on. Thirty years later, while his closest friends know about the incident but his co-workers do not. One day, out of curiosity, he searches for his name on the internet, and to his surprise, finds that the third entry that comes up is an old report in a local newspaper about the rape charges he faced. Gajendra is upset; after all these years, he would like to be able to disclose the event only to whomever he wants. He has heard about the decision of European Court of Justice which allows individuals to submit requests to a search engine to remove certain results from searches on their names, and citing the same, requests the search engine and media outlet to remove the results.

Valid arguments can be advanced for making the Right to be Forgotten a fundamental right? What those arguments could be? What limitations, if any, can it be subjected to? Should there be any obligations on the search engines regarding cases which are no longer relevant, as the one mentioned above?

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गजेन्द्र एक संघर्षरत फिल्म अभिनेता था। पहले तो उसे अभियुक्त बनाया गया और फिर बाद में उसे बलात्कार के आरोपों से मुक्त कर दिया गया। इन आरोपों को न्यायिक पीठ ने दुर्भावना से अभिप्रेरित और झूठा पाया। इस स्थिति का सामना न कर पाने के कारण उसने अपने पेशे में परिवर्तन करते हुए आगे का जीवन निर्वाह किया। तीस वर्ष पश्चात्, उसके घनिष्ठतम मित्रों को इस घटना के बारे में पता है किन्तु उसके सहकर्मी इस बात को नहीं जानते हैं। एक दिन उत्सुकतावश वह इंटरनेट पर अपने नाम की खोज करता है और आश्चर्यजनक रूप से यह पाता है दृष्टिगत तीसरी प्रविष्टि एक स्थानीय समाचारपत्र में उसके द्वारा सामना किए गए बलात्कार के आरोपों के बारे में एक पुरानी रिपोर्ट की है।

गजेन्द्र परेशान है; इतने वर्षों के बाद, वह इस घटना को केवल अपनी पसंद के लोगों के समक्ष प्रकट करना चाहेगा। उसने यूरोपीय न्यायालय के उस निर्णय के बारे में सुना है, जो व्यक्तियों को अपने नाम से की जाने वाली खोज संबंधी कुछ परिणामों को हटाए जाने हेतु सर्च इंजन को निवेदन प्रस्तुत करने की अनुमति प्रदान करता है और उसी का उद्धरण देते हुए, सर्च इंजन और मीडिया आउटलेट को परिणामों को हटाए जाने हेतु निवेदन करता है।

क्या "भुला दिए जाने के अधिकार" को मौलिक अधिकार बनाने हेतु वैध तर्क दिए जा सकते हैं? वे तर्क क्या हो सकते हैं? यदि उनकी कोई सीमाएं हैं तो वे सीमाएं क्या होंगी? ऊपर उल्लिखित प्रकरण की भांति अन्य अप्रासंगिक प्रकरणों के संबंध में क्या सर्च इंजनों का कोई दायित्व होना चाहिए?

'Right to be Forgotten' is the right of an internet user to not be tracked by the search engines and other websites and their history be

erased from the internet. This has become crucial in sight of the increasing penetration of internet into the day to day lives and increasing reach to people.

Arguments for it ->

- Right to be forgotten in a way is a part of right to privacy which is implicit in Article 21 of the Constitution.
- ~~It might~~ If not granted, it might lead to disruption and unwarranted intrusion into the user's life, as in the present case.
- The right to ~~be~~ be forgotten also prevents the chances of being snooped upon by both the state and non state actors
- It protects the identity and preferences of a user from private players, looking to exploit that data for commercial interests

such as advertising, product sales etc.

Limitations to right to be forgotten

- A provision may be made for disclosure of user information by the search engine on government's request ~~for~~ ^{Data} doubtful residents.
- ~~It~~ ^{Data} can be used at government's request for criminal investigations.
- As no right can be absolute, this ~~too~~ should also be subject to the limitations of state sovereignty, public order, morality etc.
- Considering the rise of non state groups like ISIS, it becomes imperative to keep a check on activities of propagandists, for which this might be curtailed.

Obligations of search engines →

- The search engine must be made to compensate for the loss of privacy in such a case.

→ There must be criminal charges prescribed in the Information Technology Act itself to prevent any misuse of private data by search engines.

→ The engine must obtain the consent of the user ~~or~~ prior to disclosure of his personal data to a third party.

Keeping the above, a credible right to be forgotten can be established that ensures a right to privacy while keeping it under reasonable limitations.

11. You are the officer in charge of overseeing refugees' related issues in a multilateral humanitarian organisation. There is an ethnicity based civil war going on in a region and as a result, many people are being displaced. Hitherto, the economically better-off neighbouring countries have accommodated the streams of migrants with financial support from your organisation. The violence in the region has increased recently and the flux of people seeking refuge has grown substantially. With countries sealing their borders, the refugees are left in a vulnerable situation. You are sent to negotiate for humanitarian settlement of refugees with the neighbouring countries, who also happen to be a powerful economic bloc. However, they refuse any more accommodation on the following grounds:

- (a) Drainage of resources in face of subdued economic conditions.
- (b) Domestic political repercussions.
- (c) Rehabilitation will encourage more influx and indirectly fuel the persecutors.

(d) Permanency of settlement in face of better prospects than at home. What are the counter-arguments that can be cited to convince the countries for an immediate solution? Suggest some long term measures as well that should be followed to address the problem. 20

आप एक बहुपक्षीय मानवतावादी संगठन में शरणार्थियों से संबंधित मुद्दों के निरीक्षण हेतु प्रभारी अधिकारी हैं। एक क्षेत्र में नस्ल आधारित गृहयुद्ध छिड़ा हुआ है, परिणामस्वरूप अनेक लोग विस्थापित हो रहे हैं। अभी तक, आर्थिक रूप से बेहतर स्थिति वाले पड़ोसी देशों ने आपके संगठन से प्राप्त वित्तीय सहायता से प्रवास करने वाले लोगों के जत्थों को स्थान दिया है। हाल ही में क्षेत्र में हिंसा बढ़ गयी है और शरण चाहने वाले लोगों का प्रवाह अत्यधिक बढ़ गया है। देश अपनी सीमाओं को सील कर रहे हैं, जिससे शरणार्थी सुभेद्य स्थिति में हैं। आपको उन पड़ोसी देशों से शरणार्थियों हेतु मानवतावादी आधार पर रहने की व्यवस्था करने हेतु वार्ता के लिए भेजा गया है। वे पड़ोसी देश आर्थिक रूप से शक्तिशाली गुट हैं। हालांकि वे निम्नलिखित आधारों पर और अधिक शरणार्थियों को स्थान देने से मना कर सकते हैं:

- (a) गिरती हुई आर्थिक स्थिति करने के कारण संसाधनों की कमी।
- (b) घरेलू राजनैतिक प्रभाव।
- (c) पुनर्वास और अधिक अंतर्वाह को प्रोत्साहित करेगा और अप्रत्यक्ष रूप से उत्पीड़कों या अत्याचारियों को उत्तेजित करेगा।

(d) अच्छी संभावनाओं के कारण अपने मूल देश की अपेक्षा यहीं पर स्थायी रूप से बस जाना। इन विकल्पों के विपक्ष में दिए जाने वाले तर्क कौन से हैं, जिनके माध्यम से राष्ट्रों को तत्काल समाधान के लिए राजी किया जा सकता है। कुछ दीर्घावधिक उपायों का सुझाव भी दीजिए जिनका समाधान के लिए पालन किया जाना चाहिए।

International refugee movement is a ticklish area that often becomes sensitive, as is seen recently in

the current Syrian refugee and Rohingya refugee crises. The states where they migrate to, resist the migration and accordingly, the counter arguments could be as follows

- The genocidal crisis is a shared burden of humanity, which must be accommodated by all.
- The unequitable influx of refugees in certain states might destabilise the entire economic block, so everyone needs to share the burden.
- The refugees will contribute to the local economy by providing labour force.
- Non accommodation may create an explosive situation back at the place of ethnic war which may affect the security for these nations as well considering impact of global trade and global security.
- The assurance that after the war,

the refugees will be ~~repatriated~~ sent back to their home countries.

→ Also, if they do not comply they might be subjected to international sanctions and isolations on a moral front.

Long Term Measures →

→ The international refugee convention under the UNO needs to be strengthened so that the signatories can not deny the entry to refugees.

→ Peace and stability in the areas of conflicts need to be ensured which is the root cause of refugee crisis.

→ The regime carrying out the ethnic war needs to be removed by the way of international cooperation, without any hegemonial interests.

→ An automatic mechanism for repatriation of refugees after the end of crisis, needs to be

put in place, so that no country at the time of crises is apprehensive about accommodating those fleeing their homelands.

→ Amicable relations between ~~nations~~ communities need to be established, so that such conflicts (ethnic) do not arise in the first place. This has to be focused in conflict ridden areas.

The above need to be implemented to check the refugee crises which have become more severe in recent times and have been labelled as greatest crises after the Holocausts, in terms of movement of people.

12. You are a Divisional Forest Officer (DFO) in an urban district. The forest cover in the district is as low as 11% and it needs to be increased as per government guidelines. By ecological and environmental perspective also it is imperative that more trees should be planted. However, you find out that while there is a grant of Rs. 1.5 crore for your division to plant trees under the Hariyali Scheme, most of this fund is lying unused. Since, it is December and as per government rules all the unused grant should be returned to the government as the financial year closes, it seems you will have to return the money completely. Also, there are strong indications from the ministry that government is mulling over a budgetary cut on Hariyali mission because most of the funds go unused. There is a strong possibility that if you return the money in this financial year you won't get it in the next financial year and even if you get, it will be a very insignificant amount.

Indicate various options that you think are available in this situation. Evaluate these options and choose the most appropriate path to be adopted?

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आप एक शहरी जिले में मंडल वन अधिकारी (डी.एफ.ओ.) हैं। जिले में वनाच्छादन 11 प्रतिशत कम है और इसे सरकारी दिशा-निर्देशों के अनुसार बढ़ाया जाना है। पारिस्थितिकीय एवं पर्यावरणीय दृष्टिकोण से भी अधिक संख्या में वृक्षारोपण किया जाना अनिवार्य है। यद्यपि आप यह पाते हैं कि आपके मंडल (डिवीजन) में हरियाली योजना के अधीन वृक्षारोपण हेतु 1.5 करोड़ रुपए का अनुदान है, लेकिन इस फंड का अधिकांश भाग अप्रयुक्त है। चूंकि यह दिसंबर का महीना है और सरकारी नियमों के अनुसार, समस्त अप्रयुक्त अनुदान सरकार को लौटा दिया जाना चाहिए क्योंकि वित्तीय वर्ष समाप्त हो जाता है। ऐसा प्रतीत होता है कि आपको पूरी राशि लौटानी होगी। साथ ही, मंत्रालय से इस बात के निश्चित संकेत हैं कि सरकार हरियाली योजना के अंतर्गत बजट कम करने पर विचार कर रही है क्योंकि फंड का अधिकांश भाग अप्रयुक्त रह जाता है। इस बात के निश्चित संकेत हैं कि यदि आप वित्तीय वर्ष में राशि लौटाते हैं तो अगले वित्तीय वर्ष में यह आपको नहीं मिलेगा और यदि मिल भी जाता है तो वह राशि बहुत कम होगी। स्वयं के अनुसार इस स्थिति में उपलब्ध विभिन्न विकल्पों के संबंध में बताएं। इन विकल्पों का मूल्यांकन करें और अपनाए जा सकने वाले सर्वाधिक उपयुक्त मार्ग का चयन करें।

The case pertains to using unused scheme allocation for planting trees in a given district, which involves the following issues ->

- > Efficiency in using the scheme money
- > Effectiveness in using that money

- Reporting of that expenditure
- Green cover in the area, which is required for ecological and environmental sustainability.

In this, the following options are available →

1. Reporting true expenditure and let the government take the call →

- ~~It~~ I will have reported true and reflects well on ~~my~~ my honesty
- Public resources may be used elsewhere
- ~~It~~ However, it may lead to cutting on resources next year and the green cover for the district may not be met which currently is just 11%. Also it reflects badly on my office which has not been able to implement the scheme well.

2. Not reporting the true expenditure and showing excess utilisation →

- The scheme allocation for next year will not be cut.
- It reflects well on my part

→ The funds may be used later for the purposes of planting trees.

However this goes strictly against probity and reflects bad on my integrity. Also in future on being exposed, it may attract penal consequences.

3. Plant trees haphazardly to meet targets →

→ The targets would have been met

→ The scheme allocation in future would be maintained

→ Trees would be planted, which are required for the city.

Such an approach however does not ensure the sustainability of the trees so planted and may cause trouble for the residents. It causes lack of effectiveness ~~while ensuring~~ and efficiency.

4. Making the ~~gr~~ true disclosures and making a case for retention of allocation for the scheme →

→ The expenditure done would be correctly reported.

→ A case would have been made for retaining the allocation for the scheme.

→ The sustainability of trees planted in future would be ensured.

However this carries a risk of the call being made by the government to cut the allocation for the scheme.

Considering the alternatives, I would be inclined to take the fourth route, as it maintains a balance between sustainability and prudence in public administration. It ensures that a case for the scheme has been made.

Also at the same time, in the remaining time, I would focus on using the funds as much as

possible on a sustainable basis.
This is imperative, considering that
even the National Forest Policy
aims at a 33% tree and forest
cover and the district only has 11%
cover.

13. You, an anthropologist, have developed cordial relations with a tribal community which was hitherto isolated from rest of the humanity. Notwithstanding increased interest of researchers and media for the newly discovered tribe, you are the only person from outside whom they trust. They are ardent believers in their goddess and, trusting you, take you to her abode on a holy mountain. To your surprise, you find that the mountain is a reservoir of Uranium that can be used in your power-starved country's nuclear power plants. Besides, you are aware that Uranium being radioactive, it is highly risky to go near the mountain. You try to convince the people about harmful effects it can have and the utilitarian value that it possess for the country. However, they are in no mood to argue and politely ask you to leave. You fear that very soon the outside world will find about this and the vulnerable tribe would be displaced from their land.

(a) Evaluate the following courses of action which you can take for their ethical merits and demerits:

- You would continue to convince the people yourself about the possible consequences and urge them to relocate.
- You would call in local and national NGOs for protecting the rights of the people against the State and file a PIL in Supreme Court if the State proceeds with dispossession.
- You would yourself tell the government and the scientific community about the reserves and let them proceed in their own way.

(b) Without restricting yourself to the above options, state the course of action that you would take and why? 20

आप एक नृविज्ञानी हैं और आपने वैसे जनजातीय समुदाय के साथ मधुर संबंध बनाए हैं जो अब तक शेष मानवजाति से पृथक् था। नई खोजी गई जनजाति में मीडिया और शोधकर्ताओं की बढ़ती रुचि के पश्चात् भी आप अकेले ऐसे बाहरी व्यक्ति हैं जिन पर वे विश्वास करते हैं। वे अपनी देवी के अनन्य उपासक हैं और आप पर विश्वास करते हुए एक दिन वे आपको एक पवित्र पहाड़ पर स्थित उसके वास स्थल पर ले जाते हैं। आप इस बात से आश्चर्यचकित हो जाते हैं कि वह पहाड़ यूरेनियम का भंडार है जिसका उपयोग ऊर्जा की कमी से जूझते आपके देश के नाभकीय ऊर्जा संयंत्रों में किया जा सकता है। साथ ही, आप इस बात से भी अवगत हैं कि यूरेनियम के रोडियोधर्मी होने के कारण पहाड़ के निकट जाना अत्यधिक संकटपूर्ण है। आप लोगों को इसके क्षतिकारक प्रभावों और राष्ट्र के लिए इसकी उपयोगिता के मूल्य के संबंध में समझाने का प्रयास करते हैं। चूंकि वे अभी किसी तर्क-वितर्क की मुद्रा में नहीं हैं और आपसे सविनय चले जाने को कहते हैं। आपको इस बात का भय है कि शीघ्र ही बाह्य जगत इस संबंध में जान जाएगा और सुभेद्य जनजातीय लोग अपनी भूमि से विस्थापित हो जाएंगे।

(a) नैतिक औचित्य और अनौचित्य के आधार पर आपके द्वारा उठाए जाने वाले कदम का मूल्यांकन करें:

- आप लोगों को संभावित परिणामों के संबंध में समझाना जारी रखेंगे और उन्हें पुनर्स्थापित होने को प्रेरित करेंगे।
- आप राज्य के विरुद्ध निवासियों के अधिकारों की रक्षा के लिए स्थानीय एवं राष्ट्रीय गैर-सरकारी संगठनों को आमंत्रित करेंगे और यदि राज्य निर्वासन की दिशा में बढ़ता है तो आप सर्वोच्च न्यायालय में एक जनहित याचिका प्रस्तुत करेंगे।
- आप स्वयं सरकार एवं विज्ञान जगत को भंडार के संबंध में बताएंगे तत्पश्चात् उन्हें उनकी इच्छानुसार कार्यवाही के लिए स्वतंत्र छोड़ देंगे।

(b) अपने आपको उपर्युक्त विकल्पों तक सीमित न करते हुए, उन उपायों को बताएं जिन्हें आप अमल में लाना चाहेंगे। ऐसा करने का कारण भी बताएं।

The conflict of development versus displacement often manifests itself in India and is especially relevant for the vulnerable tribals of India.

The given case pertains to such a situation. The options weigh in as follows ->

i). Convince the people myself ->

- The benefits of this are ->

-> The outsiders would not come to know about it

-> People's (tribals) confidence in me would be retained

-> By arguing about ill effects of radioactivity, I might be able to convince them.

-> They would not be displaced.

However, I may not be able to convince them as they are in no mood to argue and even this may deprive the country of a valuable

energy source. Also it may have ill effects on their health in the meantime.

2. Call the NGOs and file a PIL →

→ This would ensure that the tribals are not displaced

→ They^(tribals) would retain their confidence in me

→ They^(tribals) may get a fair deal by the way of PIL, even if they are displaced

This however again may lead to depriving the nation of a valuable energy source and hold ~~them~~ against the health of tribals.

3. Tell the government and let them proceed →

→ I would have done my responsibility towards the nation

→ The energy source might then be open for exploitation

→ The tribals would be rescued from the health hazard, if the government

chooses to remove them.

→ The government would be in a position to take a better decision than me having faced such situations earlier.

However this may lead to the displacement of tribals and exploitation of their Goddess' temple held sacrosanct by them, turning them against the state. Also this will disturb the equation between tribals and me.

b) In the given situation, I will undertake the following steps →

→ I will first try to convince the tribals and take them into confidence by explaining about the ill effects of Uranium and how they will get a fair deal in the process.

Also they need to be convinced about relocation of their Goddess with them.

→ Next, I would inform the government about the existence of Uranium.

and also ask for a reasonable rehabilitation and resettlement plan for the tribals.

→ If the rehabilitation is not provided, then I will file a PIL to ensure that the tribals' interests are met.

~ This approach ensures that the Uranium is exploited, the tribals' health is ensured and after displacement they are rehabilitated. This ensures that interest of all the stakeholders is met.

14. A junior member of staff has just returned to work after taking special leave to care for her elderly mother. For financial reasons she needs to work full-time. She has been having difficulties with her mother's home care arrangements, causing her to miss a number of team meetings (which usually take place at the beginning of each day) and to leave work early. She is very competent in her work but her absences are putting pressure on her and her overworked colleagues. You are her manager, and you are aware that the flow of work through the practice is coming under pressure. One of her male colleagues is beginning to make comments such as "a woman's place is in the home", and is undermining her at every opportunity, putting her under even greater stress.
- What possible steps can you take to ensure that the work of the team does not suffer while also taking other humanitarian considerations into account.

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अपनी बुजुर्ग मां की देखभाल के लिए विशेष छुट्टी पर रहने के पश्चात् एक कनिष्ठ कर्मि कार्य पर लौटी है। वित्तीय कारणों से उसे पूरे समय कार्य करने की आवश्यकता है। उसे अपनी मां के लिए घर पर देखभाल की व्यवस्था करने में कठिनाई आ रही है जिस कारण वह कई टीम बैठकों (जो प्रायः प्रति दिन, दिन के आरंभ में होते हैं) में उपस्थित नहीं हो पा रही है और वह कार्यालय से घर भी जल्दी चली जाती है। वह अपने कार्य में बहुत ही सक्षम है, लेकिन उसकी अनुपस्थित उसके ऊपर और काम के बोझ तले दबे उसके सहकर्मियों के ऊपर दबाव का कार्य कर रही है। आप एक प्रबंधक हैं और आप इस बात से अवगत हैं कि इस चलन से कार्य प्रवाह पर दबाव पड़ रहा है। उसके एक पुरुष सहकर्मि ने "एक महिला का स्थान घर में होता है" जैसे ताने भी मारने आरंभ कर दिये हैं और वह उसे प्राप्त हो सकने वाले प्रत्येक अवसर के संबंध में कमजोर बना रहा है जिससे वह और भी गहन तनाव का अनुभव कर रही है। सभी मानवीय पहलुओं का ध्यान रखते हुए, इन परिस्थितियों में टीम का कार्य प्रभावित न हो, यह सुनिश्चित करने के लिए आप कौन से कदम उठाएंगे?

The above case pertains to a conflict between the values of compassion and professionalism on the manager's part.

The value of compassion demands that the junior staff member be excused for her performance considering her circumstances and be supported financially and

psychologically.

However, professionalism demands that all team members be treated equally and burden of work be equally shared. Also that breach in organisationally acceptable behaviours such as arriving late and leaving early be taken seriously.

In the given situation, then the following steps ~~she~~ will be taken by me to strike a balance between the 2 values →

- She should be offered financial support in the form of advance pay or loan to engage a nurse to care for her mother, so that she can focus on work.
- If that is not possible, then I will excuse her for leaving ~~on~~ before time considering that she is otherwise a good performer.

- I will provide the team that she works in, supplementary human resources, so that the performance of the team does not suffer and other colleagues do not feel overburdened.
- If arranging additional resources is not possible, then I will look for a replacement for her in urgent projects, so that the performance does not suffer.
- The male member who makes disparaging comments needs to be explained her situation and asked to mend his ways. If he still persists, then I will take disciplinary action against him.
- Also, the female staff members needs to be explained, that the favour being extended is only exceptional and the organisation does not discriminate between staff

based on gender. so after her mother is well, such performance will not be accepted.

This approach will ensure that a humanitarian view is taken and the performance of the team is not made to suffer.

