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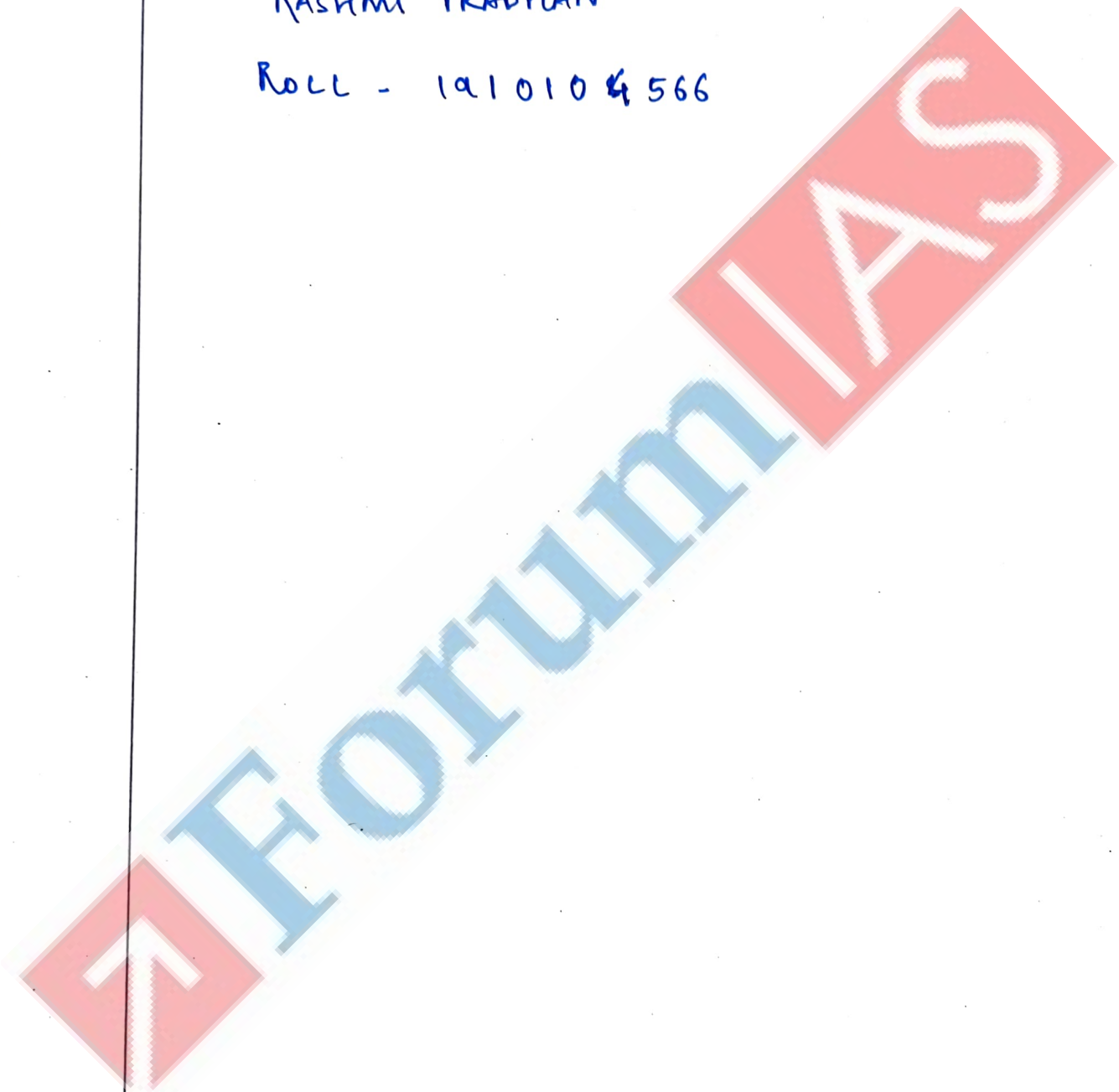
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UPSC

RASHMI PRADHAN

Roll - 1910104566



(Q4) (a)

Ethical considerations refers to ethical concerns of various stakeholders while designing public policy. These dilemma can be solved by taking various approaches like virtue approach, Common good approach, etc

Ethical considerations

1) Transparency vs official secrecy

↳ transparency of govt workings needs to be balanced with secrecy for national security

2) Means vs ends

↳ The means of operating a public policy might harm a few stake holders but the end result is beneficial for the country

⇒ Eg: Farm bills - might have created problems for few farmers but was required for structural change in agriculture.

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iv) Economic growth vs environmental protection

↳ Eg : Construction of highway through forested track would lead to reduced logistics cost but ~~not~~ lead to deforestation and biodiversity loss.

v) Economic growth vs local sentiments

↳ ~~Some~~ Policies for development like setting up industries, mining require displacement of local population who lose their livelihood

↳ Eg : Niyangiri hill protest
Namada Bachao Andolan

vi) Organisational loyalty vs Rule of law/
conscience

↳ following organizational loyalty and command of superior may go against one's conscience

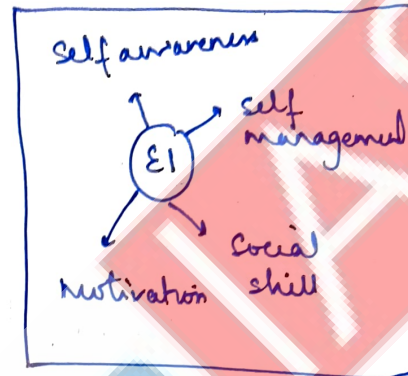
↳ Police officer implementing a law he/she doesnot believe in.

Ethical training is required to solve these ethical considerations

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b) Emotional intelligence refers to the art of understanding and managing one's own emotions as well as ~~so~~ that of others to achieve certain goals.

Ways to inculcate
emotional intelligence
in civil servants.



i) Recruitment - at a young age so that attitudes can be changed and new attitudes can be formed.

ii) Training - Identification of personality types through various tests and identify determine emotional quotient

- Visit to old age homes, orphanages to inculcate kindness and compassion

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- group activities among colleagues
↳ Role playing
↳ sensitization programmes.

- Use of role models like M.S Dhoni, Ratan Tata to inculcate management skills at work culture and build positive work environment.

- Conflict resolution training

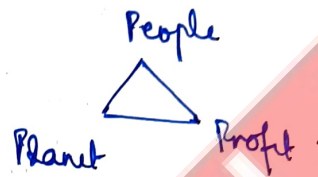
- Code of ethics (2nd ARC)

iii) Evaluation : Peer evaluation
360° performance management.

Open mindedness and an willingness to listen to other person can inculcate emotional intelligence among civil servants

(Q.5)(a)

Recently SEBI has come out with regulatory guidelines about disclosure of ESG norms by companies to foster effective corporate governance that takes into account



⇒ Significance of ESG framework for corporate governance :

- i) Help to create brotherhood model of corporates which responsibly use environmental and social resources.
- ii) Will help to increase social security benefits for workers.
- iii) Ensure fairness and transparency among management and board of directors and protect rights of minority share holders
- iv) It will give a boost to CSR spending

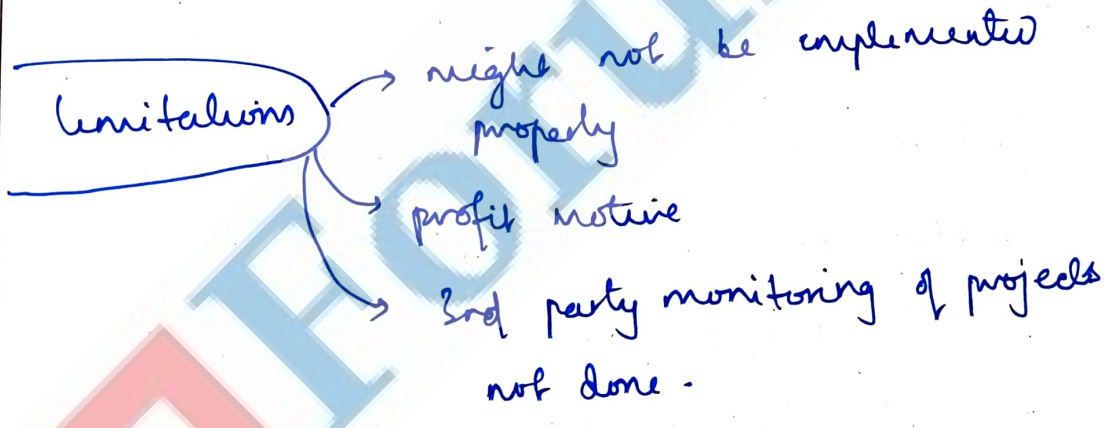
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in social sectors like health, social infrastruc-
ture development, education, environmental
↳ Recently ~50% of CSR is spent
on Education.

v) Prevent unethical practices like insider trading

v) Ensure protection of environment
and prevent green washing by
companies

eg: Green Corridors (green highways)
CAMPA.



Narayan Murthy's compassionate

Capitalism must guide corporates while
implementing ESG framework.

b) Uniform civil code refers to uniform law for marriage, divorce, inheritance, adoption for all citizens of the country regardless of religion, race, caste.

Challenges

- Existence of personal laws of various religions Eg: Muslim personal law under freedom of religion (Art 26) (Art 25)
- It might hamper diversity of culture Eg: Tribal culture
- Certain tribes like Khasi in Meghalaya have matriarchal (matrilineal) transfer of property - uniform civil code might bring patriarchy into such societies
- difficult to reconcile uniform code for all castes, class which have patriarchy and suppress women (rights of inheritance)

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→ Constitutional morality at loggerheads
with societal morality

→ Ethical pluralism might be not be
taken into consideration

eg: Different nature of marriages,
Tharwad system of herula
Youth dormitories

• Law is the codification of ethical principles
of a society by designated legislature.

- moral / religious principles can be a
guide to law. eg: Sarva Dharma
Sarvatheva
Tolerance.

- But dogmatic principles which result
in marginalization and inequality of
human beings should be refuted by
rule of law.

- Constitutional principles values should
guide law to make it inclusive

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(26)

(a) Adhering to ^{universal} moral principles of doing good deeds leads to peace of mind while when one deviates from one's conscience it leads to guilt.

- The highest court in the world is the court of conscience. Thus when one acts in violence to conscience it establishes dissonance in mind.
- Eg: Not helping victims of road accident because one is getting late for exam.
- Evaluating goodness of an action through our conscience helps us to work for the most marginalized and it makes one feel good.

Eg: Compassionate KochiKode project by Kerala CM

Kanan Gopinathan helping in Kerala floods.

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- It creates a self image of moral and righteous persons.
- In civil services this is of utmost importance due to nature of discretion present in the job.

- This discretion can be used creatively to help people.

Eg : Anshong Rame building looken road in Manipur through crowd funding

or it can lead to corruption & misappropriation of public money

Eg : 29 scam
Common wealth games scam

Thus laws and rules are to be supplemented with conscience to establish responsibility with accountability

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b)

"Rome was not built in a day"

It was built brick by brick with the help of many reasons ~~from~~ to bring about real change.

- To bring about change one must go in a gradual manner as sudden change creates instability and does not result in a lasting condition of peace.

Eg: French Revolution led to rise of Napoleon.

- Transformation of different sections of society is required to bring about lasting change

Eg: In economic sphere both fiscal & monetary policy have to work in tandem to keep in check in check and maintain macro economic stability

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- To counter patriarchal norms, gradual change in women's participation in politics has led to women's political empowerment of women

Ex: Pranika Bisoyi - a SHY worker now a Lok Sabha MP.

- In civil services also enduring change happens when civil servants are non partisan and keep working on schemes for years to achieve end results of no poverty, no hunger

Ex: Several modifications in PDS scheme like PDS, fortification has ensured food & nutritional security

Thus change needs to be gradual for its benefits to be long lasting however there can be need for radical change at times (eg: LGBTQ protests) to accommodate demands of various sections.

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g) Values refer to principles which one holds to be important to guide one's behaviour

- Values drive behaviour and when actions are taken in consonance with values it leads to moral satisfaction, thus happiness

Eg: Value of → helping old → happiness
Compassion lady cross road

- Actions that leads to achievement of values gives peace of mind
- But values are arranged in hierarchy and fulfilment of certain values might lead to compromise of few others. This can lead to ethical dilemmas

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Eg Value of objectivity and rationality
Competing with compassion while
in work place

- In civil servants values of selflessness,
openness, honesty, integrity are
important goal posts. Achievement of
such values lead to inner happiness
as well as establishment of responsibility
- It also leads to happiness of the
citizens whom we are sworn
to serve.

eg : CAG functioning with utmost
integrity while auditing govt.
accounts

However adherence to one's values
should not lead to moral blindness
and one must be guided by Gandhi's
talimat while acting to achieve these
values

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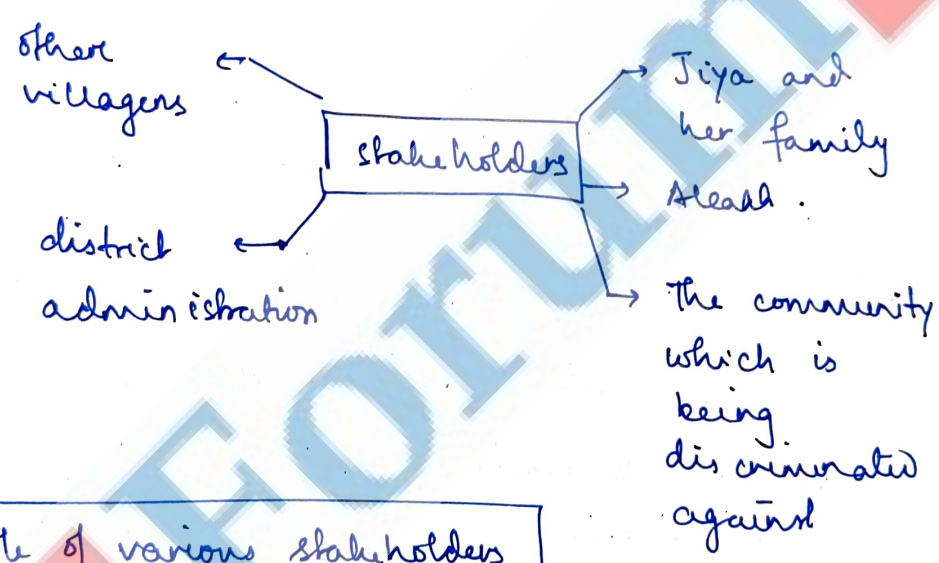
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Q.1.

a) The case study is a classic case of violation of fundamental rights (Art 14, 15, 21) and public apathy towards inhuman discrimination. Even though the constitution makes such discrimination illegal, they still persist in the society due to socio cultural norms and an attitude of acceptance of people.



Role of various stakeholders

a) Jiya and her family
 ↳ since they are well educated and aware of their rights they should act as agents of change rather than succumbing to status quo.

- ↳ spread awareness among their community about illegality of such actions
- ↳ try to change attitude of other villagers by engaging with sarpanch and other leaders
- ↳ report such cases to district administration

3) **Alakh** → not succumb to discriminatory practices at school and demand for rights of dignity & education

4) **Jiya's community**

- ↳ Inform district administration about such discrimination
- ↳ engage with leaders of the community to assert rights in the village
- ↳ not tolerate practices like sitting segregated sitting in functions
- ↳ use well known role models who can instill confidence among the youth of their community

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d) Villagers

- cultivate empathy, tolerance
- teach children ^{at home} about equality and constitutional ethos since attitude formation is influenced by primary socialisation
- not be apathetic towards social evils.

e) District administration

- undertake on ground survey about such practices (implementation of SC/ST Act, 1989)
- awareness generation & sensitization programs by engaging with NGOs to change attitude of people.
- inspection of schools to ensure no child is left behind and awareness generation activities in school.

b) Such discriminatory practices still continue because

- lack of penetration of constitutional ethos into rural hinterlands.
- family and kinship bonds are

strong in villages and thus caste based discrimination is still practiced

- ↳ Lack of initiative by leaders of the village (political will)
- ↳ Attitude of apathy towards such cases
- ↳ Lower castes do not assert themselves.
- ↳ Casteism still prevalent in psyche of masses
- ↳ poor criminal justice system

Thus for an inclusive society it is imperative that we abolish social evils like casteism and uphold constitutional values of social and economic justice (Gandhi's talisman)

(Q8)

With Supreme Court decriminalising homosexuality in its recent judgement this has come as a welcome respite for the LGBTQIA community. However they still face social stigma in various sectors

a) Qualities lacked by colleagues and superiors of Pratap.

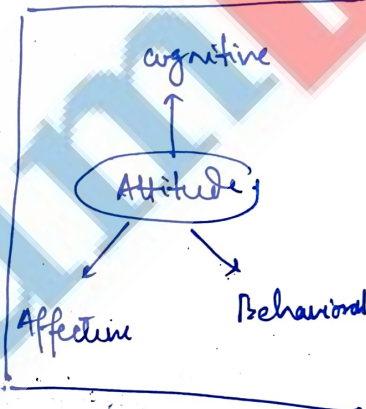
- Tolerance : tolerance towards something which is unknown and is beyond traditional norms
- Acceptance of differences between individuals ~~and~~ based on gender orientation (open mindedness)
- Empathy : towards feelings of pratap and conditions of entire LGBTQIA+ community
- Compassion towards their colleague
- Objectivity : His superiors lack objectivity and impartiality as they overlooked merit of Pratap

↳ Leadership : His superiors lack leadership traits of taking the company in a new direction and making it gender inclusive

b) Reasons for negative attitude of office employees towards LGBTQIA+

i) Fear of unknown

↳ since they don't understand the concept of LGBTQIA+ (Cognitive component)



ii) Socialization and traditional norms

↳ socialization through family, peer groups which has built a negative attitude towards LGBTQIA+

iii) Peer pressure - fear of social stigma in case they do support the rights of the community

iv) Lack of adequate knowledge & role models from the community in mainstream

- y. As a friend of Pratap I would advise him to take up the issue of his promotion with his superiors and in case present his case objectively with facts and figures
- He should also take care of his mental health since toxic work culture is making him doubt his capabilities (Adversity Quotient)
 - In case his promotion is stopped only because of his sexual orientation he must file a written complaint with the management & Board of ~~the~~ Directors.
 - He can also suggest the company to undertake gender sensitization workshops to improve work culture for LGBTQIA+ employees

a)

Recent cases of land subsidence in Toshimath, floods in Uttarakhand highlights the ethical dilemma between economic growth and environmental degradation

a) Conflicting interests :

→ Economic development of the country by developing the area as a tourist spot and generation of energy

vs
environmental degradation

→ National interest
└ energy security
└ renewable energy generation
└ meeting net zero targets

vs
local interests of pahadi people
└ lives
└ livelihoods
└ displacement
└ local culture and feeling of alienation

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b) Course of action to convince people for evacuation

- Talk to the leader of the pahadi people and give him/her the facts of the case
↳ inform him about danger to lives of people if they stay.
- Engage with the community to assure them of rehabilitation efforts by the government.
- Early evacuation doesnot mean permanent removal of their homes.
Ensure that long term stabilization measures are taken.
- work with Prachinath Bachao Committee to convince people for ~~so~~ complying with the order

c) Steps to avoid such situations in future

↳ undertake EIA and SIA properly with the involvement of local population before commencement of any project.

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- while undertaking any project ensure all safety norms are met with
- Hazard zonation & vulnerability mapping should be done using latest technology.
- Engaging researchers and local people for inputs ~~as~~ in the project ~~to~~
- ^{Relief and} Rehabilitation measures should be in place in case such incidents happen. (NDRF / SDRF should be in ready to operate mode)
- Periodic reviews

Economic development and environmentalism are two sides of the same coin and must not be seen as separate. (Golden mean)

b)

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Criminal bureaucratic nexus breeds

corruption in society and leads to marginalization of the most vulnerable sections. Spirit of law is as important as letters of law to curb this menace.

a) Measures Anjali should recommend to handle the crisis :

i) Immediate :

- Constitute a committee to investigate deaths of construction workers
- Compassion towards family members of deceased and provide a point of contact for them in case they need any financial support / help.
- Fix accountability of death of workers on the construction company.
- Communicate with media and give regular media briefings about actions being taken to prevent chaos.
- Rapid action task force against illegal liquor dens

→ Long term :

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- Undertake on field survey about regarding cases of spurious liquor
- Deploy constitute a committee to identify culprits within administration who encouraged such illegal acts.
- Perpetrators to be booked according to the law.
- Deploy additional police force to seize illegal liquor shops and production centers
- Involve ^{NGOs} role models like Amitabh Bachan, political leaders to persuade people to give up liquor
 - ↳ explain health problems
 - ↳ explain social problems
 - ↳ emotional appeal through children.

(social influence) NGOs - women in Tharkhad

- Take adequate legal action against mafias in the cell and those involved in the nexus.

b) Govt's decision of not compensating

victims of spurious liquor

Pros

Cons

- Set precedent that illegal acts will have dire consequences
- Uphold rule of law
- Objective action without any bias towards particular section of society
- Prevent cases of illegal liquor procurement / consumption (law as deterrent)
- No fiscal burden on the state.

- Family of deceased will suffer financially and emotionally
- Law without compassion builds ill will towards the govt.
- Does not solve the problem of bureaucracy and mafia nexus.
- Might lead to protests and social chaos.
- State abdicates its responsibility of welfare.

Empathy and compassion can

make even the strictest of laws

implementable to benefit all. In such case

it is important to uphold spirit of law as well for ensuring justice

Q.11)

a) Ethical dilemmas faced by Kamal :

- 1) Professional integrity vs voice of conscience
loyalty and support.
- 2) Personal career vs doing what is right (rule of law)
growth
- 3) Personal ethics vs Professional ethics
↳ wife's career
↳ father's health
↳ upholding integrity of the process.
- 4) Victimless harm vs Probity and integrity.
↳ recruitment through favoritism
↳ organisational reputation
↳ transparency

b) options available to me

- 1) Cooperate in the process and let the letter by the journalist go unnoticed.
- 2) Donot cooperate, cancel the appointments made through the process and cancel the event.
- 3) Talk to superiors, ask for some time to postpone the event of appointment and conduct constitute committee for

formal investigation of the issue.

c) option - 1

Pros

- Career growth ensured and family won't be affected
- Sustainability of the department ensured
- No harm done as all candidates are equally good
- personal rapport with superior maintained

option - 2

Pros

- No cognitive dissonance
- integrity of the process upheld
- Rule of law established
- Right candidates will be selected

Cons

- Crisis of conscience
- Set wrong precedent
- Not good for dept in long term
- Encourage favoritism and nepotism
- Affect quality of education of students

Cons

- Affect personal life & career negatively
- Delay in appointments
- Affect rapport with seniors

options 2

Pros

- Formally acknowledge the problem.
- Rule of law.
- Endorse favoritism and nepotism

Cons

- Career and personal life affected
- Dept may not get funds

d) I would adopt the 3rd option because it would be legal and ethical

- As public servant my duty is to the public and ensure probity in the process of governance.
- Being an honest officer partaking in such illegal activity would cause cognitive dissonance and crisis of conscience within me.

- It would result in ^{well deserving} ~~better~~ candidates being hired and improve outcome of education & service delivery

- It will prevent future events of
riots between politicians and bureaucrats
upholding the principle of neutrality
and non-partisanship (deontology)

(a12)

a) Ethical Concerns

- i) Loss of life of students due to
improper building plans and exit strategy
- ii) Collusion of administration → bypassing
building safety norms while construction
and still issuing permits
- iii) Joseph's personal loyalty towards his
~~both~~ brother vs upholding integrity
of process of audit.
- iv) Personal interest of Joseph vs national interest
and lives of students.
- v) Accountability - moral and legal
accountability should be fixed on the
coaching owner for the loss of lives
and injury of the student (Trusteeship)

b) Advice to Joseph as a friend

- I would advise him to follow his voice of conscience as two wrongs do not make a right.
- Also compromising with the audit process would lead to crisis of conscience. In long run it might affect his self preservation if he is found to be involved in distorting the audit process.
- I would also advise him to undergo follow to let law take its course since will bring justice to the students and their families. Since he is a public servant his duty is towards people and constitution.
- He should also inform his superiors about the owner of the coaching.

center approaching him so that they ~~can~~ can take adequate action and prevent such incidents from happening in future.

- He should also ^{counsel} bring his brother regarding his studies and advise him to take admission in other institution which don't follow such unethical ~~school~~ activities