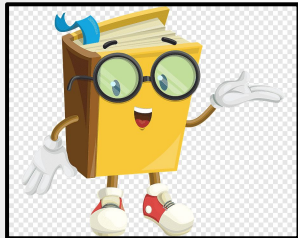


UPSC GS Mains

Ethics Case Studies

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Case Study Themes



**Let's!
Start**

Animal Rights and Ethics
Corporate Governance and Ethics in Private Organizations
Crisis and Disaster Management
Education and Ethics
Environmental Ethics
Ethical Dilemmas and Personal Integrity
Ethics in Administration and Governance
Health and Medical Ethics
International Relations and Ethics
Media and Journalism Ethics
Public Service Delivery
Social and Community Issues
Sports and Ethics
Technology and Ethics

Case Study

You have been newly appointed as the District Magistrate of a district, which is known for its rich mineral deposits. Following the news being circulated in the media about the illegal mining in your district, you have initiated an enquiry into it. When the State's Minister of Mines and Minerals gets to know of the enquiry initiated by you, he directs you to name some junior government employees as being involved in the wrongdoing and make them scapegoats. He also points out that elections to the State Assembly are around the corner and the present government wishes to stay clear of any political corruption. This Minister is a very influential figure in the present regime and there are high chances of the present ruling party being voted back to power. In due course of the enquiry, it has come to your notice that the said Minister has also been involved in illegal mining through his cronies.

The findings of the enquiry can affect the outcome of the elections as well as completely derail your career, if the incumbent party wins the elections, which looks very likely as per the polls.

Answer the following with reference to this case:

- (a) Identify the stakeholders and the ethical issues in the given case.*
- (b) Critically evaluate the options in the given scenario and state your course of action, giving reasons.*

Approach

- Start with a brief summary of the case.
- Mention the stakeholders and list the ethical issues involved in the case.
- Evaluate the available options at your disposal and bring out the most appropriate response that you will opt for along with the reasons.
- Conclude accordingly.

Introduction: This case involves a District Magistrate dealing with illegal mining and political pressure to manipulate the findings to protect influential figures.

(a) Stakeholders and Ethical Issues

Stakeholders:

- District Magistrate (DM)
- Innocent junior government employees
- State's Minister of Mines and Minerals
- Political party and voters
- Public Works Department (PWD)
- General public

Ethical Issues:

- Misuse of political authority by the Minister to protect himself.
- Risk of punishing innocent junior employees to shield the real culprits.
- Potential harm to public safety due to unchecked illegal mining.
- Erosion of public trust in the integrity of the public administration.
- Compromise of objectivity and accountability in public service.
- Conflict between professional duty and personal career security

(b) Options and Evaluation

1. Name the Minister in the Report:

- **Merits:** Upholds integrity, transparency, and accountability; protects innocent employees.
- **Demerits:** Risks career setbacks and personal safety; political backlash.

2. Protect the Minister and Name a Junior Employee:

- **Merits:** Career security, political favor.
- **Demerits:** Compromises ethics, injustice to innocent employees, perpetuates corruption.

3. Take the Issue to the Chief Minister:

- **Merits:** Hierarchical respect, potential political action against the Minister.
- **Demerits:** CM might support the Minister; pressure to conform.

(c) Course of Action: The DM should name the Minister in the report. This ensures integrity, transparency, and accountability, protecting the innocent and setting a strong ethical example. Upholding justice and public trust outweighs personal and political risks.

Conclusion: Upholding ethical standards and public trust should guide the DM's actions, even in the face of political pressure and personal risks.

Case Study

You are the Superintendent of Police of a city where a large slum has developed in recent decades on the property of Indian Railways. The Indian Railways has prepared a plan for expansion of the city railway station for which they want to get the slums demolished. They have requested the assistance of local police for the same, however, the people residing in those slums have responded angrily to this step and have occupied the railway tracks, resisting any action by the officials. Slum dwellers are asking for a suitable rehabilitation, citing that the city is under the grip of a cold wave as the month of December is in progress. This has not only halted the railway traffic on the route causing immense hardships to railway passengers but also posing risk of violence between slum-dwellers and the police.

Given the situation

- (a) Identify various issues involved in the case along with different stakeholders.*
- (b) What course of action would you follow to end this situation of confrontation and resume normal functioning of the Railways?*

Approach

- Briefly highlight the key facts of the case.
- Mention various stakeholders and issues associated with them.
- Highlight the course of action that you would follow along with reasoning for the same.
- Conclude on the basis of above points.

Answer

Introduction: This case involves the conflict between slum-dwellers occupying railway property and the Indian Railways' plan to demolish the slum for expansion. The situation has escalated, causing disruptions and safety risks.

(a) Stakeholders and Issues

Stakeholders:

- **Indian Railways:** Needs property for expansion and to resume railway traffic.
- **Slum-dwellers:** Facing eviction during a cold wave, demanding rehabilitation.
- **Local Police and Administration:** Responsible for maintaining law and order.
- **Railway Passengers:** Experiencing travel disruptions.
- **City Residents:** Will benefit from the railway station expansion.

Issues:

- Illegal occupation of railway property.
- Potential human rights concerns due to eviction in harsh weather.
- Disruption of railway services.
- Safety risks due to confrontation.
- Political and social pressures on authorities.

(b) Course of Action

As Superintendent of Police,

1. **Avoid Coercive Action Initially:** Direct the police to refrain from using force and proceed to the protest site.
2. **Gather Information:** Obtain details about the protestors, slum population, legal actions taken by Railways, and eviction notices.
3. **Engage with Protestors:** Explain the illegality of occupying railway lines and the inconvenience caused to passengers. Offer an alternative protest site and assure that their concerns will be communicated to higher authorities.
4. **Clear the Railway Lines:** If protestors refuse to move, use minimal necessary force to clear the tracks, ensuring immediate medical assistance for any injured.
5. **Resume Railway Traffic:** Ensure the immediate resumption of railway services.
6. **Report and Recommend:** Submit a report to the district administration with details of the incident and suggest possible measures for the rehabilitation of slum-dwellers.

Conclusion: The proposed course of action aims to balance law enforcement with humanitarian considerations, ensuring minimal harm and addressing the concerns of all stakeholders involved.

Case Study

You are a Superintendent of Police tasked with conducting an internal departmental inquiry into an alleged case of custodial torture and subsequent disappearance of three tribal persons. The case of the police force is that these persons were habitual offenders who had committed theft. The police had nabbed them for interrogation but they escaped from the police custody and are absconding. Family members of these persons, on the other hand, maintain that they were falsely framed in the case and were not in a condition to flee due to custodial torture. They are alleging foul play on the part of the police and suspect that the police is behind their disappearance. Prima facie, you find many lacunae in the police investigation. The policemen did not produce these persons before the Magistrate nor did they get them medically examined, as required by the law. One of your seniors, without referring to the case, informally talks to you about the adverse working conditions of the police force and insinuates that all police personnel should help each other. He also says that all serving officers need to be mindful of the fact that they are part of the police force and should not do anything which may tarnish the reputation of the police department.

- (a) Identify the stakeholders and various issues involved in the case.*
- (b) How will you conduct a fair and impartial inquiry that ensures that public perception regarding cover-up in such cases does not gain ground?*
- (c) Highlight the reasons for the continuing impunity of custodial deaths in India, and recommend steps that authorities should take to resolve it.*

Approach

- Briefly mention facts of the case study.
- List various stakeholders and issues associated with the case.
- Mention steps that you would take to ensure a fair and impartial inquiry and also manage negative public perception about the inquiry.
- Write about reasons for continued instances of custodial deaths in India.
- Suggest measures to stop recurrence of such custodial tortures.
- Conclude accordingly.

Answer

Introduction: The case involves the alleged custodial torture and disappearance of three tribal persons, with conflicting narratives from the police and the family members of the accused. As the Superintendent of Police (SP), I must ensure a fair and impartial inquiry while addressing the public perception of bias.

(a) Stakeholders and Issues

Stakeholders	Issues
Tribal persons and their families	Alleged human rights violations, claims of false framing and custodial torture, questioning right to life and liberty under Article 21.
Local police personnel	Claims of escape from custody versus serious misconduct, highlighting procedural lapses (failure to produce the accused before a magistrate or conduct medical examinations).
Police department	The department's reputation and credibility are at stake, with potential systemic issues and loss of public trust.
Superintendent of Police (SP)	Ethical dilemma in ensuring an impartial inquiry while facing internal pressures to protect the police force's image, balancing professional integrity and justice.
General public	Public perception of the police force, necessitating transparency and fairness to maintain trust and confidence in law enforcement.

(b) Steps for a Fair and Impartial Inquiry

1. **Immediate Transfer:** Transfer the implicated police personnel to prevent influence on the investigation.
2. **Transparency:** Release a press statement acknowledging the allegations and the steps being taken.
3. **Form an Inquiry Team:** Assemble a team of officers with impeccable records to ensure credibility.
4. **Record Statements:** Collect statements from all related persons and video record the proceedings.
5. **Forensic Analysis:** Conduct a forensic analysis of the police station and related areas.
6. **Review Case Diaries:** Compare case diaries with witness statements and police logs.
7. **Search Efforts:** Investigate nearby jails, hospitals, and unclaimed bodies for any clues.
8. **Detailed Report:** Prepare a comprehensive report highlighting procedural lapses and findings.

(c) Reasons for Continuing Impunity and Measures to Prevent Custodial Deaths

Reasons for Impunity:

1. **Colonial Mindset:** Police forces have not modernized and often use outdated methods.
2. **Non-compliance with Laws:** Judicial inquiries are not consistently conducted.
3. **Power Asymmetry:** Victims are often marginalized and lack resources to fight for justice.
4. **Lack of Political Will:** Governments fear demoralizing the police force.

Measures to Prevent Custodial Deaths:

1. **Reintroduce Prevention of Torture Bill:** Implement the bill with consensus from states.
2. **Independent Mechanism:** Establish an independent body for investigating custodial torture.
3. **NHRC Guidelines:** Strictly enforce NHRC guidelines for preventing and responding to custodial deaths.
4. **Timely Reporting:** Ensure immediate reporting of such incidents to NHRC with all necessary documents.

Conclusion

A fair and impartial inquiry is essential to uphold justice and maintain public trust. Comprehensive police reforms, strict adherence to legal procedures, and robust oversight mechanisms are critical to preventing custodial deaths and ensuring accountability within the police force.

Case Study

You come across a report in the newspaper wherein during the drive undertaken by a Municipality to demolish dilapidated buildings one of the government servants has been assaulted publicly by the local MLA. The MLA belongs to the ruling party in the state. The MLA has blamed the official for taking bribes to illegally demolish houses, which are in good condition in the pretext of the drive to demolish dilapidated buildings. The MLA has claimed that few families were living in the houses and that the demolition drive was at the behest of some vested interests to grab the land.

- (a) What are the issues involved in the case in your opinion?***
- (b) What are the options available in your view with the relevant actors to redress their concerns?***

Approach

- Briefly write the facts of the case.
- Write about the issues involved in the case.
- Identify various actors in the case and write about the options available to them to redress their concerns.
- Conclude appropriately.

Answer

Introduction: The given case involves an assault on a government servant by an MLA during a municipal demolition drive, with allegations of bribery and corruption against the officer.

(a) Issues involved in this case:

- **Assault on a Government Servant:** Obstructs official work, affects morale and dignity of officers, and sets a negative precedent of political dominance over public servants.
- **Allegation of Bribery and Corruption:** Erodes public trust in public service; allegations must be verified through proper legal channels.
- **Use of Violence:** The MLA's resort to violence is unlawful and undermines the rule of law.
- **Violation of Right to Adequate Housing:** Demolition may infringe on families' right to housing if the claims of bribery are true.
- **Creating Fear Psychosis:** Lack of security for officers performing their duties creates an atmosphere of fear.

(b) Relevant actors and options to redress their concerns:

- **Government Officer and Association:**
 - **File a police complaint against the MLA:** Ensures legal action and maintains public trust in democratic institutions.
 - **Avoid strikes:** Strikes can disrupt public services and sensationalize the issue, hampering the greater good.
- **Municipal Commissioner/District Administration:**
 - **File a police complaint against the MLA:** Ensure the rule of law.
 - **Conduct an enquiry:** Investigate the condition of the houses and allegations of land grabbing, taking suitable actions based on findings.
- **Local MLA:**
 - **Issue a public clarification:** Address the use of force and any misinformation.
 - **File a formal complaint:** Follow proper channels to address alleged wrongdoing by the government officer.
- **Residents of Demolished Houses:**
 - **File a complaint with supporting documents:** Prove the condition of their houses.
 - **Seek annulment of the demolition order:** Approach appropriate authorities for legal redress.
- **Political Party of the MLA:**
 - **Launch an internal investigation:** Hold the MLA accountable if found guilty and take disciplinary action as per party rules.

Conclusion: Interference and ill-treatment of government servants by politicians undermine the efficacy of public service and dilute public faith in the administration. Adequate safeguards and institutional mechanisms are essential to ensure public servants can perform their duties without interference and intimidation.

Case Study

In recent times, the country witnessed protests based on opposition to some steps taken by the government. Whereas, mostly these were peaceful protests, at a few places these activities turned violent leading to destruction of public property. In some places government arrested few of the protesters and imposed heavy fines on them for the destruction of the property. In case they could not pay, their private property was confiscated by the government to pay for the damage done to the public property. In addition to this, some governments published the photographs, names and addresses of those accused of vandalism during protests at various locations.

- (a) What are the issues of public importance at stake in this case?*
- (b) Are there any ethical or legal principles at play here which may be conflicting?*
- (c) What should be the principles guiding a democratic state in such circumstances?*

Approach

- Introduce by providing a brief background of the case.
- Mention the issues of public importance at stake.
- Highlight the ethical and legal issues at stake.
- Mention the guiding principles for administration.

Answer

Introduction: The case involves protests, some of which turned violent, leading to public property damage. The government imposed fines on the protesters and confiscated their property if they couldn't pay, also publicly disclosing their personal information.

(a) Issues of Public Importance:

- **Responsibility for Property Damage:** Ensuring accountability for damage to public and private property.
- **Balancing Rights and Order:** Balancing the right to protest with maintaining public order and minimizing inconvenience to others.
- **Protest Management:** Effective management of protests by the police to control violence while respecting peaceful demonstrations.
- **Due Process:** Ensuring fines and confiscations follow a legal process and are not arbitrary.
- **Proportional Measures:** Avoiding disproportionate actions against citizens, such as public naming and shaming.

(b) Ethical and Legal Principles:

- **Presumption of Innocence:** Imposing fines and confiscating property should only occur after individuals are proven guilty, respecting the rule of law.
- **Right to Protest:** Criminalizing protests can have a chilling effect on free speech and dissent.
- **Bias and Fairness:** Ensuring police and administrative actions are unbiased and fair, with accountability for any police misconduct.
- **Privacy Rights:** Publicly disclosing personal information violates privacy and can have severe consequences for individuals.
- **Respect and Courtesy:** Government agencies should uphold constitutional and democratic values, treating all individuals with respect.

(c) Guiding Principles for a Democratic State:

- **Space for Dissent:** Allow peaceful protests and designate specific areas to minimize public inconvenience.
- **Due Process:** Follow legal procedures and Supreme Court guidelines for claims assessment.
- **Objective Procedures:** Implement rational, unbiased procedures for handling protests.
- **Empathy and Compassion:** Train police and administration to handle protests with sensitivity and maintain public trust.
- **Public Responsibility:** Encourage citizens to protest peacefully and respect public property, balancing rights under Article 19 with duties under Article 51A.

Conclusion: Balancing the right to protest with maintaining public order and safety is crucial. Ensuring due process, fairness, and respect for individuals' rights while holding them accountable for any wrongdoing will help uphold democratic values and public trust.

Case Study

You are posted as Superintendent of Police in a district. A case has come up in which more than 30 girls were allegedly raped and sexually exploited at the city shelter home run by an NGO. The scandal came to light when media flagged complaints of sexual abuse of inmates of the city shelter home. A nexus of police, politicians, administration and criminals have been allegedly responsible for the racket going on for the last few years. In light of this, a lot of protests have erupted across the city.

While, on one hand, media glare has meant that people are demanding swift action, you have been asked to go slow in investigating the case by top officers in your department. Elections in the state are due in a few months, so it has become a politically sensitive issue. You are also under immense political pressure from the ruling party to not take strict action and make compromises to cover up the case.

Given the situation, answer the following:

- (a) Identify the issues involved in the case.*
- (b) What are the options available to you? Which of these options will you choose? Justify your stand with logical arguments.*

Approach

- Bring out the ethical and legal-administrative issues involved in the case study from the stakeholder's perspective.
- Discuss the various options along with their merits and demerits.
- Suggest your courses of action to deal with the situation along with their justifications and conclude accordingly.

Answer

Introduction: The case involves a scandal where over 30 girls were allegedly raped and sexually exploited at a city shelter home run by an NGO. A nexus involving police, politicians, administrators, and criminals is suspected. Media and public pressure demand swift action, while top officers and political leaders urge a slow investigation due to upcoming state elections.

(a) Issues Involved:

- **Violation of Law and Order:** Alleged rape and sexual exploitation under the POCSO Act and IPC sections.
- **Exploitation of Vulnerable Individuals:** The victims are marginalized girls in a shelter home.
- **Negligence and Complicity:** The administration and police are accused of negligence and involvement.
- **Nexus of Crime:** Allegations against a nexus of police, politicians, administrators, and criminals.
- **Betrayal of Public Trust:** The NGO, part of civil society, is implicated in the crimes.
- **Undue Political Influence:** Pressure to delay or cover up the investigation from political leaders.

(b) Options Available:

1. Conduct a Swift Investigation and Make High-Profile Arrests:

○ Merits:

- Assuages media and public sentiment.
- Restores public trust in the administration.

○ Demerits:

- Risk of omitting key facts, leading to a poor trial.
- Justice may be compromised due to procedural shortcuts.
- High-profile arrests may look good but may not ensure a thorough investigation.

2. Investigate Thoroughly in a Time-Bound Manner:

- **Merits:**
 - Upholds legal and moral obligations without fear or favor.
 - Ensures justice for the victims and boosts public confidence in the police.
 - Sends a positive safety message to other potential victims.
- **Demerits:**
 - Possible backlash from political superiors and harassment by culprits.
 - The thorough investigation may take time, causing public impatience.

Chosen Option: I would choose Option 2: Investigate thoroughly in a time-bound manner.

Justification:

- Upholding the rule of law and constitutional duty is paramount.
- Ensures comprehensive justice for victims and maintains procedural integrity.
- Demonstrates that influence and power cannot shield wrongdoers from the law.
- Provides a transparent process to the public, ensuring accountability and maintaining trust.

Additionally, I would:

- Provide protection to the victims and their families.
- Communicate investigation progress to the public to manage expectations and maintain transparency.

Conclusion: By ensuring a thorough investigation, the law is upheld, victims receive justice, and public confidence in the police is restored. This approach aligns with the ethical values of the civil service and upholds the integrity of the administration.

Case Study

A state has been notorious for high rate of crimes and illicit activities. An understaffed police force along with sheer volume of criminal instances makes it difficult for police to duly investigate and pursue all cases till their logical end. The criminal justice system is also burdened and it takes years to deliver justice. Given the nexus between criminals and politicians, it is difficult to conduct investigation without external influences. A sense of lawlessness has prevailed in the society. In this backdrop, it has been observed that police has been resorting to increasing number of encounters of alleged criminals rather than catching them and follow due process. Popular public sentiment is also supportive of this method and the result has been a general declining trend in crime. Given this scenario, answer the following questions:

- (a) Analyse the issue from different ethical perspectives.*
- (b) What could be the effects on the police administration and the society of such a strategy?*
- (c) As an advisor to the Chief Minister of the State, what advice would you give to improve the law and order situation?*

Approach

- Briefly give the overview of the problem stated in the question and analyse the case study from different perspectives.
- Highlight the effects on the police administration and the society.
- Suggest some practical and relevant measures for improving the law and order situation of the concerned state.

Answer

Introduction: The given scenario highlights the issue of extrajudicial killings by the police in a state with high crime rates and a strained criminal justice system. Despite public support for such actions, several ethical and practical concerns arise.

(a) **Ethical Perspectives:**

- **Justice Perspective:** Every individual has the right to a fair trial. Extrajudicial killings violate constitutional rights.
- **Utilitarian Perspective:** Although immediate crime reduction might seem beneficial, such actions ultimately lead to lawlessness, innocent deaths, and administrative breakdown, reducing overall happiness.
- **Deontological Perspective:** Actions must be universally applicable. Extrajudicial killings cannot be justified universally as they undermine democracy and legal principles.

(b) Effects on Police Administration and Society:

- **Police Administration:**
 - Short-term benefits include flexibility and crime deterrence.
 - Long-term negatives include brutality, loss of public trust, discipline erosion, dereliction of duty, and officer vices.
- **Society:**
 - Initial satisfaction and sense of security.
 - Long-term issues include social fabric destruction, fear psychosis, loss of faith in the judicial system, and potential violence culture.

(c) Advice to the Chief Minister:

- **Separation of Functions:** Distinguish investigative roles from law and order maintenance.
- **Accountability and Swift Actions:** Incorporate accountability while allowing swift, just actions.
- **Implement SC Directions:** Follow Supreme Court directives on police reforms from the Prakash Singh case to reduce political interference.
- **Increase Funding:** Allocate more resources for police and judicial reforms.
- **Recruitment:** Address understaffing in the police force.
- **Modernization:** Update equipment, training, and service conditions for professional criminal investigations.
- **Fair Practices:** Ensure transparent, non-partisan transfer, posting, and promotion practices.
- **Focus on Development:** Promote economic development and employment generation to reduce crime long-term.

Conclusion: Restoring law and order through legal and ethical means ensures sustainable peace and public trust, fostering a robust democracy.

Case Study

You have been appointed by Election Commission as a booth level officer to oversee the conduct of elections in a remote and under-developed area. For the preparations of elections, you have been instructed to ensure maximum voter turnout. For this, you conduct a series of meetings with the people in villages encouraging them to vote in large numbers. However, they confront you with the fact that despite so many previous elections, the promises made by representatives remain unfulfilled and even the basic necessities of livelihood are not available. As such, they are ignorant of your appeals and are subsequently not forthcoming even to listen to you, let alone giving assurances to vote. Based on this information, answer the following questions:

- (a) Identify the stakeholders in the situation along with their interests.*
- (b) What are the factors that you will take into account to convince the people and ensure maximum voter turnout?*

Approach

- Briefly outline voters' low turnout as one of the challenges for effective functioning of democracy
- Identify all the stakeholders, at micro and macro levels, along with their interests
- Highlight all the factors that you will consider to convince people to vote

Answer

Introduction: Voter turnout is crucial for the legitimacy of elections and effective functioning of democracy. In the given scenario, the apathy of villagers towards voting poses a significant challenge.

(a) Stakeholders and their Interests

Stakeholders	Interests
Registered Voters	Desire tangible improvements in their living conditions and fulfillment of promises.
Women and Youth	As critical groups, their participation can influence policies directly affecting their lives.
Elders	Encouraging younger generations to vote, ensuring sustained democratic engagement.
First-time Voters	Being aware and involved in shaping their future through electoral participation.
Local Politicians	Adherence to ethical practices and gaining voter trust for electoral success.
District Collector	Ensuring smooth and fair elections, fulfilling their administrative responsibilities.
Election Commission of India (ECI)	Maximizing voter turnout to uphold the integrity and effectiveness of the electoral process.
Nation	Ensuring every citizen participates in democracy to avoid dissent and maintain stability.
Local Self-Governance Bodies	Educating and mobilizing the community for active participation in the electoral process.
Myself (Booth Level Officer)	Fulfilling the duty to ensure voter turnout and integrity of the election process.

(b) Factors and Strategies to Ensure Maximum Voter Turnout

Factors to Consider:

- Despondency and lack of trust among voters.
- Perception that voting does not lead to tangible changes.
- Limited understanding of the significance of voting.
- Unawareness about accountability mechanisms.
- Remoteness and under-development of the area.

Strategies to Convince People to Vote:

1. **Listen Patiently:** Address concerns and grievances of the villagers, building trust through open dialogue.
2. **Engage Community Leaders:** Encourage elders to vote and educate younger generations about their role in democracy.
3. **Utilize Grassroots Workers:** Involve Anganwadi and ASHA workers to mobilize voters and lead by example.
4. **Empower Youth and Women:** Highlight their critical role in bringing change and encourage them to participate actively.
5. **Educate on Voting Rights:** Inform villagers about their constitutional rights and the importance of voting.
6. **Promote Use of NOTA:** Explain the None of the Above (NOTA) option as a way to express dissatisfaction with candidates.
7. **Highlight Success Stories:** Share examples of political leaders who have brought positive change through sustained efforts.
8. **Raise Awareness on Accountability Tools:** Educate villagers on tools like RTI, Social Audits, and grievance redressal mechanisms to hold elected officials accountable.
9. **Implement SVEEP Objectives:** Facilitate and promote the Systematic Voters' Education and Electoral Participation (SVEEP) plan.
10. **Report Challenges:** Keep the SDM and District Collector informed about the challenges and concerns raised by villagers.

Conclusion: By addressing voter concerns, educating them on their rights, and demonstrating the impact of their participation, it is possible to enhance voter turnout and strengthen the democratic process in the village.

Case Study

You have recently been posted as a probationary officer in the District Magistrate's office in a tribal district. During one of the fieldtrips, while interacting with the tribals, you come to know about a private company, established a few years back, which has transformed their lives. The company, using the traditional knowledge of tribals, had launched a series of products and provided numerous livelihood opportunities to the tribals.

Upon further enquiry, you come to know that while the lives of tribals had indeed improved, the distribution of profits however, has been quite disproportionate. The company has seen a huge growth in its operations and its owners have amassed huge wealth. It is also planning to file for IPR, which may further hinder the interests of the tribals.

You feel that tribals have been left short changed and there has not been an equitable sharing of benefits arising out of the use of their resources. When you tried to approach the Gram Sabha and voice your concerns, the tribals requested you not to intervene as they do not have any alternatives. They also argue that governments in the past have failed to protect their interests.

Given the situation, answer the following:

- (a) Identify the different stakeholders and their interests involved in this case.*
- (b) Present a case to convince the District Magistrate for the need of government intervention in the situation.*

Approach

- Introduce by giving the gist of the case study.
- Enumerate the stakeholders involved in the case study and their interests.
- In brief present a case to convince the DM for the need of government intervention in the above situation.
- Conclude on the basis of the above points.

Answer

Introduction: The case study highlights the exploitation of tribal knowledge and resources by a private company, leading to disproportionate profit distribution. The tribals are wary of government intervention due to past failures and lack of alternatives.

(a) Stakeholders and Their Interests

Stakeholders	Interests
Tribal People	Livelihood opportunities, welfare, and fair profit sharing from their traditional knowledge.
Private Companies	Profit maximization and obtaining IPR on tribal products.
District Magistrate (DM)	Ensuring welfare of the tribals, promoting social justice, and maintaining administrative efficacy.
Probationary Officer	Upholding the rule of law, welfare of tribals, and personal job satisfaction.
Gram Sabha	Welfare of tribal people and equitable benefit-sharing from company profits.
NGOs in Tribal Areas	Ensuring welfare and development of tribal communities.

(b) Case for Government Intervention

1. Present Situation:

- **Livelihood Dependency:** Tribals rely heavily on the private company for employment and income.
- **Disproportionate Profits:** The company is amassing significant wealth while tribals receive minimal benefits.
- **IPR Concerns:** The company's potential IPR filing may hinder the tribals' access to their own traditional knowledge.

2. Problems Due to Lack of Alternatives and Government Efforts:

- **Inadequate Government Intervention:** Historical lack of effective government programs has left tribals dependent on the private sector.
- **Economic Exploitation:** The company is exploiting the vacuum created by government inaction, leading to economic disparity.
- **Distrust in Government:** The tribals' reluctance to accept government help stems from previous failures and unmet promises.

3. Need for Government Intervention:

- **Alternative Livelihoods:** Immediate efforts to provide alternative livelihood opportunities can reduce dependency on the company.
- **Fair Profit Sharing:** Guidelines should be established to ensure equitable profit sharing between the company and tribals.
- **Marketing Support:** Platforms like Tribal Hut and TRIFED can be used to market tribal products at fair prices.
- **IPR Protection:** Ensure adherence to the Indian Patent Act, 2005, and the Biological Diversity Act, 2002, to protect tribal knowledge.
- **Strengthening Gram Sabha:** Empower the Gram Sabha in decision-making processes for the welfare of tribals.

Conclusion: A multidimensional approach involving government intervention is essential to address the exploitation of tribals by private companies. Ensuring fair profit distribution, providing alternative livelihoods, and protecting tribal knowledge are crucial steps to foster the holistic development of tribal areas.

Case Study

You are posted as Superintendent of Police (SP) in a district, which has a bustling market in the district headquarters with a high footfall. The area has traditionally been occupied by street vendors and hawkers. They form an intrinsic part of the market system in the area and derive their livelihood from it. Recently, you got reports that the policemen posted in the area harass the hawkers and also extort 'hafta' – a weekly bribe - from them despite complying with the laws. It has been brought to your notice that while those who comply with this arrangement are allowed to carry on with their daily operations, those who do not are being evicted from the market area. In the process of eviction, they are even physically assaulted and their saleable items are often confiscated and destroyed. As a result, some street vendors have been staging protests against the local administration in the market and have blocked the normal market passage. They have also threatened to intensify their protest over a period of time. The local police, however, has been in denial of any such wrong doings and argue that they are merely removing illegal encroachments, which were causing traffic jam in the area. In this situation, answer the following:

- (a) Mention the stakeholders and ethical issues involved in the case.*
- (b) As the Superintendent of Police, what course of action would you adopt for diffusing the tensions in the area? Also, suggest some policy recommendations, which will help resolve the issues in the long-term.*

Approach

- Briefly discuss the issues given in the case.
- Mention the stakeholders and ethical issues of the case.
- Highlight the course of action to be taken to diffuse the tension in the area.
- Suggest policy measures that can be taken to resolve the issues in the long term.

Introduction: The case study highlights the issues faced by street vendors due to harassment and extortion by local police, leading to protests and disruption in the market area.

(a) Stakeholders and Ethical Issues

Stakeholders	Interests
Street vendors and hawkers	Livelihood opportunities, legal rights to operate
District administration including local police	Ensuring law and order, adhering to legal standards, maintaining integrity
Superintendent of Police	Upholding law and order, ensuring fair treatment of vendors, addressing corruption
Market Association	Ensuring legal compliance among vendors, reporting police misconduct
Customers	Access to products, smooth functioning of the market

Ethical Issues:

- **Right to Livelihood:** Evictions and destruction of saleable items threaten vendors' livelihoods.
- **Misuse of Powers:** Harassment and extortion by police highlight abuse of authority.
- **Rule of Law:** Despite legal compliance, vendors are extorted for bribes.
- **Individual vs. Collective Rights:** Balancing the right to work with the right to public space.

(b) Course of Action

Immediate Actions:

1. **Set up an Enquiry:** Investigate corruption and bribery allegations against local police. Take punitive actions if evidence is found.
2. **Awareness Drive:** Educate vendors about the provisions of the Street Vendors Act, 2014.
3. **Vendor Registration:** Ensure all vendors are registered and allowed to operate legally.
4. **Market Arrangements:** Design the market layout to avoid road encroachment and ensure free movement.
5. **Complaint Mechanism:** Establish a system with the market committee to receive complaints against corrupt officers.

Long-term Policy Recommendations:

1. **Designated Vending Zones:** Set up specific areas for hawkers to trade peacefully.
2. **Town Vending Committee:** Form a committee with representatives from all stakeholders to address concerns and regulate activities.
3. **Vendor Identity Cards:** Register vendors and provide identity cards to better manage hawking.
4. **Commuter Rights:** Ensure roads are clear for free movement while accommodating vendors.

Conclusion: As the Superintendent of Police, it is crucial to balance the rights of street vendors with maintaining law and order.

Immediate actions to investigate corruption, educate vendors, and organize the market, along with long-term policies for designated vending zones and stakeholder committees, will ensure a fair and orderly market environment. This approach will uphold the rights of vendors while maintaining public order and trust in the administration.

Case Study

Tobacco is one of the major commercial crops cultivated in a district, where you have been posted as the District Magistrate. But being a signatory to the UN Framework Convention on Tobacco Control, it is obligatory upon India to phase out tobacco cultivation. The state government had constituted a committee, which has recently submitted a report to gradually phase out its cultivation and rehabilitate farmers who shift to alternative crops. However, fearing loss of livelihood, farmers have blocked the railway lines, causing disruption at various places. They are demanding written assurance from the state government that tobacco cultivation will be allowed to continue.

- (a) What are the ethical and administrative issues involved in this matter?*
- (b) What are the options available to you as the District Magistrate?*
- (c) Evaluate each of these options and choose the option, which you would adopt, giving reasons.*

Approach

- Identify ethical issues and administrative issues involved in the case.
- Mention the options available to you.
- Discuss the advantages and disadvantages of each option and indicate which action would take providing justification for the same.

Answer

Introduction: The given case involves the ethical and administrative challenges faced by the District Magistrate (DM) in addressing the protests by farmers over phasing out tobacco cultivation as per international obligations.

(a) Ethical and Administrative Issues

Ethical Issues	Administrative Issues
Right to livelihood of farmers vs. public health	Restoring disrupted railway services
Obligation under the UN Convention	Ensuring public safety and avoiding violence
Fair distribution of economic opportunities	Providing medical facilities in case of violence
Right to protest vs. public inconvenience	Maintaining law and order
Protecting vulnerable communities	Coordinating with higher authorities for guidance

(b) Options Available to the District Magistrate

1. Persuade Farmers to End Protests
2. Use Police Force to Restore Railway Services
3. Inform Senior Officers and Await Instructions

(c) Evaluation and Chosen Option

Persuade Farmers to End Protests

- *Advantages:* Calms farmers' fears, potential amicable resolution, avoids police action.
- *Disadvantages:* Time-consuming, potential for vested interests to escalate situation, media sensationalism.

Use Police Force to Restore Railway Services

- *Advantages:* Immediate restoration of services, prevents economic disruption.
- *Disadvantages:* Risk of violence, potential loss of life and property, media backlash.

Inform Senior Officers and Await Instructions

- *Advantages:* Benefits from senior experience, ensures actions are approved.
- *Disadvantages:* Delays resolution, reflects poorly on state machinery and decision-making.

Chosen Option: Persuade Farmers to End Protests: As the District Magistrate, I would choose to persuade the farmers to end their protests. This approach fosters dialogue and understanding, addressing the root cause of the protests. While engaging with the farmers, I would:

- Clearly explain the state's obligations under the UN Framework Convention on Tobacco Control.
- Detail the government's rehabilitation plan and alternative livelihood options.
- Involve local leaders to mediate and assure farmers of their inclusion in the decision-making process.
- Prepare contingency plans with police and medical services in case of escalation.

Conclusion: Addressing the farmers' concerns through dialogue and understanding not only ensures immediate relief but also builds a foundation of trust between the administration and the community. This balanced approach upholds the ethical and administrative duties of a District Magistrate while striving to achieve a long-term, peaceful resolution.

Case Study

You have recently been posted as a District Labour Officer in a state, which derives a substantial revenue from tourism. You come to know that a big hotel in the area has not been paying wages as per the Minimum Wages Act. The hotel owner is a powerful local leader having contacts with many influential officials of the state. You have the power to take suo-moto cognizance of such violations and accordingly you initiate a preliminary enquiry into the matter. However, no worker is willing to come forward to lodge a formal complaint because they fear loss of employment. Meanwhile, your action has attracted notice of the higher authorities, and you are advised to drop the matter altogether. You are deeply concerned about the situation as it involves not only violation of the Minimum Wages Act but also denial of basic human rights of the worker.

(a) Identify the issues involved in the given case.

(b) Consider the options given below:

- 1. Follow the informal advise of the higher authorities.*
- 2. Convince the owner of the hotel to take note of these violations and take appropriate remedial measures.*
- 3. Submit a detailed report on the matter highlighting violations of workers' rights and seek formal directions from the competent authority.*
- 4. Serve a notice to the hotel owner and initiate action as per your powers under the Minimum Wages Act.*

Evaluate the merits and demerits of each of these options and suggest your preferred course of action, giving reasons.

Approach

- Giving a brief introduction of the case study, highlight the issues involved in it.
- Analyse the merit and demerit of the given options
- Give the final course of action in this case and justify it with appropriate reasons.

Answer

Introduction: The case involves the violation of the Minimum Wages Act by a powerful hotel owner in a district heavily dependent on tourism, and the dilemma faced by the District Labour Officer due to pressure from higher authorities and the fear of job loss among workers.

(a) Issues Involved

- **Violation of Workers' Rights:** The hotel is not paying wages as per the Minimum Wages Act.
- **Lack of Trust:** Workers fear losing their jobs if they lodge a formal complaint.
- **Political-Bureaucratic Nexus:** Pressure from higher authorities to drop the matter.
- **Economic Impact:** Potential negative publicity affecting tourism revenue.
- **Responsibility as Labour Officer:** Duty to enforce the Minimum Wages Act.

(b) Options Available

1. Follow the informal advice of higher authorities.
2. Convince the hotel owner to take remedial measures.
3. Submit a detailed report and seek formal directions.
4. Serve a notice and initiate action under the Minimum Wages Act.

(c) Evaluation of Options

Option 1: Follow the informal advice of higher authorities

- **Merits:** Maintains hierarchy, avoids personal harassment, tourism remains unaffected.
- **Demerits:** Continues workers' rights violation, neglects duty, encourages other employers to exploit workers.

Option 2: Convince the hotel owner to take remedial measures

- **Merits:** Potentially resolves the issue informally, gives the owner a second chance.
- **Demerits:** Informal agreement may not be sustainable, shows lack of administrative courage, potential for continued exploitation.

Option 3: Submit a detailed report and seek formal directions

- **Merits:** Ensures accountability, may pressure higher authorities and the hotel owner to act, restores trust in the system.
- **Demerits:** Seen as rebellion by higher authorities, potential inaction from seniors, risks job security.

Option 4: Serve a notice and initiate action under the Minimum Wages Act

- **Merits:** Upholds workers' rights, increases trust in the administration, deters other employers from similar practices.
- **Demerits:** May tarnish the hotel's reputation, could lead to job losses for workers, risks career prospects.

Preferred Course of Action: I would choose **Option 3: Submit a detailed report and seek formal directions**. If no formal orders are provided, I will then proceed with **Option 4: Serve a notice and initiate action**.

This approach ensures that I fulfill my duty, uphold workers' rights, and maintain accountability within the system. It also demonstrates empathy, impartiality, and honesty, key attributes for a civil servant, while restoring public trust in the administration.

Any Queries?

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Thank You

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