

**GS FOUNDATION
BATCH FOR CSE (2023-24)
ETHICS IN GOVERNANCE - HANDOUT 09**

**APPROACH TO CASE STUDIES + ACCOUNTABILITY &
ETHICAL GOVERNANCE**

Public Service Values & Ethics in Public Administration

- Concept of Public Service
- Public Service Values
- Status & Problems
- Ethical Concerns & Dilemmas in government in government & private institutions
- Laws, Rules, Regulations & Conscience as a source of Ethical Guidance
- Accountability & Ethical Governance
- Strengthening Moral & Ethical Vales in Governance
- Ethical Issues in international Relations & Funding
- Corporate Governance

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Case Studies in Ethics

- What is a case study?
- Rationality of including case studies in UPSC IAS examination?
- Essentials to solve a case study
 - ✓ Read & Re-read; Understand the Subject-Matter; Identify the stakeholders; Identify Ethical issues & Dilemmas; Identify the Directives
- Rational, Legal & Constitutional, Ethical & Moral and Practical approaches.

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Illegal Migration & Ethical Dilemmas

Ramesh is State Civil Services Officer who got the opportunity of getting posted to the capital of a border State after rendering 20 years of service. Ramesh's mother has recently been detected cancer and has been admitted in the leading cancer hospital of the city. His two adolescent children have also got admission in one of the best public schools of the town.

After settling down in his appointment as Director in the Home Department of the State, Ramesh got confidential report through intelligence sources that illegal migrants are infiltrating in the State from the neighboring country. He decided to personally carry out surprise check of the border posts along with his Home Department team. To his surprise, he caught red-handed two families of 12 members infiltrated with the connivance of the security personnel at the border posts.

On further inquiry and investigation, it was found that after the migrants from neighboring country infiltrate, their documentation like Aadhaar Card, Ration Card and Voter Card are also forged, and they are made to settle down in a particular area of the State. Ramesh prepared the detailed and comprehensive report and submitted to the Additional Secretary of the State.

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However, he was summoned by the Additional Home Secretary after a week and was instructed to withdraw the report. The Additional Home Secretary informed Ramesh that the report submitted by him has not been appreciated by the higher authorities. He further cautioned him that if he fails to withdraw the confidential report, he will not only be posted out from the prestigious appointment from the State capital but his further promotion which is due in near future will also get in jeopardy.

- (a) What are the options available to Ramesh as the Director of the Home Department of the bordering State?
- (b) What option should Ramesh adopt and why?
- (c) Critically evaluate each of the options.
- (d) What are the ethical dilemmas being faced by Ramesh?
- (e) What policy measures would you suggest to combat the menace of infiltration of illegal migrants from the neighboring country?

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Approach

- Stakeholders
- Subject matter
- Ethical Issues
- Directives

Stakeholders –

- Ramesh & his Family,
- Illegal Migrants,
- Security Personnel,
- Public at Large,
- Home Ministry Officials,
- Govt. of India & the State,
- Law Enforcement Agency

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Subject matter –

- National Security [Internal Security]
- Public service Values

Ethical Issues –

- National Security Concerns [Violation of Laws]
- Connivance between Security Personnel & Infiltrators
- Lack of Objectivity & Integrity
- Clash of Interest [Professional Responsibility Vs Self-Serving Interest]

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(a) What are the options available to Ramesh as the Director of the Home Department of the bordering State?

1. Withdraw the confidential Report as directed by the Additional Secretary
2. Convince the Additional Secretary briefing him the seriousness of the matter.
3. Forwarding the confidential report to the secretary plus to the Home Minister also a copy to the Chief Minister & Prime Minister Office.
4. Disclosing the report to a popular media and give wide publicity about the report & file a PIL in the Supreme Court

(b) What option should Ramesh adopt and why?

(c) Critically evaluate each of the options.

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(d) What are the ethical dilemmas being faced by Ramesh?

1. Clash of Interest [Self Serving Interest Vs Professional Responsibility]
2. Public Service Values Vs Loyalty
3. National & Internal Security Vs Personal Price
4. Rule of Law Vs Non-Maleficence

(e) What policy measures would you suggest to combat the menace of infiltration of illegal migrants from the neighboring country?

- Zero Tolerance Policy
- Rotational Policy of Officers
- Effective Intelligence Collection
- Officers of Impeccable Integrity & Honesty to be posted
- Effective Implementation of Laws
- Comprehensive Refugee Policy
- Effective Co-ordination between Center & States and with Neighboring Countries

Practice : Case Study - 1

- You are an executive in a Public Sector bank & one of your colleague requires money to carry on a surgery for her father urgently to survive which may cost 10 lakh rupees.
- She doesn't have insurance cover & her husband is not alive and further she is from a lower middle-class background & seeks your help, but you lack resources to help her presently.
- Few weeks later, on enquiry about the well-being of her father she informed her father is recovering after the surgery.
- She also reveals that the fund was sourced by the bank manager from a dormant account on condition that this will be kept confidential & she will also repay the money at the earliest which she has already started.

- a) What are the ethical issues involved?
- b) Evaluate the bank manager from the ethical point of view
- c) How would you react to the situation?

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Accountability & Ethical Governance

- What is accountability?
- Accountability Vs Responsibility?
- Dimensions of Accountability
 - ✓ Legal Dimensions
 - ✓ Fiscal Dimensions [use of public funds]
 - ✓ Policy & Programme Dimension [meeting goals, promises & expectation]
 - ✓ Democratic Dimensions [Participation, consultation etc.]
 - ✓ Ethical Dimensions [code of ethics & morality]
- Mechanism of Accountability
 - ✓ Legal
 - ✓ Institutional
- Challenges to Accountability
 - ✓ Art.311; Trade Unions; Bureaucratic functioning & Expert domain; Administrative discretion
- Advantages
 - ✓ Prevents abuse of power; checks corruption & fraud; rule of law; more responsive; improves legitimacy

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Ethical Governance

- Governance – exercise of political power to manage a nation affairs
- Good Governance
 - ✓ Putting people in the center of development process [Pro-active & Pro-people]
 - ✓ People Centric [Rule of Law, Responsive, Participation, Transparent & Accountable]
- Ethical Governance
 - ✓ Governance which displays high standards of morality
 - ✓ Value based [Integrity, Justice, Honesty, Compassion, Probity etc.]
 - ✓ “in the happiness of the subject lies the happiness of the king & in the welfare of the subjects lies the welfare of the king” [Kautilya]
 - ✓ Government with high moral principles [Mahatma Gandhi – Ram Rajya]

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Ethical Management & Management of Ethics

➤ Ethical Management

- ✓ Following ethical principles & values that guide the behaviour and decisions of an organization

➤ Management of Ethics

- ✓ Process of developing, implementing, monitoring ethical policies & procedures.
- ✓ Precursor to Ethical management
- ✓ Formulating code of ethics → Management of ethics → Application in decision making
- ✓ Example – Medical Ethics; Code of Ethics for Public service etc.

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Practice Questions

1. What do you understand by the term's 'governance', 'good governance' and 'ethical governance'?
2. Briefly comment on the following
 - a) Ethical Governance
 - b) Ethical Management & Management of Ethics

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Strengthening Moral & Ethical values in Governance

- Code of Ethics [Public Servants]
 - ✓ Ethics Committee of parliament [Register of members Interest]
 - ✓ Civil Service Bill [2nd ARC]
- Leadership
 - ✓ E.g., Mr. Armstrong Pame, IAS
 - ✓ Compassionate Kozhikode [Mr. Prashant Nair IAS]
- Work Environment
- Value Education & Training
- Integrity pacts [2nd ARC]
- Social Infrastructure
 - ✓ Value education at schools
 - ✓ False Claim Act [USA]
 - ✓ Social Audit