

Recorded Ethics JG Class 01

Motivation for the upcoming prelims (9:12 AM)

Topics to be covered (9:18 AM)

- Foundational Values for Civil Service, Integrity, Impartiality and Non-partisanship, Objectivity, Dedication to Public Service, Empathy, Tolerance, and Compassion towards the weaker-sections
- Ethical Concerns and Dilemmas in Government and Private Institutions; Accountability and Ethical Governance; Strengthening of Ethical and Moral Values in Governance; Ethical Issues in International Relations and Funding; Corporate Governance
- Probity in Governance: Concept of Public Service; Philosophical Basis of Governance and Probity; Information Sharing and Transparency in Government, Right to Information, Codes of Ethics, Codes of Conduct, Citizen's Charters, Work Culture, Quality of Service Delivery, Utilization of Public Funds, Challenges of Corruption
- **Sources for Ethics in governance:**
- Previous year questions
- Previous year toppers' copies
- Vision material
- 2nd ARC report on Ethics in Governance, especially the summary of the recommendations
- Values in administration in the training manual of DoPT
- Basic definitions from Lexicon
- Citation of PM Award for Excellence in Public Administration, citation of Padma Awards, Indian Express awards for good governance for examples to cite in answers

Foundational values of civil services (9:44 AM)

- Aspects to be covered:
- Meaning
- Importance of foundational values
- Examples
- Sources
- Detailed discussion on specific values
- **Values:**
- Values are intrinsic beliefs of an individual that guide and motivate one's behavior and attitude
- Values determine an individual's attitude toward oneself and others
- Every individual has a different set of values to which he/she gives importance, yet some values are considered universally desirable in nature
- For example, truthfulness, respect for others, courage, loyalty, sincerity, helpfulness, etc.
- Values are not static in nature and vary spatially and temporally
- Values vary spatially and temporally. For example, it may not be wrong to wear undergarments printed with the national flag in the USA, but it may be considered as objectionable and disrespectful in India
- Generally, people are predisposed to adopt the values they are raised with
- People also believe that those values are right because they are the values of their particular culture and may not necessarily apply to other cultures
- Ethical decision-making often involves weighing values against each other and choosing which values to elevate
- **Foundational values of civil services:**
- These are the core values of an organization that determines the behavior of the organization
- They determine the attitude of the members of an organization toward each other and the outsiders
- These values and principles form the very basis for the functioning of any organization
- In other words, they form the core identity of an organization
- Foundational values permeate across the entire work culture of an organization from the top to the bottom
- They are usually determined by the senior leadership of an organization
- For example, the employee centricity of the Tatas, the innovation of Google, and the discipline and punctuality of the Indian armed forces
- **Significance of foundational values for civil services:**
- Civil servants enjoy wide discretionary powers and by adhering to the foundational values they can limit the use of these powers at the expense of the public interest
- Civil servants often face ethical dilemmas and relying on foundational values can help them to arrive at quick decision

- They ensure consistency and uniformity in the decision-making and the actions of the civil servants
- They can help in establishing the lost trust between the government and the citizens
- Relying upon foundational values can help the civil services in achieving the desired objectives of good governance
- **Sources of foundational values for civil services:**
- Constitution: It is the most important source of values for the civil servant e.g. preamble, fundamental rights, and DPSPs
- Historical events and personalities
- Autobiographies, memoirs of retired civil servants
- Spiritual and religious texts
- Code of conduct like AIS Conduct Rules 1968, Central Civil Services Conduct Rules 1964, etc.
- Laws made by the legislature
- Views of philosophers and moral thinkers like Socrates, Plato, Aristotle, Kautilya, etc.
- UN Code of Conduct for public officials 1996
- Nolan Committee Report of the government of the UK
- **Sympathy, empathy, and compassion: (10:58 PM)**
- Sympathy refers to a situation where an individual recognizes the pain and suffering of other individuals
- Empathy on the other hand is putting oneself in the shoes of others as if it is one's own pain
- In empathy, an individual engages himself cognitively rather than only recognizing the pain superficially
- Compassion means taking action to relieve the pain and sufferings an individual is experiencing
- Compassion is a four-step process:
- 1. Being aware of someone's feelings
- 2. To be moved emotionally by someone's sufferings and feelings
- 3. Developing a desire to resolve someone's suffering
- 4. Taking necessary steps to resolve someone's suffering
- Compassion shows the highest level of kindness where a person is ready to endure pain for the sake of others
- It requires a person to be self-aware and to be attentive to the needs of others and to be committed to the same
- Dalai Lama says "love and compassion are necessities and not luxuries and without them, humanity cannot survive"
- Question:
- 1. Identify ten essential values important to you and rank them in order of priority and provide a justification for the same.
- 2. Identify the five most important values for a civil servant and give examples from your personal life when you have exhibited these values
- Significance of compassion for the civil services:
- All the other values are meaningless without compassion
- The very purpose of civil services is to relieve the pain and the sufferings of others which cannot be achieved without compassion
- We are often victims of stereotypes in society, which influence our actions which can be overcome by showing compassion
- It can help in bridging the trust deficit that exists between the government and citizens
- It plays a crucial role in ensuring citizen-centric administration
- Inculcating compassion in the civil services:
- Organizing regular field visits for the civil servants
- Cultivating interest in the culture of other communities through activities such as Bharat Darshan, India Day, etc.
- Organizing role-play activities such as the ones conducted at the National Police Academy
- Organizing sensitivity training for civil servants throughout the course of their career
- Organizing a Janta darbar to get a first-hand perspective of the problems of the people
- **Objectivity: (11:44 AM)**
- Objectivity refers to taking decisions on the basis of facts and figures and not as per an individual's preconceived notions and prejudices
- It means not being influenced by one's personal feelings and opinions

- Therefore, one can say that objectivity is a lack of bias and stereotypes in one's thinking and decision making
- The opposite of objectivity is subjectivity, which means taking decisions on the basis of one's biases
- Significance of objectivity for civil servants:
- Civil servants take lots of decisions without the benefit of hindsight and objectivity can help them in ensuring that the decision-making is more accurate
- Civil servants need to be accountable for their actions and being objective in decision-making can help them to justify their decision at a later stage
- It gives a sense of fairness to citizens and helps in enhancing trust in the government
- Civil servants often take decisions related to recruitment in the government and being objective can help them in overcoming favoritism and nepotism in the government
- It can go a long way in curbing corruption in the system as the chances of personal gains are minimized
- Ignoring the relevant considerations before making decisions can result in a situation where the policies that are well intended may have opposite consequences

Topics for the next class: Continuation of foundational values for civil services
Recorded Ethics JG Class 02

BRIEF REVISION OF THE LAST CLASS (9:11 AM)

- Inculcating compassion
- Objectivity and its significance

HOW TO INCULCATE OBJECTIVITY IN CIVIL SERVICES (9:20 AM)

- (a) Use of data analytical tools, for decision-making purposes.
- (b) Seeking feedback from citizens on service delivery mechanisms.
- For example, Bengaluru municipal corporation initiated the citizen's report card program to seek valuable input from the citizens on the services provided by various authorities.
- (c) Social Audit can be a powerful mechanism for inculcating objectivity in civil servants.
- It should be institutionalized and made an inseparable part of service delivery as has been done in the case of MGNREGA.
- (d) We may evolve a comprehensive code of conduct that should be followed diligently by civil servants to achieve the desired outcomes.

CONCERNS ASSOCIATED WITH OBJECTIVITY (9:33 AM)

- (a) Taking an objective approach is not possible at all times, especially because of the lack of availability of data with the government.
- (b) Other than that, the quality of data available is also of concern.
- (c) An individual who emphasizes too much on objectivity may become insensitive and may ignore the genuine problems of the citizens.
- (d) To be objective at all times is extremely difficult as human beings by nature are biased and partisans, and have stereotypes driven by their upbringing and social conditioning.
- (e) Being objective may not help in solving ethical dilemmas especially because values cannot be weighed on a scale.

COURAGE (9:40 AM)

- Courage is the ability to take decisions and actions and to stick by one's values and principles, even when there is a possibility of unfavourable outcomes.
- Nelson Mandela said, "Courage is not the absence of fear, but the triumph over it."
- It is the first of human qualities because it guarantees adherence to other values.
- It helps individuals in taking ethically correct decisions, however tough the situations, and the circumstances are.
- For Example,
- (a) Field Marshal Sam Manekshaw refused the monsoon campaign in East Pakistan, even while there was political pressure.
- (b) Ex-Director of LBSNAA, PS Appu, suggested the rustication of the probationer, and stood by it, despite the political pressure, and the personal cost involved.
- (c) DC Wadha exposing the inappropriate usage of ordinances by the state government.
- (d) Jai Prakash Narayan called for a protest against the most powerful politician.
- (e) Journalist Ramnath Goenka used journalism to expose the wrong-doings in the government.

IMPORTANCE OF COURAGE FOR CIVIL SERVICES

- (a) It allows civil servants to stay on the best course of action despite hardships and temptations.

- (b) Financial irregularities have become a part and parcel of the government system, and to expose them as well as to stand up against them one needs courage.
- (c) To overcome evil intentions the ethical and courageous need to speak up.
- As Napoleon once said, "The world suffers a lot not because of the violence of the bad but, because of the silence of the good."
- (d) It helps the civil servants to stay firm on their core values and principles.
- (e) Civil servants often need to take unpopular and difficult decisions and it is only courage which can help them, in such situations.

INCULCATING COURAGE IN CIVIL SERVICES (10:07 AM)

- (a) Enacting a strong whistle-blower protection mechanism so that wrong-doings in the government can be exposed.
- (b) The biggest fear that civil servants face while taking tough decisions is that of getting transferred and shunted to irrelevant positions or far-flung areas.
- We may address this problem by making the process of appointments, postings, and transfers apolitical.
- For example, In 2013 in the TSR Subramanian vs Union of India case, the court directed the central and state government to establish Civil Services Board to decide over postings and transfers.
- (c) We may also consider providing a fixed tenure for important postings and appointments.
- (d) An independent constitutional body such as UPSC may be given a bigger role in deciding appointments, postings, and transfers of civil servants.
- (e) Recognizing and rewarding the acts of courage by civil servants.

DEDICATION TO PUBLIC SERVICE (10:44 AM)

- It is the quality of being able to apply one's time and attention entirely to the cause of public service.
- It refers to commitment and passion and a personal urge to do something for the public good without any external force.
- Essentially, it refers to the idea of internalizing the cause of the public good.
- For example,
- (a) Doctors and public servants risking their lives during the times of COVID.
- (b) Andhra Pradesh MLA Nimmala Rama Naidu slept in a graveyard in Palakole to drive away fear among construction workers.
- **Importance of Dedication to Public Service for Civil Services**
- (a) The very purpose of civil services is to serve the people and contribute to society.
- This would get defeated in cases where there is no dedication to public service.
- (b) It can help a civil servant in overcoming adverse situations, especially when there is a shortage of resources within the government.
- For example, Armstrong Pame is known for his initiative in building a road in one of the most remote parts of the country with the help of public contribution.
- (c) Civil servants enjoy wide discretionary powers which may be used for personal gains in the absence of dedication to public service.
- (d) Public service requires unending zeal and enthusiasm, and without this value, civil servants would eventually run out of motivation.
- (e) The job of a civil servant is a 24x7 job, and one can sustain long hours only if, one is dedicated to the cause of public service.

INCULCATING DEDICATION TO CIVIL SERVICES IN CIVIL SERVICES (11:04 AM)

- (a) Rewards and recognition to the best-performing officers to create inspiration for others.
- (b) Organizing regular training sessions and exposure through field visits to sensitize the civil servants towards the challenges faced by the citizens.
- (c) Inspiring young civil servants through stories and examples of exemplary civil servants from the past.
- (d) We may adopt performance-linked appraisals. It has been already implemented in the private sector.
- This would help in shrugging off the complacency in civil services.
- (e) We may consider adopting the approach of KPIs, KRA, and OKRs to assess the performance of civil servants.

IMPARTIALITY AND NON-PARTISANSHIP (11:15 AM)

- Impartiality refers to the act of not supporting one person or group, over others.
- An impartial civil servant would give a fair chance to all sides, without allowing his personal biases to creep into his actions.
- Even though impartiality and non-partisanship are used interchangeably with each other, non-partisanship has a special meaning that connotes apolitical behaviour by civil servants.

- A civil servant is expected to remain politically neutral and execute the policies irrespective of who is in the power.
- In Mahabharata, Bhishma on his death bed told Yudhisthira that the most important duty of a king is to be impartial toward his subjects.
- If a king doesn't treat his subjects as his children in a fair manner, they would lose faith in the king, the idea of justice, and ultimately the state.

DISCUSSION ON THE PREPARATION STRATEGY FOR PRELIMS (11:33 AM)

- Revise your weak areas more.
- Go through the topics listed in PT-365, and cover the static portions associated with these topics from your reference books and notes.
- Cover current affairs through questions.
- Practice mock tests and the previous year's question papers. Give Abhyaas tests.

THE TOPICS FOR THE NEXT CLASS: IMPARTIALITY AND NON-PARTISANSHIP (CONTINUED)

Recorded Ethics JG Class 03

SIGNIFICANCE/IMPORTANCE OF NON-PARTISANSHIP (01:07 PM)

- It is crucial for maintaining the trust between the citizens and the govt. institution.
- A number of problems such as Naxalism have emerged precisely due to the breakdown of faith in the govt institutions.
- Only when a civil servant is impartial and non-partisan he/she can show courage to suggest alternative policies to the political executive.
- Transformation in society can not be brought about with help of a biased mind.
- India is a diverse society with varying interests and therefore civil servants are expected to be neutral while implementing the policies.
- In a democracy, the most important decisions should be taken by elected representatives of the people and a civil servant should only be a tool for the execution of those decisions.
- In order to do this effectively they should be as unbiased as possible.

INCULCATING NON-PARTISANSHIP AND IMPARTIALITY IN CIVIL SERVICES (01:18 PM)

- It is important to make the process of appointments and transfers as apolitical as possible.
- We may consider setting up of civil services board for deciding the appointments and transfers as directed by **SC in TSR Subramanyam vs UOI**.
- The **2nd ARC** recommended objectively defining the relationship between civil servants and ministers to minimize day-to-day interference in the functioning of civil services.
- Providing a minimum or a fixed tenure for important postings and appointments.
- A mandatory cooling-off period should be provided for civil servants before taking up private sector jobs or political appointments after quitting the services.
- Laying down a comprehensive code of conduct and laying down strict guidelines to regulate the acceptance of gifts from individuals and organizations.
- A strong emphasis should be laid on inculcating values by training young civil servants under the guidance of retired civil servants of repute.

TOLERANCE (01:35 PM)

- It means giving respect to the views and opinions of others even though they may be in conflict with one's own views.

Significance of tolerance-

- To protect the multireligious and multilingual and multiethnic and multi-religious character of Indian society.
- Freedom of speech and expression is the cornerstone of any democracy and crucial for driving innovation and growth in society.
- It can be protected only if the value of tolerance is given importance.
- Indian society is witnessing more conflicts with every passing day but historical experiences suggest that a long-lasting solution to any problem can be achieved only through discussions and deliberations and a consensus-based approach for which tolerance is indispensable.
- A public official should be secular in outlook and ensure this value of tolerance is non-negotiable.
- All Indian civil servants need to serve culturally different sections of society and for this tolerance is really important.
- **For example-** A civil servant in Haryana may find it difficult to serve the people of Nagaland unless he has an attitude of tolerance.

INCULCATING VALUE OF TOLERANCE IN CIVIL SERVANTS (01:52 PM)

- Exposure to different cultures and traditions through activities such as -
- Bharat Darshan and cultural events.
- Celebrating the diversity of India.
- Encouraging a culture of debate, discussions, and deliberations during the training so that civil servants understand the importance of dissent and disagreement.
- Organizing team sports could inculcate the value of tolerance and team spirit among civil servants.
- Regularly organizing team visits and encouraging interactions with people from different sections.

INTEGRITY (01:58 PM)

- Honesty doesn't ensure overall ethical behavior from an individual.
- Steadfast adherence to values and principles and not comprising on them irrespective of situation and circumstances.
- **Example-**
- (1) Lal Bahadur Shastri wrote letters to his grandson using his own personal stationery, not of office.
- (2) Yudhisthir stood to his word of going to exile rather than fight with Kaurava.
- (3) Example of MS Dhoni's sportsmanship on the field.
- (4) Sham Manekshaw denied going to war with Pakistan even if he had to resign
- Honesty and integrity are often considered synonymous with each other but there is a significant difference between the two.

Honesty-

- It refers to the quality of being truthful and sincere in one's conduct.
- It is an external concept and doesn't guarantee higher standards of behavior.

Integrity-

- On the other hand, is called as **mother of all values** and refers to **steadfast adherence to values and principles** irrespective of place and circumstances.
- It means following the highest standards of behavior and consistency in one's actions and thoughts.
- Integrity has the following aspects-
- i) Choosing the right conduct
- ii) Acting consistently with the choice made even when it is inconvenient to do so.
- iii) openly declaring one's stance.
- **For example-**
- i) Gandhi ji withdrew NCM after the Chuari Chaura incident even though the movement was at its peak because he believed in the value of nonviolence and was not ready to compromise irrespective of the stakes involved.
- ii) A person not jumping traffic light irrespective of the presence or absence of traffic police.
- **Honesty** is between honesty and integrity.
- **Integrity** implies adherence to several values including honesty, therefore, one can say that honesty is a necessary though not a sufficient criterion for integrity.
- To be a person of integrity one has to be honest but being honest doesn't ensure integrity.
- **For example:**
- Accepting one has taken a bribe would be called an honest act whereas a person of integrity would not even consider taking a bribe.

SIGNIFICANCE OF INTEGRITY FOR CIVIL SERVICES (02:48 PM)

- Civil servants possess wide discretionary powers and in the absence of integrity, they may exercise these powers for personal gains and political purposes.
- Public officials with integrity have credibility in eyes of the public and therefore, they are more likely to be listened to by the citizens.
- Without integrity, corruption will thrive in society and other values would also get compromised in difficult circumstances.
- Public officials have a duty to uphold ethical standards in their work.
- Integrity is essential in ensuring that they act ethically and uphold the values of the administration.
- Public officials who show integrity do not shy away from being held responsible for their actions.
- Therefore ensuring accountability in governance.
- India suffers due to the limited availability of resources and integrity can ensure efficient utilization of the same.
- **Examples-**
- **i) TN Seshan** who was CEC was known for his integrity and efforts to ensure free and fair elections in the country.

- During his tenure, he faced immense pressure from political parties and influential people but he did not back down from his duty and adherence to values.
- **ii) Satendra Dubey**, an engineer who exposed corruption in the construction of the golden quadrilateral highway project, despite facing enormous pressure followed his conscience in his efforts to expose corruption.
- He was murdered in 2003 and is considered a role model for his integrity and commitment to work.

INCULCATING INTEGRITY IN CIVIL SERVANTS (03:01 PM)

- Assigning mentors to young civil servants at the early stages of their careers so that they can learn to deal with adverse situations with the utmost integrity.
- Young civil servants should be provided with ethics training which should cover topics such as ethical decision-making, conflict of interest, and whistle-blowing.
- Providing incentives for honest and ethical behavior.
- **For example-**
- We may introduce a reward scheme that provides information on corruption within the govt.
- Exemplary punishment for corrupt civil servants and changes in corruption law to ensure effective enforcement.
- Inculcations of values and ethics in society at an early age with help of school and family.
- Making ethical conduct and integrity an important criterion for selection for civil services.
- Encouraging and providing necessary tools to civil society to promote transparency and accountability in civil servants.
- **For example-**
- Jan Sunvayi campaign of MKSS.
- Introducing a code of ethics for civil servants that outlines ethical standards and values they must uphold.

ETHICAL DILEMMAS (ED) IN PUBLIC SERVICES (03:15 PM)

- ED is a situation in which a choice has to be made between two morally valid options and it is difficult for the decision maker to choose one path therefore an ethical dilemma can be described as a circumstance that requires a choice between a competing set of principles in a given a usually undesirable situation.
- Civil servants often face ethical dilemmas during their work and in such situations societal and personal guidelines may not provide a satisfactory answer.
- Usually, ethical dilemmas faced by civil servants revolve around issues such as-
- i) Corruption
- ii) Nepotism
- iii) administrative discretion
- iv) Administrative secrecy
- v) Public accountability
- These potential areas of issues are not necessarily ethical dilemmas in themselves.
- An ethical dilemma arises when he is confronted with the problem of making a choice.

Balancing public opinion and expert opinion-

- Often civil servants have to face conflict in balancing public opinion and expert knowledge in making decisions that affect the public.
- Use of govt resources while traveling for professional purposes.
- When a civil servant travels for professional purposes often a dilemma may arise wrt the use of public resources and one's own comfort.

Neutrality v/s pressure from political leaders-

- Civil servants must uphold neutrality and remain unbiased in their work but they may land up in a dilemma when they face pressure from political leaders and parties.

Whistleblowers dilemma-

- When the civil servant becomes aware of the misconduct of corruption within the organization they may land up in a dilemma as exposing the above may risk their job and potential retaliation.

Confidentiality vs neutrality-

- A civil servant may face the dilemma of keeping some information confidential where wrongdoing is involved.
- Exposing it may conflict with their duty as civil servants to maintain strict confidentiality.
- personal values vs organizational interest-
- **For example-**

- If environmental guidelines provide that industries should set up a waste treatment plant but the exorbitant cost may result in creating financial difficulty for their organizations and may result in a large number of layoffs.
- Whereas the individual is concerned about the environmental impact if the plant is not set up.
- When a civil servant needs to balance the budgetary constraints with the public demand for essential services such as health, education, etc.
- He may also have to navigate circumstances where one region or one geography has to be given priority over the other.

Direction from superior vs personal values-

- A police officer who believes in non-violence has been asked by his senior to use force against an angry mob.

When personal values clash with professional values-

- **For example-** a lawyer who comes to know of a heinous crime committed by his client is in conflict with his personal values do not allow him to promote crime and criminals.

NEXT CLASS: HOW TO RESOLVE THESE ETHICAL DILEMMAS, ETHICAL GOVERNANCE

Recorded Ethics JG Class 04

INTRODUCTION (9:11 AM)

- Objective of the class.

PRINCIPLES TO BE FOLLOWED WHILE RESOLVING AN ETHICAL DILEMMA (9:12 AM)

An individual must keep the following questions in mind before moving to resolve an ethical dilemma:

- Is the ethical dilemma really what it appears to be and if one has adequate information about the same?
- Is the action which is being considered legal or ethical or both?
- If you choose a particular course of action, how would that make you feel?
- Do you understand the position of those who oppose the action you are considering?
- Whom does the action benefit and who is at harm as a result of it?
- Would the action be embarrassing to you if your family or loved ones came to know of it?

A step-by-step approach to resolving ethical dilemma (9:22 AM)

- **(1) Identification of options** available in a situation.
- **(2) Analysing the consequences** of choosing one action over the other.
- One must identify the positive and negative consequences associated with a particular option.
- **(3) Identification of stakeholders**
- **However, mere identification is not enough, it needs to be supplemented by these questions:**
- (a) Who would be benefitted from choosing that course of action?
- (b) Which stakeholder would be negatively affected as a result of that action?
- (c) What would be the short-term and long-term effects of the decision taken?
- (d) What is the scale of harms & benefits associated with various options?
- (e) After considering all the options which option would present the best combination of maximization of benefits and minimization of harms?
- **(4) Analysing the action chosen** based on certain moral principles such as honesty, integrity, morality, equality, integrity, transparency, fairness, accountability, etc.
- (5) Analysing if the option chosen, whether it **violates any ethical principles**.
- **(6) Ranking the ethical principles** and values involved to finalize the action.
- **(7) Evaluation of root causes that led to the dilemma** and address the same so that such a situation does not emerge in the future.

Tools that may aid the resolution of an ethical dilemma (9:48 AM)

- **Gandhiji's Talisman:** So that the interest of the poor and the marginalized are given first priority.
- Relying upon the **Code of Ethics and Code of Conduct** to rule out certain options
- Following the **Constitutional values and principles** to decide which course of action to follow.
- Taking the **Consequentialist approach** to maximize the good for a maximum number of people.
- Taking the **Deontological approach** to ensure that one follows one's duties irrespective of consequences.

ETHICAL GOVERNANCE (9:58 AM)

- Discussion on good governance.
- **Governance:** Taking decisions and implementing those decisions.
- **Ethical Governance refers** to governance that is carried out while keeping ethical concerns in mind.
- One may say that ethical governance is a step ahead of good governance as it seeks to realize certain universally desirable values and not merely values of administrative efficiency.

Significance of Ethical Governance (10:15 AM)

- Same as the significance of foundational values of Civil Services.

Elements of Ethical Governance (10:17 AM)

- Fairness
- Compassion
- Integrity
- Impartiality
- Selflessness
- Dedication to public service
- Transparency

Challenges in Ensuring Ethical Governance in India (10:19 AM)

- **Political Challenges**
- Excessive political interference where the emphasis is on populist considerations rather than elements of ethical governance.
- Even civil servants are more concerned about impressing their political bosses rather than focussing on ethical considerations of administration.
- The political executive often expects the civil services to perform unethical tasks contrary to the principles of ethical governance.
- **Institutional Challenges (10:26 AM)**
- The concept of career civil services compromises dedication to public service resulting in complacency among civil servants.
- Civil servants enjoy wide discretionary powers which often come without checks and balances and in such situations they end up exercising these powers for their selfish interests.
- Civil servants often focus more on preserving their powers and further enlarging them rather than focusing on serving the public interest.
- **Societal Challenges (10:34 AM)**
- Declining morals and values in society have made civil servants focus more on the accumulation of material resources rather than the cause of public service.
- Even society has become more tolerant of unethical conduct and behavior. This further disincentivises the civil services to focus on ethical behavior.
- **Operational Challenges (10:41 AM)**
- In the bureaucracy, secrecy is a norm, and transparency is an exception that results in a lack of accountability and therefore breeds corruption.
- Complex procedures have been designed to avoid errors in decision making which often results in a lack of accountability and excessive delays in decision-making, further leading to loss of time and opportunity.
- Civil servants often tend to develop a lack of empathy and compassion due to the hierarchical nature of bureaucracy that creates distance between the citizens and the civil servants. As a result, they get drifted from their main goal of serving the people.

CODE OF ETHICS AND CODE OF CONDUCT (11:14 AM)

- **Code of Conduct** is a specific list of Do's and don'ts. More emphasis is on Don'ts.
- In case it is not followed, disciplinary action can be taken.
- It is more of a negative list of instructions.
- **Code of Ethics** is more of positive instructions.
- These are the values and principles that should be followed by civil servants.

Code of Conduct (11:18 AM)

- It refers to a specific set of guidelines provided to the members of an organization concerning how they should conduct themselves in certain specific situations.
- Therefore, one can say that the Code of Conduct defines the Do's and Don'ts for civil servants.
- **For Example,** All India Services Conduct Rules 1968 lay down the following standards of behavior by Civil Servants:
- (1) Every member must maintain the highest ethical standards and political neutrality. They must promote principles of merit and fairness, accountability and transparency, courtesy, responsiveness to the public, and good behavior.
- (2) Civil servants are not supposed to be involved in criticism of the government in any form.
- (3) They should not take part in a public demonstration without the prior permission of the government.
- (4) They are supposed to remain sober and not appear in public places in a state of intoxication and use drinks and drugs in excess.

- (5) They should observe existing policies regarding Crime Against Women and observe the Two Child Norm.
- (6) An officer should not enter into a marriage with a person, who has a spouse living, or, an officer with a spouse living shall not enter a marriage with other people.
- (7) An officer should manage their private affairs in financial matters in such a manner to avoid insolvency.
- (8) No member should abet giving or taking or give or take dowry.
- (9) Members should not engage directly or indirectly in any trade or business or any other employment or participate in making sponsored media or any such programs.
- (10) Civil servants may accept from near relatives or friends gifts except on celebratory occasions and must report to the government if it is above Rs. 25000. In other cases, civil servants can not accept without permission if the value of the gift exceeds Rs. 5000.

Code of Ethics (11:43 AM)

- It is a loose set of principles that should guide the behavior of civil servants.
- One may say that they are a general set of principles and values that should be adhered to by the members of an organization.
- They do not have any legal backing but rather a moral force behind them.
- For example, the Code of Ethics may prescribe that civil servants should follow the principle of transparency and accountability in the functioning of their office. **But, it is not legally enforceable** if one does not do so.

Difference between Code of Conduct and Code of Ethics (11:49 AM)

- Even though, both the Code of Conduct and Code of Ethics attempt to enrich the professional qualities of an organization, there is a considerable difference between the two.

Difference:

	Code of Conduct	Code of Ethics
Basis		
Nature	Code of Conduct is more specific in nature.	Code of Ethics is more generic in nature.
Enforceability	The code of Conduct is enforceable by the department and minor punishments may be imposed for not following the same.	There is no punishment for not following the Code of Ethics as it has only moral sanction behind it.
Explicitly	CoC is explicit in nature.	Code of Ethics is usually implicit in nature. It means that CoE does not imply specific actions but provides general guidance in different situations.
Applicability	Limited base	Wider base. Can be applied in any situation. However, depends on individual ethics.
Focus	CoC focuses on compliance with rules and regulations.	CoE focuses on compliance with values and principles.
Time Period	The CoC can only guide the behavior of civil servants over a short period of time.	Adopting a CoE can ensure long-term sustainable changes in the behavior of civil servants.

TOPIC FOR THE NEXT CLASS: LIMITATIONS OF CODE OF ETHICS AND SECOND ARC'S RECOMMENDATIONS ON SAME; CORRUPTION

Recorded Ethics JG Class 05

A BRIEF OVERVIEW OF THE PREVIOUS CLASS:(01:04:00 PM)

- Code of Conduct(COC) vs Code of Ethics(COE).

SIGNIFICANCE OF COC & COE: (01:07:00 PM)

- 1. Civil services are often accused of having a poor work culture which can be addressed by diligently following a COC and COE.
- 2. A COE mandates principles such as accountability, transparency, selflessness, and impartiality should be followed in the conduct of the civil services which can effectively address the trust deficit between the citizens and the civil servants.
- For example, a civil servant who works as a purchasing agent for the government discovered that a supplier was offering a bribe. Still, the civil servant follows the COE and COC and reports the same to his supervisor.
- As a result, the supplier was investigated and charged with bribing.
- A civil servant who worked as a municipal officer took responsibility for a significant error in a project under his supervision rather than blaming others and took steps to ensure accountability.
- 3. Organisations can sustain ethical behavior only if accountability is more internal than external which can be only enforced by diligently following a COE.
- For Example, Shiv Shankar Menon, the former National Security Advisor ensured that sensitive information related to national security was handled with the utmost care.
- He maintained strict confidentiality and only shared information on a need-to-know basis.
- Such a behavior can be attained only by imbibing a COE within the organization.
- 4. Civil Servants are interested in the resources of the community and following these codes would create a culture of honesty and integrity and therefore ensures effective utilization of resources.
- 5. These codes ensure that civil servants respect the human rights and dignity of all individuals and they do not engage in discrimination and abuse of power and treat all individuals with respect and fairness.
- 6. These codes ensure that civil servants perform their duties with competence, integrity, and efficiency.
- For example, during the 2015 floods in Chennai, several people were not able to communicate with their loved ones. In this situation, a young IAS officer, Mr. Santosh Babu, worked tirelessly to set up a control room to coordinate with the central and the state government and use social media to provide timely updates.
- He exemplified the highest degree of professionalism and worked round the clock for several days and personally supervised the relief activities.
- All of this was possible only because of his ethical values and principles.
- 7. Civil servants often face ethical dilemmas and without such codes, the behavior of civil servants would be driven by individual morals resulting in inconsistency and lack of uniformity.

LIMITATIONS OF COC & COE:(01:52:00 PM)

- 1. Enforcement of COC depends upon departmental discretion whereas the COE has no legal enforceability at all.
- It can result in a situation where these codes are not taken seriously and there is little accountability for violating them.
- 2. The COE is too vague and subjective and therefore their enforcement is individual-centric to a large extent.
- Not only that, in a diverse country such as India social and cultural norms can influence ethical behavior.
- 3. Many civil servants may not be aware of these codes or may not have received adequate training on how to apply them in their work.
- 4. There are no incentives for civil servants to follow the COE or COD as it has no bearing on their service record or performance.
- 5. The COE does not define which principles would apply in which circumstances, and on the other hand COC itself has limited applications in different situations.
- 6. It is often said that the erosion of moral values has happened to such an extent in the civil services that COC & COE would have a negligible impact on probity in governance.
- Not only that, it is very difficult to adhere to these codes in present circumstances where excessive political interference in administrative matters is a routine practice.

RECOMMENDATIONS OF 2ND ARC ON COE & COC: (02:22:00 PM)

- It proposed the enactment of a public service code in the form of The Public Service Code Bill, 2007.
- A similar has been enacted in countries such as Australia, Poland, and Canada.
- This code may be divided into three levels:
- Level 1:
- A clear statement of values that should be followed by civil servants.
- Some of these values would include patriotism, upholding national pride, allegiance to the constitution of India, objectivity, impartiality, honesty, integrity, diligence, and transparency.

- These values may be revised from time to time by a Central Public Service Authority to be formed under the law.
- Level 2:
- It would include a broad set of principles that should govern the behavior of civil servants.
- According to it, every public service employee shall discharge official duties with competence, accountability, diligence, responsibility, honesty, and impartiality.
- Every civil servant should have an opportunity for professional growth and leadership development, avoid the misuse of the official position, use public money with the utmost care, serve as an instrument of good governance, and promote socio-economic development with due regard for the diversity of nation but without discrimination on grounds of caste, community, religion, etc.
- The government in consultation with Central Public Service Authority shall prepare a code of ethics according to the principles highlighted above.
- It suggests that any breach of this code should be dealt with in the form of sanctions or disciplinary actions by the concerned disciplinary authority.
- Level 3:
- It proposes a specific Code of Conduct providing a list of acceptable and unacceptable behaviors which would be termed the Public Service Management Code (PSMC).
- This code must be formed on the following principles:
- 1. To establish public service as a professional merit-based institution for promoting good governance.
- 2. Mechanisms and incentives to maintain high levels of productivity, efficiency, and excellence.
- 3. Make policies to promote the sustainability of public services keeping in view the finances of the government.

CODE OF ETHICS FOR THE MINISTERS: (03:09:00 PM)

- Even though India has a COC for the ministers it is not comprehensive in nature and only includes a list of prohibitions.
- The 2nd ARC has suggested that there should be a COE for the ministers so that they can uphold the highest standards of ethical conduct in the performance of their duty.
- Some of the principles on the basis of which this COE must be formed are as follows:
- 1. Ministers must uphold the principles of collective responsibility enshrined in Article 75 of the Constitution.
- 2. Ministers must ensure that no conflict arises or appears to arise between their public duties and their private interests.
- 3. Ministers must uphold the political impartiality of civil servants and not ask them to act in such a way that it would clash with their professional duties.
- 4. They must comply with the requirements laid down by the parliament from time to time and ensure that public money is used for public purposes with utmost care and economy.
- 5. They must not use government resources for their party or political purposes.
- 6. They must act in an objective, impartial, and just manner.

WAYS TO ENHANCE THE EFFECTIVENESS OF COE & COC: (03:22:00 PM)

- Governments can learn from the private sector organizations as many of them have effectively implemented a COE and created an environment in which the employees identify themselves with the principles of the organization.
- It may be done with the active involvement of the employees in the formulation of COE.
- Civil servants should be trained on the importance of ethical behavior through tools such as workshops, seminars, roleplay activities, etc.
- The 2nd ARC has recommended that these codes should be designed and enforced only after consultation with relevant professionals from various sections of society including media, judiciary, civil society, etc.
- The government should encourage the participation of civil society organizations in monitoring and oversight mechanisms.
- Government departments must maintain a list of violations of the code of ethics and conduct.
- Public service values and ethos should be included as a part of training and curricula at the early stages of their careers.
- We may also introduce certain incentive mechanisms to ensure adherence to these codes.

CORRUPTION: (03:35:00 PM)

- As per the World Bank corruption refers to the abuse of public funds or public office for private gains.
- According to the Prevention of Corruption Act, 1988, no specific definition of corruption has been provided but some of the activities that are considered corrupt under this Act are as follows:
- 1. Acceptance of illegal gratification as a motive for either doing or not doing official duty.

- 2. Favours or dis-favors a person.
- 3. Obtaining a valuable thing without consideration.
- 4. Obtaining any monetary advantage or having properties or resources disproportionate to income.
- According to the above provisions the focus is on gratification and pecuniary activities, however, a range of detrimental activities are not covered under this law.
- Therefore, ideally, corruption should include acts such as:
- Gross perversion of democratic and constitutional principles,
- Unduly favoring or harming someone without any consideration,
- Obstruction of justice by unduly influencing the law enforcing agencies and the prosecution.
- Wasting public resources by spending exorbitantly.

TOPICS FOR THE NEXT CLASS: Continuation of Corruption and its types and other issues related to it.

Recorded Ethics JG Class 06

CAUSES OF CORRUPTION- 1:05 PM

- **Historical factors-** Colony and legacy have played an important role in shaping our **attitude towards corruption**.
- It was considered ok to steal from the government as it was **draining the country of its resources**.
- **British administration** was excessively corrupt therefore corruption gained legitimacy in the administrative machinery.
- **Political factors-** The increasing role of **money and muscle power** in winning the elections
- Politics is a business today and politicians try to **recover the money** after assuming power.
- **Business houses support electoral campaigns** and try to recover the money once their crony assumes power.
- Since assuming power is the most important factor, **political parties do not refrain from buying MLAs and MPs** which need money to be earned through corrupt sources.
- **Societal factors-** Prevalent economic inequality is often cited as a **justification for corruption**.
- There has been an **overall decline in the morals and values** of society as a result corruption has become a part and parcel of life.
- We live in a society that is **driven by consumerism** and the means to achieve wealth do not matter as long as one has wealth.
- The **breakdown of community living** and the joint family system has also impacted the value system in society which is more focused on individuals than on the community.
- **Structural factors-** the existence of complex provisions and laws which are outdated, results in creating hassle for the citizens and they try to find easier ways to get around the system.
- The prevalence of **license raj** in several industries has ended up promoting a rent-seeking attitude in bureaucracy.
- In India corruption is seen as a **low-risk and high-reward activity** primarily due to an ineffective criminal justice system.
- Civil servants have a **low image of themselves** due to a number of reasons ranging from insufficient remuneration to constant harassment by senior officials.
- In such a situation **public officials make peace** with corrupt behavior as it suits their self-image.
- The **system has collapsed** to such an extent that young and honest officers are not able to retain idealism for a long time as acts of honesty and integrity are often served with adverse consequences.
- Therefore even **honest officers** get demoralized by the functioning of the system.

TYPES OF CORRUPTION- 1:54 PM

- **Coercive vs. collusive corruption**
- **In coercive corruption**, the victim is forced to involve themselves in a corrupt act to avail of a government service to which he/she is entitled.
- The bribe giver is a victim of extortion because if he does not submit to the **demand of the public officials** he would end up losing much more than the bribe.
- Though it is mainly of a smaller magnitude it ends up **exploiting the downtrodden and the marginalized sections** of society.
- A citizen is sucked into the vicious cycle of **corruption to avoid harassment**, delayed loss of opportunity, or loss of work due to non-compliance with the demand of the bribe.
- The money that is given as a **bribe is often termed speed money**.
- A large part of such corruption can be attributed to a **lack of vigilance in public offices**, an absence of fear of the law, and a lack of legal awareness among the citizens.

- Additionally, it occurs due to a **mismatch in the demand and supply** of government service and excessive discretion that has been placed in the hands of civil servants.
- **Collusive corruption**- The bribe giver and the taker **both cheat the society**, in fact, the bribe giver is as or even more guilty than the bribe taker.
- It is often referred to as **top-down corruption** and usually occurs in the higher levels of government, one may even call it as big-ticket corruption.
- Some scholars believe that it is a **by-product of the growth** of the private sector in the economy as private players try to outgrow each other at the cost of the public.
- **Examples**- Kickbacks for public procurement, direct harm to the public by making spurious drugs, execution of sub-standard work, and distortion of competition in the market.

WHICH TYPE OF CORRUPTION IS MORE HARMFUL- 2:32 PM

- **Prevention of corruption act** lays down that acceptance of illegal gratification is an offense but the law protects the bribe giver from prosecution if he accepts that he offered a bribe.
- As a result, the **rate of conviction in cases** of coercive corruption is more than in collusive corruption, additionally, the traps laid down by anti-corruption agencies are effective in such cases.
- But the same is **not proof of collusive corruption** as both the bribe giver and the taker gain from the transaction.
- Therefore collusive corruption is **more difficult to expose** but at the same time coercive corruption is extremely difficult to monitor considering the huge size of the government machinery.
- The amount of **money and resources involved in collusive corruption** is huge and therefore implies a greater loss to the exchequer.
- Coercive corruption affects the citizens directly and impacts the lowest strata the most.
- Coercive corruption is difficult to tackle as it become a **way of life and gradually people** develop a tolerance towards it.
- Collusive corruption affects **public expenditure** on various welfare programs and erodes the faith of the citizens in democratic institutions.

EFFECTS OF CORRUPTION- 3:00 PM

- **Economic effect**- As per the study conducted by Mckinsey most of the money generated by corrupt means in South Asia is **smuggled out to sage heavens**.
- As a result tax collection suffers.
- It **distorts policymaking** as there is a lack of clarity on the money floating in the economy.
- It **discourages foreign investment** since the ease of doing business in economies is low.
- **Crony capitalism and collusive corruption** distort the level playing field and adversely affect small businesses.
- As a result innovation and entrepreneurship are discouraged.
- **Political effect**- it leads to **erosion of faith** in the institutions of democracy.
- It further **encourages corruption** as politicians try to earn the money back spent during the electoral campaigns.
- **Winning or losing** in elections is not decided by the issues and the capability of the candidates but rather by money.
- **Societal effects**- Corruption becomes a way of life and **normalizes unethical conduct** in society.
- Therefore establishing a **vicious cycle of corruption** and unethical behavior.
- It has **detrimental effects** on social capital as people end up becoming more distrustful of each other.

WAYS TO TACKLE CORRUPTION - (3:17 PM)

- **The legal measures to tackle corruption -**
- **Section 7** of the **Prevention of Corruption Act** should be amended to include the offense of collusive bribery.
- Collusive bribery may be defined as a transaction in which the **Transaction outcome leads to a loss to the state or public**.
- The definition of **bribery and corrupt activities** should be expanded to include acts such as -
- a) Obstruction of justice.
- b) Wasting public money.
- c) Gross violation of constitutional provisions.
- d) Abuse of power for unduly favoring or harming someone.
- e) The prior sanction **should not be necessary** for prosecuting a public servant who has been trapped red-handed or in cases of possessing assets disproportionate to the known sources of income.

- f) The sanctioning authority **should not be summoned to the courts** to prevent unnecessary delays in prosecution.
In addition to penalties the public who cause loss to the states by their corrupt acts should be made liable for the loss caused.
- g) In order to ensure **speedy trial of corruption cases**, all the cases should be tried by a particular judge and the proceeding should be held on a day-to-day basis. We may also consider amending the provision of **CRPC to limit the time of trial** in corruption cases.
- h) Changes should be made to the **Whistle-Blower Protection Act** to protect the confidentiality and anonymity of whistle-blowers.
- i) **Section -8 ROPA** may be amended to disqualify those individuals who have been **charge-sheeted in certain heinous crimes**.
- **Institutional Measures to Prevent Corruption-**
- 1) At **present Lokpal is dysfunctional** and there is a need to revise it in consistency with the commitments made at the UNCAC (United Nations Convention against Corruption).
- 2) A **local bodies Ombudsman should be constituted** for a group of districts to investigate cases against local bodies' functionaries.
- 3) There is a **need to change the provisions of the DSPE Act** (THE DELHI SPECIAL POLICE ESTABLISHMENT ACT) to provide autonomy to the CBI director and to free the institution from the control of the central government.
- 4) A **reasonable time limit** should be fixed for the investigation agencies to carry out investigations in corruption cases.
- 5) The **prosecution of corruption cases** should be done by a panel of lawyers to be chosen by the attorney general after consulting the Ombudsman.
- **Societal Measures -**
- 1) **School awareness programs** should be introduced highlighting the importance of ethics and how corruption can be combated.
- 2) **Active involvement of CSOs** (Civil Society Organizations) to highlight the cases of corruption and to keep a vigil on the government functionaries as done in the case of MGNREGA.
- Some of the examples that may be emulated are
- **Jan Sunavayi by MKSS**(Mazdoor Kisan Shakti Sangathan),
- The citizen report card by the Public Affairs Center Bangalore,
- **NCPRI** - (National Campaign for People's Right to Information) spreading awareness related to the RBI.
- Campaign for electoral reforms and citizen Charter by Lok Satta Hyderabad.
- **3) A mechanism** should be evolved to screen the **allegations of complaints made by the media** so that appropriate action can be taken in such cases.
Operational guidelines of all the schemes should provide for a Social Audit Mechanism.
- **Systemic Measures-**
- Complete **adoption of information technology** in all government offices to implement the concept of the paperless office.
- The **department manuals should be revised** thoroughly to reduce the discretionary powers in the hands of civil servants.
- Government organizations that simplify and **streamline their process** must be given suitable rewards.
- Government should **make it mandatory for the bidders of public projects** to sign integrity pacts.
- For Example- ONGC signed an MOU with transparency international and CVC in 2006.
- **Public interaction** in government offices should be limited to designated officers.
- The government should try and **adopt a single window clearance mechanism** with a file tracking system for all the government departments
- **Risk profiling of all the jobs should be done** in order to determine positions that are highly vulnerable to corrupt activities.
- Only officers with impeccable records should be appointed to man these positions.

The topic for the next class- Work culture
Recorded Ethics JG Class 07

INTRODUCTION (9:07 AM)

- Objective of today's class.

WORK CULTURE (9:08 AM)

- Work culture refers to a collective set of values of an organization and its employees.

- It determines the manner in which the employees of an organization interact with each other as well as their attitude toward clients and other partner agencies.
- An organization possesses a strong work culture if the employees adhere to its rules and regulations and more importantly the values and principles of the organization.
- **For example,** Google promotes a work culture of innovation where the employees are encouraged to think out of the box and to take risks to come up with new ideas.
- The work culture of an organization reflects the philosophy of an organization and is usually formed over a period of time and is often deeply influenced by the founders of the organization.
- The advantage of having a strong work culture is that it provides a common reference for the activities of the organization.

Traits of healthy work culture (9:20 AM)

- (1) Work-Life balance
- It is healthier in contrast with a Hustle work culture which may ultimately lead to burnout.
- (2) Spirit of teamwork
- (3) Healthy competition among the peers
- (4) Employee-centric behavior
- (5) Culture of inclusivity in the work-place
- (6) Democratic decision-making and flat hierarchy

Work Culture in Civil Services (9:30 AM)

Characteristics of Work Culture in Civil Services

(1) Secrecy

- Civil Services over-emphasize the culture of secrecy where transparency is an exception.
- Even the Second ARC has mentioned it as one of the biggest problems in the functioning of the civil services.
- Civil servants try to hide the reasoning behind the policy decisions and the outcomes of those decisions.
- Not only this results in a trust deficit but also leads to nepotism, corruption, and loss of accountability.

(2) Complex processes

- Over-emphasis on rules and regulations rather than adopting a problem-solving approach.

(3) Status Quo

- Civil servants are status quoits in nature and therefore, resist reforms.

(4) Lack of initiative

- They lack the initiative to take innovative steps and as a result, it becomes extremely difficult to introduce path-breaking reforms in governance.
- **For example,** the Civil Services have often resisted the introduction of technology in governance processes.

(5) Attitudinal issues

- Civil services suffer from an attitude of complacency which can be attributed to time-bound promotions and the concept of career civil services.
- As a result, civil servants are often reactive rather than being proactive.
- It, therefore, results in myopic policy-making.

(6) Insensitivity

- Civil Services often suffer from the problem of being insensitive toward the problems of the citizens.
- Not only that they often lack incentives to work hard as there are hardly any mechanisms for the recognition of outstanding contributions towards work and the public.

Desirable work culture in the civil services (9:47 AM)

- It should promote responsiveness and compassion toward the weaker sections of society.
- It should promote self-esteem and pride in one's work.
- Clear-cut allocation of work and division of tasks so that proper accountability mechanisms can be enforced.
- Should promote a learner's attitude toward acquiring new skills even though it may result in occasional failures.
- Leadership should lead by example and should be willing to make changes in itself before it expects others to do so.
- Simplification of the rules and procedures and minimization of discretion in the hands of the civil servants.

Importance of healthy work culture for the civil services (9:55 AM)

- Good work culture can help in reducing conflicts among individuals or teams during the course of work.
- It strengthens the spirit of teamwork and promotes trust in the workplace.
- It leads to better employee satisfaction and lesser attrition rates.

- Enables individuals and teams to become self-organized which in turn improves quality and productivity.
- It promotes transparency and greater accountability within the organization.
- It creates a conducive relationship between the senior leadership and the other levels of the organization.
- It would improve the problem-solving ability of the organization and encourage the employees to be more compassionate towards the problems of the citizens.

Traits that the Civil Services can learn from the private sector (10:15 AM)

- Establishing clear communication mechanisms to remove and discredit informal channels of communication.
- Adopting a flat structure in the organization to maintain a spirit of teamwork and to promote democratic decision-making.
- Emphasising customer satisfaction and seeking continuous feedback to improve service delivery.
- Private organizations work on the principle of rewarding individual efforts and recognizing the best performers. Government organizations may learn from the same.
- Private organizations have standard operating procedures and focus on the time-bound execution of projects. Government organizations may also learn from the same.
- Government organizations may consider adopting an objective annual assessment method including the adoption of tools such as **KPI (Key Performance Indicators), KRA (Key Results Area), and OKR (Objective Key Results) approach.**

PUBLIC SERVICE DELIVERY IN INDIA (10:47 AM)

- PSD refers to the mechanisms and processes through which services are provided by the government to the citizens which are in the nature of welfare services for the citizens.
- **In present times, PSD happens through two modes:**
- (1) Directly through the government machinery.
- (2) Indirectly through various agencies and partners who work with the government.
- Some of the key public services delivered by the government include health care, education, waste management, law & order enforcement, infrastructural development, etc.

Challenges associated with PSD in India (10:56 AM)

- **Kindly note** that this is with a special focus on Health care in India. However, one needs to extrapolate similar challenges to other sectors as well.

Health care Service (10:57 AM)

- Public health resources in India are under tremendous pressure to meet the needs of a large population.
- **For example, according to the Human Development Report 2020,** India has just 5 hospital beds per 10,000 population.
- Only 12 countries fare worse than India which includes Afghanistan, Uganda, Burundi, Senegal, etc.
- India has 9 doctors per 10,000 population which is less than half the number in China.
- Rural areas have a shortage of up to 70% of doctors.
- Despite the presence of the best doctors in public health institutions, the quality of the services suffers. It can be attributed to poor management and ill-trained support staff.
- **For example,** Housekeeping and sanitation services are often ignored in public health institutions and the equipment is either defective or absent.

Challenges for Poor Health Service Delivery in India (11:07 AM)

- **Shortage of funds in Public Health Institutions**
- For example, India spends just over 2% of its GDP on Public health.
- **Lack of Ownership and Accountability in Public Health Institutions**
- It is due to the presence of multiple regulators with overlapping jurisdictions.
- **Lack of awareness**
- Citizens remain unaware with respect to their rights as well as maintaining a healthy lifestyle.
- **Burden on health**
- It has created a burden on the healthcare resources especially due to the rise of NCDs.
- **Shortage of manpower**
- India faces a shortage of manpower not just in terms of doctors but also in auxiliary functions.
- **Insurance**
- Poor insurance coverage which ends up creating excessive pressure on the finances of a number of families thereby pushing them below the poverty line.
- Also, citizens prefer to avail the services from the private sector instead of Public services.

Some examples of the success of PSD in the Health care sector (11:26 AM)

- **1) Andhra Pradesh- BOOT Model for dialysis care**

- The **government of AP** entered into an innovative PPP to **enhance access to dialysis care** in the state.
- The project was implemented in the BOOT (Build-Own-Operate-Transfer) model.
- In this, the private sector partner was given the complete responsibility of building multiple facilities from scratch.
- It included the installation of equipment, hiring, and training of staff, and making the center fully functional before transferring it to the government.
- This ended up in a win-win situation for all the stakeholders including the patients.
- **2) Changlang district in Arunachal Pradesh- Upgrade Anganwadi Centres**
- The District administration successfully converged various government schemes to upgrade the facilities available at the Anganwadi centers in the district.
- The unutilized funds from ancillary schemes such as the MGNREGA, PMGSY, and the National Health Mission were utilized for this purpose.
- **3) Punnagai Project, Tamil Nadu- Telemedicine**
- In TN, the district administration in Erode launched the '**Punnagai Project**' which was aimed at using high-speed 5GHz WiFi to provide telemedicine facilities in a remote village that lacked physical connectivity and other basic infrastructure.

Principles that should govern the Public Service Delivery (11:42 AM)

- Enforcing stricter accountability standards through the adoption of measures such as Social Audit, Citizen Charter, and Right to Public Service Act.
- Adapting transparency measures to share information with the citizens about Public Service Delivery.
- Continuous innovation in Public Service Delivery mechanisms by incorporating feedback from the citizens.
- Providing trained manpower to local government establishments and implementation agencies.
- Greater decentralization of Public funds to ensure effective accountability and enforcement.

UTILIZATION OF PUBLIC FUNDS (11:50 AM)

- Often availability and allocation of public funds alone are considered important factors in deciding the performance of government schemes.
- But, effective and efficient utilization of public funds is an equally important factor, especially in a country such as India which faces a shortage of funds.

Therefore, certain principles should govern the utilization of Public Funds in India (11:54 AM)

- Money or public funds should be spent only for a public purpose and an objective criterion should be evolved to determine the priorities of the government.
- Funds should be spent in accordance with the law made by the legislature.
- Utilization of public funds should be driven by outcomes rather than inputs and outputs.
- The government should be held accountable with respect to whether the funds deployed have achieved their desired purpose.
- Decision-making and the criteria behind the utilization of funds should be made public so that the citizens know the reasoning behind the same.
- Decentralized planning so that utilization of funds is demand-driven rather than supply-driven. For example, MGNREGA.
- Timely release of funds as per a pre-decided schedule to avoid delays in execution. We may consider cutting down the layers of bureaucracy and approvals required for the utilization of funds.
- Government's approach to the utilization of public funds should be inclusive in nature so that the problems of most marginalized sections are given the highest priority.

TOPIC FOR THE NEXT CLASS: MISUTILIZATION OF PUBLIC FUNDS, CORPORATE GOVERNANCE

Recorded Ethics JG Class 08

ISSUES ASSOCIATED WITH THE UTILISATION OF PUBLIC FUNDS (01:16 PM)

- **Issues**
- **Under utilisation of public funds**
- It primarily happens due to the presence of multiple layers between the agencies and authorities releasing the funds.
- It often results in what is termed the "**March Rush**" where the administrative agencies try to spend the money indiscriminately so that it does not lapse at the end of the financial year.
- Underutilisation may also be attributed to delays in the release of funds to the implementing agencies which limits their ability to spend the money at a specific point in time.
- Underutilisation may be attributed to a lack of capital expenditure by the state to improve its capacity to implement the govt projects.
- **Misutilisation of funds**

- Political parties often misuse public funds on **political advertisements** which end up promoting narrow political interests rather than the interest of the public.
- Political parties often compete with each other to irrationally distribute **freebies** to the citizens which has negative repercussions on the economy in the longer run.
- The priorities of the government are often misplaced and it results in spending money on unimportant activities such as the building of statues to commemorate leaders from the past instead of say for example improving the public health infrastructure.
- **Misappropriation of funds**
- Public servants often misuse public offices for **private gains**. For example, MPs have been found to recommend the use of funds under MPLADs to be made by the agencies owned indirectly by them.
- Government projects are often affected by **leakages** created due to multiple layers of implementation.
- As a result, only a small portion of the funds reach the targeted beneficiaries.
- **Red Tapism and Policy Paralysis** lead to delays in the implementation of govt projects and cause a significant loss to the public.
- According to MOSPI, as many as 425 **infrastructure projects** worth more than 100 crores have been affected adversely by a cost overrun of more than 4.83 lakh crores.
- The average time overrun in such projects was more than 42 months.
- **Effects or implications of poor utilisation of Public funds**
- **Economic implications**
- Despite having double-digit growth potential India's economy has grown at an average of 5 to 7%.
- A large part of it can be attributed to the ineffective utilisation of funds.
- Inadequate improvement in public infrastructure such as roads, ports etc has reduced the competitive advantage for Indian businesses.
- **Social implications**
- It has led to the **violation of rights** and the entitlements of the citizens.
- It has led to several **social problems** such as poor health infrastructure, an ineffective education system and diminished social capital.
- **Political implications**
- Misallocation and underutilisation have led to **unequal development** in different parts of the country which has created a threat to the unity and integrity of the nation.
- Increased corruption and inequality between the states have led to a feeling of bitterness among different regions resulting in **secessionist movements** in different parts of India.
- **Suggestions/ Way Forward to improve the utilisation of public funds**
- **i) Introduction of technology** to ensure greater transparency in the utilisation of public funds.
- For example, The **Public Financial Management System (PFMS)** is a tool to allow real-time monitoring of the utilisation of public funds across different levels of the govt.
- The **PDS system of the Chattisgarh** government allows the tracking of the movement of food grains from the warehouse to the Fair Price shops.
- This helped considerably cut down the leakages in the functioning of the system.
- **ii) Awareness creation and capacity-building exercises** must be conducted among the citizens to ensure effective social audit of govt schemes and programmes.
- We may consider this along with the institutionalisation of social audit as a part of all the govt schemes.
- **iii) Cutting down layers of bureaucracy and simplification of governance processes** to ensure effective utilisation of public funds.
- **iv) Ethical Training of the civil servants** to ensure adherence to principles such as honesty, integrity, and accountability in the utilisation of funds.

CORPORATE GOVERNANCE (02:15 PM)

- In general corporate governance refers to a **set of systems and processes that govern the functioning of the corporate entity**.
- But in a broader sense, it may be defined as the application of best management practices, compliance with the law in its true letter and spirit, adherence to ethical standards for the distribution of wealth and discharge of social responsibility to ensure the sustainable development of all the stakeholders.
- These **stakeholders** may include customers, employees, shareholders, promoters, management, and investors.

CORPORATE GOVERNANCE IN INDIA (02:53 PM)

- **Challenges and solutions associated with Corporate Governance in India**
- **1) Most of the businesses in India continue to be controlled by families despite going public.**

- Most companies tend to comply with the requirement of having diverse boards only on paper and it is common for the family and friends of promoters to be appointed as Board members.
- We may adopt a system of rankings to rank the diversity of the boards and publish them for investors and other stakeholders.
- 2) In India, **founders irrespective of their legal position continue to exercise significant influence** over the key business decisions of the companies and have failed to realise the importance of succession planning.
- It is in the best interest of the organisation and the founders to chalk out a succession plan and implement it effectively.
- 3) It has been often found that **corporate entities function in the interest of a few powerful people** compromising the interest of the other shareholders.
- For **example**, no alarm was raised by the Board of Directors over the faulty management practices prevalent at IL&FS.
- Similarly, the head of ICICI Bank approved loans to Videocon without following due diligence measures as she had an indirect interest in Videocon.
- Corporate entities must adhere to principles of **transparency and accountability** in the letter as well as spirit.
- 4) Despite the presence of independent directors, the **independent functioning of the boards** has been compromised again and again.
- The independence of such promoters' appointed independent directors is questionable as they are unlikely to stand up for the interest of the minority shareholders against the promoters.
- There have been several instances of removal of independent directors in case they have not complied with the decision of the promoters.
- We may consider **limiting the powers of the promoters wrt to the appointment of independent directors**.
- SEBI's advisory board has proposed an increased adoption of transparency norms wrt the appointments and removal of independent directors.
- For **example**, the Approval of a majority of public shareholders may be required for the removal of the independent directors.
- 5) Often companies offer **exorbitant compensation to senior executives** even the cost to other stakeholders.
- Companies must consider framing fair remuneration policies that are transparent and require the approval of the shareholders.
- 6) Corporate entities are exposed to various types of **risks** in their functioning which puts even retail investors at a lot of risks.
- A robust risk management policy must be evolved that should guide the functioning of corporate entities to minimise the risk.
- 7) **Non-compliance with disclosure and accountability norms** has emerged as a major challenge.
- Several such instances have gone unpunished in the past and auditing processes have been compromised due to vested interests.
- To improve accountability, the entire board of Directors must be present at general meetings to give the stakeholders an opportunity to interact with them and to pose or ask questions.

CORPORATE SOCIAL RESPONSIBILITY(CSR) (03:40 PM)

- **Refer to the uploaded handout.**
- **challenges or concerns associated with CSR in India**
- 1) 85% of CSR spending is focused on **specific sectors** such as Health, Education and Livelihood development only leaving little or no resources for the other sectors.
- 2) CSR spending is **skewed in geographic terms** as well.
- A large part of the CSR spending is focused on western and Southern parts of India which have created a risk of lopsided and unequal development in the country.
- 3) There exists **no or little involvement of local communities** in the CSR projects as a result CSR programmes are often driven by the priorities of corporate entities rather than the community.
- 4) The companies are often focused on merely spending the CSR funds and not necessarily achieving the desired objectives which defeat the entire purpose of CSR.
- 5) Companies often end up channelling CSR funds to their NGOs or foundations and as a result, the larger objective of CSR is defeated.

SUGGESTIONS (03:55 PM)

- 1) There is a need to **certify NGO partners** to ensure that money allocated under CSR is spent in a legitimate manner.
- 2) The Govt may act as a mediator and facilitator to ensure engagement between the NGOs and the corporate entities. For example- **The Darpan portal of the Ministry of Education**
- 3) Corporate entities should look beyond the conventional definition of CSR which includes only spending funds.
- 4) They may adopt a more robust approach to keep track of the spending of CSR funds with the help of technology.

ETHICS IN INTERNATIONAL RELATIONS (IR) (03:59 PM)

- Ethics in IR refers to the application of morality and ethical principles in solving various ethical dilemmas that a nation faces in the conduct of its international relations.
- The basic issue that most nations face is the reconciliation of national interests with ethical values and principles.
- Even though most countries claim their commitment to universal values and do their best to stick to them on several occasions, they find it difficult to guide their actions as per the values they profess.
- **3 approaches in IR**
- **1) Realistic approach**
- According to it, **IR should be guided by national interest and morality and ethical principles should be secondary considerations.**
- For **example**- A nation crossing international borders to strike against a terrorist may be justified on the grounds of national interests.
- **2) Idealist Approach**
- In this approach, ideals and morals such as peace, human rights and global justice should drive a nation's foreign policy over and above its selfish national interests.
- **Example**- India's Gujral doctrine and Policy of Non-alignment during the Cold War era.
- **3) Principle-Realism Approach**
- According to it, **Foreign policy should pursue powers as well as morals and ethical values.**
- **Example**- India's approach to dealing with the Russian invasion of Ukraine.
- **Some Ethical issues in IR**
- **1) Issue of Neo-Colonialism** - International aid with the aim of promoting narrow selfish interests.
- 2) Irresponsible use of **global commons**- Arctic, Space etc
- 3) Ignorance of **Human Rights violations** as per political convenience- Pakistan turning a blind eye to Uyghur Muslims.
- 4) **Intervention in the internal affairs of other countries** in the name of preserving democracy, Human Rights, the Rule of Law etc. For example, America's intervention in Syria and Iraq
- 5) **Lack of Cooperation between the nations** on issues such as Climate Change, Terrorism and organised crimes due to selfish interests.

The Ethics syllabus is complete.