

Recorded Ethics Case Study Class 01

ETHICS CASE STUDY. (5:06 PM)

- A brief introduction to the subject.
- Importance of previous years' papers.
- How to approach the case study.
- **Case Study:**
- Situation - Dilemma
- The role that you play - Direct interest and Almost neutral 3rd party.
- Resolve the situation amicably.
- Resolution of a dilemma - Value 1 vs Value 2 - which one is desirable and why.
- Arguments and mitigation of consequences
- **A general structure of Case Study Answer:** (5:42 PM)
- The decision
- Arguments - why?
- Mitigation of negative consequences
- A closure.
- **Decision-making framework:**
- A general way to take quick decisions.
- Identify the facts of the case
- Identify the stakeholders in the case - anyone who has some direct interest in the decision.
- Identify their interests
- Identify the conflict - what is the dilemma? - Values 1 vs Value 2.
- Possible options - Evaluation - Merits and Demerits
- Make a choice - identify the demerits and address them.
- Conclusion - values upheld by taking the decision.
- A specific way in the case of civil servants.
- Law - The decision should be legal, and fully compliant with the law.
- If the law is silent?
- 1. Constitutional Values - Preamble/FR
- 2. Conscience:
- 2a. Civil Services Value; What do you think is the right thing to do? eg Nolan value.
- 2b. What do you think is the right thing?
- Make a framework to assess what's right/wrong eg Kantian, Utilitarianism, etc.
- **Case Study 1:** (6:15 PM)
- Question: A reputed product company based in India developed a food product for the international market and started exporting, etc.
- Approach: It is a case of cheating/fraud or misleading and misrepresentations of facts.
- Hence relevant action must be taken against such laws.
- Eg of Volkswagen can be provided as the related aspects are similar.
- There is no closure statement as such for this case study.
- **Case Study 2:** (7:06 PM)
- Question: You are the chairperson of the Staff Selection Commission of a state, etc.
- Approach: Set up an inquiry and identify the candidates.
- Ethical issues: accountability vs credibility; standards and are they in sync with technology.
- Loopholes are evolving and the administration has to abreast for the same.
- Framework needs to be updated and adopted.
- Cheating creates an environment of public trust, etc.

TOPICS FOR THE NEXT CLASS: CONTINUATION OF CASE STUDY.

Recorded Ethics Case Study Class 02

INTRODUCTION (01:09 PM)

- A brief overview of the previous class.

CASE STUDY (01:16 PM)

- Government amended maternity act. To provide 6 months of leave. Considering this businesses are reluctant to hire women workers on a temporary basis only. Come up with some solution to it.
- Approach:

- Provide paternity leaves, government policy can rank firms and based on that benefits would be given. They will be a priority under PLI schemes.
- Hiring committees should necessarily comprise 2 women.
- All have to go ahead together- employees, government, and the company.

CASE STUDY (01:40 PM)

- Rupa, a civil servant new mother, brings the child to the office and feeds, and photos get viral. It gets mixed responses on social media.
- Approach: let's look at the law first and then make a framework. Just is contextual.
- Kantian framework: he gives two parameters to find if the act was just or not. If the act has universalizability. And whether was treating humanity as an end or as a means.
- Bringing children puts other women to pressure who are not in a privileged environment. The child is being used as a means to achieve their own professional goal.
- The framework depends on the motive of the person whether it was selfish or not which makes it just or not. The person's motive as we see here was to work and seems just.
- There is a personal and professional overlap. Respecting diligence and being meticulous at the workplace.

CASE STUDY (02:34 PM)

- Air worthiness officer tasked to conduct a safety audit. Some airlines do not meet International civil aviation standards. A Senior in the office suggested it best not to mention it but safety is prime important.
- Approach: The airworthiness officer assesses if the faults are minor and if should he exercise his powers and give time to the company to comply with the faults and suggestions, act lenient, or if should he be strict and take action on the company is the main dilemma.
- Two options- being lenient or being strict; depending on the level of violations. One may be tempted to be lenient but also mention them in the final report. Duty to mention it. Action to be taken would be the duty of other authorities. It demonstrates objectivity, leadership in decision-making, accountability, and perseverance.

CASE STUDY (03:20 PM)

- Dr X medical practitioner. He wants to establish a hospital. There have been tax irregularities in the office of the doctor, pursuing which would deviate the attention of the doctor to them and withhold the hospital makes.
- Approach: The decision cannot be based on the probability of a hospital coming up. It is a duty of taxation of duty to see that people pay taxes on time. Facilitate easy payment of taxes. As an officer, it's my responsibility for the procedure to be smooth and compliant. People do not evade taxes.
- The person might not be willing to comply with tax laws and hence do tax evasion. But when caught they become cooperative.
- The doctor has substantial tax complaints and willingly evades taxes. All rules and laws must be strictly applied here. At the same time application in itself must not become a hindrance.
- Course of action- strict in the application of laws, see my powers. Full substantive and technical compliance with overriding technical compliance would also be taken into consideration.

The next class is on case study (to continue).

Recorded Ethics Case Study Class 03

CASE STUDIES CLASS 03 (01:10 PM)

1st Case study

- **Question:**
- You retired as a senior manager from a defence Public Sector Undertaking (PSU). You had experience in areas relating to procurement process, bidding, contract negotiations, etc. After retirement, you are offered a job in a private company as its finance head, and you have accepted it. The company has a procurement contract with the PSU which you worked for. Now that contract is up for renewal through competitive bidding. You have been asked to lead the team responsible for bidding of this contract. The contract is important for your present company which is going through difficult financial period.
- Is there any conflict of interest in the above situation that you can identify? Is it real or potential?
- Further, evaluate the merits and demerits of each of the options given below and finally suggest what course of action you would like to take, providing adequate reasons.
- a) Do not accept the assignment as it will lead to breach of confidentiality.
- b) Do not lead the team but guide them from outside.
- c) Accept to lead the team and use your expertise in bidding for the contract.
- d) Resign from the job. Suggest any other possible option(s).
- Evaluate all of them and suggest the best course of action, giving your reasons for it.
- **Approach:**

- **1. Introduction**-Answer can be started with the character of Indian bureaucracy, post retired jobs, and potential conflict of interest between earlier job and post-retirement jobs. Mandatory cooling of the period after retirement for those who were in a regulatory organization or the government system.
- **2. Conflict of interest**
 - Performance of public duty will be compromised because of personal interest.
 - Real conflict of interest (it's the visible conflict of interest at present)
 - Apparent conflict of interest (hidden conflict of interest that may arise in the future or some stakeholders see such hidden conflict of interest). It's about raising the suspicion about a decision may not be taken fairly by the retired senior manager.
- **3. Chosen course of action: You can write like... My chosen course of action is to lead the team.**
- **Argument (Reason for choosing)**
 - **Option a**-do not accept the assignment as it will lead to a breach of confidentiality
 - **Merit**- avoids potential conflict of interest and prevention of cognitive dissonance (feeling of a discrepancy between action and wisdom)
 - **Demerit**- it shows an inability to take decisions or running from responsibility
 - **Option b**-do not lead the team but guide them from outside
 - **Merit**- Expertise can be used for the bidding
 - **Demerit**- false addresses of cognitive dissonance, breach of confidentiality.
 - **Option c**-Accept to lead the team and use your expertise to bidding the contract
 - **Merit**- ability to use expertise, commitment to present employer.
 - **Demerit**-potential conflict of interest
 - **Option d** - Resignation
 - **Demerit**- sign of weakness, inability to take a decision
- **4. Conclude accordingly**

2nd Case Study: (01:57 PM)

- **Question:**
 - You are posted as the Sub-Divisional Magistrate (SDM) in a district. As the SDM it is your responsibility to conduct interviews and select a candidate for the post of an ASHA worker in the district. On the day you are conducting the interviews, you are approached by the MLA of the local constituency who asks you to choose a particular lady for this position by overlooking the other candidates. On checking her documents, you find that she is eligible in all respects.
 - The MLA implores that she should be given the post on compassionate grounds as her husband was a soldier who was martyred in a war.
 - Some of the options to handle the situation could be as follows:
 - (a) Ignore the MLA and proceed with the process of selection.
 - (b) Speak to your superior and seek his guidance on the matter.
 - (c) Appoint the lady to the post as it is a compassionate appointment.
 - Also suggest other possible options. Evaluate each of these options and suggest the best course of action, giving reasons for it.
- **Approach:**
 - **1. Introduction:** Here, Introduction must explore the dilemma in this case. Start with Identifying the ethical dilemma i.e. Public trust vs compassion
 - **2. Role of MLA**
 - **3. Identify the different stakeholders and their interests.**
 - **4. Analysis of given option**
 - **5. Chosen course of action:**
 - ASHA worker is semi-skilled or unskilled job, and government appoint on compassionate grounds as well, so If there is any precedent then will appoint her on compassionate grounds.
 - Will consult with senior and check any precedent regarding such appointment.
 - Will request the MLA to request the political executive to create such compassionate jobs so that such people can get jobs as well.
 - Will make sure she will not get jobs on recruitment process by ignoring other candidates instead on compassionate basis.
 - **Conclude accordingly**

2019 PYQ discussion (02:50 PM)

3rd Case Study (03:07 PM)

- **Question:**
- You are posted as a District Collector in one of the districts in India. It has been brought to your notice that a structure has been built by few members of a religious community on the public land without getting due permissions. In keeping with the guidelines of the Supreme Court of India, disallowing the construction of any permanent religious structures on public land, you are contemplating its removal. However, the leaders of the community in question have requested you to permit the structure, saying that it is for the period of month-long religious festival only. Moreover, they say that there is no other religious place nearby where community members can celebrate their festival. Your seniors and the political leader of the area also support their views. However, you are sceptical that after the festival is over, it may not be easy to remove the religious structure from the public land due to them involvement of community members at large.
- What are the possible courses of actions you can take in this situation? Which one will you choose, and why?
- **Approach:**
- Start with the ethical dilemma.
- In this case, No permission is taken, so compliance with SC is necessary and structure has to be removed.
- Now prepare a plan with the consultation of all stakeholders to implement the decision taken as per SC guidelines.
- Course of action:
- I will ask them to remove the structure themselves within the time period and ask them to identify the alternative land and take permission from government.
- If they failed to bring down the structure within the time period than will take action against them to bring peace in the society
- Conclude accordingly.

4th Case Study (04:11 PM)

- **Question:**
- You have been recently posted as Superintendent of Police of a district which has a famous temple. Shortly thereafter you found that there is considerable tension in your district on the issue of allowing entry of women in the temple. The women were trying to break the allegedly 400-year-old tradition of the temple, which banned women from entering its inner sanctum. Recently a 350-strong group of women was stopped by the temple administration from entering the temple. This led to a scuffle wherein few women participating in the protest were manhandled. There is a pressure on you from local politicians who want you to prevent any such forced entry as elections are approaching.
- Do you think there is a dichotomy between progressive values guaranteed to women by the Constitution and regressive traditions which continue in the garb of religion?
- a) How can this dichotomy be resolved?
- (b)How would you manage the law-and-order situation created by the forced entry?
- (c) How would you manage and mould patriarchal attitude of the temple administrators and male elders to ensure harmony.
- Will discuss the case study in the next class

TOPIC FOR THE NEXT CLASS: WILL CONTINUE WITH THE CASE STUDIES

Recorded Ethics Case Study Class 04

ETHICS CASE STUDY SESSION: (5:07 PM)

- **Case Study 1:**
- You have been recently posted as Superintendent of Police of a district which has a famous temple. Shortly thereafter you found that there is considerable tension in your district on the issue of allowing entry of women in the temple. The women were trying to break the allegedly 400-year-old tradition of the temple, which banned women from entering its inner sanctum. Recently a 350-strong group of women was stopped by the temple administration from entering the temple. This led to a scuffle wherein a few women participating in the protest were manhandled. There is pressure on you from local politicians who want you to prevent any such forced entry as elections are approaching.
- Do you think there is a dichotomy between progressive values guaranteed to women by the Constitution and regressive traditions which continue in the garb of religion?
- (a) How can this dichotomy be resolved?
- (b) How would you manage the law-and-order situation created by forced entry?
- (c) How would you manage and mould the patriarchal attitude of the temple administrators and male elders to ensure harmony?
- **Discussion:**

- Religion acts like a customary law and this case deals with it.
- It is more about the peaceful management of the crowd.
- Female police deployment and use of Emotional Intelligence.
- Recognising the leader of the crowd - the initial step to persuade the leader.
- Making them aware of the rights they have and their duties.
- To ensure that no untoward incident takes place and make the police force aware of the same.
- **Case Study 2:** (5:57 PM)
- You are an undergraduate student at a leading Law University. You go with your college friend Surender to his village to attend his sister's marriage. Surender's parents are farmers and are financially very poor. They have somehow managed to send him to the university by selling their land. After interaction with the family relatives attending the marriage, you find out that the bride is not of marriageable age, which makes it a case of child marriage. The family wants an early marriage of the daughter to avoid huge demands of dowry in the future. You are well aware that child marriage is illegal in India. So, you discuss the issue with your friend who says that he is helpless and can't do anything. Your friend feels that his family is already doing too much for him and he cannot argue and change his parents' decision.
- In this situation, what are the possible actions you can take? Evaluate the merits and demerits of each of them.
- **Discussion:**
- Introduce with strong words that it is an illegal act and needs to be stopped.
- In order to stop it - the following steps need to be taken:
- The course of action - Persuasion and action if not persuaded.
- Convincing the decision-makers - Identify the people who can influence the girl's parents which includes the brother, elders of the family and the Panchayat members.
- Use of carrot and stick policy and its various impacts; if not convinces the police will be informed accordingly.
- **Case Study 3:** (6:45 PM)
- X worked in the human resources department that was interviewing applicants for a top job in a widget company. After reading many applications, one stood out way ahead of the others. Then he realized that he knew the applicant, Mr Y. They had hung out together when they were teenagers. Mr Y had been a wild kid and once was arrested for shoplifting and the possession of drugs. Mr Y had completed mandatory counselling and, as far as Mr X knew, Mr Y had straightened out his life and had done well during the last twenty years. Mr. Y hadn't indicated in his application that he had once been arrested and Mr. X feared that the company would never hire someone with a police record, no matter how minor or how long ago the offence was.
- Do you favour Mr X revealing the information?
- **Discussion:**
- X should not reveal the information - X is in the position of information accidentally
- No dishonest and Criminal justice should be informative; no double jeopardy
- The only reason X should reveal it is only when the company policies say so, otherwise not.
- **Case Study 4:** (7:22 PM)
- Gajendra, once a struggling film actor, was accused and later exonerated of rape charges, which the jury found to be motivated and fake. Not able to cope with the situation, he changed professions and moved on. Thirty years later, his closest friends know about the incident but his co-workers do not. One day, out of curiosity, he searches for his name on the internet, and to his surprise, finds that the third entry that comes up is an old report in a local newspaper about the rape charges he faced.
- Gajendra is upset; after all these years, he would like to be able to disclose the event only to whomever he wants. He has heard about the decision of the European Court of Justice which allows individuals to submit requests to a search engine to remove certain results from searches on their names, and citing the same, requests the search engine and media outlet to remove the results.
- Valid arguments can be advanced for making the Right to be Forgotten a fundamental right. What those arguments could be?
- What limitations, if any, can it be subjected to?
- Should there be any obligations on the search engines regarding cases, which are no longer relevant, as the one mentioned above?
- **Discussion:**
- Firstly, argue about Fundamental rights ie it is essential for the harmonious development of a person and society.
- So, it has been given the status will be protected by courts and the government.

- Right to forgotten - need for dignified human survival? argue on the same whether it is required or not; can we say it is a constitutional or legal right?
- The right to information can come in conflict with the right to be forgotten.
- In Europe, it was not a fundamental right and has been made as such; similarly, our society is also evolving and needs to be looked at accordingly.
- Public vs private information debate;
- Obligations on Search engines - should have open channels so that necessary actions can be taken in accordance with the law, etc.

TOPICS FOR THE NEXT CLASS: CONTINUATION OF DISCUSSION ON CASE STUDY.

Recorded Ethics Case Study Class 05

TIME MANAGEMENT IN ETHICS- 1:10 PM

MEDICAL ETHICS- 1:23 PM

- **Surrogacy:**
- You are the bureaucrat to frame laws on commercial surrogacy, you need to identify.
- **Identify the ethical dilemma-**
- -Commercialization of women vs dignity of women
- -Price vs. health
- -Commercial aspect vs. moral aspect
- -Right of child vs. right of parents
- -Moral limits of the market (what money can buy and what money should not buy)

CASE STUDY -1: (1:47 PM)

- A deadly epidemic has broken, there is no drug no medicine, no cure.
- You are the head of the health department and there is a testing drug available it has shown positive results but there is no surety that the relief came on its own or due to the drug.
- **1. Highlight the ethical dilemma involved?**
- -Means and end
- -Efficacy vs. effect
- -Public trust vs. uncorroborated fact
- -Right to life
- -Decision making
- -Accountability of the decision
- **2. What would you do in the above situation? Give reasons.**
- 1. Ensure availability
- 2. Stop heading
- 3. Only prescribed people get hold of it.
- 4. Strict control over the supply chain, production, administration, and observation of patients
- 5. Later basis on the observation will take the decision to manufacture more drugs.
- 6. There should also be other steps taken to prevent the spread as well along with drugs.

CASE STUDY -2: (2:20 PM)

- You are the civil services officer of a disaster-prone state having landslides, forest fires, cloudbursts, floods, etc. There is a cloud burst in the region which has led to broken roads, bridges etc.
- You need to rescue senior citizens, patients, women and children, hikers, tourists, politicians, bureaucrats, prisoners, etc.
- As a civil service officer, what would be the order in which you would rescue these people and why?
- **Solution-**
- Start the answer with general principles to be followed for rescue.
- **Principle-** The responsibility of the State to rescue all is based on a first call first service. The state cannot discriminate.
- Categorize these under three principles- Vulnerability, resource required to rescue, and capability to withstand.
- Mention the reasons for rescuing the people and the order followed.

CASE STUDY -3: (2:53 PM)

- You are a district collector of a drought-hit district. There is corruption at various levels, the response from the state government is dismissal, the media response is also not there, and there are diminishing resources of water, migration of youth, dependants, etc.
- 1. As a district collector what would be your priorities?

- 2. How would you tackle the situation?
- 3. What long-term measures would you take to prevent reoccurrence.
- **Solution-**
- Address the problem that can be addressed.
- Recognize the role of civil servants in a district.
- **Principle** - Immediate addressing what is in the direct scope of address and long and short term, Multiplier effect, etc.
- All schemes are implemented properly like MGNREGA, PDS, etc. ensuring proper implementation.
- No role in informing the media.
- Work towards making the district a role model.
- There is a role in stopping migration, bringing industrialization, etc.

CASE STUDY -4: (3:36 PM)

- You are the manager of spare parts company A and negotiating with company B, the manager of company B with whom you were into a deal hit a motorcyclist who driving you to a hotel. The manager was driving fast and you are the sole eyewitness. The deal is of immense importance?
- 1. What are the dilemmas you face? what will be your response to the situation?
- **Ethical dilemmas-**
- -Personal vs. professional gain
- -Duty as a citizen vs. moral duty
- Under the provisions of laws like Crpc, evidence Act One is duty-bound, to tell the truth to the police.
- **Principle-** This is a legal question.
- My answer shall not be influenced by the relationship which I have with the person.
- Even if the driver is my mother one shall tell the truth.
- One can also say that it was more of an accident rather than a killing.

The topic for the next class- Continuation of case studies