

## ETHICS, INTEGRITY AND APTITUDE

Time Allowed: 3 hrs.

Max. Marks: 250

Q.	Marks	Instructions to Candidate
1.		<ul style="list-style-type: none"><li>• There are 17 questions.</li><li>• All questions are compulsory.</li><li>• The number of marks carried by a question/part is indicated against it.</li><li>• Content of the answer is more important than its length.</li><li>• Answers must be written in the space provided.</li></ul> <p>Any page or portion of the page left blank in the Question-Answer Booklet must be clearly struck off.</p>
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		
16.		
17.		

1. Invigilator Signature

2. Invigilator Signature

Name EL. RAJEE SRIDHAR

Roll No. E 4 ETS 2017034

Mobile No. [REDACTED]

Date 09/07/2017

Signature El. Rajee Sridhar

Roll No. \_\_\_\_\_

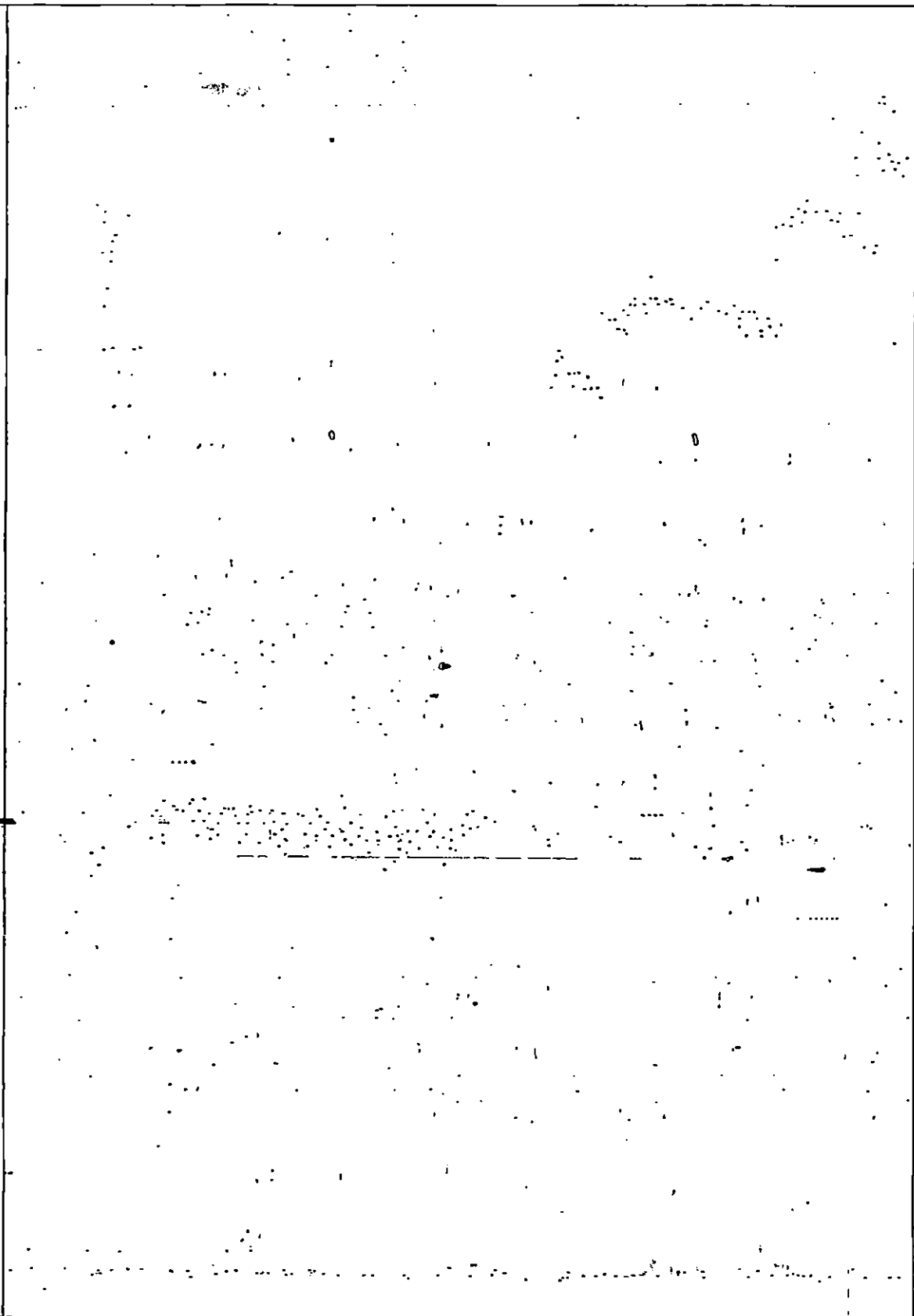
**GS SCORE**

SECTION - A

Q1. Why it is, sometimes believed that feelings are better guide to action than reasons?  
Critically analyze. (10 Marks)

Remarks

**GIS SCORE**



*Remarks*

Q2: Mob violence, also referred to as "Mob Justice" highlights a striking paradox - it approves the dispensation of justice by people, who usurp the authorities of constitutionally delegated bodies and apply a process they define as speedy. Answer the following questions related to it:

- (a) Do you see principal of justice being followed in the 'Mob Justice'?
- (b) How is it interrelated to attitude of any society?
- (c) Analyze why there is increasing incidence of Mob Justice in the recent days?  
(75 Words Each) (5×3=15 Marks)

(a) There is no principle of justice of Justice being followed in 'Mob Justice'. It is just a reflection of 'mobocracy' or the attitude of 'mob violence' with no respect for law, social institutions or the established polity. Also, there is a lack of respect for individuals rights, dignity and their freedom of choice. It also shows the lack of ethics and poor sense of values like justice, compassion that is measured in public relationships.

(b) The 'mob justice' is one of the predominant features of the society which reflects the attitude of 'tyranny of majority'. Though democracy is the best available form of government, the tyranny of majority is one of the main downfalls according J.C. Mill.

Remarks

It also reflects 'regressiveness' and lack of understanding of 'pluralist values' and the values of co-existence. This is also the consequence of the strong traditional structures that still prevail in the society. Eg: Khap Panchayats and other such institutions.

1 1/2

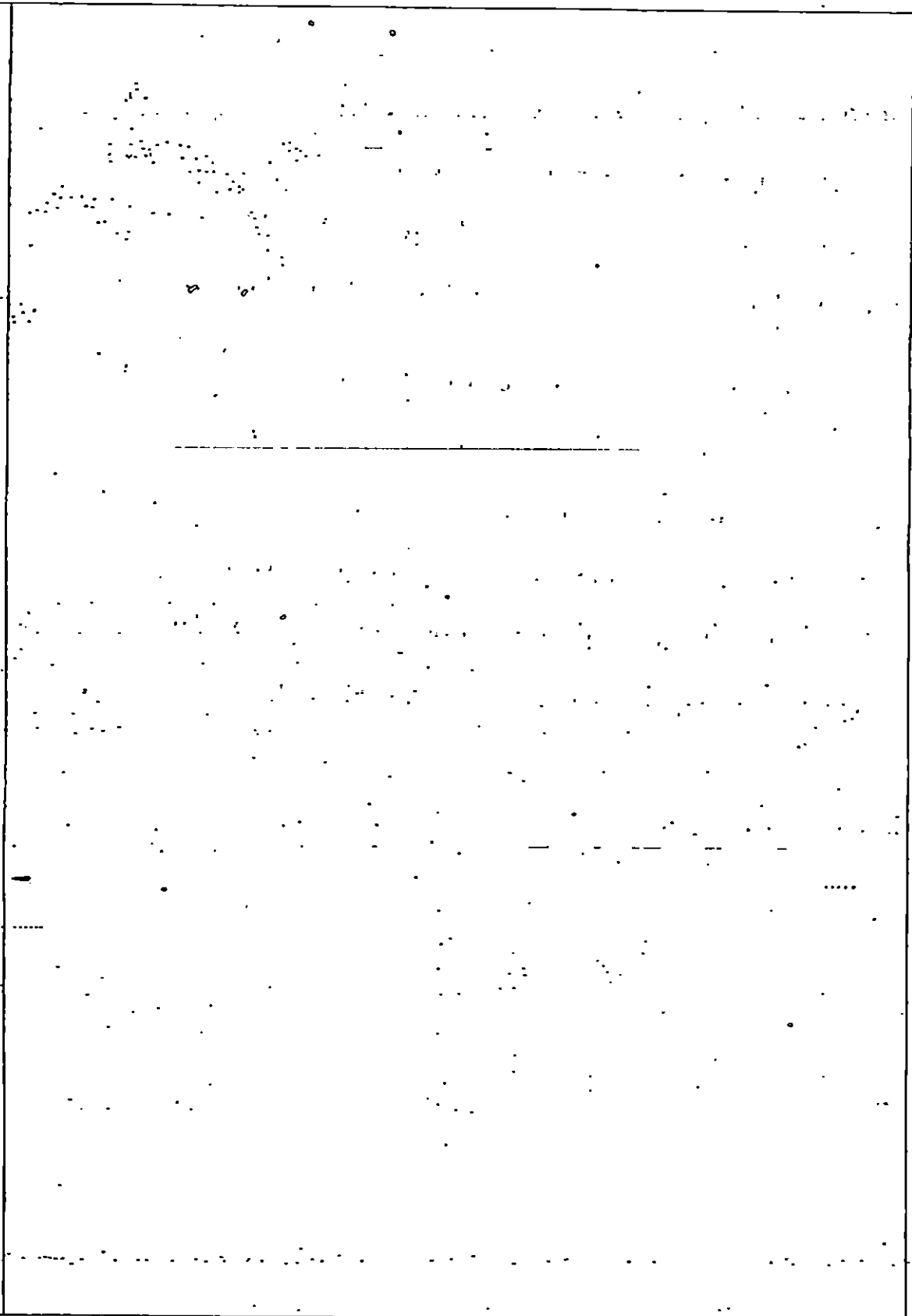
(c) There has been increase in mob violence in the recent days due to the increase in the extremist tendencies in the society. The religion and other such institution is used as a plank and a tool to propagate values that are undemocratic and against our constitutional values such as liberty, equality and fraternity. It also reflects the weak action by the state.

①

- lack of faith in police system
- lack of faith in judiciary etc

Remarks

**GIS SCORE**



*Remarks*

Q3. Answer the following questions based on the virtue ethics:

- (a) What is virtue ethics? Can knowledge be equated with virtue?
  - (b) If evil or bad actions are the result of ignorance according to the virtue ethics, then why educated-people get indulge in White Collar Crimes?
  - (c) Give the argument supporting self-control as a master virtue? How the failed-control is evident in the 'social sin'?
- (75 Words Each) (5×3=15 Marks)

(a) Virtue ethics in simple terms deals with the character of an individual. It does not account into the criteria of good conduct like normative ethics and also does not deal with the consequences. It largely deals with virtues which is nothing but the exhibit of high moral standards by an individual. Knowledge can be equated to virtue. Socrates in fact believed that "Knowledge is virtue", which was followed by his disciple Plato to build his ideal state. They believed that men with knowledge and wisdom can only create a just and a virtuous state.

2

(b) The idea of ignorance being a reason for evil actions or ignorance was propounded by the 'Greek ethics'. It was mainly put forth by Plato. But one of the weakness of virtue ethics is that it projects that an universal virtue is applicable to all and the result of

Remarks

which we could live "the good life". For example: Plato considered 'Justice' to be foundation of a good society. He considered it to be most important virtue. But in reality giving importance to a single virtue cannot be enough to prevent vices. A lot of 'values' has to be followed with integrity. But in a liberal capitalist society or a socialist society, the man as an individual ~~is~~ who seeks pleasure has been getting stronger in the recent past. Hence the virtues even in white collar jobs became education itself, has become an 'utility'.

(c) Self-control is one of the predominant virtue and also the toughest virtue to practice. The lives of Buddha, Mahavira and the sages of Hindu and Prophet were all inspired by the idea of the self-control and leading a simple life. They believed in right action based on reason with either the control of desires or following a middle path. Simple seeking pleasure is animalistic in nature. Even in the contemporary age many thinkers have condemned such hedonistic path.  
 Ex: Utilitarianism is called as 'Pigs Philosophy'.

Remarks



Any lack of self control will lead to social vices  
like corruption, greediness, selfishness, disloyalty,  
ficklemindedness and ungratefulness.

2

Remarks

Q4. What is stoicism? In what way self-mastery of desires and emotions help in achieving the happiness? Is it always good to contain our desires and emotions?

(150 Words). (10 Marks)

Stoicism is the ability to be unaffected by emotions. When one is not affected by emotions, there is a little chance that their life boat will be rocked.

When one is able to master over his desires and emotions, he would be able to exhibit various values like integrity, honesty, commitment, neutrality, impartiality in a very consistent manner. It gives them the opportunity to become virtuous which is nothing but the exhibit of good character by a person. It also makes them highly morale. When all these values become strong, they help them from being not swept away by the various wind situations that the life would throw at them. They understand the real worth of things around them. It also makes the person spiritual in nature.

There is a saying by the famous Tamil poet Subramaniya Bharathiyar that "do get angry". But it has to be understood that he asked

Remarks

the people to get angry at the injustices that occur in the society. It is always not good to control our desires and emotions. There is an old Telugu proverb which says one should know to use all his emotions and should be skillful in determining how much should be used and at what time. This is largely a reflection of Machiavellian ethics. Completely controlling our emotions and desires has its own negative consequences too.

31  
32

Remarks

Q5. Answer the following questions with respect to the concept of motive-consequences relation:

- (a) Is it consequences of actions that make them right or wrong or the motives of the person who carries out the action? Based on the above statement can we say that socialism is better than market economy because the former has more good intentions for the people?
- (b) When government across the world are becoming more as a facilitator for various essential services, on which points should a civil servant pay heed before taking an action with respect to motive-consequences relation?

(75 Words Each) (5×2=10 Marks)

(a) There has always been a struggle between the Utilitarian idea of ~~ends~~ "ends over means" and the Gandhian philosophy of "means over ends". It is a fight of consequentialism vs Deontology. The market economy believes in the idea of complete freedom to the individual. Each individual is an end in himself/herself and everyone is responsible for their own actions. Though there is highest insistence on the liberty of the individual, there is little importance to the value of equality in a market economy. On the other hand, the socialist economy strives for social-economic justice. It also gives lesser priority to the individual and priority to the common good. The market economy on one hand follows procedural justice and socialism on the other follows substantive justice.

What is final answer?

Handwritten notes and scribbles in the left margin, including the words "What is final answer?" and "Handwritten notes".

Remarks

In reality both, is a tussle between Equality vs Liberty and neither is complete on its own. The Indian constitution or the values of Indian society provides a blend of both. Either market economy or the socialism cannot be solely prescribed. Most of the societies including India reflect the Rawlsian ethics which is a mixture of liberalism and the idea of social Justice.

1 1/2

You are supposed to finish  
your answer within the word  
limit.

Remarks

Q6. What is the "principle of permissible harm" in ethics? How do you see stern state action against its own people in certain instances such as the Left Wing radicalism and Jammu and Kashmir disturbance with respect to it? Does 'Principle of Permissible Harm' stand the test of moral laws? (150 Words) (10 Marks)

What does principle of permissible harm mean?

(a) The principle of 'permissible harm' was propounded by John Stuart Mill. He classified human actions into 'self-regarding' and 'others-regarding' actions.

While he advocated complete freedom of action with regards to self-regarding action, he did not advocate the same in others-regarding actions as it

would affect the society. He allowed the interference

of state to control others-regarding actions that harm the society. You have to be straight forward.

(b) The action of the state against its own people of to contain Left wing Radicalism becomes essential though it is highly unfortunate. The 'National Interest' which one of the key maxims of public administration

has been largely under threat in J&K due to the

radicalisation of the youth by terrorist groups and

other external forces. On the other hand it becomes

equally important for the state to address the

basic social issues that is helping in the perpetuation

of such militant tendencies as the state is also the

Remarks

the protector of its own people.

(c) The 'principle of permissible harm' is seen as rather inconsistent by many scholars like Ernest Barker. He says it will lead to 'empty liberty' as it opens a large scope for the state to interfere in the actions of an individual. The state has a chance of becoming despotic. Also the concept of permissible harm is also seen as negative liberty. But in many scholars view positive liberty is more important which leads to capacity building of the citizens of the state. For example: Making sure that education, health and other opportunities reach the people of J&K would have negated the need of principle of permissible harm.

11  
12

Remarks

Q7. What is the difference between 'Convention' and 'Law'? Which of these two should be given more attention while taking administrative decisions with regard to the tribal regions? In ethical parlance, which of the above two deserves more compliance?  
(150 Words) (10 Marks)

(a) The conventions are traditions and values that are followed through ages in a society. It is not codified and is rather understood and passed down through generations. Eg: Respect for elders. 'Law' on the other hand are codified and are necessary for the maintenance of law and order and a stable society.

(b) With respect to the tribal regions it is rather important to give preference to conventions over law. Law generally follows the rule of equality. There is equality before law in Article 14 of our constitution. It does not consider the deeper cultural aspects and is a reflection of the liberal ethics of universal citizenship and civic nationalism. Though these ideas are important the tribal regions which are largely attached to their conventions and traditions cannot be brought under the umbrella of civic nationalism in a short span. That is why we have Schedules V and VI, that gives the provision of autonomous governance and respect for their conventions for they completely integrate into the society.

Remarks



(c) In ethical parlance, the question of law vs convention in form of compliance depends largely upon the 'situation ethics'. There are some instances where the situation becomes the determinant of the act being ethical or unethical. The same can be applied here too. Giving preference to the tribal conventions does not mean disregard for law. It is only the situation that necessitates such action.

33

For an administrator, law is always with go  
 always with go  
 law is always with go  
 means to go

Q8. (a) Are justice, freedom and equality doles to the ruled, given by the superior authority (nature) or by the government?

(b) What is the role of struggle, sacrifice and attitudinal change in achieving justice, freedom and equality in the society? Illustrate. (75 Words Each) (5×2=10 Marks)

(a) The justice, freedom and equality are not doles given by the government to the people. In a highly democratic country with strong liberal values, the government is under the obligation to grant justice, freedom and equality, because the real sovereignty does not lie with the government but with the people. It is rather the will of the people that has been entrusted with the government and the government is not the source of such values. It only implements them. Though in working, the society has to fight for justice, freedom and equality in many cases, it does not mean that the government has to give <sup>it</sup> out as a dole. The concept of nation-state has made the state the strongest constitution but it will always be subordinated to the people.

(b) The struggle is the ability of an individual or a society to fight for its goals and ambitions and values on a persistent basis. The sacrifice is the

Remarks

Are these rights not inherent to individual?

2

quality of an individual to look beyond his personal good for the greater good of the other or the society.

Struggle, sacrifice and attitudinal change can also be seen in our freedom struggle, which proved that even the mightiest of empires can be overthrown peacefully.

It was a struggle that went for more than a century. It involved the sacrifice of the masses and the great leaders

who were ready to lay even their lives for the freedom and justice of the future generations. The attitudinal

change from being subordinated to the white men to belief that they can overthrow even the greatest empire

is reflected in our freedom struggle. The Russian Revolution, French and American Revolution are examples

of importance of struggle and sacrifice in achieving freedom, justice and equality.

2

Remarks

Q9. Answer the following questions:

- How does the cultural relativism defines "good"? Which method does it follow for arriving at moral beliefs?
- Why does cultural relativism supposedly make us more tolerant of other cultures and, critically examine the view that moral values are relative?
- Explain Gau Raksha (cow protection) movement and its dimensions according to the ethical relativism? What should be the ethical approach in case of the cultural conflict between two or more groups? (75 Words Each) (5×3=15 Marks)

(a) The cultural relativism defines good as the "good life" as envisaged by the communitarians. Every society has an "idea" of "good life" according to them. So it is not correct to impose an universal idea of what is good on all the cultures. Every society and community has its cultural ideas. This is also supported by the idea of liberals under "value pluralism". They note that every culture has various values and ideas and it is not proper to impose or protect a particular idea of good as the superior one. The morals and beliefs of the society is greater than the individual. The rights for the individual to be enjoyed has to be recognised by the society. Eg: some society would value liberty more than equality and in some societies it could be the other way round.

Remarks

(b) The cultural relativism is more tolerant towards other cultures because it recognises that each culture is unique. Asper who is a political theorist advocates that the 'culture is the identity of the man'. Though there are biological similarities, men and women are differentiated largely by their cultures. They also believe that each culture has a lot of good things to learn from the other. Hence tolerance is advocated. It also provides the basis for 'multiculturalism' and 'value pluralism'.

(c) 'Ethical Relativism' is based on the idea that the ethics of each culture or society varies from each other. Foreg: Addressing people by names including their elders is not deemed to be a lack of respect in the western civilisation. But it is <sup>not</sup> the same in eastern societies. The cow protection movement can avoid the conflict if respects the dignity and pluralistic values of the society. The Supreme Court has advocated that the prohibition of the tribal societies of the North-East is predominantly sewed by the bontine meat. It becomes a matter of Fundamental Right. The various cultures should look at their various needs and try to reconcile their differences.

1/2

Other aspect is also there to be answered

1/2

Remarks

based on the values of multiculturalism<sup>US</sup> which celebrates diversity.

*Remarks*

Q10. Discuss the essence of consistency? Does consistency guarantee trust? If not then what is the use of it? (150 Words) (10 Marks)

Consistency is defined as the ability of an individual to behave the same way with no aberration or deviation from his value system.

The value of consistency definitely breeds trust. For example: when a public administrator consistency exhibits excellence (performance to the highest stability) with no room for complacency or compromise, there is a trust of the people on him. Similarly when he exhibits impartiality or neutrality on a every day basis it creates trust among the people. Similarly responsiveness (finish work 'quickly' and 'positively') on a consistent basis will also create trust. When there is no consistency there is no room for trust either at the level of personal relationships or the public relationships. Inconsistency only shows the lack of commitment and a weak value system. For eg: Even in sports, Rahul Dravid is considered to be the 'wall' only because of the trust that he had created with consistent performance both on domestic as well as international avenues.

Remarks

apart from the above, consistency <sup>and</sup> also improves  
 the performance of an individual <sup>to</sup> achieve the  
 same goals. Eg: citizen charter would be implemented  
 effectively only under a committed public administrator

good

32



Q11. (a) Consider the following statement and explain it in the context of administration and governance: "It is horribly difficult to perceive our flaws and change our behavior and, at the same time, it is seductively easy to make guilty of our disasters to the sun, the moon and the stars."

(b) What are the essential requirements for being an agent of change? (75 Words Each) (5x2=10 Marks)

(i) The issue of "accountability" has prevailed for a

long time in public administration. The ability of an

individual to accept the consequences of the decisions

made by him and owning up with responsibility

has been the lagging value in administration. Ethics

the subordinates or someone else made the support. If

It also shows poor leadership qualities and lack of

integrity. Eg: The resignation of the political executives

after a mishap or disaster is seen as a sign of

accountability. A losing captain accepting the responsibility

for the defeat in war an example of such value.

(ii) For one to be an agent of change, the essential

requirements are

(1) Commitment: "It is always easy to preach than follow"

one such leader who showed extraordinary commitment

to what he preached was Mahatma Gandhi. He followed

non-violence and truth till his death.

Remarks

12/7  
 If  
 creates  
 a  
 recorded  
 in  
 writing  
 and  
 is  
 meant

(i) Leadership: The ability to inspire and lead.

Eg: Michael Schumacher changed the face of Ferrari team. He was a driver with great leadership skills.

(ii) Openness: "No secrecy" in what one preaches or holds dear and what one follows in secrecy.

(iii) Integrity: "Holding on to the values and morals

come what may". Such a value creates confidence of others in us.

(iv) Consistency: The ability to behave the same way.

with no room to be swayed by passions or emotions builds trust.

All such values are essential requirements to be an agent of change.

Remarks

## SECTION - B

In the following questions carefully study the cases presented and then answer the question that follows:

Q12. When Sheena reaches to one counter of the RTO office for her driving license renewal, the lady in-charge at the counter pass-on one form to fill for the same purpose. She asked Sheena to turn the page and go through it. Back side of the paper there was organ donation consent form which stated:

"Organ Donation: Upon my death I am willing to donate the following - there were then a set of boxes labelled - eyes, liver, kidney, any organ and none, together with a place for her signature."

Sheena asks the lady -"why such things are being pushed at this counter". Lady at the counter explains that this form of camping has been promoted by NGOs for the larger interest for humanity, however it is voluntary and she can escape it if she is not finding it of any worth. Sheena was not sure about giving consent. She was in dilemma whether to do it or not. After a brief thought she denied and moved from that counter.

On the way to back home, her friend Indrani, who was also at the counter, suddenly said, "I did not wanted to say anything inside, but no way I would ever sign that card. If you get into accident and they see that you have agreed for organ donation, they will not even try to save you. There is organ shortage, and the doctors want to grab what they can get. My mom says those organ donation cards are like signing your death warrant."

Later that evening Sheena decided to talk to one of her teacher. When she explained about her anxiety, teacher replied that she should follow her heart in the matter of organ donation.

Answer the following questions based on the above case study:

- (a) From a utilitarian perspective, should Sheena agree to donate her organs? Provide an analysis.
- (b) From a Kantian perspective, would refusing to donate one's organ violate a moral duty?
- (c) Do you think that people ought to donate their organs? Why or why not? (Make sure that the reasons you provide are ethical reasons, not merely prudent or legal). What will you advice to Sheena in case you are in place of her teacher?

(300 Words) (25 Marks)

Remarks

(a) From an utilitarian perspective, there are two sides. Does it serve the 'utility' of Sheena and does it serve the 'utility' of the society. From the perspective of Sheena as an individual if she would feel pleasure at the thought of organ donation, the utilitarian school would <sup>recommend</sup> donation of her organs. At a societal level from the idea of "greatest happiness of the greatest number", the utilitarian school of thought would recommend organ donation after her death. But before her death, any idea of organ donation would not be encouraged by the utilitarian school, as the utilitarian school only 'quantifies' pleasure but does not qualify it. Since that is bound to cause pain, the utilitarianism would not recommend organ donation before death. But J.S. Mill as an utilitarian who talked about the moral worth of an individual and quality of happiness would recommend organ donation.

(b) For Kant, morals is seen as a 'duty'. No individual to him is a means to another person's self-interest.

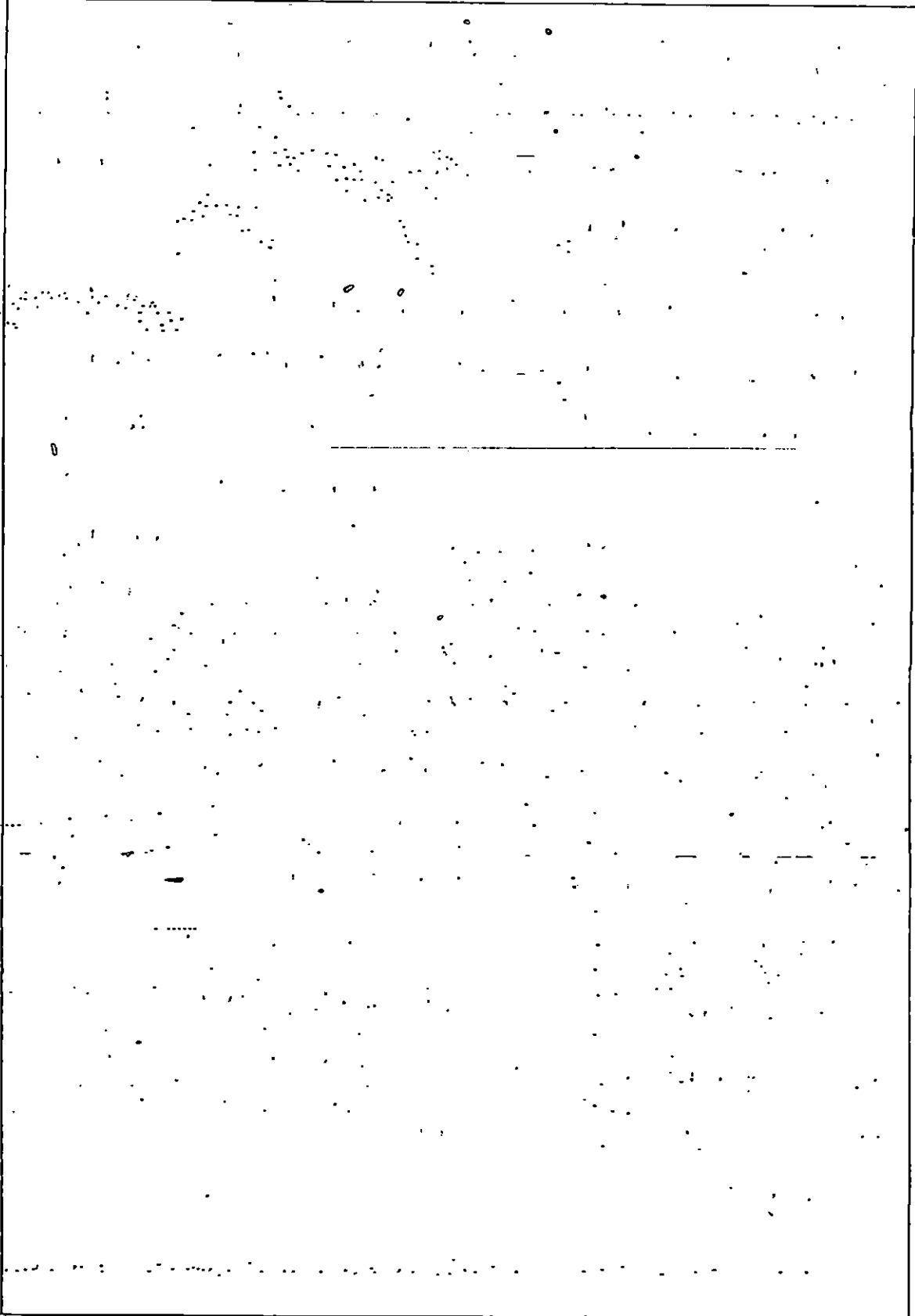
Remarks

Every person is an end in itself. Though the organ donation would have been encouraged from Kantian perspective, refusing to donate the organ would not be a total violation of moral duty.

(c) People ought to donate organs. The idea of donating organs could be seen as the idea of justice as propounded by Rawls. According to Rawls the advantaged sections of the society are not advantageous simply based on merit. They had the 'favour of chance'. So they are under an obligation to help the disadvantaged. Some logic could be applied. When health is a blessing. When we are in this world no more, it is moral to pass that opportunity to the disadvantaged, so that they could also enjoy the same benefit that we did when we were alive. It leaves our mark even after our death. It is simply put 'life after death'. I would advise Sheena the benefits of organ donation as a teacher. I would not begin to make a decision on it with consultation of her parents and careful deliberation. The decision should be left to the autonomy of Sheena.

Remarks

**GIS SCORE**



*Remarks*

Q13. You are a senior civil servant. One of your officer friend is hard working, completes her work on time but always demoralizes her subordinates by blaming them for one or the other thing. She keeps everyone on toes. Often she shouts in her office and want to just follow the blue book while working. She also insults junior officers if one fails to get the things done. Her only mantra to work is to "get the things done - whatever it takes." Due to this bossy attitude your friend is not liked by the subordinates and because of her uneven relation with her team members, she fails to portray a good office culture. Most of the colleagues know about this case but no one wants to discuss it because of your proximity with that lady officer. However one day one close friend happens to be your colleague briefed about the problem subordinate officers are facing.

Answer the following questions based on the above case. Bring merits and demerits related to each course of action and discuss the best option.

(a) Directly talk to subordinate and assure about correcting the things in future.  
 (b) Give responsibility to your friend who briefed you, about this case.  
 (c) Transfer the lady officer as this case may bring sorry figure for you also in future.  
 (d) Request the lady officer not to do so as this may hamper their personal relations also.  
 (e) Is there any better option available to correct the things other than what mentioned above?

(250 Words) (20 Marks)

(a) Directly talking to the subordinate would ~~not~~ be the ~~best~~ <sup>would be</sup> sought option due to the following reasons:  
 (i) The authority of the lady officer ~~is~~ <sup>would be</sup> overlooked.  
 (ii) The opinion and the views of the lady officer ~~can~~ <sup>may</sup> not been shared. There are always hurdles to a coin.

(ii) Though the subordinate would be assured, it could ~~be~~ <sup>on the lady officer,</sup> ~~be~~ <sup>described</sup> on the lady officer's authority was overlooked by me as a senior civil servant (iv) It would ~~also~~ <sup>be</sup> ~~down~~ <sup>the</sup> ~~bridge~~ <sup>between</sup> ~~me~~ <sup>and</sup> the lady officer and the professional relationship.

12

(b) The responsibility could not be transferred to the friend who briefed the case because

(i) It would show a lack of accountability from my side as I am the one who is in proximity with that lady officer.

(ii) It also shows the attitude of shirking responsibility.

(c) The lady officer cannot be transferred because

(i) No justice as the case of lady officer and her opinions has not been heard.

(ii) No neutrality

(iii) No objectivity

(iv) Also leads to impairment.

The opinion of the lady officer should also be heard.

(d) I would not request the lady officer, as the hampering of personal reasons is not a sufficient reason in this case. Also to request the lady officer with the presumption that she is at fault is not an ideal action.

Remarks



e) The best option would be to invite the lady officer and explain the situation that is currently faced by the subordinates under her. She should be appreciated for her hardworking nature but should be stressed to follow the Maxims of Justice under public administration, where the values of the organisation and the values of the individual should fuse in unison towards higher values. Hence it would be appropriate to hear her case and subordinate's case and advise for a greater restraint and composure from the lady officer and more excellence from the subordinates to keep up with the good work of lady officer.



Remarks

Q14. Suppose you are called as the Chief Guest in an educational institution to address a gathering of youth on the issue of 'cultural transition in India'. You confine your lecture mainly around one of the most apparent pointers of cultural transition taking place in the country, i.e. changing man-woman relationship, with the latter being more open, forthcoming and assimilating. But the transition is marred by many sour and ugly events leading to sexual exploitation, honour killings and subjugation and defiance by male dominated office environment. After the lecture there is a question answer session. Answer the following questions that students and teachers posed in front of you:

- Are women outrageous in their liberty with regard to dressing up, breaking silence and asking their share in decision making?
  - What should be the "limits of openness" for women in a culturally transitioning India in an era of globalisation?
  - Is the institution of family responsible for the aberrant behavior of their male children regarding man-woman relationship?
  - What will you do as a Civil Servant to change the attitude of society with respect to women?
- (250 Words) (20 Marks)

(a) Women are not outrageous in their liberty with regards to dressing up, breaking silence and asking for their share in decision making. In fact in a largely patriarchal society, it would be appreciative of the women to break their silence and ask for their share in decision making. Only women can break the chain of patriarchy, as advocated by Kate Millet. It will help in weakening the gendered society where women are subjugated based on irrational and unscientific reasons.

Remarks

(b) There is no limit to the limit of openness for women. They should be culturally daring and ready to go anywhere where the man has ventured and indeed go beyond what the man has ventured. Nevertheless, the idea of feminism should not become anti-men as both are crucial for the realisation of each other's potential.

1 1/2

should be there as per space.

(c) The family is largely responsible for the behaviour of the male children. Those 'values' are highly intrinsic and are the core beliefs of an individual, there are many external factors like family, friends and society that play a great role in inculcating values. In fact some feminists argue that institution of patriarchy originates from the family and enters the public sphere.

1 1/2

(d) As a civil servant, the very first place where I could bring change would be my own office and my own family. There should be 'equality' and 'mutual respect' among the men and women colleagues. The Prevention of Sexual Harassment Act provides for institutional structure to safeguard women and protect their dignity. Such actions would be completed swiftly. And I would try my best to lead as an example.

1 1/2

Remarks

**GS SCORE**

--	--

*Remarks*

Q15. You are a no-nonsense police officer. There is a day light murder of a politician in your area. One of your senior police officer is close relative of that murdered politician. After much investigation, you come to know that Naxalites have killed him as he was involved in land grabbing case in remote area. Local people hated that politician. After few days you managed to arrest one naxalite who was involved in this case. He was involved in some other gruesome murder cases also. In an ambush more than 50 security personnels were also killed and his name was also surfaced in that case.

Your senior officer is putting pressure on you to kill that criminal as often these type of cases take much time due to the lack of eyewitness, as they enjoy local support and also villagers have fear.

Home Minister of your state also wants to do the same as it will send a message in the public about handling of law and order problem with iron hands. Thus send filler through one officer that 'if you do the same, you will get the full support of ruling party in future also'.

Answer the following questions:

- (a) In the above case which ethical dilemmas will you face and why will you call it ethical dilemma?
- (b) Will you follow the order of your senior officer and Home Minister? Evaluate your decision from the ethical and legal point of view.
- (c) Which factors will guide you in this case? (250 Words) (20 Marks)

(a) Though the case seems <sup>to suffer from</sup> ~~that~~ ethical dilemmas, there is actually very less dilemma involved in this case. The biggest dilemma involved in this case is the

Responsibility towards the political executive

By the killing of the Naxalite as per their order

vs  
The values to be adhered by the police officers

values affected: Neutrality  
Impartiality and Objectivity

15

Remarks

The order of the senior police officer involves or atleast has enough care for the vendetta towards Naxalite.

(b) The order of the senior police officer or the Home Minister would not be carried out by means the various means are

(i) Ethically, the killing of the naxalite is motivated by the feeling of vengeance of the senior policeman towards Naxalite. Carrying out the order of senior policeman would be clear violation of 'Rule of Law'.

(ii) The Home Minister's order should also be disobeyed because if the government has to provide an impression of strong law and order, it should strengthen the judicial and police system instead of asking me to take the law in hands. This leads to high handedness and in the future the same method will be employed without any due consideration.

(iii) Also a public administrator should be neutral in his office. There should no political affiliation. Even his choice of vote should not be concealed by him. Accepting political favours and killing the Naxalite is a blot on administration.

Remarks

of right to life.

(iii) The judiciary has also condemned strongly against the encounter. It held that "the policeman is not subordinate to anyone save the law".

The directions of me as a police officer is beyond dilemma. There is no scope for letting the Nawazit arbitrarily.

(ii) The right of the life of the Nawazit is protected and is unalienable unless the proper judicial investigation and a sentence of death. The Supreme Court has ruled that "the right to life of a person does not part with the person after" such is the importance.

(i) No matter what happens a public administrator should never take law into his hands.

(c) There are many factors that would give me in turn can

Senior police officer.

attitude, impartiality in behaviour being Nawazit would show any impartiality towards the Nawazit and favour them towards Home Minister and the

(iv) It also affects impartiality. If 'neutrality' is an

5

Q16. You are professor as well as a social activist. There is an educated and well employed couple in your vicinity who often fight on their personal issues. One day they started fighting as usual, starting from arguments, turning loud, slamming doors and finally the male partner resorting to physical violence, the cry of wife and children started coming out. People come out, but do not dare to go to them citing that it is their personal matter, so any interference would be unethical and uncalled for. Answer the following questions based on the above case:

- (a) Would you agree to be a bystander on the advice of the people that it is a personal matter of the couple? Give reasons.
- (b) Suppose you go to the flat of the couple and enquire what is wrong but the male member insists that they be left on their own as it is their personal matter and you should mind your own business. What would be your reaction?
- (c) Can police help in curbing this social malady by using legal authority and provisions?
- (d) What is your moral and ethical locus standi on intervention of neighbours to stop the domestic violence? (250 Words) (20 Marks)

(a) I would agree that it is a personal matter of the couple but would not be a bystander as the male partner has resorted to physical violence against the women.

The State itself has recognised the menace of domestic violence do not consider it as an issue of the private sphere. The Domestic Violence Act (2005) has been passed especially to protect the interests of the women victims. Also the children of the couple are visibly stressed and it is the duty to step in and address the issue.

Remarks

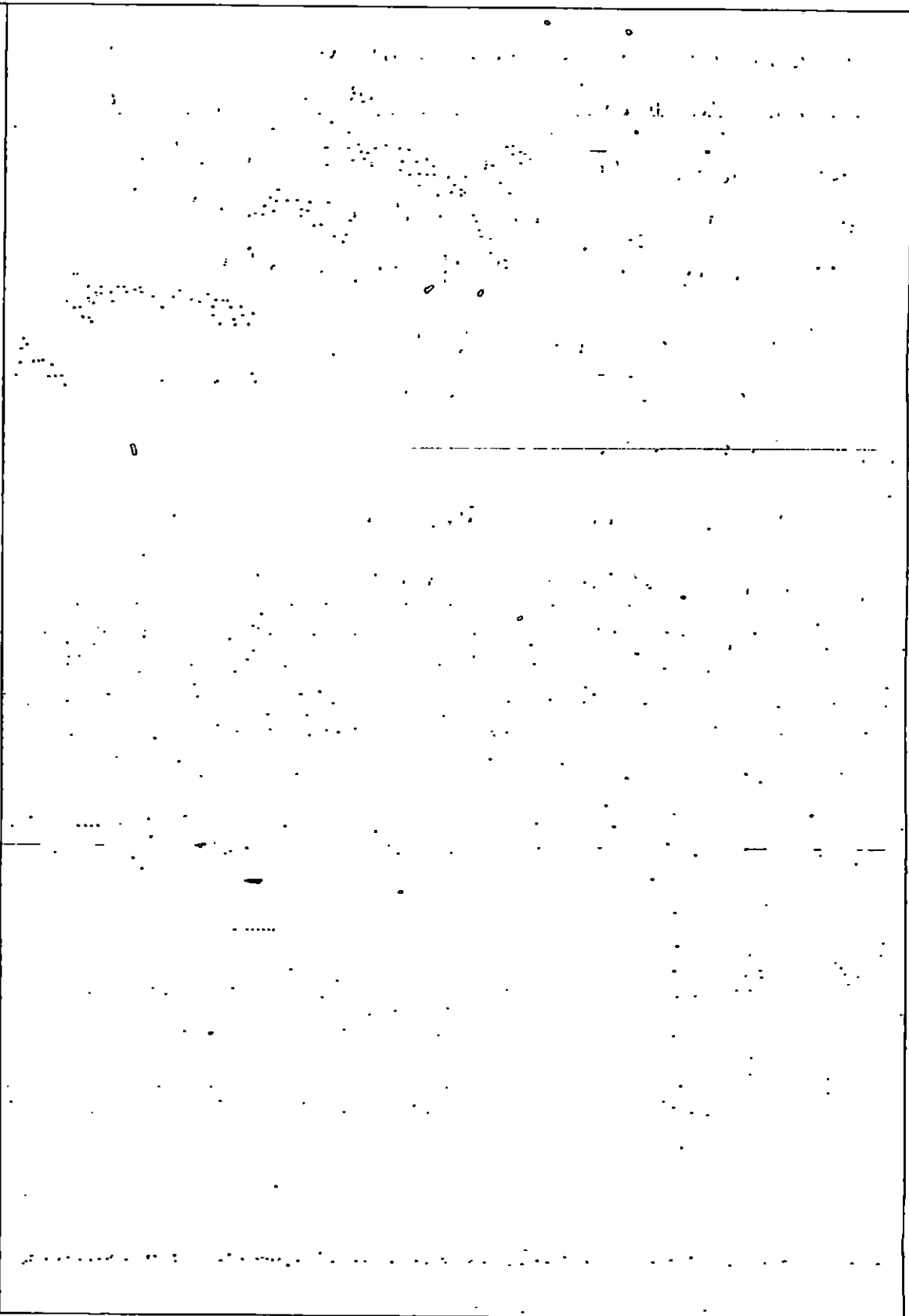


(b) I would explain to the male member of the family that he resorted to violence against his wife. Though his wife, the act of domestic violence covers such activity. Also their fight is causing disturbance to the other families in the neighbourhood. The principle of 'Harm principle' by J.S. Mill would be applied here and I would ask them to solve their issues amicably without any disturbances to the neighbourhood. Make your thought clear.

(c) Yes, the police can curb such social malady by using various provisions to protect women from domestic violence.

Remarks

**GIS SCORE**



*Remarks*

Q17. You are a Superintendent of Police and a huge protest is going on in front of your office. These protesters are Human Right activists. Protest is because of two consecutive incidents happened in your district.

Case one: City SP has received intelligence input that bombs have been planted in various places in the city. SP asked his team for massive search operation. After putting in strenuous hard work, police team raided a house where two people with 2 kg of explosives and IED devices were found. Police team immediately arrested them and brought them to the police station. Police started interrogating them related to the whereabouts of the bombs and their plans. When they failed to take out information from them; one of the Police Officer adopted third degree. Torture in case of new criminals often works. But one of the person died during the process, as he failed to bear the pain of torture. Death in police custody became a big issue.

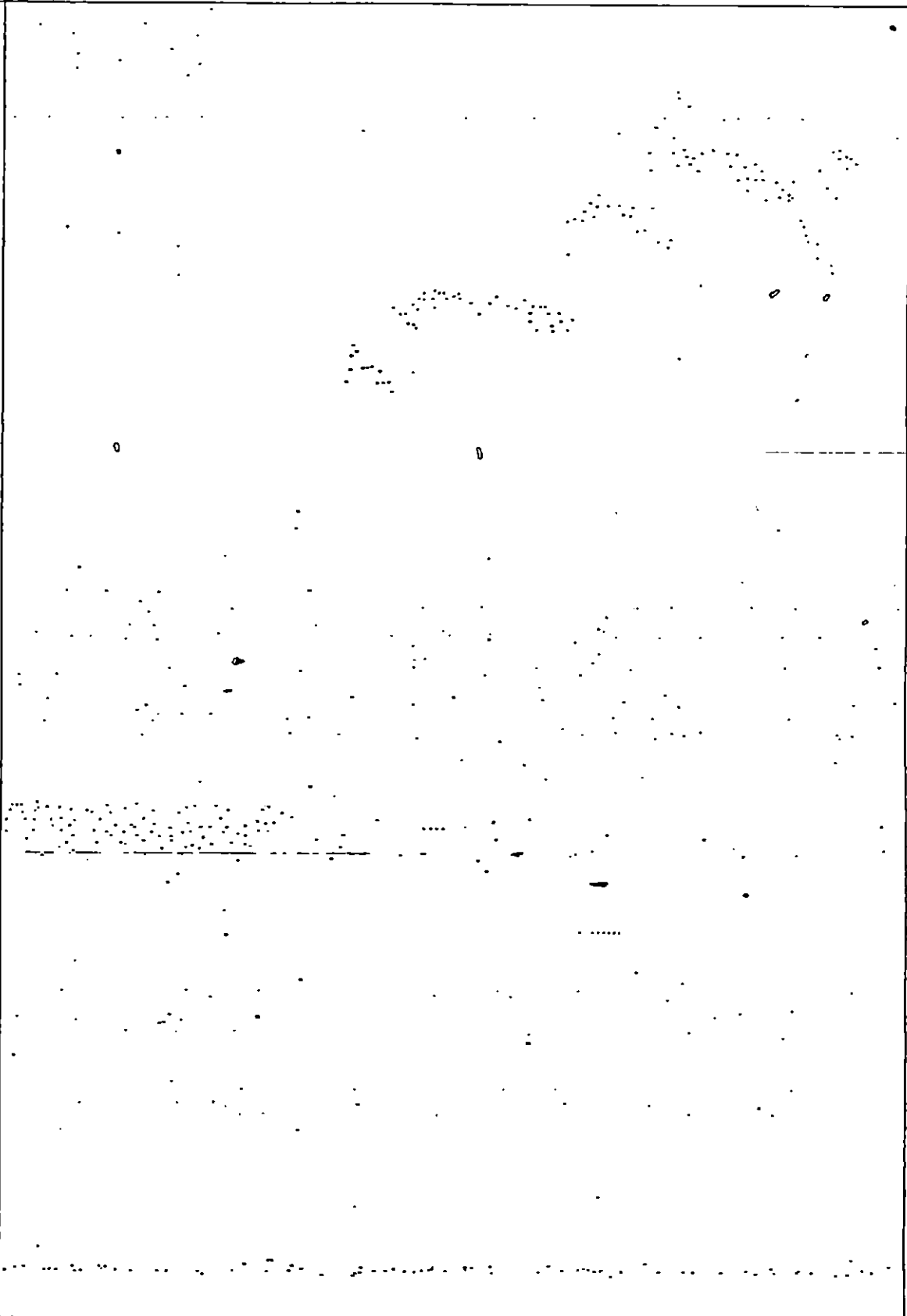
Case two: Recently communal riots occurred held in your area and few police constables got surrounded by a group, viewing the grave situation and possible threat on life, one of the constable picked a man as a human shield. They found it as easy way to escape as that could also save the life of other police constables. But while they were trying to escape, people started stone pelting and the person who was used as human shield got badly injured. However, he was saved later by proper treatment.

Answer the following questions:

- (a) Analyse the ethical dilemmas you will face as SP in both the stated situations.
- (b) Human Rights Activists are demanding action against official involved in both the cases. What will be your course of action?
- (c) Police Chief of State reaches to you and asks for not taking any action, as it will bring down the morals of the police force. What will be your course of action?
- (d) Can you justify the use of torture technique in any given circumstances?
- (e) Would you justify the use of human shield to save the lives of your colleagues? Give reasons. What are the moral and ethical issues involved in using human shield as the method of action against agitating mob?

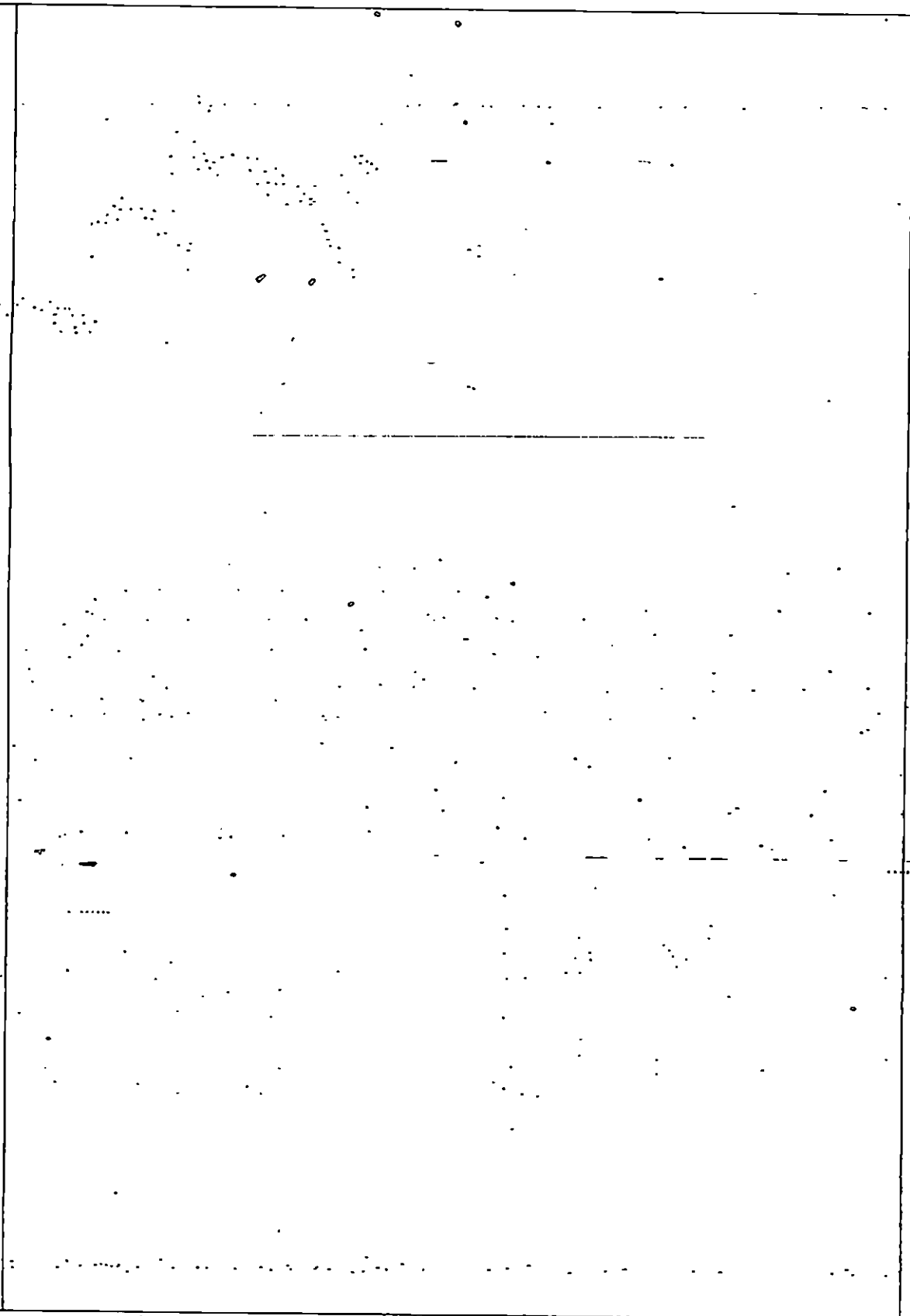
(250 Words) (20 Marks)

Remarks

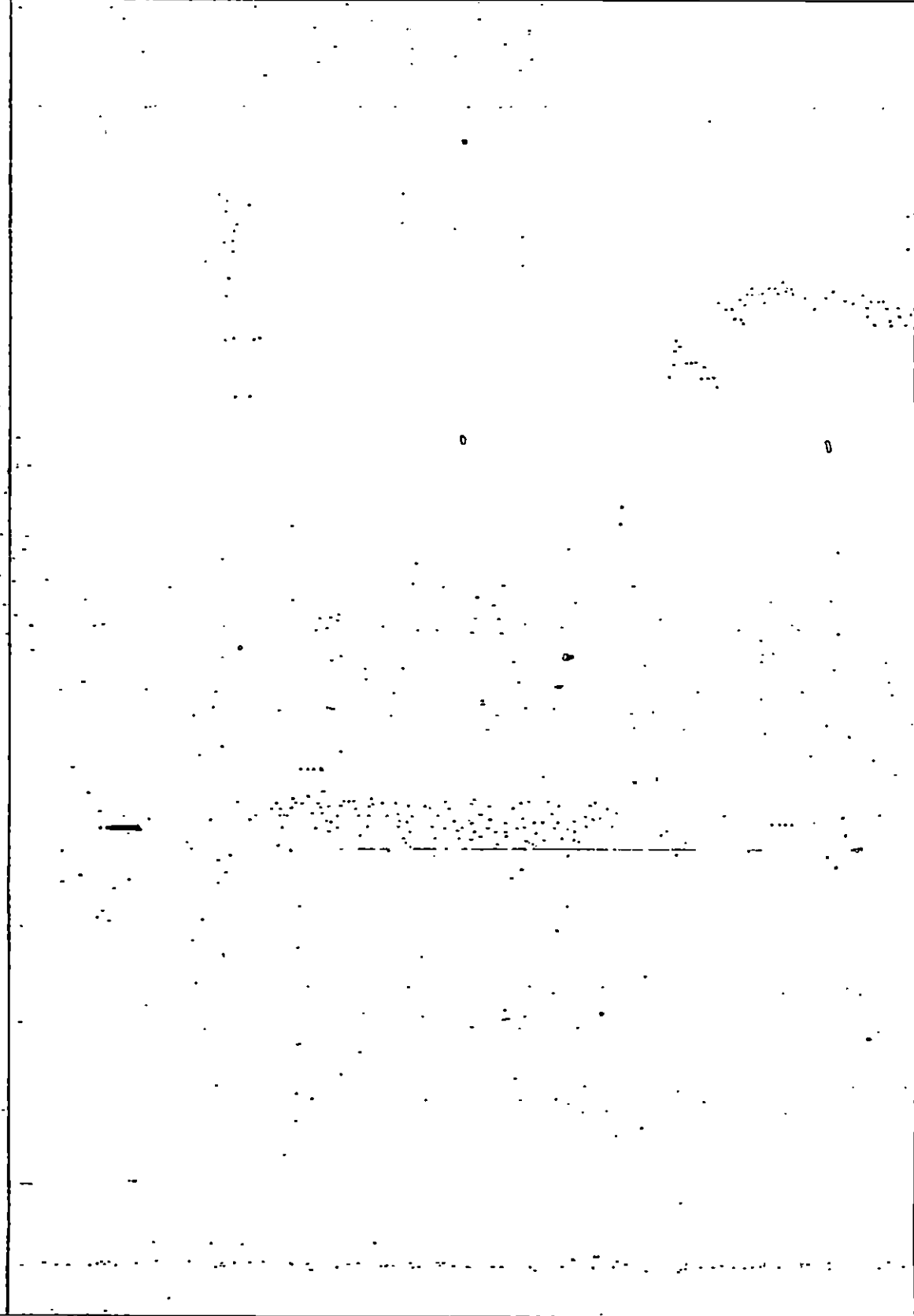


*Remarks*

**GS SCORE**



*Remarks*



*Remarks*

