



APPROACH – ANSWER: G. S. MAINS MOCK TEST - 1406 (2020)

SECTION – A

1. *(a) Norms of social morality should not be applied to acts of civil servants while they are carrying out their professional roles and responsibilities to further the common good. Critically analyse.* (150 words) 10

Approach:

- Briefly discuss the prominent thinkers promoting this view.
- Explain the meaning of the statement with relevant examples.
- Discuss the debate surrounding the issue and conclude accordingly.

Answer:

Machiavelli believed that we should not apply the ordinary standards of right and wrong to the extraordinary situation of a person who is acting as a bureaucratic functionary.

The rationale behind this is that when the act accuses, the result excuses, i.e., one should consider the results that have been achieved, rather than the means by which they have been executed. The dilemma arises out of a tension between perceived professional obligations and long-standing moral obligations that are the standards of everyday life.

This can be witnessed in several instances like:

- **Lying for your country:** Ambassadors sent to different countries often tend to not convey the complete facts or conceal information considered important for the domestic country. For instance, it is widely held that India did not share any information on the nuclear tests it conducted in 1998.
- **Administrative secrecy:** Public servants take the oath of maintaining secrets for the state. This is important for safeguarding the national integrity and security, even though it compromises the virtues of transparency and honesty.
- **Encounters:** Certain sections of public servants are allowed to shoot or kill in special circumstances, say to avert a major terror attack. Therefore, while killing is unethical and unlawful, it may become inevitable in line of duty for certain public servants. **Administrative discretion:** There are various cases where eligibility of schemes and other government benefits may be relaxed for certain particular cases. This may be permitted as it aims to achieve greater public good.

However, these should be treated as an exception and not the rule. Civil servants are expected to uphold the highest values in society. The reputation and success of governance depends upon the conduct of public functionaries and the trust people have in the administrators. It is therefore of fundamental importance that public functionaries act in a just and fair manner towards all, not only paying lip service to ethical conduct but also ensuring it is manifestly seen to be done. Therefore, norms of social morality should be firmly upheld by the civil servants as administration provides the container, which gives shape and content to these values.

1. ***(b) Determination of ethics in state policies and actions is not easy because every policy and action has both positive and negative aspects viewed from different stakeholders' perspectives. Discuss with suitable examples. (150 words) 10***

Approach:

- Start by writing about the determination of ethics in state policies and actions.
- Give arguments to support the statement along with suitable examples.
- Conclude accordingly.

Answer:

The state as the highest executive authority is required to perform administrative, legal and regulatory functions. Broadly, state actions and policies need to be in confirmation with the constitution, laws, judicial pronouncements, international conventions and treaties. However, there isn't a necessary positive correlation between the legality of an outcome and its ethicality.

Depending upon the circumstances and requirements, views of different stakeholders may not be in consonance with each other. This is highlighted in the arguments given below:

- States reach out to all the stakeholders so as to include their interest in policies and programs. However, such outreach becomes difficult particularly when the **interests of stakeholders are contradictory**. For e.g., labour reforms are viewed as promoting the interests of the employer at the cost of employees' interests.
- When it comes to **significant areas such as national security or maintenance of law and order**, the state cannot compromise with the fundamentals of the state. For e.g. state refusing refuge to immigrants to ensure national security.
- Sometimes, the state has to neglect the interests of a few in order to **promote the larger interest of society**. For instance, infrastructure projects undertaken in the need for economic growth and development may cause tribal displacement.
- **Resource constraint** also hinders the state's ability to promote the common good and welfare. Therefore, it raises questions on the state policy of preferential treatment. For e.g., development programs for minorities, SC/ST's etc.
- State policies to **promote constitutional values** could also hurt the sentiments of religious communities. The verdict in case of Triple Talaq law, Sabarimala case, Santhara/Sallekhana case etc is viewed as state intervention in a matter of personal faith.

State policies and actions must only be assessed in context of the requirements of the time and in light of them falling within the legal and constitutional framework. Needless to say that there should be a harmonious construction of the viewpoints of different stakeholders, so that conflicts can be resolved amicably.

2. ***(a) What do you understand by global ethics in today's world? Highlight the role that global ethics can play in achieving universally accepted goals. (150 words) 10***

Approach:

- Start by explaining global ethics in today's world.
- Discuss the role of global ethics in achieving universally accepted goals.
- Conclude accordingly.

Answer:

Global ethics is an area of critical ethical enquiry into the nature and justification of values and norms that are global in kind and into the various issues that arise such as world poverty and international aid, environmental problems, food security, disaster mitigation, peace and security, and human rights.

Without the acceptance of global ethics, a large number of these common global problems cannot be resolved effectively. Here, global ethics can contribute in following ways:

- **Draws parallels between self-interest of nations and the universality of these interests so a shared understanding of global problems** such as disaster management, biodiversity conservation can be developed.

- **Creates moral pressure for countries** to come forward and provide assistance when conditions in other countries are such that governments either will not or cannot address natural and human-made evils effectively. For instance, Common but Differentiated Responsibilities and Respective Capacities (CBDR-RC) acknowledges the different capabilities and differing responsibilities of individual countries in addressing climate change.
- **Establishes checks and balances** to avoid unilateral actions such as exporting environmental problems, economic aggression etc that may involve violation of the interests of another country. For instance, Missile Technology Control Regime (MTCR) adopts these principles to limit the proliferation of missiles and missile technology.
- **Provide space to countries to discuss and generate consensus** on issues of global importance such as fighting against terrorism or money laundering such as FATF that sets international standards to prevent terror financing.
- **Holding governments responsible** for domestic action which leads to violation of human rights. For example, UNHCR visiting countries alleged rights violations.
- **Developing an international institutional framework** so that collective efforts can be directed towards achievements of common goals for e.g. sustainable development goals.
- **Checking rise and growth of rogue nations and non-state actors** by taking collective actions against them for activities such as nuclear armament, terrorism, human trafficking, organ trafficking etc.

None of the aforementioned responses to global problems can occur without a commitment to global goals as an ethical requirement or acceptance of global responsibilities. Considering the uncertain world scenario and differences among nations, global ethics can mobilize the nations; channelize their efforts in the right direction to deal with the emerging challenges and enable states to rise above the narrow self-interest and move towards enlightened self-interest.

2. **(b) Highlight the important teachings of Swami Vivekananda, relevant to the youth of today.**
(150 words) 10

Approach:

- Introduce the answer by highlighting the need to remember teachings of Swami Vivekananda.
- Discuss the teachings of Swami Vivekananda relevant to the youth in the current context.
- Conclude the answer on the basis of the above points.

Answer:

The philosophy of Swami Vivekananda and the ideals for which he lived and worked are a great source of inspiration for the youth today. He wanted the countrymen including the youth to have '**muscles of iron**', '**nerves of steel**' and '**minds like thunderbolt**'. Owing to this, his birth anniversary i.e. January 12th is commemorated and celebrated as **National Youth Day**.

Certain teachings relevant to the current youth are as under:

- **Character building:** He believed that the nation's youth held the key for solving various problems facing India. According to him, each human being with his/her own potential could guide himself/herself (Atma-Nirmana) and at the same time play an active role in the society. This emphasis on individual potential is relevant to the youngsters to develop their skills and carve an identity for themselves.
- **Education and society:** Vivekananda had attached great significance to the role of education in society building. He believed that the Indian society had its own fundamental characteristics like guru-shishya parampara etc. since the beginning, which should be maintained at any cost.
- **Philanthropy & service to mankind:** Vivekananda once said, "**so as long as the millions live in hunger and ignorance, I hold each man a traitor.**" Such a call inspired the youngsters to serve the suffering humanity. This is relevant to the youth, as it will encourage the spirit of social service, philanthropy, and humanitarianism.
- **Spirit of national awakening:** He wanted youth who would eventually be leaders, contribute to national awakening, preach and teach the eternal spiritual truths of our forefathers. With his messages of "**Arise, Awake and Stop not till the goal is achieved**", he inspired youngsters to invoke the spirit of nationalism.

- **Universal tolerance:** His famous speech at the World Parliament of Religions, emphasized **universal tolerance**. This teaching is significant for the youth in a highly polarised global world order.
- **Meaningful life:** He wanted the youth to live a meaningful life through different quests like **physical quest** (for ensuring physical fitness), **social quest** (for undertaking social activities aimed not only for the betterment of society but also the individuals), **intellectual quest** (for building intellectual strength) and **spiritual quest** (for achieving spiritual and psychological well-being).

Cultural capital and Vedanta: His interpretation of the Vedanta, not only brought him closer to the masses but also established several milestones in the cultural development of India. His teachings centre around the themes of Vedas and Upanishads, which are relevant for the young population. Swami Vivekananda believed that the young generation, which he called as the modern generation, is very powerful. It can do anything and everything and has the eternal power to even revive the whole country and realize his dream of making Bharat a Vishwa Guru once again.

3. *Given below are quotations of moral thinkers/philosophers. Bring out what they mean to you in the present context:*

(a) Courage is the most important of all the virtues because without courage, you can't practice any other virtue consistently. (150 words) 10

Approach:

- Explain what you understand by courage.
- State its importance as a virtue that is important to practice other virtues.
- Conclude on the basis of above points.

Answer:

Courage means strength, whether moral or physical, to confront adversities such as danger, dilemma or opposition. It also means conviction to do what one believes in and take decisions based on those beliefs. Aristotle recognized that courage is the first of human virtues because it is the one that guarantees other virtues. Without courage, one cannot practice any other virtue consistently, such as:

- **Assertiveness:** It refers to achieving goals by setting appropriate boundaries. Prime Minister Nehru was courageous when he decided that India would remain non-aligned and maintain equi-distance from the US and the Soviet Union during the Cold War era despite enormous pressure.
- **Integrity:** Integrity is the practice of being consistent, honest and moral. Sanjeev Chaturvedi displayed integrity while working as Chief Vigilance Officer of All India Institute of Medical Sciences (AIIMS), even though he had to wage a legal battle to face the consequences.
- **Perseverance:** It means continued effort and determination in order to achieve something despite difficulties or delays. Courage was displayed by citizens who persistently mobilized for the rights of the community as a whole in the face of odds. For e.g. the Chipko movement, Appiko movement, Narmada Bachao Andolan, India Against Corruption movement etc.
- **Fortitude:** It means display of strength during times of adversity. There are various examples in the form of Holocaust survivors who fought against the oppression of Nazis.
- **Selflessness:** It refers to the quality of caring more about what other people need and want than about one's own needs and wants. Dr. Arunoday Mondal, who set up Sujan Sundarban, travels to remote Sundarban villages and has treated numerous poor people.
- **Truthfulness:** Courage of conviction and truthfulness go hand-in-hand as a person should be courageous to tell the truth even in times of distress. This what drives the admirable efforts of RTI and Human Rights activists.

Thus, courage as a virtue enables other virtues and empowers a person to be honest and unbiased. Further, it gives a person the strength to rise above considerations of caste, community and religious identities.

3. *(b) One has not only a legal but also a moral responsibility to obey just laws. Conversely, one has a moral responsibility to disobey unjust laws. (150 words) 10*

Approach:

- Briefly highlight your understanding of the quote.
- Discuss its importance in the current context.
- Conclude accordingly.

Answer:

In a democracy, a law not only has the statutory sanction but also reflects the will of the people. Obedience to the law of the land is also a moral obligation for maintaining social and political order in the interest of common good. Socrates when condemned to death, did not flee the city. According to him, it would have been violation of law amounting to mistreatment or disrespect of his fellow citizens.

If one has agreed to constrain his freedom being bound by the law, under the premise that others will do likewise, then it's unfair if others choose to disobey the law to suit their convenience. This approach to obeying laws on the basis of convenience will create chaos.

However, not all laws can have moral sanction. Even in a democracy, a majority can take over the legislative process and frame a law that may not be just to every section of the society or may undermine the dignity of some. A law that caters to most, at the cost of a few is an unjust law. And according to St. Augustine an unjust law is no law at all. Mahatma Gandhi also argued that an unjust law is itself a species of violence. In the present context, following examples could be seen in this light:

- **Criminalizing Homosexuality:** Many countries, including India till recently, criminalised LGBT community for their sexual orientation.
- **Adultery and sexual harassment-** Until recently, only a man in India could be prosecuted for adultery under Section 497 of IPC. On the hand only women can file cases against sexual harassment in India. Men do not have legal recourse, if faced with sexual harassment.

Historically laws related to apartheid in South Africa and racial discrimination in US were morally corrupt. Therefore, these laws were withdrawn after widespread opposition and resentment by the population. Martin Luther King also provided a template for opposing unjust law. He said that one who breaks an unjust law must do so openly, lovingly, and with a willingness to accept the penalty. There should be acceptance of penalty of imprisonment in order to arouse the conscience of the community over its injustice. This in reality expresses the highest respect for law.

4. *(a) Can a war ever be justified on moral grounds? Support your answer with suitable arguments. (150 words) 10*

Approach:

- Introduce by mentioning the concept of modern day war/warfare and the costs of war.
- Present the arguments given to justify a war on moral grounds and highlight the aspects of a just war.
- Conclude by giving a contrasting view that violence in any form can never be justified on the moral grounds.

Answer:

War is an armed conflict between two or more states or paramilitary groups such as mercenaries, insurgents and militias, characterized by intense violence and loss of life and property. Several moral philosophers have tried to evaluate the morality of war and test it on the parameters of justness. Although morally reprehensible, wars have been ubiquitous in human history. War theorists have used following criteria for justifying the war:

- The war must be undertaken with the **intention of establishing a just peace**. World War II was fought to end fascism and save the world from the perpetual state of violence and aggression from the German state under Hitler.

- It must be **defensive** and must be aimed at **protecting the innocent** against unjust aggression. A point in case is India which has waged 4 wars since its Independence but has never been the aggressor. It had to respond to external aggression to protect its territories, sovereignty and citizens.
- It must have a **reasonable chance of success**. India intervened in the 1971 liberation of Bangladesh fully aware of its capability to defend the Bangla population against the atrocities of Pakistani army.
- It must be declared and waged by a **competent governing authority**. In the post World War 2 era, the United Security Council (UNSC) sanctions military response against military groups.
- It must be undertaken **as a last resort**. Use of deft diplomacy and semi-military actions like surgical strikes have helped countries avert full-fledged wars.

However, some wars fought for noble causes have been rendered unjust because of the way in which they were fought. For e.g. **use of nuclear weapons at Hiroshima and Nagasaki cannot be justified by any account**. The **US attack on Iraq** was justified on the intentions that it aimed to eliminate **weapons of mass destruction (WMD)** acquired by Saddam Hussain. But even years after the war and killing of Saddam Hussain, WMDs were nowhere to be found. These examples explain the futility of war.

A just war may be permissible because it's a lesser evil, but it's still an evil. It must be assessed not only on the basis of its justifiability but also its costs - human, physical and economic. A war, even if just, has to be a measure of last resort. A war - irrespective of reasoning or manner of conduct - must be waged only after exhausting all other alternatives of dispute settlement.

4. **(b) Do you think that ethical principles are universal in nature? Justify your answer with relevant examples. (150 words) 10**

Approach:

- Introduce by writing about the concept of ethical universalism.
- Discuss the concept of ethical relativism.
- Provide relevant examples for both - universalism and relativism.
- Conclude based on the arguments written in the answer.

Answer:

Ethical principles are used to decide the rightness or wrongness of an action. But what is ethical under a given circumstance may itself be a subject of debate. In this respect, there are two schools of thought regarding mutability of ethical principles:

Ethical Universalism

- It believes in **universal and immutable ethical values** i.e. there are some ethical principles that are always true, that these principles can be discovered and that these principles apply to everyone.
- Certain universal ethical principles are - love, universal declaration of human rights etc. Similarly, principles of honesty, integrity, justice, accountability etc. are central to the functioning of a democratic administrative system. These principles cannot be traded for any kind of just or unjust objectives.
- However, this school overlooks the need to respect diversity and also the view that consequence of an act is also a factor in deciding the ethicality of that act.

Ethical Relativism

- It believes that ethical principles keep changing depending on the circumstances and socio-cultural factors. **Ethicality of an act depends on the different cultures or different periods in history**. For example, homosexuality has been de-criminalized recently in our country.
- Ethical relativism was on display when India, irrespective of its commitment towards non-violence, conducted surgical strikes across the border inside Pakistan to destroy terrorists' launch pads. Another example showing mutability of ethics is of Bihar, which recently prohibited sale and consumption of liquor in the state.

- Similarly, while the principle of equality is an accepted principle, there can be exceptions towards the betterment of marginal communities on the basis of compassion and equity such as- mid day meals, various subsidies etc.
- However, this school seems to reduce ethical principles to the level of just being “**general agreement of a group of people**”. It gives priority to a majoritarian view even if the act in question is bad in morality, for example, moral sanction of honour killing of couples opting for inter-caste marriage in certain pockets of India.
- Further, in this school, the only moral standards against which a society's practices can be judged are its own. So, if ethical relativism is correct, there can be no common framework for resolving moral disputes or for reaching agreement on ethical matters among members of different societies.

Thus, though there are certain principles which remain immutable under all circumstances, there are other principles which keep changing with time and situation with socio-cultural practices playing a significant role in deciding the ethicality of an act.

5. ***(a) For civil servants, both professional competence and commitment to ethics are equally important. Analyze.*** **(150 words) 10**

Approach:

- Introduce by highlighting the important role of civil servants.
- Mention the need for professional competence.
- Highlight the importance of ethical competence.
- Conclude appropriately.

Answer:

Civil servants perform a key role in the society where they are not only responsible for public service delivery but are also at the helm of complex challenges of policy making and implementation in diverse fields such as policing, education, healthcare, transportation, land management, infrastructure etc.

This requires a range of skills and capacities and therefore **professional competence** becomes one of the major necessities for performing the job of a civil servant.

Professional competence is important for:

- **Adoption of new technologies** since systems and tools of governance are becoming increasingly digital, open and networked, which necessitates the right skills for civil servants to keep pace.
- **Meeting aspirations of the public** in a pluralistic and demanding society. This necessitates having skills to **effectively engage citizens**, crowdsource ideas and co-create better services.

However, lack of commitment to ethics in a skilled civil servant is a dangerous combination since they **may use their competence for misusing public resources** in favour of private gains. For example, a civil servant proficient in handling every aspect of the new **e-tendering process** may use it to the advantage of his near and dear ones aiming for the tender. In fact, this is even worse than a civil servant lacking both skills and ethics since he would not be proficient enough to meddle with the system.

Thus, **commitment to ethics is important** as it would lead to upholding the highest values of public service that include selflessness, honesty, openness, integrity, leadership, accountability and objectivity. The presence of these values would ensure that civil servants are **responsive to the needs of the people** and minimize wastage or misappropriation of public resources.

However, **only commitment to ethics is also not sufficient** since the civil servant despite having the best of intentions would not be able to provide services requiring new skills. For example, effective service delivery in contemporary times where a range of services are delivered by private players requires the civil servants to have new skills in designing, overseeing and managing contractual arrangements with other organisations etc. A badly designed contract may lead to

perception of favoritism among the public, which may ultimately affect the trust of the public in the governance system.

Therefore, while professional competence provides the necessary skills to the civil servants for problem solving, strategizing and innovating new ideas, there is a need to inculcate **ethical competence along with professional competence** among the civil servants to ensure that there is no abuse of authority and neglect of the needs of the people. **Knowledge and skills need to be guided by a coherent value system** for an efficient and effective public service.

5. *(b) Despite changing family structure, it still plays an important role in nurturing core societal values. Discuss. (150 words) 10*

Approach:

- Define family and briefly discuss its role.
- List major changes in terms of structure and functions of family.
- Highlight whether its role as a foundation of morals and values is still credible
- Conclude on the basis of aforementioned arguments.

Answer:

The family is considered as the basic building block that brings about the existence of the society and each of its members. It has always been the foundation from and upon which the moral of children are built, nurtured and developed.

- It helps grow and nurture the mind of individuals to be able to fit into the society and environment in which they find themselves
- Every family has an obligation to ensure that its members adhere to the ethical standards of the society.
- It provides its members with emotional and spiritual kinship through shared values, beliefs, traditions, common experience, activities, unconditional and non-judgmental support.

However in recent years, certain changes have been witnessed in the structure of the family. The changes are seen in context of changes seen in the definition of marriage, divorce, fertility and birth control, sexual orientation, child care etc. Increased financial independence has led women to walk out of traditional familial roles. Increased divorced rates have led to emergence of the reconstituted family structure. The number of single parent families have surged. In some areas, a variety of structural arrangements in the cultural definition of family are now permitted for instance, gay and lesbian families. Such structural changes have prompted rethinking of traditional family functions and roles

However, despite these changes, family still plays a vital and important role especially in terms of transmission of societal values to children.

- It remains the task of the family to impart its children, a form in law and custom, which shall do justice to its unchanging reality yet be adapted to the social order of the given period.
- The family remains the first contact of a child with the world and they are mostly influenced by it in their formative years. It is from here that children learn to respect and reciprocate in return as this then goes a long way to becoming the norm that society expects and encourages.
- The role of family is still prominent across all stages of learning and development for children i.e. through adult-child relationships; through the moral insight of adult society; through moments of peer interaction when they must exercise self-control; through development of their own moral order; and they learn through trying to understand the perspectives of others.

In essence, the family no matter its structure still remains the foundation for morals. The changing nature in family structure has not eroded its function in terms of sustenance of core societal values. The family continues to be the vehicle through which these values are passed from one generation to another and in the long run these values would become the new norms which society would expect and encourage.

6. ***Impartiality as a core value of civil services should not become a hurdle in showing compassion towards weaker sections of the society. Examine.*** (150 words) 10

Approach:

- Introduce by explaining the meaning of civil service impartiality.
- State the reasons why it can become a hurdle in one's approach towards weaker sections and its impact on governance.
- Conclude with a way forward.

Answer:

Impartiality in civil services means that civil servants while carrying out their official work, should take decisions based on merit alone. While compassion is about being empathetic towards others and also trying to alleviate their suffering in your own capacity.

Both these values form a part of core values for civil service. Impartiality helps civil servants to uphold the constitutional values, to prevent favouritism, nepotism and factionalism, to enhance people's trust in governance etc. Compassion enables civil servants to understand the needs and aspirations of the masses and redress their grievances accordingly.

But, it has been seen in some instances that impartiality may become a hurdle for civil servants in showing compassion towards weaker sections, such as:

- **Excessive adherence to rule-based functioning:** It leads to loss of freedom, creativity and discretion of civil servants. They may become conservative and timid in taking decisions. For example, if a scheme does not qualify a certain section of people, but they also suffer from deprivation, a civil servant may deny the benefits on the grounds of impartiality.
- **Fear of punishment:** Adherence to impartiality instills a sense of deterrence in taking certain actions owing to fear of punishment in the future such as litigations or complaints against civil servants for giving preferential treatment to certain groups. This, in turn, may lead to lack of compassion towards the weaker sections.

However, there are various examples, where impartiality and compassion are seen to complement each other, such as:

- Starting of Bharosa cell by an IPS officer to change the face of women safety and reach out to the people to bridge the gap between the public and the police.
- Using crowdfunding to build roads, making Indian infrastructure accessible to the disabled.

Here, without impartiality, the scope of compassion becomes limited, reserved only for those who are closest to the person. Thus, impartiality ensures that the civil servant has the same degree of benevolence towards everyone and thus motivates him/her to put laws into action to help the needy section.

Impartiality should not be practiced as a standalone principle by the civil servants. It should complement the other foundational values of the civil services and should not become a hurdle in showing compassion towards weaker sections.

7. ***Tolerance is not enough, it is the idea of acceptance that accommodates diversities and makes a society inclusive. Elaborate.*** (150 words) 10

Approach:

- Introduce by bringing out the difference between tolerance and acceptance.
- Discuss how acceptance has a broader meaning than tolerance.
- Also, discuss how it makes a society inclusive.
- Conclude accordingly.

Answer:

While tolerance and acceptance are often used interchangeably, there are qualitative differences between the two. Tolerance is a fair, objective, and permissive attitude towards those whose opinions, practices, race, religion, nationality, etc., differ from one's own. However, acceptance not

only recognizes differences but also empathizes with those differences. It is knowing, understanding, and being at peace with the way things are and with the way reality is.

Thus, the idea of acceptance goes beyond tolerance. **One can tolerate something without accepting it, but one cannot accept something without tolerating it.** For example, when a son or daughter tells a parent about an unwelcome career choice or marital partner, he or she wants that information not just to be tolerated, but also accepted. The idea of acceptance gives a person the confidence that he/she has taken the right decision. **Acceptance also demands active embracement, calls for freedom from prejudice and makes the society more inclusive.** It will go a long way in integrating diverse interests of various social and cultural groups. For example, acceptance of the LGBTQ community will provide them a sense of security and inclusiveness and the freedom to associate and flourish within the community.

Indian context:

In the Indian society where numerous diversities and differences exist along the lines of religion, ethnicity, language, caste etc., the idea of acceptance ensures that despite the differences, everyone commits to leading a harmonious and inclusive life. Also, the Indian tradition espouses the philosophy of **Vasudhaiva Kutumbakam**, which inculcates an understanding that the whole world is one family. Thus, there is **acceptance of everyone as an equal and a part of one's own self.**

It is acceptance and not mere tolerance that will aid India in securing the principle of **Antyodaya** i.e. leaving no one behind and development for all. It is a key ingredient in imbibing the philosophy as well as ensuring the success of '**Sabka Saath Sabka Vikas**'.

8. Companies adhering to the norms of corporate governance emerge as winners in the long run. Evaluate with the help of suitable examples. (150 words) 10

Approach:

- Briefly discuss the concept of corporate governance.
- Give reasons with examples why such companies emerge as winners in the long run.
- Justify with examples how companies ignoring corporate governance do not sustain in the long run.
- Conclude appropriately based on the above points.

Answer:

Corporate governance is the system of rules, practices and processes by which a firm is directed and controlled. Corporate governance essentially involves balancing the interests of a company's stakeholders, such as shareholders, management, customers, suppliers, financiers, government and the community. It also provides the framework for attaining a company's objectives and encompasses practically every sphere of management.

Companies adhering to the norms of corporate governance emerge as winners in the long run because of following factors:

- **Sustainable growth of company:** As it maintains transparency, accountability and responsibility of the decision makers towards all stakeholders. It also involves abiding by the laws and regulations in letter and spirit and ensuring that all statutory obligations are discharged on time. For e.g. Tata Group of companies continues to be one of the biggest conglomerates even after 150 years of its existence.
- **Brings economic efficiency:** As companies ensure discipline in financial actions, it attracts stakeholders', especially foreign institutional investors and also has a positive influence on the market value of the company.
- **Improved risk management:** It encompasses the manner in which board and committee meetings are conducted and decisions are recorded. This mechanism of internal control allows better fraud prevention and detection and conflict resolution between management and shareholder's interests. E.g. HDFC Bank has been able to insulate itself from the NPA crisis, owing to its Corporate Governance Policy.

- **Enhances goodwill of the company:** Adhering to disclosure norms, regular updation of records, regulatory requirements like taking care of minority stakeholders etc. leaves a lasting impression in the minds of the people. E.g. Infosys has maintained the value of 'Walk the Talk' and gained the respect of its stakeholders.
- **Continuous feedback loop:** By incorporating customer's feedback and market research in improving service delivery quality. E.g. Hindustan Unilever Co., the most valuable FMCG in India has kept pace with changing times and consumer preferences.

Further, poor corporate governance may be driven by narrow self-interest and lead to failure of meeting long-term commitments, thereby hurting the company's reputation. For example, Satyam and Sahara scandals, Volkswagen emission scandal etc. It can also lead to financial difficulties such as in the case of Kingfisher Airlines.

Recent crises faced by financial giants like YES Bank, IL&FS point towards the importance of strict adherence to the norms of corporate governance, as it is perhaps one of the most important differentiators of a business that has an impact on the profitability, growth and even sustainability of business.

SECTION - B

In the following questions, carefully study the cases presented and then answer the questions that follow (in around 250 words):

9. *You are posted as a DCP in the national capital of the country. In a locality which falls under your jurisdiction, protests have been going on for the last one month against a decision taken by the government. While these protests have been non-violent in nature and are being led by women, the protesters have blocked a major road which connects a number of satellite cities. This has led to traffic jams and congestion causing inconvenience to people who use this road for commuting to work causing hardships and a loss to the economy. A number of people filed complaints in this regard and also approached the courts. The High Court has directed the police to keep larger public interest in mind and take appropriate action.*

In light of the information given above, answer the following questions:

(a) While highlighting the significance of right to protest in a democratic setup, discuss the limitations on this right, even if the protests are non-violent, as in this case.

(b) What are the options available to you?

(c) Evaluate each of these options and choose the option you would adopt, giving reasons. (20)

Approach:

- Discuss the significance of the right to protest in a democracy.
- Discuss the limitations of exercising the right to protest.
- Suggest remedial measures.
- Evaluate each measure and present the best option available to you.
- Conclude the answer appropriately.

Answer:

The facts of the given case pertain to the rights of the people to assemble peacefully and protest against the actions of the state, which they deem unjust. Such a right is an integral part forming the foundation of a democratic setup.

(a) The right to protest flows and is interpreted from Article 19 (1) (a) and (b) of the constitution – under the aegis of right to freedom of speech and expression; and to assemble peaceably and without arms.

1. In several cases such as in *Ramlila Maidan Incident v. Home Secretary, 2012*, the Supreme Court stated that citizens had a fundamental right to assembly and peaceful protest, which cannot be taken away by an arbitrary executive or legislative action.

2. The right to protest is significant in a democracy as public protests are the hallmark of a free, democratic society constituting our political freedom. It also gives an agency to the people – so their dissent and voices could be heard.
3. Additionally, the right to protest also facilitates the strengthening of a functioning democracy if they challenge government decisions peacefully and legally.

However, the right to protest or right to freedom of speech and expression are not absolute, especially when these protests or movements cause grave discomfort, or inconvenience to others. In order to minimise any deleterious impact on public order, Article 19(3) authorises the state to impose reasonable restrictions on the right to assemble peaceably in the interests of the sovereignty and integrity of India or public order.

(b) After conducting a thorough assessment of the law and order situation, I shall consider the following:

1. Request the protestors to shift to designated sites and reaching out to the citizenry:

- a) I along with my staff representative of the social structure of the regions, (particularly including women) shall visit the protest sites and meet the leadership of both the affected parties (nearby residents and protestors) to apprise them of the situation and help them understand how larger welfare of all citizens should be kept in mind.
- b) Since the protestors are protesting against government policies, I along with my team shall convince them to move their protests to a designated place such as Ramlila Maidan; or another such area as identified by the police. As a precautionary measure, I shall also highlight the disciplinary measures against miscreant(s), keeping in mind the fragility of the situation – so as to minimise inconvenience to all.
- c) Most importantly, I shall, through various sensitisation methods, apprise them of the different socio-economic and psychological inconveniences being caused: such as stalled traffic resulting in frustration among commuters, people rushing to hospitals, elderly, children, disruptions connectivity to various satellite towns and cities, economic losses to street vendors and business– thereby impacting livelihoods of many.

The following two options shall be considered after due consultation with the District Magistrate of the region.

2. Mediation meetings and setting up of committees:

- a) **Seek the intervention of public figures** – lawyers, activists, and other amicus curiae who could act as facilitators and convince the protestors about the inconvenience being caused to the daily commuters and residents.
- b) **Setting up Women Peace Committees** along the lines of National Integration Committees so as to avert any untoward violent situation that may arise.
3. **Impose section 144 of the CrPC and preventive detentions, if necessary:** Depending on the prevalent law and order situation, I shall impose section 144 of the CrPC and undertake preventive detentions – keeping in mind however, the welfare of peaceful protestors.

(c) The following aspects of each option shall be considered, before arriving at the best solution:

1. **Requesting the protestors to shift to a designated/ authorised protesting site and apprising them of the huge impact on daily lives of citizens:** This is one of the most logical options, however, may take time to be implemented, if undertaken as a standalone measure.
2. **Mediation meetings with public figures / reconciliation meetings:** Even though this measure is helpful in placating and convincing protestors, this may take time and require the concerned public figures to visit the site repeatedly.
3. **Impose section 144 CrPC and preventive detentions:** This if used in isolation - may be met with criticisms and viewed as anti-democratic and thus may not be the most ideal in this situation.

Keeping all the feasibility of all these options in mind, I shall use a combination of steps (1 and 3) to convince the protestors to move to an authorised site, or restrict their area of protests, and impose the Section 144 of the CrPC. This measure will not deprive them of their rights to peacefully protest - and will also assist the police in doing their job smoothly with minimum inconvenience to people in the area.

Additionally, as a long-term measure I shall also enable all the police staff to keep the situation in check and organise regular people-people meetings.

10. *You are a sportsman who has been recently included in the national team squad for an upcoming international tournament. Many others are fighting for the same position and you would like to cement your place in the team as soon as possible. While you are practicing at a training session for the tournament with your fellow team mates, one amongst them offers you a prohibited substance. He claims that it will help you in improving your performance in the tournament. He also informs you that a lot of other team mates also use performance enhancing drugs or PEDs to improve their performance in tournaments.*

In this context, answer the following questions:

(a) What are the options available to you in the above case? Which amongst these will you choose and why?

(b) Discuss the ethical issues involved in doping by sportspersons. (20)

Approach:

- Introduce by giving the gist of the case study and its current relevance.
- Giving examples of various options available to the sportsman, ascertain what would be the best possible recourse.
- Discuss the ethical issues of doping.
- Give a brief conclusion.

Answer:

The above case study represents the classic case of means vs ends dilemma. Competition has become so fierce and winning is deemed so important that players tend to resort to unethical means to enhance their performance. This has become a recurring phenomenon in sports in the recent years. Many sports persons in cricket have been banned in India in recent times owing to the usage of various drugs.

(a) In the given scenario, various options available to the sportsman are:

- Refuse the substance offered and continue with the training session to avoid any conflict.
- Refuse the substance offered and discuss with the team captain to warn everyone against doping.
- Refuse the substance offered and file a complaint after the tournament is over.
- Refuse the substance offered and bring the situation to the notice of higher authorities.

I would choose the last option as:

- The first three options though have various merits in terms of level playing field between myself and other PED taking sportsperson, avoiding conflict of interest and giving a chance to the fellow sportsmen to mend their ways, yet there are various problems with those options, such as:
 - Since any action is not taken against such unethical practice, it would be an unfair competition.
 - Further, my knowledge of such practice and subsequent inaction makes me an indirect complicit in the act.
 - Just a warning from the captain may not be taken seriously.
 - The detection of drug intake after the tournament may become difficult and the guilty sportsperson may walk free.
- The last option would bring into light the use of such prohibited substances in the national team. Further, reporting of the incident would prevent disqualification of the whole team in the tournament if taking drugs eventually comes to light.
 - Fair enquiry thereafter would ensure that the honest and worthy sportsmen only continue to be a part of the national team in the tournament.
 - This also depicts sportsmanship where winning is not achieved at the cost of the game itself.
 - It would also set a positive example for the budding talents of the country.

(b) Ethical issues involved in doping by sportspersons:

- **Lack of sportsmanship:** The use of banned substances among sportspeople brings into forefront a dismal state of sports administration governance as well as of sportsmanship. It

highlights the failure of sports federations and coaches in imparting training. Sportspersons also avoid training camps to avoid sample collection and testing.

- **Unfair competition:** It proves to be a disincentive for compliant sports persons, as it discourages honest sportspersons who have risen through the ranks under trying circumstances.
- **Information asymmetry:** Sportspersons might not know the side effects of certain medicines and medicines containing prohibited substances.
- **Winning regarded as the ultimate value:** Despite not fully understanding the side effects of drugs, the sportsperson takes such substances in order to win.
- **Greed for fame and money:** Money awarded by the government and celebrity status attached to medal winners lure the athletes to cheat. Olympics and Commonwealth Games champions have also tested positive for doping.
- **Emotional pain for viewers:** People enthusiastically watch sports with emotional attachment with the game. Thus, news of doping may lead to lack of trust among the viewers and feeling of being cheated and resentment among the society.
- **Blow to a country's reputation:** It puts the country on the global map for doping violations. For example, WADA had previously questioned the credibility of India's National Dope Testing Laboratory (NDTL) testing procedures, following which it suspended accreditation of NDTL due to non-conformities with international standards.

Thus, there is a need to undertake various anti-doping measures such as upgradation of testing procedures, implementation of a comprehensive anti-doping legislation, periodic testing of sportspersons under WADA Code, making availability of such drugs difficult, strict punishment for sports person taking such drugs and for the coaches who force their disciples into the habit etc.

11. *Recently, the four accused in the rape and murder of a veterinary doctor were shot down by the police while they were in police custody. The police claimed that the four accused were taken to the site of the rape in the early hours of the morning. They managed to snatch two pistols from the policemen, fired and injured two cops, and were shot in retaliation. Soon thereafter, a majority of the public welcomed the news of the police shooting the alleged rapists.*

Why is it that people applaud these actions of the police? Do you share such sentiments? Justify with relevant arguments. (20)

Approach:

- Briefly introduce the case study.
- Write about the reasons for people applauding such actions of the police.
- Write about your opinion on the action of the police.
- Conclude as per the arguments given in your answer.

Answer:

The case in hand pertains to public support for the extra-judicial killings of four persons accused of a heinous crime in police custody. Following reasons can be identified for the people applauding such actions of the police:

- Public support is symptomatic of the bigger problem of the public **losing faith in the criminal justice system of the country** and their **frustration over delays in ensuring justice**.
- Further, it is alleged that in an unequal society like India, **those in power abuse and misuse the process of law to prolong the judicial processes**.
- Slow pace of judicial proceedings also leads to **lack of deterrence value of laws for criminals** and, in such a situation, some people believe that 'vigilantism' will lead to fear in the minds of rapists.

The principle of restorative justice, in some cases, may seem to compromise the rights of the victims and tilt in favour of the accused. It also points towards the **public's preference for vengeance over due process of law and immediate gratification** over the slow working of the institutional mechanisms.

While there are few valid concerns such as the delays in the judicial processes and unscientific ways of investigation of crimes by the police, however, such extrajudicial killings at the hands of the police **cannot be supported**. Such actions of the police raise many doubts besides undermining the principles of natural justice, such as:

- The police have the right to self-defence but it has to be ensured that **such an action of the police in itself was genuine and not a staged killing of the accused**. Here, the relevant considerations are whether the police acted in defence or used excessive force.
- Notwithstanding the genuineness of the encounter, this action took away the **opportunity of the accused persons to be tried in a court of law and prove their innocence**.
- This action of the police also raises doubts **whether the accused persons were indeed the real perpetrators of the crime**. For example, recent case of murder of a student in Ryan school in Gurugram where the police accused an innocent person is a case in point.
- The policemen have an incentive to claim to have **cracked such cases quickly where there is immense public pressure**. Also, the police have only got the powers to investigate the case whereas complicity in crime is judged by the courts of law.
- **Right to life under Article 21 and natural justice** of the accused are violated. The principle of considering an accused innocent unless proven otherwise is also at stake.
- Such actions **divert the attention from improving the criminal justice system** and need for scientific ways of investigation to vengeance and **culture of 'mob justice'**. Such cases of 'swift justice' encroach upon the sovereign function of the state to punish a criminal as per the **"procedure established by law"**.
- Such actions also give **arbitrary powers in the hands of the police** which can resort to such tactics to muzzle criticism of their functioning. For example- in the same case, police had failed to act soon after they got the information about the missing woman claiming that she might have eloped.

Thus, looking at such actions of the police from democratic principles and in greater interests of the society, **following steps are suggested**:

- There should be a **thorough enquiry into the encounter killings** to ascertain their genuineness as per the guidelines set by the Supreme Court for such cases. An enquiry should be conducted to satisfy that those who were killed in the police encounter were indeed the perpetrators of the crime.
- The **public should be sensitised about** the objective and utility of following the **'due process of law'** and mass media has got an important role in this.
- **Reforms in the criminal justice system** of the country as suggested by the Justice Malimath Committee should be implemented.
- Rewards to be given to police personnel involved in such encounters only after due deliberation to discourage the mentality of 'trigger happy' cops.

Lastly, it is in the larger interest of the nation that the democratic institutions should be strengthened to deliver speedy justice lest our democracy may become a mobocracy.

12. *Public policy is being increasingly informed by insights from the behavioural sciences. One such behavioural approach is the Nudge theory. It is mainly concerned with the design of choices, which influences the decisions we make. Nudge theory proposes that the designing of choices should be based on how people actually think and decide, rather than how leaders and authorities traditionally believe people think and decide.*

In this context, answer the following questions:

- (a) Giving examples, illustrate the difference between enforced change and 'Nudge' techniques?*
- (b) Identify the ethical concerns associated with the nudge technique. Also, suggest ways for using nudging theory ethically.* (20)

Approach:

- Start with a brief note on the use of behavioral insights to inform public policy.

- Differentiate between Traditional methods of social change and change brought through the use of 'Nudge' techniques.
- Discuss the fundamental issues arising out of designing people's choices using insights about their thought and behavior.
- Conclude by stating the relevance of Nudge techniques and a brief way forward to address the concerns as they arise.

Answer:

Behavioural sciences are being used these days to make policy interventions more effective. One of the behavioural theories, which is being considered better than the traditional ones suggest 'nudging' or modifying people's choice architecture that impacts their behavior without coercing them.

- (a) Human behaviour is formed by a variety of personal, social and environmental factors. Consequently, there is a range of interventions that can induce behavioural change amongst people.

The techniques of enforced change include:

- **Material incentives:** Also known as '*carrots, sticks and sermons*'. Herein, the intervention seeks to incentivize good behaviour and/or dis-incentivize bad behaviour, such as subsidies for renewable energy and taxes on tobacco.
- **Command and control measures:** These measures mandate people to induce change in behaviour through coercion. For instance, prohibition/ban on liquor in some states.
- **Information and Persuasion:** These techniques design interventions that could range from mere provision of instruction to self-monitoring or even prompting. For instance, repeated announcements at public utilities to keep the space clean and tidy, until it is ingrained in the behaviour of common people.

The Nudge techniques include liberty-preserving approaches that steer people in particular directions, but that also allow them to go their own way, such as:

- **Default Rules:** Irrespective of their intrinsic choice people use default options e.g. automatic enrolment in programs including health, education and savings with an optout clause.
- **Simplification:** Programs should be easily navigable as complexity causes confusion e.g. simplifying the tax filing procedure.
- **Use of warnings, graphics, etc.:** Informing people about consequences of their choices makes them opt for a better choice e.g. warnings on cigarette packets or on liquor.
- **Pre-commitment strategies:** People have certain goals but their behaviour falls short of these goals. Committing to a specific action helps them achieve the goal. For example, systematic investment programs, National Pension Scheme, etc.

- (b) Some of the ethical concerns associated with nudge techniques:

- It affects people's autonomy by interfering with and manipulating people's preference formation.
- The idea of using nudges is patronising since it rests on the assumption that people cannot make good decisions for themselves.
- Nudges can prevent a person from developing the capacity to take personal responsibility of their choices as a worthy goal. Hence, they can make people morally lazy.
- Nudge techniques may be devised in a setting that is not under direct democratic control i.e. outsourced to private bodies.
- Interventions in people's behaviour may create conditions that can lead them to accept more external control over their lives.

Way-forward:

- In cases where there is an imaginable tension between nudges and human agency, one must evaluate their content in terms of welfare, autonomy, and dignity.

- Transparency and public scrutiny are important safeguards, when it comes to public officials/ behavioural policy units responsible for nudges and choice architecture.
- The mandate to design choices for people must be awarded to public agencies to ensure accountability.

Nudge techniques try to solve important problems in smart and inexpensive ways. They have potential to increase social welfare as well. However, it is marred with several ethical concerns. Therefore, the choice architect must follow transparency while conceiving a possible nudge.

13. You are posted as a District Magistrate in a remote district in India. The district is prone to frequent natural disasters which often lead to breakdown of the administrative machinery. The educational and health institutes in the district suffer the most as the supply of goods is disrupted during any such disaster. You have been given the task to enroll the people in your district for a government program which requires gathering information from people using door to door campaigns. However, people in the district are not forthcoming and are refusing to comply with the directions. Upon interaction with the local leaders, you realize that their trust on local administration has also eroded.

(a) What are the administrative challenges that you face in such a situation to restore the credibility of the administration?

(b) Given the resources and command of the government, what short-term and long-term measures can be taken to earn back the trust of the people and their willing cooperation? (20)

Approach:

- Briefly mention the gist of the case.
- Highlight the administrative challenges faced in the situation to restore the credibility of the administration.
- Mention the short-term and long-term measures to address these issues.

Answer:

In the given case, frequent natural disasters occur in a region, which disrupt the supply of essentials and leads to administrative breakdown. There also exists a lack of trust between the district administration and the people.

(a) The administrative challenges faced in such a situation to restore the credibility of the administration include:

- **Breakdown of administrative machinery:** Due to frequent occurrence of disasters, the administration is not able to cope up with the challenges and respond efficiently. Due to this, the people do not rely on the administration in times of crises.
- **Lack of effective functioning of institutions:** Supply of goods to the districts is affected due to poor connectivity, which especially impacts health and school institutions. For instance, the schools will not be able to provide mid-day meals to students. Similarly, supply of medicine and vaccines in the hospital will be affected.
- **Lack of trust:** Inability of the administration to provide basic goods and essential services has created mistrust among the general population. They are not responsive to the directions given by the administration. Further, this has led to lack of information as the people in the district are not providing information for enrolment in a government program.
- **Law and order issues:** In the atmosphere of distrust, any minor incident can trigger law and order challenges.

(b) The short-term and long-term measures that can be taken up to earn the trust and cooperation of the people are:

Short-term measures:

- The District Magistrate must take immediate measures to win over the trust of the people through **outreach programs** and **communicating** with the local leaders. Benefits of the proposed government program can be communicated to bridge the trust deficit.

- The administration must take the help of the **Panchayati Raj Institutions and other local leaders** to establish a chain of communication with the local population. Additionally, there should be adequate grievance redressal mechanisms for people to put forward their complaints and expectations from the administration.
- **Buffer stocks of goods** must be maintained as it will act as a 'shock absorber' during disasters and can help in bringing normalcy in the lives of the people. Further, aid of the neighbouring districts can be taken in this regard.
- **Door to door campaigning** for information gathering for program enrolment can be carried out with the help of local ASHA and Anganwadi workers since they command the goodwill of the people.

Long-term measures:

- A **mechanism for citizen engagement** must be institutionalized. This will ensure that citizens are always in touch of the administration. This will help generate social capital. **Institutions of local governance** such as Panchayats need to be financially and administratively empowered to take effective decisions.
- The district administration must raise demands with the state government to build **robust transport infrastructure** ensuring all weather connectivity to the district. Government schemes such as Pradhan Mantri Gram Sadak Yojana can be adopted and properly implemented in this regard.
- The district administration should take measures to ensure **local supply of goods** to hospitals and educational institutions. This can be done by:
 - Empowering **Small and Medium enterprises (SMEs)** to produce goods which could be used in the hospitals.
 - Producing **crops and cereals** locally that can be used for nutritional support in Anganwadis and providing mid-day meals in schools.
- **Social audit** of programmes should be ensured so that the community members are active participants in the programmes that are implemented for their benefit.
- **The District Disaster Management Authority (DDMA)** needs to be made operational and empowered. It must coordinate regularly with the **State Disaster Management Authority and National Disaster Management Authority**. Preparing a **contingency plan** in collaboration with the DDMA for both pre and post-disaster management phases.

For any state sponsored program to succeed, satisfaction of the local community is paramount. Therefore, the district administration should be made citizen-centric and responsive. Citizens should also be made stakeholders in the decision-making process, as it will encourage pro-active community participation.

14. *In contemporary times, disruptions have become an endemic feature of the functioning of Indian Parliament. Though it is not a new phenomenon, disruptions, which were an exception earlier, seem to have become the new normal. The years gone by have seen MPs raise slogans, snatch papers from ministers and indulge in theatrics. Crucial time of the Parliament, which ought to have been spent in debating appropriateness of legislation or other important issues, is getting unnecessarily wasted.*

In this context, answer the following:

- (a) *Identify the ethical issues involved from the point of view of different stakeholders?*
 (b) *What are the reasons behind such a scenario?*
 (c) *Is merely having a code of conduct or ethics sufficient to resolve this situation?* (20)

Approach:

- Give brief introduction highlighting the main issues in the case study.
- Identify the ethical issues involved in disruptions from the point of view of different stakeholders.
- Mention the reasons behind frequent Parliamentary disruptions.
- Discuss whether a code of conduct or ethics would be sufficient to deal with disruptions.

Answer:

In recent years, MP's have raised slogans, snatched papers from ministers, used pepper spray in the House, played music in the house etc. to disrupt the proceedings. Although disruptions could be seen in earlier years of our Parliament as well, today they are becoming a constant feature of its functioning.

(a) Ethical issues involved from the point of view of different stakeholders

- **Representatives of People:** It leads to abdication from the duties to hold effective debates and discussions on important national issues and build a comprehensive legislative framework for them. It also sets a bad precedent for other parliamentarians and the staff, since such behaviour demoralises them on working in Parliament.
- **Ruling Party:** It also helps with the evasion of responsibility on the part of the ruling party as it provides them with an excuse for the non-passage of crucial legislations. It is also used to justify the overuse/misuse of constitutional provisions like money bill, ordinance etc.
- **Political parties:** It also promotes criminalisation of politics since it promotes giving tickets to such candidates who would be towing the party line and not turn their backs on creating the ruckus in house. This further raises various ethical issues of lack of integrity and probity.
- **Public:** The citizens of the country lose trust in their representatives and the democratic setup of the state. It also goes on to promoting lower voter turnouts, tax evasion, non-entry of prospective candidates in politics apart from wastage of their precious resources and time on politics.

(b) Reasons behind frequent Parliamentary disruptions

- The **increase in the number of political parties** and the challenge of coalition politics since the 1980s has diversified demands and competing interests. The increase in the number of parties has adversely impacted the **time allotted to each party to represent its interests**, aggravated by the decrease in the number of annual sittings of Parliament.
- **Live telecast of the parliamentary proceedings** has created perverse incentives by the media which gives **greater coverage to MPs who engage in disruptive behaviour** than those who engage themselves in parliamentary debate. Therefore, many MPs believe that publicity, even bad publicity, especially if it makes it to the evening news is better than no publicity.
- Another systemic reason why disruptions are not effectively prevented relates to the **scarce resort to disciplinary powers by the Speaker of the Lok Sabha and the Chairman of the Rajya Sabha**. As a result, most members engaging in disorderly conduct are **neither deterred nor restrained** from engaging in such conduct.
- The spate of large-scale disruptions may also be attributed to the **privileging of the political party over the individual parliamentarian** in the democratic setup. The individual MPs try to **impress the leadership of the party and displaying loyalty** towards the principles of the party via disruptions.
- **Corruption and criminalization of politics** have provided viable opportunities for the non-serious candidates with money and muscle power to enter the House. This has also led to increase instances of disruptions.

(c) Code of conduct or ethics as a solution for such scenario

Establishing a code of conduct or ethics is an effective way to resolve such frequent disruptions, as it would place a check on certain types of behaviors on the floor of the house. Further, it would also codify the ethical and conduct standards, which Parliamentarians would need to adhere to while undertaking the legislative work inside the house. A violation of such objective code could allow the presiding officer to take necessary steps without inviting allegations of bias or partisanship. It would have a deterrent effect on such activities and would prevent derailment in legislative agenda and promotion of quality debates.

However, it is not a sufficient step since Rajya Sabha has such code of conduct and still the productivity levels are around 8%. It needs to be implemented with strict measures such as:

- Stopping live telecast when disruptions become excessive.
- Reduction of salaries of MPs in accordance with the period of suspension.

- Formulation of Parliamentary Disruptions Index to measure the number of disruptions and time lost due to an individual MP.
- Studying and disseminating the information to the public regarding overall productivity of the session on a weekly basis etc.

In the long term, such behavior can be brought down automatically when the citizenry takes a note of the same. The representatives will themselves mature when they know the consequences among their vote bank by showcasing such behavior.

VISION IAS

Copyright © by Vision IAS

All rights are reserved. No part of this document may be reproduced, stored in a retrieval system or transmitted in any form or by any means, electronic, mechanical, photocopying, recording or otherwise, without prior permission of Vision IAS.