



ETHICS TEST SERIES - TEST 5

Name of the Candidate	SAKSHI JAMUAR	
Mobile Number	[REDACTED]	
Email ID	[REDACTED]	
UPSC 2023 Roll Number	4125944	Date - 28 Aug '23

TEST 245

ETHICS by ATUL
GARG

Time Allowed – 3 Hours

Maximum Marks – 250

Table of Marks			Instructions Set		
QUESTION	MAXIMUM MARKS	MARKS OBTAINED	<p><i>Please Read each of the following instructions carefully before attempting questions:</i></p> <ul style="list-style-type: none"> There are TWELVE questions printed in ENGLISH. All questions are compulsory. The number of marks carried by a question/part is indicated against it. Answers must be written in English and must be stated clearly on the cover of this Question-cum-Answer (QCA) Booklet in the space provided. No marks will be given for answers written in a medium that the authorized one. Use on black/blue pen ink to write answers. Do not use pencil other than for drawing diagrams/sketches. Answers to Questions no. 1 to 6 should be in 150 words, whereas answers to Questions no. 7 to 12 should be in 250 words. Keep the word limit indicated in the question in mind. Any page or portion of the page left blank in the Question-cum-Answer (QCA) Booklet must be clearly struck off. 		
1 a	10				
1 b	10				
2 a	10				
2 b	10				
3 a	10				
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COMMENTS			TIME TAKEN		EVALUATION DATE
			START: 2	END: 5.04	
SPECIAL REQUEST WITH REGARDS TO EVALUATION -					

MACRO FEEDBACK



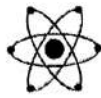
Join Telegram channel:
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SECTION A

Q.1

(a) Recent cases of Euthanasia in India have once again raised the debate over this controversial practice. Explain what are the ethical issues involved in Euthanasia? What is the stand of the government in this regard and what in your opinion should be done? (150 words, 10 marks)

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लिखना है।

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Euthanasia refers to recognition of the 'right to die' for a terminally ill patient, recognised by the Honble Supreme court:

Ethical Issues

- ① Patients' right to choice also includes right to die
- ② Patients' consent may not be wholly free as his relatives might induce him for.
- ③ Arguments for euthanasia include fact that right to life means living with full richness (Ronald Dworkin)
↳ This integrity is destroyed when patient is terminally ill.

Govts. Stand → Govt. allows for



passive euthanasia, i.e. letting the patient die rather than taking a positive act of killing.

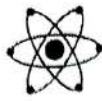
→ The same is applied only by an Advanced Medical Directive - a detailed procedure with adequate safeguards.

↳ Govt. is looking to legalise this.

My opinion

A person's dignity of life is of paramount importance, as per Kantian Categorical imperative. Hence it must be provided for if a person is terminally ill, has no signs of recovery & is in pain, and provided that consent is free.

Active Euthanasia is critical aspect of a living person, as per SC in Aruna Shanmugam case.



Q.1

(b) When it comes to regulation of ethics in Government organizations, both Code of Ethics and Code of Conduct have their own limitations. Discuss? How in your opinion, a public services code can be designed in India? (150 words, 10 marks)

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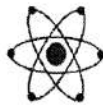
Code of ethics refers to a set of broad guidelines for the public servants in an organisation to follow. Code of conduct is more defined in this regard.

Limitations of Code of ethics & Conduct

- ① Not enforceable
- ② Top down approach
- ③ Employees lack capacities & requisite skills
- ④ Not comprehensive enough
- ⑤ Lack multistakeholder approach
- ⑥ Poorly framed.

Designing a Public Services Code

- ① Legalising Code of Ethics
- ② Involving civil society, citizen feedback to form a comprehensive rule set.



③ Must conform to quality and
transparency

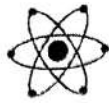
④ Capacity building of public
servants.

↳ eg under Mission Karmayogi

⑤ Adherence to rules promoting
employee satisfaction.

↳ Incentivising performance
cultivating spirit of EI.

An efficient
Code of Ethics and Conduct
will help transform from Rules
based to roles based governance.



Q.2

(a) Across the world, there are more men who are active in science, technology, engineering and medicine (STEM) than women. What are the socio-psychological reasons behind this gender-divide? What can be done in this regard?

(150 words, 10 marks)

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Gender Inequality in STEM Sector
is rooted in Patriarchy.

Reasons

- ① Prejudices and stereotypes against women
↳ women seen as weak in Maths and sciences
- ② Trivialisation of women's ambitions
- ③ Son meta preference
↳ perpetuates son's growth & well being over daughters'
- ④ Attitudes emphasising on traditional roles of women
↳ women seen as caregivers and not as leaders and scientists.
- ⑤ Maintaining male hegemony as it serves as a need function
(Daniel Katz)



Way forward

- ① Emphasis on democratic socialisation
- ② promote tolerance, equality & love
- ③ Media can be a tool for positive reinforcement
- ④ Showing lives of role models
 - ↳ Gita Gopinath
 - ↳ Chandrayaan 3 women scientists

↳ To call woman a weaker sex is a libel, women are much stronger than men

— Gandhiji.



Q.2

(b) "A conflict of interest is something which is quite obvious for a public servant. Its presence is not an issue but how it is resolved can be of great significance to ensure probity in governance." Do you agree with this statement? What standards and procedures can be followed to resolve such situations? (150 words, 10 marks)

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Conflict of Interest refers to a situation wherein two values / duties / interests of an individual conflict with each other. eg Integrity v. Loyalty
↳ Creating Friction.

Resolution of Conflict of Interest

and not its presence is an issue as a presence of conflict of interest can be effectively tackled using certain methods.

Also, a presence of conflict of interest does not guarantee wrongful action. It is only when the person takes the first step - which may be wrongful - that it becomes a challenge.

Standards towards Resolving it

① Keeping public Interest over



private interest.

eg Public servant so valuing objectivity will not provide a benefit of a scheme to his own relative.

- ② Adherence to norms of constitutional morality.
- ③ Abiding by Gandhi's Talisman: how my act will benefit the poorest
- ④ Cultivating Emotional Intelligence
- ⑤ Taking orders from seniors only in written if it's prima facie unjust (TSR Subramanian v UOI)

Managing conflict of interest amongst the many measures to make civil servants true Karmayogis.





Q.3

(a) Idealism inspires, realism works. Do you agree with this statement? Explain with the help of examples? (150 words, 10 marks)

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Idealism refers to philosophy of emphasising on fairness, justice, equality & rules-based order.

Realism, on the other hand, refers to taking pragmatic approach to challenging situations which might involve taking a hard approach.

Idealism Inspires, but Realism works

eg ① Ideals of world peace and security ensures goals of nuclear disarmament. But Realism dictates a nation to keep the Nuclear triad, ~~for~~ although for deterrence.

② Ideals of justice in a society



brings a rules based order, but realism can involve use of surveillance mechanism on suspicious citizens, for national security.

While 'Idealism Inspires & Realism works' adage holds true to an extent, it's not entirely truthful. Society follows a golden mean of idealism & realism:-

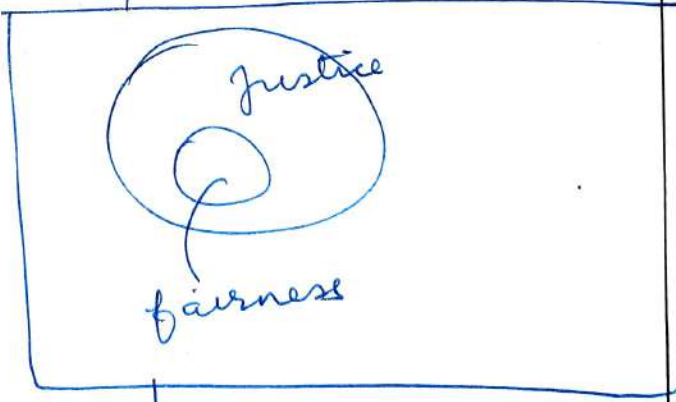
- ① Democracy
↳ between Autocracy and lawlessness
- ② Nehru's Panchsheel
- ③ Gujral doctrine
non-reciprocity towards friendly neighbours only & not hostile neighbor like Pakistan.



Q.3 (b) What is the difference between the following: (75 Words each, 2x5=10 Marks)
i. Justice and Fairness

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Justice	Fairness
① broader concept	① part of justice
② Absence of arbitrariness + ensuring dignified life	② Absence of arbitrariness
③ Ancient concept	③ Relatively new.
④ treating everyone proportionate to their needs	④ treating everyone equally



⑤ Ends (John Rawls) ⑥ Means (Av Dicey)



(a) What do you
role of a pub...

Q.3

ii. Persuasion and Manipulation

Persuasion	Manipulation
① Act of making someone adhere to our statements	① Act of making someone \pm convinced of our statements where which are not against fairness
② democratic method is used	② Method used is induced by deception & fraud
③ Requires Emotional Intelligence	③ Requires a <u>greater</u> degree of EI
④ Right means	④ Wrong means (against virtues of <u>integrity</u> & honesty)

Q.4
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Q.4

(a) What do you understand by the term 'public servant'? Reflect on the expected role of a public servant. (150 words, 10 marks)

Public servant refers to an officer engaged in an organisation with a view to look after the needs of public.

India being a welfare state provides for diverse functions for the state. In this regard,

Role of public servant is crucial :-

- ① Implementation of govt. schemes & programmes with full efficiency.
- ② Accountability to the public.
eg through timely responses via RTI
- ③ Maintaining transparency & openness
eg Atul Prasad (BPSK chairman) regularly updating about Exam status to aspirants on Twitter
- ④ Practising compassionate attitudes
eg Isha Singhal, 1st IAS officer to hire transgenders in her office.

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⑤ Efficient conduct

L & Sreedharan completed Delhi Metro timely.

⑥ Courage & fortitude conduct

L 1st Chief Election Commissioner Sukumar Sen conducted 7th General elections in wake of newly emerging challenges.

⑦ Regular public outreach

eg through Janta Durbars.

Public servants
are like R Hanuman for the
Ram (the public).



Q.4

(b) "It is better to be feared than loved, if you cannot be both." Discuss this quote of Machiavelli in the context of civil services in India? (150 words, 10 marks)

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The given quote by Machiavelli stresses on civil servants to be tough rather than soft.

Need

① Ensures that rule of law is upheld.

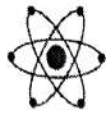
↳ ~~Or~~ firing water cannons at an unruly mob to prevent breach of peace.

② Pragmatic approach is followed

③ Ensures that public trust in administration is upheld.

eg demolition of illegal structures on public road uphold citizens' right to commute.

④ Preserves national security
eg AFSPA



⑤ Deterrence to law breakers.

However, an all hard - approach in civil services is not desirable as

① Ignores contextualised solutions
↳

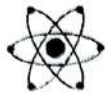
② May deny human rights

eg Rigid adherence to rules has resulted in hunger deaths in Jharkhand

③ Loss of trust in state

④ Status quoism will happen

Thus, the hard approach must be harmonised with soft approach by adopting a Madhyam Marg advocated by Buddha.



Q.5

Given below are quotations of moral thinkers/philosophers. For each of these, bring out what it means to you in the present context.

(a) "For the senses wander, and when one lets the mind follow them, it carries wisdom away like a windblown ship on the waters." - Bhagavad Gita

(150 words, 10 marks)

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Present adage by the Bhagavad Gita stresses on the needs to control ones' senses, i.e. rely on Emotional intelligence.

What happens when senses wander

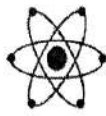
↳ destroys the mind as judgments are clouded.

↳ Ravana got destroyed because he could not control his anger, lust, desire.

↳ causes disharmony in society.

↳ Recent Manipur incident of disrobing 2 women was a result of intense anger.

↳ fuels inaction and cognitive dissonance.



→ anxiety is caused due to.

When senses are controlled, leads to

- ① Calmed & composed mind
- ② Ability to better handle situations
eg Gandhiji handling masses
- ③ Conflict management
- ④ Trust & harmony
- ⑤ builds tolerance in society.

'Control your
mind otherwise the mind
will control you'



Q.5

(b) "Where scriptural laws conflict with what is righteous and just, there justice shall be the valid criterion, the written text loses its relevance." Kautilya
(150 words, 10 marks)

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शब्दों में

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Justice is the hallmark of all
existence.

Conflicting laws are subservient
to Natural laws

↳ as unjust law is no law
(St. Aquinas)

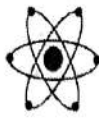
eg Gandhiji broke the unjust salt
tax law.

↳ Emphasis on conscience to guide
the righteousness.

↳ Misrepresenting scriptural texts
to promote vested interests

↳ eg Quran ~~can~~ furthers terrorism

↳ is rightfully
countered by enlightened men
in favour of non-violence.



How to check morality of a written text

- Conscience
- learnings & writings from great men
eg Gandhiji, Tagore
- fact-checking & critical thinking



Q.5 (c) "Relativity applies to physics, not ethics" - Albert Einstein

(150 words, 10 marks)

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Albert Einstein's quote focusses on the oneness of ethics

↳ the fact that ethics is universal and not relative

Universal nature of ethics

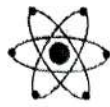
Plato argues that ethics and values are universal, which include those of :-

- ① love
- ② tolerance
- ③ Equality
- ④ Respect
- ⑤ trustworthiness

Practised in all societies

However in some areas, ethics is relative

① female genital mutilation
↳ seen as violation of



human rights in the West but acceptable in certain parts of Africa & India.

(iv) Individualism v collectivism

↳ importance given is different in West & India.

(v) Patriarchy, caste system an acceptable part of traditional Indian culture whereas strict equality is valued in West

Hence, ethics is largely both universal & culturally relative.



Q.6

(a) Social norms and culture influence both a country's politics and economic performance. Examine this statement in the context of Indian society?

(150 words, 10 marks)

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अधिकतम
शब्दों में

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Social norms and culture of the nation provide a sense of identity, belongingness among the citizens.

It influences politics

① Hospitality towards guests emphasised by our Vedas.

↳ ~~is~~ reflected in our foreign policy.

eg Inviting enemy nation like Pakistan to SAARC meeting

② Values like tolerance, harmony

↳ reflected in our Constitution

③ Equal ~~and~~ respect to women (Dem^o worship)

↳ representation of women in legislatures.

④ Ideals of Ahimsa

↳ reflected in India's policies ~~etc~~



and laws.
eg Indian penal code

Influence on economic performance

- ① Health accumulation & utilisation
↳ breeds inequality amongst classes
- ② Trivialising corruption
(Chalta hai attitude)
↳ breeds black money.

There's a need
to align our social attitudes with
ethos underlined in our Constitution



Q.6

(b) What in your opinion are the five most important ethical traits which can be used as a criterion to judge the overall performance and effectiveness of a civil servant. Justify their inclusion in the matrix. (150 words, 10 marks)

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Civil servant is the face of the state, hence he must perform his duties with probity.

Traits

① Efficiency

L & Bredharan completed metro project on time

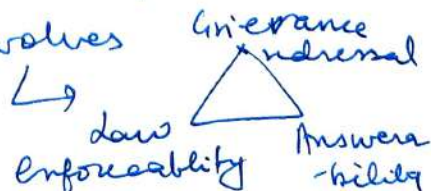
② Empathy & Compassion

L standing on shoes of someone & acting for them.

eg IAS Anwarish Sharan made his daughter study in govt. school.

③ Accountability

making responsible & responsive civil servants. Involves



④ Openness & transparency

eg Judicious use of RTI in Odisha



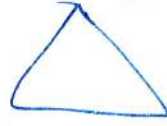
has made men making use of
MGNREGS for employment -

⑤ Integrity

↳ consistent in

thought

action



speech

eg An officer with integrity will
never accept bribes.

All the above
values of civil servant will
serve as a vital for heralding a
'Ram Rajya'.



SECTION - B

Q.7

More than 100 countries who have been part of the United Nations Environment Assembly, including India, have signed a resolution to draw up an agreement which will in the future make it legally binding for the signatories to address the full life of plastics from production to disposal, to end plastic pollution.

Accordingly, Prime Minister of India had announced that India would soon eliminate single-use plastics. The items on which the Central Pollution Control Board (CPCB) has announced a ban are earbuds, balloon sticks, candy and ice-cream sticks, cutlery items including plates, cups, glasses, forks, spoons, knives, trays; sweet boxes, invitation cards, cigarette packs, PVC banners and polystyrene for decoration. The issue aroused is that since half the plastic now produced is meant to be used only once, India has to figure out what plastic it wants to use and ban — and how it will recycle all that trash.

Delhi is ranked highest among the cities with maximum use of plastic (single use plastic). Plastic is also one of the main contributors to the garbage disposal problem the city is facing for many years. The major challenge in Delhi is that there is no viable alternative as of now for single-use plastic items. The alternative to single-use plastic items, especially single-use plastic bags and bottles, which are used to sell packaged products/ drinks, needs to be affordable for the consumers. Apart from the challenge that is faced by the consumers, other issue arises is with the people whose livelihood survives on the supply chain of plastic; this goes from the factory manufacturing plastic to the ragpickers. Their livelihood will be snatched by this ban.

You are the Municipal commissioner of Delhi, and you are asked to prepare a report and submit it to the ministry. The situation is very tricky from you as earlier laws have failed to change the behaviour of people towards the use of plastic. In this regard, analyse the situation from different perspectives, and also suggest a way forward that can help in successfully implementing the ban made on single plastic. (250 words, 20 marks)

As per Central Pollution Control Board, around 30 thousand tonnes of plastic are produced daily. Its use presents a grave challenge.

Ethical Issues

- ① Environmentalism v. Development
- ② Means v. ends
↳ plastic use may promote development but its use is harmful

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- ③ Livelihood rights of plastic rag-pickers, producers
- ④ Right to healthy environment of the citizens
↳ a fundamental right under A. 21.
- ⑤ Right to health of stray cattle
↳ cows often consume plastic from landfills and die.

⑥ Analysing situation from perspectives :-

① State

- ↳ has duty to uphold the citizens right to life
- ↳ Being a welfaristic state, it has the role to act as a parent ('Parente Patriae') to all citizens.
- ↳ It also has duty to uphold right to business & trade of plastic manufacturers
- ↳ Duty to abide by Constitution & affirm International Climate commitments



- ② Plastic manufacturers & ragpickers
whose livelihood will be taken away
on strict enforcement of the ban.
- ③ Citizens
have no viable alternative to plastics
at the moment.
- ④ From the perspective of Justice, there's
a need to bridge inequalities
prevailing in the society which might
be threatened.
- ⑤ Sustainable development & Inter-
generational equity mandates that
rights of environment must be
looked after along with the rights of
citizens.

II Way forward in implementing the ban

- (i) Promote R&D in providing
plastic alternatives which are
cheap and affordable.
- (ii) Utilise traditional knowledge by

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सही होगा।
धन्यवाद

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involving communities and tribes who use plastic alternatives.

eg bamboo straw.

(iii) Incentivise manufacturers to promote mass production of such alternatives.

↳ cottage industries & MSMEs must be incentivised.

(iv) Raise awareness amongst citizen consumers about ill-effects of plastic

↳ via Nukkad-Nataks

↳ use of social media, movies

(v) Punitive action under the Plastic Waste Management Rules for those violating it.

(vi) Provide alternative employment opportunities to rag pickers who were dependent on plastic



after the ban.

↳ missions like PM-SVANIDHI,
MGNREGS can be leveraged.

(iii) Scientific disposal of plastic waste (eg Incineration) and adequate segregation.

↳ to prevent pollution & also protect stray cattle from its ~~use~~ use.

Above steps take into account interests of all the stakeholders impacted by the plastic ban. By this, I uphold my duty as a compassionate officer who abides by ideals of Rule of law.

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Q.8

You are the principal of a government funded school in the northern region of India. This region is culturally diverse and children from different communities come to this school to get education. The school is known for giving the best results in education as well as extra-curricular activities like sports, arts and music.

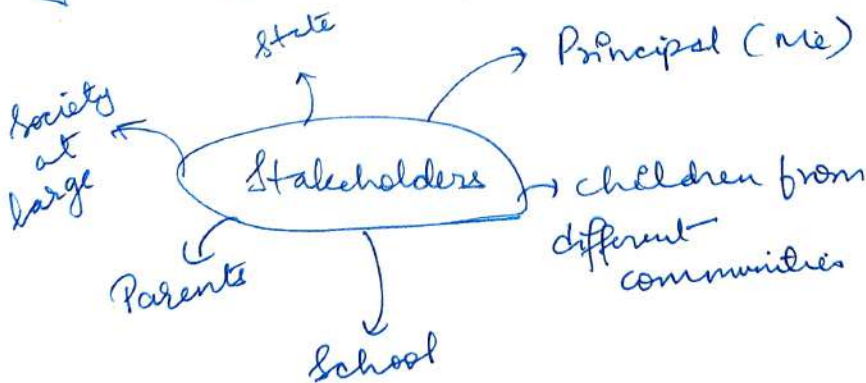
One day a group of parents belonging to a particular community approaches you and gives an application regarding the stoppage of the compulsory recitation of Sanskrit shlokas, which have been derived from the Hindu scriptures. The parents are of the view that these shlokas derived from Hindu scriptures violate not only the right to religion of minority communities but also the right of atheists, agnostics, sceptics, rationalists and others who did not agree with this system of prayers. As per these parents, such shlokas are also against the constitutional morality which calls for the secular nature of state funded institutions.

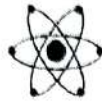
When you discuss the matter with the teacher's union, they emphasized on recitation of these shlokas in the morning assemblies, as they connoted "universal truths" and, hence, could not be categorized as religious in nature. Even Gandhi ji has emphasized the importance of religion in moral development of the children. Also, it will be difficult to teach morality to the children without touching any aspect of religion. Parents even don't have any authority to interfere in the curriculum of the school.

Soon, parents from Hindu community start pressing you to continue with the Sanskrit shlokas. They are threatening to change the school of their wards if any ban is made on Sanskrit shlokas. Everybody seems to be divided on this issue and you are afraid that soon it may take a communal turn. Analyze the whole issue from different perspectives and explain what is your take on this matter? Also explain what steps you can take to resolve the situation?

(250 words, 20 Marks)

Art. 25-28 of Constitution deals with right to freedom of religion of every citizen.





Ethical Issues

- ① Right to Religion
↳ Religious recital is an embodiment of it
- ② Perceived marginalisation of students who see compulsory recitation as majority imposition
- ③ Peace & harmony in society
- ④ values of tolerance & friendship among students
- ⑤ Right to choice (A-21) of students
↳ to recite or be silent
(Jehovah's Witnesses case)

Perspectives

- ① Children of community against such a mandatory recitation
↳ have the right to feel safe and secure : they may feel compulsory shloka chanting as an imposition.
- ② Parents of such community - who

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look at compulsory chanting as an attack on their identity & right to self-determination -

③ School administration & Principal

Being at the helm, the school has the right and the authority to decide whether recitation should be compulsory or not.

It also has to ensure that the profitability of their organisation which might be threatened if ~~to~~ some words leave the school.

My take as a Principal

As a principal I have to see that the interests of the students are paramount in accordance with their right to education

(A.21A)

Having compulsory recitation



may hurt religious sentiments of the students :- It is against A:27 of Constitution. The students who feel threatened by such changes have right to education as well.

↳ In Justice Bhukia's words in Recent Hijab case, education of the child holds predominance over religious ~~or~~ mandates by an educational institution.

Steps

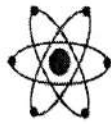
① Making the Shloka recitation voluntary

↳ students willing to stay silent are free to do so.

② Additionally, persuade ~~or~~ the students ~~to~~ on abiding by different values laid down by scriptures - by upgrading the curriculum.

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③ If the above is not feasible, make recitations of other religions an additional part

↳ to alleviate any insecurities. This will ensure students do not leave the school as well.

Maintaining peace, tolerance, harmony is a fundamental duty under A.57A.



Q.9

You are the CEO of an MNC operating in India. Your company runs a very popular micro-blogging social media website. The website is famous among all sections of society. Even the government uses it to announce its policies and communicate with the people. Even the Prime Minister and President of India have their accounts on your site. Users can directly tag high level officials and bring their attention to ground level issues. Thus, to some extent, your website has contributed to good governance. But, just like every technology, it has created some confrontations also.

In the last two years, many protests have been going on against different policies of the central government and protesters are using your social media website to propagate their stance and gain more supporters. In this context, your company is receiving multiple requests from the government to delete certain accounts or block the messages of people who are protesting against the government. The central government under local Information Technology Law has this power to direct intermediaries to remove certain content from their portals. Any such request for blocking the content must be based on reasons given in the law.

You are also an Indian and you personally believe that the government is using its power to curb the dissenting voices. It is against basic rights of people and constitutional morality. Any removal of content will serve only the ruling political party but not the nation. Also, the content which has been asked to be removed is completely ok as per your company's policy and rules. In your company's shareholders meeting also, pressure has been created on you to go as per the law and comply with the demands of the government. But you are a man of integrity, and your voice of conscience is raising a red flag in this regard.

In this context, explain what your duty as the CEO of the company is and also as the responsible citizen. Discuss the options available to you along with their pros and cons. Also explain what course of action you will take.

(250 words, 20 Marks)

Right to free speech and expression
often conflicts with smooth
functioning of state which
forces latter to indulge in acts of
censorship.

Ethical Issues

- ① Means v ends
↳ taking down content may



may uphold my duty as a citizen
but will trample on civil liberties

② Right to free speech & expression
(A.19)

③ Right to dissent is a true hallmark
of govt - accountability

My duty as CEO

① As a CEO, it's my duty
to promote stakeholder capitalism

↳ to uphold customer's
rights to use my products
freely and without any
discrimination.

② Standing up against Censorship
by Govt. is consonant with
Kantian Categorical Imperative

↳ to uphold the
dignity of each individual



L promote their voices on my platform.

③ Duty towards shareholders of firm

L censorship / taking down content might warrant loss of customers and will also have a domino effect.

eg Elon Musk Twitter censorship made thousands of customers shift to other platforms.

Duty as a citizen

① fundamental duty to abide by law of the land.

② Options:-

Remove the content

Merits	Demerits
<p>① Upholds duty as a law abiding citizen</p> <p>② Rule of law</p>	<p>① violates freedom of speech</p> <p>② loss of customer's trust</p> <p>③ Harsh approach</p> <p>④ Cognitive dissonance in me</p>



Q) Don't take down content

Merits	Demerits
i) upholds dignity of each user	i) My company will be penalised for breach of law
ii) freedom of speech upheld	ii) I might face crisis of conscience criminal charge

Course of action

I'll opt for Option - II : I will not take down content due to reasons mentioned above and additionally as:-

- i) it will curb gout. majoritarianism
- ii) ensure fair play between gout. & opposition parties



As a CEO and a leader
I am ready to face consequences of
penalisation. but by this act,
the dictum of corporates that
'Customer is king' is upheld.
Also, such act is consonant
with my conscience. ~~and~~

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Q.10

Vivek has been recently appointed as the administrator of an island chain in India. The island mostly constitutes a tribal population with its distinct culture and practices. Many islands belonging to other nations, which are close to this island chain have been developed as tourist spots and now the central government also wants to utilize the natural beauty of this group of islands. The island needs infrastructure development and basic law and order management to attract tourists, as the crime rate is high in some places. The government also wants to implement the beef eating ban which has already been enforced in many other states of India. For this, some sweeping reforms are required which the government wants Vivek to implement. Some of these reforms are:

- Creation of a Development Authority which will have the power to remove or relocate islanders from their property, for town planning or any developmental activity.
- The Prevention of Anti-Social Activities Act, under which a person can be detained without any public disclosure for a period of up to one year.
- Anti-cow slaughtering rules which effectively prohibits slaughtering cows, by mandating a license for killing animals.

The announcement has been made about these new rules, but protests have erupted on the island. The islanders believe that these new rules are an interference in their culture where beef eating is quite common. Also, the land reforms are an attempt for a corporate land grab and tourism can destroy the natural beauty of the island. Anti-social laws will be used to brand people as criminals and punish those who democratically protest. The islanders want to maintain their isolation and any attempt on the part of the government to change things can lead to hostility and violence.

The central government has asked for Vivek's opinion. In this context explain whether it is ok for the government to interfere in the food habits of people or not? Also, what strategy can be employed to bring development to the island, without disturbing its sanctity?
(250 words, 20 marks)

Recent events at Lakshadweep island finds parallels in present case.

Critical Issues

- ① Environmentalism v Anthropocentrism
- ② Hard v soft approach
- ③ Means v Ends
- ④ Right to self determination of tribals

UPSC--CSE--EXAM



⑤ Right to safety & security of Islanders.

Whether it's okay to interfere in food habits

Having a certain food preference is a mark of right to choice - a fundamental right implicit in A.21 of Constitution.

While govt. may justify interfering in food choices since it's consonant with JS Mill's Harm principle - which advocates on causing harm to certain sections if it's for benefit of the society (tourism).

↳ The same conflicts with virtues of mutual tolerance, respect advocated by Mahatma Gandhi. Hence, in light of upholding Constitutional morality,

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it's not correct to interfere in food practices.

II) Bringing development without tampering on Sanctity

(i) Strict & judicious use of EIA with widespread public consultation

↳ the tribals have the first right over the island. They must be given power to decide.

(ii) The Prevention of Anti Social Activities Act must be implemented after a thorough review by an expert committee. It should see that the Act conforms to Puttaswamy test of Necessity, legality & Proportionality.



(iii) Recall / Revoke the anti -
cow slaughtering rules

↳ as preserving the
tribal culture (which is already
on oblivion) is amongst prime
mandates of the state
(Nehru's Panchsheel
for Tribals).

An accountable,
responsive and responsible govt.
is sine qua non to uphold
Dharma.

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Q.11

Monika is a District Collector (DC) of a coastal region in Southern India. An NGO has approached her regarding a complaint of high-rise residential building construction near a famous lake lying under her area of jurisdiction. When she enquired into the case, she found that high-rise apartments have been constructed eight years back, but they are in violation of coastal regulation zone (CRZ) norms. The owners had bought the highly expensive apartments after obtaining all permissions and licenses from the administration at that time. Thus, it may appear wrong to punish them for the possible mistakes committed by builders and others, but not taking action may also set a wrong precedent.

When the news got out that Monika is planning to act against the high-rise apartments, she started getting calls from all spheres. Some of her colleagues and subordinates also start pressurizing her that administration will get a bad name if this case is opened. They may also get punished as files of the project was passed under their regime. Also, her predecessor, under whom the project got clearance, is a senior IAS officer and has strong links with the political lobby of the state.

But despite of all the pressure, Monika is confused, and her conscience is motivating her to act, but she don't know what the correct course of action shall be. Any action or inaction on part of district administration can have serious repercussions on the ecosystem, especially in wake of the back-to-back floods that have ravaged the whole state over the last two years, triggering landslides leading to massive loss of life and property. In this context:

(250 words, 20 marks)

- Explain what factors must be taken into regard identifying different options available with Monika.
- What are the options available in this situation?
- What shall be the action plan of Monika?

→ Supreme Court in S Jagannath

case directed steadfast adherence to CRZ norms for protecting our fragile coastal ecosystem.

a) Factors to be considered

① Rights of coastal

Stakeholders

- Monika
- NGO
- Environment
- Apartment owners
- Administration
- Builders
- Senior IAS officer
- Citizens.

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community who are most vulnerable to disasters.

② Right to shelter of the owners who bought the apartments without any fault of their own.

③ Loyalty towards the administration
↳ by Monica's teammates and the senior IAS officer whose position may be jeopardised.

④ Upholding the rule of law by a breach of CRZ rules is taking place.

⑤ Rights of coastal flora & fauna.

⑥ Options

① Take action against such high rise apartments

Merits

① Upholds rule of law

② Mitigates disaster risk



③ Right to safety & security of people

Demerits

- ① My colleagues might suffer
- ② I might face hostile environment at office
- ③ Apartment owners' right to shelter violated.

② Don't take action

Merits	Demerits
<ul style="list-style-type: none">① Status quo is maintained② Owners' right to shelter sustains.	<ul style="list-style-type: none">① Crisis of conscience in me② Environment's rights jeopardised③ Right to life & safety of citizens is endangered.

c) Monika should adopt a modified view of Option ① :-

- ① Take stringent action against

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The builders involved in unplanned construction by prosecuting them under RERA Act.

↳ This will serve as a deterrence, on the hard, no-nonsense approach towards those violating the law.

② Direct adequate compensation to the Apartment owners from the Builders and brokers

↳ consonant with the Polluter Pays principle.

③ Before destruction of the Apartments, provide adequate time to the Owners to let them



settle elsewhere.

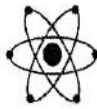
(4) long term measures

↳ promote investment on
disaster resilient infrastructures
in lines with NDMA guidelines,
2016.

Protecting interests
of citizens & upholding the
law is key to ensure a stable,
rules-based, law abiding society.

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Q.12 You are an IAS officer who has been posted as the Secretary to the Health Ministry of a Union Territory. The health infrastructure of government has been really good in your UT, largely due to political will and administrative efficiency and probity. Good quality, cheap, timely treatment for the poor is the objective of the government. This has led to the construction of some of the best hospitals in the country. Special focus has been kept on the recruitment of the best doctors and nursing staff.

However, the infrastructure is not good when it comes to the neighboring states of your union territory. Despite of huge demand, the governments of the neighboring states haven't done much to ensure good health facilities for their citizens.

This has created a problem for the administration of the union territory, as this difference of quality and availability of hospitals has led to an influx of patients from neighboring states, leading to huge congestion, backlogs and patient population outburst. This influx creates lots of pressure on other public resources also like transport, electricity and water. A study found that many of the relatives of these patients are found begging on roads near the hospitals.

To resolve this problem, The Health Minister of the union territory has come up with an idea to give preferential treatment to the locals of UT by giving them 50% reservation in the facilities of free medicine and investigations in government hospitals.

This will certainly give a political advantage to the ruling party as locals will benefit and also, they are the ones who pay for the construction of health infrastructure in the form of taxes and fines. The government is asking for your opinion, which has put you in a state of dilemma, as such reservation can have huge administrative, professional and political repercussions. In this context, analyze the issue from different perspectives and explain what advice you will give to the minister in this regard. (250 words, 20 marks)

Right to equitable access
to healthcare is an embodiment
of Right to life under A-21.

Ethical Issues from different
perspectives

① Right to health of locals



of the UT : ensuring it is the prime duty of the Administration and in this regard, the policy is justified.

② Rights of neighbouring states' citizens
↳ to equitable health access is a guaranteed fundamental right under A.14. To this end, the idea of preferential treatment of locals is unjust.

③ UT Administration is also duty bound to uphold other citizens' rights to free transit, rights against congestion.

④ Ruling political party might get a leverage by enhanced voter share but this will also breed the sons of soil feeling which

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contradicts with the virtues of tolerance, harmony of the society

My advice

① As a man of high integrity, my conscience will not allow me to allow the said reservation as

① it will breed inequality & foster conflict between two states' citizens

② dilute relations between ~~the~~ my UT and the neighbouring state.

③ Preferential reservation to locals with us against



Kantian categorical Imperative which provides for uphol treating all men and women with dignity.

(4) Reliance on Gandhi's Tolsonism will not permit me to act against interests of the poorest from the neighbouring state.

hence, I'll advice :-

(1) to recall such policy

(2) look at the crisis as an opportunity by :-

i) expanding road, transport infrastructure
↳ to alleviate growing resource pressure

ii) Boost medical tourism by providing adequate supplies to the visitors (lodges etc.)
↳ this too may be

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done by incentivising establishment
of lodges & hotels for their
stay.

Right to healthcare
access of all is consonant
with equity & justice.