Administrative Ethics
COURSE CODE: M23PA01 AC

Postgraduate Programme in Public Administration
Ability Enhancement Compulsory Course
Self Learning Material

SREENARAYANAGURU
OPEN UNIVERSITY

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The State University for Education, Training and Research in Blended Format, Kerala

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To increase access of potential learners of all categories to higher education, research and training, and ensure equity through delivery of high quality processes and outcomes fostering inclusive educational empowerment for social advancement.

Mission

To be benchmarked as a model for conservation and dissemination of knowledge and skill on blended and virtual mode in education, training and research for normal, continuing, and adult learners.

Pathway

Access and Quality define Equity.

Administrative Ethics

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Semester - I

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M23PA01AC
Administrative Ethics
Semester - 1
Ability Enhancement Compulsory Course
MA Public Administration

DOCUMENTATION

Academic Committee

- Prof. Biju Lekshmanan
  Dr. Salim N.
  Dr. Anish V. R.
  Dr. Ajitha S.
  Dr. Devi Parvathy
  Dr. Unnikrishnan G.

  Dr. Sandhya S. Nair
  Dr. Surya Aravindakshan
  Ranjith Kumar
  Dr. Ronnie Thomas
  Dr Anjali Devi M.
  Sini L.

Development of the Content

- Sooraj S., Akhila A.K.

Review

- Content   : Dr. Salim N.
  Format   : Dr. I.G. Shibi
  Linguistics : Dr. C. Ajayan

Edit

- Dr. Salim N.

Scrutiny

- Dr. Mohammed Shabeer K., Akhila A.K., Sooraj S.

Coordination

- Dr. I.G. Shibi and Team SLM

Design Control

- Azeem Babu T.A.

Cover Design

- Jobin J.

Dear learner,

I extend my heartfelt greetings and profound enthusiasm as I warmly welcome you to Sreenarayanaguru Open University. Established in September 2020 as a state-led endeavour to promote higher education through open and distance learning modes, our institution was shaped by the guiding principle that access and quality are the cornerstones of equity. We have firmly resolved to uphold the highest standards of education, setting the benchmark and charting the course.

The courses offered by the Sreenarayanaguru Open University aim to strike a quality balance, ensuring students are equipped for both personal growth and professional excellence. The University embraces the widely acclaimed "blended format," a practical framework that harmoniously integrates Self-Learning Materials, Classroom Counseling, and Virtual modes, fostering a dynamic and enriching experience for both learners and instructors.

The university aims to offer you an engaging and thought-provoking educational journey. The MA programme in Public Administration provides an in-depth understanding of modern governance challenges and solutions. It integrates cutting-edge theory with real-world applications, emphasizing innovative approaches to public service delivery. The curriculum spans strategic planning, policy analysis, public sector economics, and governance-related spheres. Through these, learners cultivate advanced problem-solving and decision-making skills. This programme also equips future leaders to drive positive change in public institutions, NGOs, and international bodies. The Self-Learning Material has been meticulously crafted, incorporating relevant examples to facilitate better comprehension.

Rest assured, the university's student support services will be at your disposal throughout your academic journey, readily available to address any concerns or grievances you may encounter. We encourage you to reach out to us freely regarding any matter about your academic programme. It is our sincere wish that you achieve the utmost success.

Regards,
Dr. Jagathy Raj V. P.   01-11-2024

Contents

BLOCK 1
Foundations of Administrative Ethics

Introduction to Administrative Ethics

Learning Outcomes

Upon completion of this unit, the learner will be able to:

▶ define ethics in the context of public administration and explain its importance

▶ trace the historical development of administrative ethics

▶ analyse and compare the major ethical theories—utilitarianism, deontology, and virtue ethics

Background

Administrative ethics in public administration has always been about balancing power with responsibility. As governance evolved, the need for ethical conduct became central to ensure that public officials acted not just with efficiency but with integrity and fairness. Historically, the seeds of administrative ethics can be traced back to early governance systems where rulers were expected to embody moral virtues. Over time, ethical guidelines became more structured, especially with the rise of modern bureaucracies. Today, administrative ethics is underpinned by key ethical theories: utilitarianism, which advocates for the greatest good for the most people; deontology, which emphasizes duties and rules; and virtue ethics, focusing on the character of public servants. These approaches provide a framework for navigating the complex moral decisions that administrators face in public service.

Keywords

Ethics, accountability, administrative evolution, ethical theories

1.1.1 Introduction to Ethics in Public Administration

1.1.1.1 What is Ethics?

Ethics, at its core, is a set of moral principles that influence how people make choices and navigate their lives. It deals with concepts of what is beneficial for individuals and society as a whole and is often referred to as moral philosophy. The term "ethics" originates from the Greek word 'ethos', meaning custom, habit, character, or disposition. Ethics encompasses several fundamental dilemmas, such as determining how to lead a good life, understanding rights and responsibilities, and navigating moral language around right and wrong, as well as making moral decisions on what is good or bad.

Ethics has two main aspects. First, it establishes well-founded standards of right and wrong, defining what individuals ought to do, often concerning rights, duties, societal benefits, fairness, or particular virtues. Ethical standards encourage people to avoid actions like theft, assault, slander, and fraud and promote virtues like honesty, compassion, and loyalty. They also recognize certain rights, such as the right to life, freedom from harm, and privacy. These standards are considered valid because they are grounded in consistent and rational reasoning.

▶ Standards, honesty

Second, ethics involves the ongoing study and refinement of one's ethical standards. Since feelings, legal systems, and social norms can sometimes diverge from ethical principles, it is crucial to continuously evaluate our standards to ensure they remain reasonable and justifiable. Ethics, therefore, also entails a sustained commitment to examining our moral beliefs and behaviours and to working toward upholding standards that are well-founded and ethically sound, both in our personal lives and within the institutions we influence.

1.1.1.2 What is morality?

▶ Good and bad

Morality, derived from the Latin term *moralis* (meaning customs or manners), refers to the belief or acknowledgment that certain behaviours are inherently "good" or "bad." Many moral principles are widely accepted and face little challenge, while only a small segment of society may question or reject

them. Individuals who do not adhere to these widely accepted morals might be perceived in various ways, but the act of questioning or rejecting a societal moral standard does not inherently determine a person's goodness or badness.

1.1.1.3 What is aptitude?

Aptitude is an inherent ability or talent that forms part of a person's potential to perform certain types of work effectively at a given level. Aptitudes can be either physical or mental and are distinct from knowledge, skills, learned abilities, or attitude. Unlike achievement, which reflects capabilities developed through learning, aptitude is innate. Every profession—be it in administration, engineering, medicine, law, or management— requires specific aptitudes. Typically, individuals find greater satisfaction and success in roles that align with their natural aptitudes. For instance, an engineer with aptitudes not suited to engineering might find the work unfulfilling, while lacking essential aptitudes could make the job feel challenging or unpleasant.

1.1.1.4 Ethics and Morals compared

Ethics and morals both concern judgments of "right" and "wrong" behaviour, but they differ in their foundations and applications. Ethics typically refer to rules or guidelines set by external sources, such as workplace codes of conduct or religious doctrines, whereas morals represent an individual's personal principles about right and wrong.nsibilities. This trend is already emerging, with many news outlets airing exposés on systemic malpractices, underscoring the media's vital role when driven by social responsibility rather than sensationalism.

Aspect	Ethics	Morals
Origin	Greek word ethos, meaning "character"	Latin word mos, meaning "custom"
Definition	Rules of conduct recognized by a particular group or culture	Personal principles or habits about right and wrong
Source	Derived from an external social system	Comes from within the individual
Reason for Following	Followed because society or a group dictates it as the right course	Followed based on personal belief in what is right
Flexibility	Can vary across different contexts and rely on external validation	Generally consistent but may evolve with changing personal beliefs
Complexity("Gray")	Ethical adherence does not guarantee personal morality, and one may sometimes defy ethical rules to uphold moral beliefs	A moral individual may align with ethical standards, even if their internal compass holds them to a higher or different standard
Acceptability	Governed by legal and professional standards that can shift with time and place	Often transcends cultural norms and exists beyond legal constraints

▶ Clashes in ethics

A common area where ethics and morals may conflict is the workplace, where company ethics can sometimes clash with personal morality. For example, corporate demands driven by profit motives may lead to excessive work expectations, pushing employees to choose between fulfilling these demands and meeting family responsibilities they view as moral obligations. Another example can be found in attitudes toward homosexuality: some people may personally believe it is morally wrong, yet also hold that it is unethical to deny equal rights to any group, illustrating how one's ethical stance on discrimination can conflict with personal moral beliefs. Such dilemmas underscore the complex interplay of ethics and morals in addressing global challenges and societal shifts. As the world encounters new social and ethical crossroads, an increased understanding of these issues may foster more harmonious and constructive solutions.

1.1.1.5 What is integrity?

Integrity is the quality of being honest and adhering to strong moral principles; it represents moral uprightness. Typically,

integrity is a personal commitment to uphold consistent moral and ethical standards. As a fundamental value in any profession, integrity is essential for individuals who embody strong ethical principles. It involves displaying fairness and honesty in all personal and professional interactions and is seen as an unwavering personal choice, remaining steadfast even under challenging circumstances. Integrity promotes correct actions and stands as the opposite of hypocrisy.

Differences between ethics, law, and policy

Ethics, law, and policy, while interconnected, have distinct roles in governance.

- Ethics is the study and application of moral principles. It refers to a system of accepted values and norms that guide behaviour. In public administration, ethics is about what is morally right and focuses on duties, virtues, and the greater good.
- Law is a formal system of rules and regulations established by governments or institutions to maintain order. Laws are enforceable by legal authorities, and individuals or organizations that break them face legal penalties.
- Policy refers to specific guidelines or courses of action adopted by governments or organizations to address public issues. Policies are shaped by laws but also influenced by ethical considerations and practical needs. While laws are mandatory, policies provide a framework for decision-making but may allow more flexibility in interpretation.

1.1.16 Importance of Ethics in Public Service

Ethics plays a crucial role in public service as it ensures that public administrators prioritize the welfare of the community over personal gains. Ethical behaviour serves as the backbone of trust between the public and the government, which is vital for effective governance. Public officials are entrusted with upholding principles such as honesty, fairness, and accountability, making decisions that reflect the needs of society. By adhering to ethical standards, public service enhances the legitimacy and integrity of governmental institutions.

- Ethics as a Pillar of Public Trust - Ethics fosters trust between citizens and the government. Public administrators, when acting ethically, demonstrate commitment to serving the public interest, which reassures citizens that governance is fair and transparent. Trust is essential in building cooperative relationships between the government and the

▶ Clashes in ethics

▶ interconnected nature

▶ Trust, integrity

▶ Public Trust

▶ Responsibility

▶ Natural Soundness

▶ Checks and balances

▶ Transparency, oversight.

▶ Public trust, accountability

people, leading to more effective policy implementation.

- Promoting Honesty, Fairness, and Accountability - Public servants have the responsibility to act with honesty and fairness in their decisions and interactions. Accountability ensures that they are answerable to the public, avoiding misuse of power or corruption. Upholding these values ensures that decisions benefit society as a whole, rather than serving narrow personal or political interests.
- Strengthening the Integrity of Governance - Ethical conduct reinforces the integrity of governmental institutions. When public servants make morally sound decisions, they protect the public trust, thereby enhancing the quality of governance. Integrity in governance ensures that laws and policies are applied equitably, and public resources are managed responsibly.
- Role of Oversight Bodies in Maintaining Ethical Standards - External institutions, such as the judiciary, legislature, and civil society, play a significant role in overseeing ethical standards. These bodies provide checks and balances, ensuring that public servants remain accountable for their actions. They help monitor ethical violations and offer corrective measures to prevent unethical behaviour.
- Enhancing Legitimacy and Public Confidence - Ethical behaviour directly contributes to the legitimacy of government institutions. A government perceived as ethical and just enjoys higher levels of public confidence.

Ethics serves as the foundation for transparent, fair, and effective governance. It safeguards the public interest by guiding administrators in making morally sound decisions, reinforcing trust between citizens and the government. Through oversight from external bodies, ethical standards are maintained, ensuring that public officials remain accountable. In the end, ethics enhances the integrity and legitimacy of governmental institutions, thereby strengthening the overall governance system.

1.1.1.7 Ethics and Public Trust

Ethics is directly linked to public trust in governance, as ethical behaviour by public administrators is fundamental to building and maintaining this trust. When public officials adhere to moral principles such as honesty, transparency, and fairness, it reassures citizens that their interests are being prioritized over personal or political gains. Ethical governance fosters a sense of accountability, ensuring that public servants remain

committed to serving the greater good rather than indulging in corrupt practices or self-interest.

Public trust is fragile, and unethical behaviour can quickly erode confidence in government institutions. To prevent this, external mechanisms such as the judiciary, legislature, media, and civil society play a critical role in monitoring and ensuring that public administrators uphold high ethical standards. By honouring their moral duties, public servants strengthen the relationship between the government and the people, creating a more transparent, just, and accountable system of governance.

▶ Unethical behaviour, transparency

1.1.2 Evolution of Ethical concerns in Public Administration

It is important to acknowledge that Public Administration as a discipline was shaped, particularly in its early development, by the fields of Political Science and Management Science. The philosophical foundations of Public Administration were significantly influenced by Political Science, while its operational and technical aspects were largely derived from Management Sciences. Initially, Political Science was taught as part of Moral Philosophy and Political Economy, but over time, its curriculum evolved, driven by secular, practical, and empirical approaches that emerged over the last century.

▶ Political Science, Management Science

During the early 20th century, American Political Science scholars were dissatisfied with the ethical approach that dominated the Gilded Age. Influenced by their experiences with German universities and key figures like J.N. Burgess, E.J. James, A.B. Hart, A.L. Lovell, and F.J. Goodnow, they aimed to transform Political Science into a more scientific discipline. They increasingly focused on studying and analysing actual government systems, drawing heavily from both the natural and social sciences.

▶ Ethical approach, scientific discipline.

The Logical Positivism of the Austrian School, particularly Herbert Simon's work, further propelled efforts to create a "science" of politics and administration, one that could predict and control political and administrative processes. As noted by Dwight Waldo, this shift led to the belief that good governance no longer depended on the moral character of individuals but rather on the effectiveness of institutions and the expertise of professionals. Morality became less relevant, replaced by a desire for professional recognition.

▶ Logical Positivism, professional recognition.

Behaviouralism, New Public Administration

The rise of Behaviouralism until the mid-1960s further diminished the focus on ethical considerations within Political Science and Public Administration. However, with the advent of Post-Behaviouralism in Political Science and the emergence of the New Public Administration movement, a reconciliation occurred between scientific methods and humanistic (or ethical) values. This helped resolve much of the debate between facts and values in the field.

Good Governance, NPM

Today, Public Administration emphasizes values such as equity, justice, humanism, human rights, gender equality, and compassion. The concept of Good Governance, introduced by the World Bank in 1992, highlights the ethical and moral responsibilities of public administrators. While the New Public Management movement focuses more on efficiency and effectiveness, the New Public Administration movement places greater emphasis on ethical behaviour in governance. These two movements complement one another, much like they did a century ago during the rise of Scientific Management and the recognition of administrative responsibility. As President John F. Kennedy (1961-1963) stated, "No responsibility of government is more fundamental than maintaining high standards of ethical behaviour."

Bureaucracy, ethical conduct

Max Weber's ideal model of bureaucracy also stressed the importance of ethical conduct. Weber observed that, in a rational bureaucracy, it is crucial that officials are entirely separated from ownership of the means of production and administration. This principle ensures that employees and officials do not personally benefit from the assets they manage on behalf of the organization. Weber's model implicitly warns against using official resources for personal gain, even though it is a theoretical construct rather than an empirical one.

Bureaupathology, ethical norms

Critics of real-world bureaucracies, such as Harold Laski, Carl Friedrich, Victor Thompson, and Warren Bennis, have highlighted instances where bureaucrats have violated ethical norms. Similarly, Fred Riggs, in his analysis of prismatic societies, points to issues like formalism and nepotism, drawing attention to the significant gap between ideal and actual administrative behaviour. The frequent departure from these ethical standards has contributed to what is often termed "bureaupathology"—the institutionalization of unethical behaviour within bureaucracies.

1.1.3 Contextual structures that led to the development of ethics

Ethics, whether at the societal level or within specific social sub-systems, develops over an extended period and is shaped by various environmental influences throughout its evolution. Administrative ethics follows this same trajectory; it emerges from multiple contextual frameworks and is continuously evolving. Now, let's explore some of the contextual factors that impact ethics within public administrative systems.

The Historical Context

A country's history significantly shapes the ethical framework of its governance system. In the early years of the American nation, the Spoils System notably tainted the ethical landscape of American Public Administration. As President Jackson famously stated, "To the victor belong the spoils." This practice might have persisted if not for the assassination of President Garfield by a disgruntled job seeker in 1881, which catalysed civil service reforms in the United States. The establishment of the U.S. Civil Service Commission in 1883 marked a pivotal step in this reform process.

India has a long history of unethical governance practices as well. Kautilya's Arthashastra references various forms of corruption that administrators engaged in during that time. The Mughal Empire and the Indian princely states also struggled with corruption among courtiers and administrative officials, with 'bakhshish' being a common method of exchanging favours. Even the East India Company faced criticism from British parliamentarians for the corrupt behaviour of its employees.

> *Bakhsish - a small amount of money or a present that is given to someone as a bribe, to persuade them to do something, sometimes something dishonest*

Throughout human history, forces promoting integrity and those advocating immorality have coexisted. The strength of these forces often depends on the support they receive from key actors within the political and administrative systems. A troubling legacy of unethical governance may lead to increased tolerance for administrative misconduct. In many developing countries with colonial histories, a significant gap persists between the populace and the government. During the colonial era, the legitimacy of governance was seldom accepted by the

Sidebar boxes:

▶ Contextual factors, evolving ethics

▶ Spoils System, civil service reforms

▶ Kautilya's Arthashastra, corruption

▶ Integrity, administrative misconduct

majority, resulting in a lack of genuine loyalty to the rulers. While democratic regimes have narrowed the distance between the governing elite and citizens, complete trust and affinity have yet to be achieved. Sadly, the ruling elite often lacks a deep emotional connection with the citizens, perpetuating a legacy of competitive collaboration between the public and administrators, which adversely impacts administrative ethics.

The Socio-Cultural Context

The values that permeate a society significantly influence its governance system. Indian society appears to prioritize wealth above all else, often sidelining discussions about the means used to achieve it. While the pursuit of wealth can signify civilizational progress, the methods employed in this quest are crucial.

▶ Economic growth, ethical considerations

We seem to be living in a society that values economic growth over ethical considerations, where the means have taken precedence over the ends, and ideals are overshadowed by the more immediate concerns of economic advancement. Changing this social order is challenging. Mahatma Gandhi sought to transform Indian society's priorities, yet his moral vision found few supporters. Since his passing, there has been no strong voice in independent India advocating against the supremacy of materialism and one-dimensional growth. Our family values and educational systems have failed to challenge this trend or instil a sense of morality in our youth.

The issues surrounding morality may or may not stem from a society's religious ethos. Indian religious texts discourage the pursuit of wealth through unethical means. For instance, Thiru Valluvar's Kural, written over two thousand years ago in Tamil Nadu, emphasizes that wealth should be acquired through right means, as it brings respect, fame, and opportunities to serve others. Can this principle serve as the foundation for our socio-moral orientation?

▶ Moral vision, materialism

▶ Religious ethos, right means

Some argue that the integrity of Protestants and Parsees is higher than that of other religious groups, attributing this to the well-established mores within these faiths. However, this perspective is just one among many, as various religious and secular groups uphold high moral standards. The cultural fabric of a nation, including its religious influences, plays a significant role in shaping the work ethics of its citizens. For example, the strong emphasis on hard work in Protestant ethics

has led to enhanced productivity in several Christian societies, while Judaism values physical labour, contrasting with Hindu and Islamic societies, which have historically viewed physical work as inferior to intellectual pursuits.

Work ethics are not always tied to religious beliefs, making them a subjective yet intriguing topic of study. Family and educational systems serve as vital instruments for socialization and shaping values during formative years. When families and schools emphasize honesty and ethics, the resulting mindset among citizens can be profoundly positive and influential.

▶ Work ethics, family values

Legal-Judicial Context

The legal framework of a country significantly affects the effectiveness of ethical standards within its governance system. Well-defined laws that emphasize fair conduct and honesty can effectively differentiate between ethical and unethical behaviour. In contrast, vague laws with unclear definitions of corruption may inadvertently foster corrupt practices by failing to instil a sense of accountability among violators.

▶ *Legal framework, ethical standards*

An efficient and effective judiciary that facilitates swift justice can act as a deterrent against immorality in public affairs. Conversely, a sluggish judicial system that prioritizes legal technicalities over the law's intent can inadvertently aid perpetrators by extending trials and granting undue leniency.

▶ Swift justice, sluggish judicial system

Similarly, government anti-corruption initiatives that involve complex procedures may inadvertently benefit the accused, complicating the path to justice. In India, effective anti-corruption institutions are notably lacking. Lokpal came into existence only in 2019. Lok Ayuktas are often ineffective, and state vigilance agencies are generally underwhelming. The consequences of these shortcomings are clear and significant.

▶ Anti-corruption initiatives, path to justice

The Political Context

Political leadership, whether in power or outside of it, profoundly influences the morals and values of citizens. In a democracy, political parties, pressure groups, and the media also shape attitudes toward moral issues. The conduct of politicians can either serve as examples of integrity, as seen in Scandinavian countries, or as epitomes of self-interest, often observed in many South Asian nations. This political environment inevitably impacts the administrative system's ethical standards.

▶ Political leadership, moral compass

In India, the electoral process is often cited as a major catalyst for political corruption. Candidates frequently spend substantial amounts on campaigns, creating a cycle where they feel compelled to recoup these expenses through various means—often unethical. Given that the administrative class arises from society, the prevailing mores, values, and behaviours in society are likely to reflect in administrators' conduct. Expecting civil servants to be insulated from societal norms would be unrealistic.

While this argument holds merit, it can also be countered by the expectation that political leaders should embody a stronger moral compass than their constituents. However, with few mechanisms in place to nurture administrative morality relative to general societal ethics, this expectation remains largely aspirational. Hence, a deeper exploration of the issue is warranted.

The behaviour of politicians often serves as a model for civil servants. Additionally, the influence of less scrupulous political leaders over civil servants is substantial. Ironically, in India, the moral environment is often shaped more by politicians than by any other social group. The political system's pre-eminence over other systems is too significant to overlook. An objective and fearless media can play a crucial role in preventing corruption, acting as a catalyst for promoting ethical behaviour among administrators. Media owners and managers must recognize their broader social and moral responsibilities. This trend is already emerging, with many news outlets airing exposés on systemic malpractices, underscoring the media's vital role when driven by social responsibility rather than sensationalism.

The Economic Context

A country's level of economic development likely correlates positively with the ethical standards in its governance system. While a direct causal relationship may not always be evident, a correlation is certainly plausible. Lower levels of economic development, especially when coupled with significant inequality, can widen the gap between social classes. Disadvantaged groups may be tempted to compromise their ethical standards to meet their basic needs.

Interestingly, as developing nations embrace liberalized economic policies, there is an increasing emphasis on maintaining integrity in business practices, governance, and trade due to

▶ Electoral process, political corruption

▶ Objective media, ethical behaviour

▶ Disadvantaged groups, basic needs

▶ Liberalized economic policies, international pressures.

international pressures for higher ethical standards, particularly within the framework of the World Trade Organization. This phenomenon reflects what Fred Riggs refers to as "exogenous inducements" for administrative change.

1.1.4 Fundamental Principles of Ethics in Public Administration

Let us outline some key principles of ethics in public administration, which can be summarized as follows:

1. Principle of Legality and Rationality: An administrator should adhere to the laws and regulations established to govern various policy areas and decision-making processes.

2. Principle of Responsibility and Accountability: Administrators must willingly accept accountability for their decisions and actions. They should acknowledge their moral responsibility and be answerable to higher authorities and the citizens who benefit from their decisions.

3. Principle of Work Commitment: An administrator should dedicate themselves to their duties, executing tasks with involvement, intelligence, and skill. As Swami Vivekananda noted, "Every duty is holy, and devotion to duty is the highest form of worship." This also involves respecting time, punctuality, and keeping promises. Work should be viewed not as a burden but as an opportunity to serve and contribute positively to society.

4. Principle of Excellence: Administrators should maintain high standards of quality in their decisions and actions, refusing to compromise on standards for convenience or complacency. In an increasingly competitive global environment, adherence to Total Quality Management principles is crucial.

5. Principle of Fusion: Administrators should effectively integrate individual, organizational, and societal goals, striving to harmonize ideals and demonstrating commitment to this fusion. In cases of conflicting objectives, ethical considerations should guide decision-making.

6. Principle of Responsiveness and Resilience: Administrators must respond effectively to external and internal challenges while adapting to changing environments. They should strive to uphold ethical standards and, in cases of deviation from these norms, work diligently to restore eth-

ical conduct promptly.

7. Principle of Utilitarianism: In formulating and implementing policies, administrators should aim to achieve the greatest good for the greatest number, ensuring that their actions result in maximum benefits for society.

8. Principle of Compassion: Without breaching legal and regulatory frameworks, administrators should show compassion for marginalized groups, such as the poor and disabled, while exercising their discretion. They should avoid favouring the stronger segments of society solely based on their status and ensure that the weaker groups receive fair consideration.

9. Principle of National Interest: While maintaining a universal perspective, civil servants should consider how their actions impact the strength and reputation of their nation. This mindset, prevalent among citizens and civil servants in countries like Japan, South Korea, Germany, and China, elevates the quality of service and output.

10. Principle of Justice: Those involved in policy formulation and implementation should uphold principles of equality, equity, fairness, and objectivity, ensuring that no preferential treatment is given based on status, power, gender, class, caste, or wealth.

11. Principle of Transparency: Administrators should ensure that decisions are made and implemented transparently, enabling those affected by the decisions and others who wish to evaluate them to understand the rationale and information sources behind such choices.

12. Principle of Integrity: Administrators must base their actions on honesty, refraining from using their power, position, or discretion for personal gain or the illegitimate interests of others.

While many more principles could be included in this list of ethical tenets for administration, the overarching aim is to foster 'Good Governance' through a steadfast commitment to ethical principles, practices, orientations, and behaviours. Defining administrative ethics is not about rigid doctrines; rather, the primary concern is the positive impact of administrative actions, rather than merely the rational aspects of administrative processes. In the following section, we will briefly address several critical concerns and focal points of ethics in public administration.

1.1.5 Ethical Theories and Approaches

1.1.5.1 Utilitarianism

Jeremy Bentham

Utilitarianism is a moral philosophy that suggests that the best action is the one that maximizes overall happiness or welfare. The principle of utility, also known as the "greatest good for the greatest number," holds that actions are morally right if they promote happiness or pleasure and wrong if they produce the opposite. The ultimate goal is to achieve the greatest net balance of pleasure over pain for the largest number of people.

▶ Greatest good for the greatest number

Jeremy Bentham (1748–1832) is often credited as the founder of modern utilitarianism. Bentham developed a system of ethics based on the quantification of happiness, which he called the "hedonic calculus." He proposed that the moral worth of an action could be determined by calculating its overall contribution to pleasure or pain, using factors like intensity, duration, and certainty.

▶ pleasure or pain

John Stuart Mill (1806–1873), a later advocate, refined Bentham's ideas by distinguishing between higher (intellectual) and lower (physical) pleasures. Mill argued that intellectual and moral pleasures were superior to mere physical satisfaction, contributing more meaningfully to human happiness.

▶ Human happiness

Application in Public Administration

- Guiding Policy-Making for Maximizing Societal Welfare: Utilitarianism provides a framework for public administrators to evaluate policy options based on their consequences for societal welfare. Decisions are judged by the extent to which they increase overall happiness or reduce suffering. For instance, utilitarianism can guide decisions in resource allocation, health care, education, and public safety by focusing on policies that generate the most benefit for the most people.

Examples of Public Policies Shaped by Utilitarian Principles:

1. Cost-Benefit Analysis (CBA): A key tool used in public administration, CBA evaluates the costs and benefits of policies to determine which option would yield the greatest net benefit. This aligns with utilitarian principles because it seeks to maximize societal welfare by weighing different courses of action and their impacts.

2. Welfare Programs: Policies aimed at reducing poverty or inequality, such as unemployment benefits or universal health care, can be justified using utilitarian reasoning, as they are designed to increase the overall well-being of society.

3. Public Health Measures: Vaccination campaigns, for example, are often justified using utilitarian logic. While some individuals might face mild side effects, the overall benefit to society—preventing disease and ensuring public health—far outweighs the drawbacks.

Strengths and Weaknesses of Utilitarianism

Strengths

- Clear Criteria for Decision-Making: Utilitarianism offers a straightforward method for evaluating the consequences of actions. It provides public administrators with clear criteria—maximize the welfare of the majority—making policy decisions more systematic and measurable.

- Emphasis on Outcomes: This approach focuses on the results of actions, ensuring that policies are judged by their actual impact on society rather than abstract principles or intentions. It encourages pragmatic solutions that can lead to tangible improvements in people's lives.

▶ increase overall happiness or reduce suffering

▶ Policies Shaped by Utilitarianism

▶ *Outcomes, decision making*

Weaknesses:

- Overlooking Minority Rights: One of the major criticisms of utilitarianism is its potential to sacrifice the rights and well-being of minorities for the sake of the majority. In focusing on the greatest happiness for the greatest number, the needs or rights of small groups might be neglected or violated.
- Difficulty in Predicting Outcomes: Utilitarianism assumes that it is possible to predict the consequences of actions accurately. However, the future is often uncertain, and policies that seem beneficial at first may have unforeseen negative consequences, making it challenging to rely solely on this approach.

1.1.5.2 Deontology

Immanuel Kant

Deontology is an ethical theory that emphasizes the importance of following duties, rules, and obligations in determining moral action. Rather than focusing on the consequences of actions (as in utilitarianism), deontology holds that certain actions are morally required, prohibited, or permissible based on whether they adhere to established rules or principles, regardless of the outcome. In essence, it argues that the "right" action is one that is done out of a sense of duty.

Immanuel Kant (1724–1804) is one of the most influential figures in deontological ethics. His ethical framework is built on the concept of the categorical imperative, a principle that demands actions be undertaken according to universal maxims, meaning that the rule governing your action should be one you are willing to see applied universally.

Kant's first formulation of the categorical imperative is: "Act only according to that maxim whereby you can, at the same time, will that it should become a universal law." This principle requires individuals to act in ways that are universally fair and consistent with moral laws.

His second formulation emphasizes respect for individuals: "Act in such a way that you treat humanity, whether in your own person or in the person of another, always at the same time as an end and never merely as a means to an end." This highlights the importance of treating people with inherent dignity, rather than using them for personal gain.

While deontology is often associated with strict adherence to rules and duties, Kant's framework goes beyond mere rule-following. He emphasized that the moral worth of an action lies in the intent behind it. Actions are truly ethical when performed out of a sense of duty rooted in respect for moral law, rather than out of fear, self-interest, or external pressures. For Kant, the purity of the moral will—acting from goodwill—is what gives an action its ethical significance, ensuring that adherence to duty is driven by principled commitment rather than blind obedience.

Application in Public Administration

- Role of Rules, Regulations, and Procedural Integrity: In public administration, deontological ethics plays a crucial role in emphasizing adherence to established rules and processes. Government officials and public servants are bound by laws, regulations, and ethical codes that guide their actions. From this perspective, actions should not be driven solely by outcomes but by strict adherence to the rule of law and procedural integrity.

For example:

- Transparency and Accountability: Deontology supports the idea that public officials have a duty to be transparent in

their actions and decisions, ensuring that their behaviour follows established rules and ethical standards. This principle underpins the importance of being accountable to the public and acting within the bounds of the law, even if doing so may not always lead to the most beneficial outcomes.

- Fairness in Decision-Making: The deontological focus on rules and duties ensures fairness and consistency in public administration. By following established procedures, public administrators help to ensure that all citizens are treated equally under the law, which is a fundamental aspect of justice.
- *Transparency, fairness*

How Deontology Underpins the Need for Transparency, Accountability, and Fairness?

Deontology aligns with the core principles of good governance:

1. Transparency is essential because public administrators are obligated to act in ways that are open and clear to the public.

2. Accountability is built on the idea that officials have a duty to be answerable for their actions, following established ethical guidelines.

3. Fairness is embedded in the principle of acting according to rules that treat all individuals with respect, ensuring that decisions are made without favouritism or bias.

Strengths and Weaknesses of Deontology

Strengths:

1. Consistency: Deontology provides a consistent framework for ethical decision-making. It offers clear guidelines on what is right or wrong based on duties and principles, regardless of situational variables. This consistency can help in creating a stable, predictable governance system.

▶ Respect, consistency

2. Respect for Individuals and Their Rights: Deontological ethics places a high value on respecting individuals and their inherent dignity. It ensures that policies and actions do not exploit or dehumanize people, upholding their rights and autonomy. This is particularly important in public administration, where protecting individual rights is a key responsibility.

Weaknesses:

1. Rigidity: One criticism of deontology is that it can be inflexible. By focusing strictly on duties and rules, it may fail to account for situations where following a rule leads to harm or an undesirable outcome. For instance, a rigid application of bureaucratic rules could prevent timely responses to emergencies, even when bending the rules might save lives.

2. Conflict with Outcome-Based Considerations: In some cases, strict adherence to rules may conflict with achieving the best outcomes for society. Deontology may insist on following procedures even when a utilitarian approach (focusing on the best outcome) would suggest a different course of action. This can lead to ethical dilemmas where the best result isn't achieved because the focus is on rule-following.

1.1.5.3 Virtue Ethics

Aristotle

Virtue ethics is an ethical theory that emphasizes the development of an individual's character and virtues, rather than following specific rules (deontology) or focusing on consequences (utilitarianism). This approach suggests that ethical behaviour stems from cultivating good moral character traits, or virtues, such as honesty, courage, kindness, and justice. Virtue ethics asks, "What kind of person should I be?" rather than "What should I do?" It emphasizes moral development over a lifetime and sees virtues as habits that shape individuals' actions in various situations.

Aristotle (384–322 BCE) is considered the central figure in virtue ethics. In his work Nicomachean Ethics, Aristotle

argues that the goal of life is to achieve eudaimonia—a term often translated as "flourishing" or "well-being." To achieve this, individuals must cultivate moral virtues, which are learned through practice and habituation.

Aristotle identified a range of virtues such as:

1. Courage: The ability to face fears and challenges in a balanced way, without recklessness or cowardice.

2. Honesty: Being truthful and transparent in interactions, a key trait in maintaining trust.

3. Temperance: Exercising self-control and moderation in desires and pleasures.

4. Justice: Treating others fairly and equitably, an essential virtue for public service.

Virtue ethics suggests that these qualities are not innate but can be developed through practice and by emulating virtuous role models.

Application in Public Administration

1. Fostering Virtuous Leadership and Ethical Culture in Public Organizations: In public administration, virtue ethics emphasizes the importance of cultivating ethical leaders who embody virtues such as integrity, fairness, and empathy. A virtuous leader not only adheres to laws and rules but also demonstrates moral excellence in their everyday actions, inspiring others within the organization. Creating a culture of virtue in public organizations can improve decision-making, trust, and accountability, as leaders and public servants act from a place of moral character.

▶ virtuous leader

2. Ethical Leadership: Virtue ethics encourages public administrators to lead by example, fostering an environment where ethical behaviour is prioritized. Leaders who practice virtues like transparency and fairness set a moral standard for their subordinates and contribute to an organization's ethical climate.

▶ transparency and fairness

3. Developing Virtue in Public Administrators: Cultivating personal virtues can help public administrators navigate complex ethical dilemmas where rules or consequences may not offer clear guidance. A virtuous public servant might not only follow the law but also act with integrity and compassion in ambiguous situations, ensuring that decisions are morally sound even when the correct path is not obvious.

▶ navigate complex ethical dilemmas

How Public Administrators Can Cultivate Virtues:

1. Self-Reflection and Habitual Practice: Public administrators can develop virtues by consistently reflecting on their actions, identifying areas for moral growth, and practicing virtues in day-to-day situations. For example, practicing fairness in small decisions can build the habit of just behaviour in more significant matters.

2. Mentorship and Role Models: Learning from virtuous leaders within the organization or in history helps individuals model their behaviour after those who embody moral excellence. This can encourage a culture of virtue within public service, where ethical behaviour becomes habitual and second nature.

Strengths and Weaknesses of Virtue Ethics

Strengths:

1. Holistic Approach: Virtue ethics offers a comprehensive approach to ethics by focusing not just on individual actions but on the overall moral character of the person. It emphasizes long-term moral development rather than merely solving isolated ethical dilemmas. This encourages public administrators to think about ethics in a broader, more personal sense, fostering continuous improvement in moral judgment.

2. Emphasizes Moral Development: Unlike deontology or utilitarianism, which can be rigid or outcome-focused, virtue ethics promotes personal growth and self-improvement. By focusing on becoming a virtuous person, individuals are more likely to make ethical decisions in a range of scenarios, fostering ethical behaviour in both personal and professional contexts.

Weaknesses:

1. Lacks Clear Decision-Making Criteria: One of the main criticisms of virtue ethics is that it doesn't provide a straightforward framework for decision-making. Unlike rule-based or outcome-based approaches, virtue ethics doesn't offer specific guidelines for resolving particular ethical

▶ Cultivating virtues

▶ Comprehensive, development

dilemmas. This can be challenging in public administration, where clear decisions often need to be made.

2. Subjective and Culturally Dependent: What counts as a "virtue" can vary between individuals and cultures, leading to subjectivity. This can make it difficult to determine which virtues are the most important in a diverse society, especially in a field like public administration where impartiality and fairness are critical.

1.1.6 Comparison of Utilitarianism, Deontology, and Virtue Ethics

Aspect	Utilitarianism	Deontology	Virtue Ethics
Definition	Focuses on outcomes; the right action is the one that maximizes overall happiness or welfare (the greatest good for the greatest number).	Focuses on duties, rules and obligations; actions are morally right if they follow established principles, regardless of outcomes.	Focuses on the development of moral character and virtues; the right action stems from being a virtuous person.
Key Founders	Jeremy Bentham, John Stuart Mill	Immanuel Kant	Aristotle
Core Principle	The Principle of Utility: Actions are right if they produce the greatest good for the greatest number of people.	Categorical Imperative: Actions should follow universal moral laws, and people must be treated as ends in themselves.	Moral Virtues: Emphasizes cultivating virtues (e.g., honesty, courage) as part of personal moral development.
Focus	Consequences of actions	The action itself and adherence to rules	Character and the virtues of the individual
Application in Public Administration	Used in policy-making to maximize societal welfare through cost-benefit analysis and public welfare programs.	Ensures adherence to rules, regulations, and principles like transparency and fairness in government actions.	Fosters ethical leadership and an ethical culture by promoting personal moral development and virtuous behaviour.

Strengths	- Clear criteria for decision-making. - Focuses on achieving the best outcomes for the majority.	- Provides a consistent framework based on duties. - Emphasizes respect for individual rights and fairness.	- Encourages holistic moral development. - Promotes ethical behaviour as a personal and lifelong pursuit.
Weaknesses	- Can overlook minority rights. -Difficult to redict long-term consequences accurately.	- Can be rigid and inflexible. - May conflict with achieving the best outcomes in complex situations.	- Lacks clear decision-making criteria. -Subjective and culturally dependent, as virtues can vary.
Example in Public Policy	Welfare programs, public health campaigns, and cost-benefit analyses to improve overall social welfare.	Rule-based policies such as ensuring due process, legal accountability, and upholding transparency in governance.	Promoting ethical leadership and creating a workplace culture that encourages virtues like integrity and fairness.
Moral Question Asked	"What will produce the greatest good?"	"What is my duty, and what rule must I follow?"	"What kind of person should I be?"

Summarized Overview

The exploration of ethics in public administration reveals a complex interplay between historical influences, societal values, legal frameworks, and political leadership. Ethical standards are shaped by a country's history and prevailing social norms, with corruption and unethical practices often rooted in systemic issues, such as the Spoils System in the U.S. and historical corruption in India. Political leadership plays a crucial role in modelling ethical behaviour, as politicians can either inspire integrity or perpetuate self-interest. Additionally, economic development correlates with ethical standards, where developing nations face challenges in maintaining integrity amid economic pressures. Deontology, utilitarianism, and virtue ethics are three foundational approaches to ethical reasoning, each offering a unique lens to evaluate moral actions. Deontology emphasizes duties and rules, focusing on the inherent rightness or wrongness of actions, regardless of consequences. In contrast, utilitarianism evaluates actions based on their outcomes, aiming to maximize overall happiness or minimize suffering. Virtue ethics

shifts the focus to the character of the individual, advocating for the cultivation of virtues like honesty, courage, and kindness as the basis for ethical behaviour. Together, these theories provide complementary perspectives: deontology offers principles, utilitarianism considers consequences, and virtue ethics highlights personal moral development.

Assignments

1. What is the significance of ethics in public administration?
2. How does a country's history influence its ethical governance?
3. What role does political leadership play in ethical standards?
4. What is deontology and its relevance to ethics in public administration?

Suggested Reading

1. Dhameja, Alka, 2003, "Role of Ethics in Public Administration" in Ramesh K Arora, and Tanjul, Saxena (Eds.), Ethics and Accountability in Government and Business: Aalekh, Jaipur.
2. Gore, A, 1993, From Red Tape to Results: Creating a Government that Works Better and Costs Less, Government Printing Press, Washington D.C.
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1. Agarwal U. C, 2000 "Administrative Corruption: Causes and Cure" in Noorjahan Bava (Ed.), Public Policy and Administration: Normative Concerns, Uppal, New Delhi.
2. Arora, Ramesh K, (Ed.), 2004. Public Administration: Fresh Perspectives, Aalekh, Jaipur
3. Bowman, James S., Evam M. Berman, and Jonathan P. West, 2001, "The Profession of Public Administration: An Ethics Edge in Introductory Textbooks?" Public Administration Review, No. 61 March/April.

Space for Learner Engagement for Objective Questions

Learners are encouraged to develop objective questions based on the content in the paragraph as a sign of their comprehension of the content. The Learners may reflect on the recap bullets and relate their understanding with the narrative in order to frame objective questions from the given text. The University expects that 1 - 2 questions are developed for each paragraph. The space given below can be used for listing the questions.

UNIT 2

Ethical Concepts

Learning Outcomes

Upon completion of this unit, the learner will be able to:

▶ analyse the relationship between duties and rights in the context of public administration

▶ evaluate the balance between freedom and discipline in ethical decision-making

▶ distinguish between values and morals in public administration

▶ understand the principles of Virtue Ethics

Background

Imagine a young public administrator, eager to serve the community and bring about positive change. On her first day, she is confronted with a tough decision: balancing the rights of a group of citizens demanding more freedom, while ensuring the safety and discipline needed to maintain order. She soon realizes that public service is not just about following rules, but understanding the deeper ethical concepts that guide her actions. As she navigates her responsibilities, she reflects on her duties and the rights of others, the values that shape her decisions, and the morals that define her character. She encounters situations where freedom and discipline must be carefully weighed, knowing that the wrong balance could harm the community. Along her journey, she also learns about Virtue Ethics, realizing that her integrity, compassion, and courage are just as important as the laws she upholds. Through this unit, learners will step into the shoes of such a public administrator, discovering how ethical concepts shape their role in serving the public with honour and fairness.

Keywords

Duties, rights, freedom, virtue ethics

1.2.1 Rights and Duties: An Ethical Perspective

Rights are fundamental principles that establish the framework for human interaction, ensuring that individuals can lead a life of dignity, freedom, and equality. They are essential claims that allow individuals to flourish, recognized and upheld by society and the state. For example, the right to life is a moral assertion that others are ethically bound not to harm or kill an individual. Rights are not just legal entitlements but are deeply rooted in moral and ethical principles of justice, equality, and respect for human dignity.

▶ Framework for interaction

In the Indian context, fundamental rights, such as the right to equality, freedom of speech, and the right to live with dignity, as enshrined in Part III of the Constitution, reflect this ethical foundation. These rights are enforceable by courts, ensuring that citizens can seek justice when their freedoms are violated. However, an ethical society requires more than the exercise of rights—it also demands the recognition and performance of duties.

▶ Fundamental Rights

Duties represent the ethical obligations individuals have toward their society, nation, and fellow citizens. They are reminders of the responsibilities that accompany rights, ensuring the collective good. Duties are not just legal or constitutional mandates but also moral imperatives to contribute to the well-being of others and uphold the values of justice and fairness. For instance, preserving public property, respecting the national flag, and fostering harmony among diverse communities are duties that reinforce societal integrity and solidarity.

▶ Obligations

Duties also reflect ethical values like accountability, compassion, and mutual respect. Upholding scientific temper, combating superstitions, and promoting social justice align with the ethical responsibility of fostering an enlightened and progressive society. Similarly, discouraging practices like child marriage and honour killings reflects the moral duty to uphold human rights and equality.

▶ duties

The Ethical Balance Between Rights and Duties

Rights and duties are interdependent and inseparable,

Civilised Society

Democracy

Collective dimension

balance

Preamble, duties

forming the ethical backbone of a civilized society. While rights empower individuals, duties ensure that this empowerment does not come at the expense of others. For instance, the right to access clean water is accompanied by the duty to avoid wastage and conserve resources for future generations. Similarly, the right to better infrastructure obliges individuals to follow traffic rules and promote road safety.

From an ethical perspective, rights must be exercised responsibly, with a commitment to the common good. The right to vote, a cornerstone of democracy, carries the ethical duty of participation in the electoral process to shape a just and equitable society. Citizens' right to demand civic amenities, such as clean streets, must be balanced with their duty to maintain cleanliness and avoid littering.

Ethics also emphasize the collective dimension of rights and duties. Rights arise from society, and their exercise should promote the greater good. For instance, the right to health care is tied to the ethical duty of individuals to support public health initiatives, such as vaccination drives, and to maintain hygiene. Similarly, the right to a clean environment necessitates active citizen engagement in afforestation, pollution control, and sustainable living practices.

Toward a Harmonious Ethical Society

A balanced relationship between rights and duties is crucial for building an ethical and just society. Rights, when exercised without regard for corresponding duties, can lead to selfishness and societal discord. Conversely, duties performed without the foundation of rights can result in exploitation and inequality. Ethical citizenship requires recognizing that rights and duties are two sides of the same coin, reinforcing each other in pursuit of individual and collective well-being.

In the Indian context, this ethical balance is reflected in the objectives of the Preamble and the duties outlined in Article 51A of the Constitution. Upholding this balance ensures that individuals not only claim their rights but also actively contribute to the welfare of society. By fostering a culture of responsibility and accountability, citizens can work together with the state to achieve a fair, inclusive, and sustainable future, fulfilling both their moral and constitutional obligations.

1.2.2 Rights of civil servants

The constitutions of various countries guarantee certain fundamental rights to all citizens, irrespective of their birth, caste, creed, colour, or gender. Public servants, as citizens, also enjoy these rights. However, since they perform public duties, constitutions empower the state to regulate their rights and impose certain obligations on them. Over time, different countries have developed unique systems governing the rights of public servants based on the characteristics of their people, historical context, economic development, and political and administrative frameworks.

Public servants are citizens first and employees second. However, they bear a special responsibility to uphold law and order within the state. This creates a "double status" for public employees, where they are both citizens and public servants. Their role is tied closely to the concept of democratic governance, which requires them to serve the public faithfully, setting aside personal interests. There is also a growing argument that public employees should be granted the same rights as regular citizens, and they should not be treated as inferior or "second-class" citizens, despite their public service role.

The rights guaranteed to the citizen by the Constitution may be classified into the following:

1. Personal Rights
2. Civil Rights
3. Political Rights
4. Trade Union Rights
5. Service Rights

While these rights primarily pertain to citizens at large, they hold particular relevance in the context of civil servants, necessitating a closer examination of how these rights are applied, limited, or balanced with the duties and responsibilities of public service. The subsequent sections explore these rights in detail and provide a comparative analysis of their implications for civil servants.

1.2.2.1 Personal Rights

The right to life and liberty is a fundamental right guaranteed by the Constitution of India (Article 21), ensuring protection to all individuals. This right encompasses the freedom of movement, and the private life of an individual is considered a matter of personal conscience, safeguarded by all states. Additionally, the principle of equality before the law and equal protection of the law (Article 14) prohibits discrimination based on religion, race, caste, sex, or place of birth. However, Article 15 allows for protective discrimination through reservations for women, children, and socially and educationally backward classes, such as Scheduled Castes and Scheduled Tribes, particularly in areas like education and employment. Other key rights include the right to freedom of religion (Articles 25-28), which grants individuals the freedom to profess, practice, and propagate their religion within certain limits, the right to private property, and the right to practice any profession or engage in any trade, occupation, or business.

▶ Personal rights

Although these rights are guaranteed to all citizens, the state imposes certain regulations on public servants to ensure their integrity, reputation, and the dignity of public office. Governments implement these regulations through Civil Servants Conduct Rules and Codes, which define the expected behaviour of public employees. The relationship between the government and civil servants is contractual, and any breach of conduct rules or codes can result in penalties, including dismissal from service. While these restrictions regulate the conduct of public servants, they do not constitute an infringement on their fundamental rights or an abrogation of those rights.

▶ Contractual, code of conduct

1.2.2.2 Civil rights

The civil liberties of government employees are more restricted compared to those of other citizens due to the special responsibilities associated with their office. The state regulates the conduct and private relationships of civil servants, especially when these may impact their integrity and reputation. As part of these regulations, civil servants are often prohibited from engaging in private business dealings related to their official duties, as such activities could lead to conflicts of interest or temptations that undermine their integrity. Civil Service Regulations impose specific restrictions, such as prohibiting trade or business involvement without prior government

▶ Restricted, civil liberties

approval. In many countries, including the United States, civil servants are not permitted to coach individuals for government service exams or engage in activities that conflict with their public duties, while federal employees retain the right to petition Congress.

Different countries impose varying levels of restrictions on civil servants. For example, in France, civil servants enjoy more civic rights, including the right to join political parties and the right to strike, which is not the case in countries like India, the UK, or the USA. Additionally, civil servants' right to contract is limited in order to maintain integrity and impartiality. They are forbidden from engaging in speculative investments, allowing family members to trade, or lending and borrowing money from individuals with whom they might have official dealings. There are also rules governing the vindication of their acts; in India, civil servants cannot resort to the courts or the press to defend their official actions, while in France, they can file suits in cases where administrative decisions negatively affect their interests. Civil servants are also restricted from soliciting or accepting contributions or gifts, with strict rules requiring them to report and seek government approval for any gifts received.

1.2.2.3 Freedom of speech and expression

In Commonwealth countries like Australia, Canada, England, and India, civil servants must seek prior approval from competent authorities before publishing articles or speaking publicly. Australia is relatively more lenient in enforcing these rules compared to the stricter approaches seen in Canada, India, and England. The Hatch Act of 1939 was enacted to restrict certain political activities of federal employees in order to maintain a neutral and nonpartisan government workforce. It prohibited federal employees from engaging in political campaigns, running for public office in partisan elections, or using their official authority to influence elections. While the Act limited political activities during work hours and in official capacities, it still allowed employees to participate in certain political activities, such as voting or attending rallies, during their personal time. The Hatch Act has been amended over the years, adjusting some of its restrictions. In France and Germany, civil servants are allowed to express personal opinions on political matters, provided they do so with moderation and refrain from criticizing their own departments.

▶ Integrity and impartiality

▶ Restrictions

The Civil Service (Conduct) Rules in India impose strict limitations on civil servants' ability to criticize government policies. Public servants are prohibited from making public statements or providing press comments that may be construed as critical of government policy or that could harm foreign relations or internal government agencies. The purpose of these restrictions is to preserve the political neutrality of civil servants and prevent them from engaging in public controversies, allowing them to serve the government with loyalty. Similarly, in the USA, government employees can be disciplined for criticizing policies if their statements are malicious, breach confidentiality, or negatively impact job performance or work relationships. However, in Britain, civil servants have more freedom to express views on non-political matters, as long as they avoid party politics.

▶ Eriticize government policies

In terms of unauthorized communication of official information, the Hatch Act of 1939 in the USA prohibits government employees from using their position for political purposes. In India, the Conduct Rules and the Official Secrets Act of 1923 strictly forbid the unauthorized sharing of official documents or information, whether directly or indirectly, with anyone not authorized to receive it. These restrictions are designed to protect sensitive information from being leaked to adversaries or misused for personal gain. Civil servants are entrusted with the responsibility to safeguard official information diligently. The Second Administrative Reforms Commission (ARC) in 2009 recommended the establishment of a comprehensive Civil Service Code in India, including a clear statement of values, ethical standards, and a precise Code of Conduct. However, the government deferred the implementation of these recommendations.

▶ Forbid, unauthorized sharing

1.2.2.4 Political rights

The right of civil servants to engage in political activities varies across democratic countries and is shaped by the constitutional framework of the government. Political neutrality is regarded as essential for civil servants, particularly in parliamentary systems, where their role demands impartiality and integrity.

In the UK, the Masterman Committee (1948) made key recommendations regarding political activities for civil servants, leading to regulations in 1953. Civil servants were categorized into three groups: (a) those politically free, (b) those restricted, and (c) those allowed to participate in national political activities

with permission. While higher civil servants are generally restricted from political involvement, many are permitted to engage in local political activities, with some needing prior approval. However, those contesting parliamentary elections are required to resign but are eligible for reinstatement.

In the United States, political activities of federal employees are regulated by the Hatch Act (1939, 1940), which restricts public servants from serving as candidates at political party conventions, soliciting political contributions, electioneering, or standing for elective office. Although civil servants can vote, their involvement in political campaigns and activities is limited to preserve neutrality and professionalism.

In India, government servants are strictly prohibited from participating in political activities. The Conduct Rules forbid them from expressing political views, canvassing, or attending political meetings. Civil servants are required to resign before contesting elections, and they cannot join or support any political party or movement, highlighting the importance of maintaining political neutrality.

1.2.2.5 Trade union rights

The right to association and strike for public servants varies across countries, with different degrees of restrictions and allowances based on constitutional frameworks and legal systems.

In Australia and France, public servants enjoy the right to form or join trade unions. In contrast, Germany imposes restrictions, allowing civil servants to join only associations that align with the objectives of the constitutional order. Canada and England also limit public servants' right to associate with outside unions. In India, while the right to association is constitutionally guaranteed to all citizens, the government only recognizes and negotiates with specific associations formed by public servants. In the United States, public employees are legally permitted to form associations and unions, and they are free to associate with external organizations.

When it comes to the right to strike, the approach is even more varied. In England and France, public servants are not denied the right to strike under the law. However, in Germany, public servants are legally prohibited from striking, with penalties, including job loss, for those who violate this rule.

In India, non-industrial public servants are denied the right to strike, with strikes by government employees declared illegal under the law. Similarly, public employees in the United States do not have the right to strike, and illegal strikes are subject to penalties in line with disciplinary or Conduct Rules across all countries. Canada and Australia allow strikes, but with varying degrees of regulation and legal frameworks governing their legality.

1.2.2.6 Service rights

The relationship between civil servants and the government differs significantly from that between employers and employees in the private sector. Here are the key aspects of civil service employment and their associated rights and privileges:

Appointment

In democratic nations, public employers are expected to guarantee equal protection of the laws for all citizens seeking public employment. However, certain reservations for minorities and backward communities may be instituted under constitutional provisions or executive orders, aimed at fostering representation in public services. This approach has been upheld by the judiciary, emphasizing that the principle of equality of opportunity must guide selection processes, even if discriminatory laws regarding residential qualifications, age, or language are enacted.

In India, for instance, reservations are provided for Scheduled Castes (SCs) and Scheduled Tribes (STs) in public employment. The state has the authority to require able-bodied individuals to work for public purposes, including defense and social services.

Life Tenure

Public employment is attractive due to its life tenure and the prestige it confers. While the government has the discretion to terminate or dismiss employees without providing reasons, this is generally exercised only in cases of misconduct or gross negligence. The principle of "during the pleasure of the government" has evolved into a practice of "during good behaviour," allowing civil servants to retain their positions even amid changes in government, thus ensuring job continuity. Civil servants also enjoy various privileges, facilities, allowances, and advancements under government rules, which cannot be

altered to their disadvantage without legal changes.

Rights and Privileges

Civil servants' terms of service are governed by executive rules and administrative orders, ensuring they are not solely at the mercy of the government. Rules must align with constitutional provisions and often require consultation with public service commissions before implementation. Civil servants have rights and privileges enshrined in the constitution, including protections against arbitrary dismissal.

Procedural Safeguards for Removal or Dismissal

Procedural safeguards are established to prevent injustice during disciplinary actions. In India, the Classification, Control, and Appeal (CCA) Rules outline the procedures for punishing civil servants, ensuring:

1. Only the appointing authority or a higher one can remove or dismiss a civil servant.

2. Civil servants must be given a reasonable opportunity to respond to any proposed action against them.

3. Compulsory retirement before the superannuation age is not considered dismissal.

Code of Ethics for Civil Servants

The government has been encouraged to establish clear public service values and address conflicts of interest in a code of ethics. Serving officials should not serve on the boards of public undertakings to avoid conflicts, though exceptions may be made for non-profit organizations.

Protecting Honest Civil Servants

The focus of vigilance activities is to enhance efficiency rather than diminish it. The Central Vigilance Commission aims to protect honest civil servants from unfounded allegations. A screening mechanism for complaints is suggested to prevent harassment and ensure that genuine administrative decisions are not misinterpreted.

The establishment of a special investigative unit reporting to the Lok Pal for allegations against investigating agencies

has also been recommended, aimed at maintaining fairness in disciplinary actions against public servants.

The civil service occupies a crucial role in government operations, with rights and protections designed to ensure fairness, integrity, and accountability. Ongoing reforms, particularly in disciplinary processes and ethical standards, aim to strengthen these principles while fostering a more efficient and responsive public administration.

1.2.3 Duties of civil servants

Civil servants are individuals employed by government agencies to implement public policies and deliver services to citizens. They serve at various levels of government, from local municipalities to national ministries, and their roles encompass a wide range of functions, including administration, policy development, and service delivery. Civil servants are crucial to the functioning of the public sector, acting as the backbone of government operations. Their expertise, professionalism, and commitment to public service are essential in fostering trust and ensuring that government actions reflect the needs and aspirations of society.

The duties of civil servants are pivotal in upholding the integrity, efficiency, and accountability of public administration. By adhering to established protocols and ethical standards, civil servants help maintain the public's trust in government institutions. Their responsibilities often involve managing resources, implementing laws, and ensuring compliance with regulations, which contribute to the effective functioning of the public sector. Furthermore, civil servants play a key role in promoting transparency and accountability, as their actions and decisions are subject to scrutiny by both the public and oversight bodies. In doing so, they not only facilitate the delivery of essential services but also foster an environment where citizens can actively engage with and influence public policy. Ultimately, the duties of civil servants are fundamental to achieving the goals of good governance and enhancing the quality of life for all citizens.

1.2.3.1 General duties

1. Public Service Orientation: One of the primary duties of civil servants is to prioritize the public interest above personal or political considerations. This commitment to pub-

▶ Vigilance, Accountability

▶ Civil Servants, Accountability

▶ Public Policy, Transparency

Public Interest

lic service requires civil servants to act in the best interests of the community, ensuring that their decisions and actions benefit society as a whole. By placing the needs and welfare of citizens at the forefront of their work, civil servants foster trust and confidence in government institutions. This public service orientation encourages civil servants to engage with diverse stakeholders, listen to community concerns, and strive for inclusivity in their policies and services.

2. Adherence to Laws and Regulations: Civil servants have a fundamental responsibility to adhere to the laws, rules, and regulations established by the government and relevant authorities. This duty ensures that public administration operates within a framework of legality and accountability. By following established procedures and guidelines, civil servants help maintain the rule of law and prevent arbitrary decision-making. Their compliance with legal standards not only protects the rights of individuals but also upholds the integrity of the public sector. This commitment to lawful conduct reinforces the idea that civil servants are accountable to the public and must act with professionalism and diligence in all their duties.

Rule of Law

3. Ethical Conduct: Maintaining high ethical standards is essential for civil servants, who are expected to exemplify qualities such as honesty, integrity, and transparency in their work. Ethical conduct is critical to building public trust and confidence in government institutions. Civil servants must navigate complex situations while remaining committed to principles of fairness and justice. This includes avoiding conflicts of interest, ensuring impartiality in decision-making, and being transparent about their actions and decisions. By upholding ethical standards, civil servants not only fulfill their legal obligations but also contribute to a culture of integrity within the public administration, ultimately enhancing the effectiveness and credibility of government.

Integrity

1.2.3.2 Specific Duties of Civil Servants

1. Policy Implementation: Civil servants play a crucial role in executing government policies and programs effective-

ly and efficiently. Once policies are formulated by elected officials, civil servants are tasked with translating these directives into actionable plans. This involves coordinating resources, managing personnel, and overseeing the implementation process to ensure that policies achieve their intended outcomes. Effective policy implementation requires civil servants to be knowledgeable about the specifics of each program, skilled in project management, and capable of addressing challenges that arise during execution. Their ability to adapt and respond to changing circumstances is vital in ensuring that government initiatives deliver real benefits to the community.

▶ Policy Execution

2. Advisory Role: Civil servants serve as a vital source of objective advice for elected officials, contributing significantly to the decision-making processes. With their expertise in public administration, policy analysis, and sector-specific knowledge, civil servants provide insights that help shape government priorities and strategies. They conduct research, analyse data, and offer recommendations based on best practices and evidence-based approaches. This advisory role not only supports elected officials in making informed decisions but also ensures that policies are grounded in practical realities. By providing impartial counsel, civil servants help create a balance between political considerations and the technical requirements of effective governance.

▶ Objective Advice

3. Public Accountability: A fundamental duty of civil servants is to ensure transparency and accountability in their actions and decisions. They are responsible for reporting on the progress and outcomes of government initiatives, which fosters public trust and ensures that citizens are informed about how public resources are being used. Civil servants must document their decisions, maintain accurate records, and provide clear communication regarding the rationale behind their actions. This commitment to public accountability allows citizens to hold government officials accountable and encourages civil servants to operate with integrity and responsibility. In doing so, they reinforce the principles of good governance and contribute to a more engaged and informed citizenry.

▶ Transparency

4. Promotion of Good Governance: Civil servants have a responsibility to foster democratic values, promote citizen participation, and ensure equitable service delivery. This duty encompasses creating an inclusive environment where diverse voices are heard and considered in the policymak-

ing process. Civil servants work to build trust between the government and the public by engaging with communities, soliciting feedback, and addressing concerns in a timely manner. They are also responsible for implementing policies that advance social justice and equality, ensuring that services are accessible to all citizens, regardless of their background. By promoting good governance, civil servants contribute to a robust democratic process and help to build resilient, thriving communities.

1.2.4 Freedom and discipline

Freedom and discipline, often perceived as opposing forces, are in fact interdependent and complementary concepts. Freedom represents the ability to act, think, or speak without undue restraint, allowing individuals to pursue their goals and express themselves. However, true freedom cannot exist without discipline, which provides the structure and self-regulation necessary to ensure that one's actions do not infringe upon the freedom of others. Discipline, both self-imposed and externally guided, ensures a harmonious coexistence within a society by aligning individual actions with collective norms and ethical principles. Together, freedom and discipline create a balanced framework where individuals can enjoy their liberties while contributing to societal order and progress.

In the context of civil services and public administration, freedom and discipline are interrelated principles that form the foundation of effective governance. Freedom refers to the autonomy given to civil servants to act within the boundaries of law and established rules, enabling them to exercise discretion, innovate, and take decisions that promote public welfare. This freedom is crucial for fostering creativity, responsiveness, and accountability in the administration.

On the other hand, discipline is the structured adherence to ethical standards, legal frameworks, and organizational norms. It ensures that individual autonomy does not deviate into arbitrariness or abuse of power. For civil servants, discipline manifests in upholding integrity, maintaining transparency, and committing to the principles of neutrality and impartiality. It establishes a system of checks and balances, preventing misuse of freedom while ensuring that actions remain aligned with institutional goals and public interest.

1.2.4.1 Freedom and Discipline in Civil Services

Civil services operate within a framework that balances the freedoms granted to officials with the discipline required to ensure their actions align with public welfare and ethical standards. These principles are foundational for effective governance and public trust.

Freedom of Civil Servants

Civil servants enjoy certain freedoms to carry out their responsibilities effectively while adhering to their obligations. Key aspects include:

Engagement in Other Roles: Civil servants must seek approval before taking up employment or roles outside their official duties. This ensures their primary focus remains on public service and avoids conflicts of interest.

Expression and Creativity: Civil servants are permitted to publish literary, artistic, or scientific works, provided these do not conflict with their official responsibilities or disclose sensitive information. This freedom fosters intellectual and cultural contributions.

Participation in Organizations: While they cannot associate with political parties or engage in political activities, civil servants may participate in charitable, literary, or scientific organizations, as long as these activities do not conflict with their professional duties.

Acceptance of Honors: Awards or gifts from non-governmental sources require prior approval to avoid perceptions of bias or undue influence. This upholds integrity in public office.

Professional Judgment: Civil servants are allowed autonomy in decision-making, ensuring their actions reflect sound judgment and public interest, unless directed otherwise by a superior.

Social and Cultural Activities: They may engage in recreational or cultural activities, provided such participation does not interfere with their official duties or create conflicts of interest.

Discipline in Civil Services

Discipline in civil services ensures accountability, ethical conduct, and adherence to laws. It provides a framework for

maintaining professionalism and trust. Core elements include:

Integrity and Duty: Civil servants are expected to uphold integrity, neutrality, and dedication to their responsibilities. Actions that could undermine their position or the administration are prohibited.

Accountability and Fairness: Transparency and fairness are central to decision-making. Civil servants must act impartially, prioritize public interest, and use resources responsibly.

Obedience to Orders: Discipline requires compliance with lawful directives while maintaining professionalism and efficiency in service delivery.

Confidentiality: Officials must safeguard sensitive information and ensure that their actions do not compromise national security or public order.

Personal Conduct: Civil servants must maintain courteous and respectful behaviour in public interactions to preserve trust and confidence in the administration.

Enforcement of Discipline: Breaches of conduct may result in disciplinary actions, including penalties for misuse of authority, lack of dedication, or unethical behaviour.

By balancing freedoms with structured discipline, civil services foster a professional environment that upholds democratic values, public accountability, and efficient governance.

1.2.5 Morality and Values

What are values?

Value, in a general sense, refers to the principles, standards, or qualities that individuals or societies consider important and desirable. These serve as guiding benchmarks for behaviour, decision-making, and the evaluation of what is good, just, or meaningful in life. Values are shaped by culture, personal experiences, and societal norms, and they often reflect the collective ideals of a community or group. They influence priorities, preferences, and the way people interact with one another and their environment. By understanding values in this broad context, we can better appreciate their role in shaping

human behaviour, including in specific domains such as public administration, where values like integrity, accountability, and service play a crucial role in guiding administrative actions.

1.2.5.1 The Role of Values in Public Administration

▶ Values, Governance

Values represent the worth and importance that individuals and societies assign to various aspects of governance and public service. In the realm of public administration, values serve as general determinants of behaviour, influencing how public officials act and make decisions. While they guide individuals in their roles, values do not dictate specific actions. For example, a public servant may value transparency, but that does not guarantee they will always communicate openly. Additionally, values are inherently intangible and not tied to specific objects or material possessions; the value of integrity exists independently of any tangible measure, yet it plays a crucial role in shaping ethical governance and public trust.

▶ Ethics, Morality

Values are essential in shaping the priorities and preferences of public administrators. They help navigate complex choices by providing a framework to assess what is important in serving the public good. Moreover, values form the foundation for ethics and morality within public administration, guiding officials and institutions in distinguishing right from wrong in their decision-making processes. This foundational aspect underscores the significance of values in both personal integrity and the effectiveness of public service. By understanding and articulating their values, public administrators can create a basis for ethical decision-making and moral behaviour, ultimately fostering a cohesive, responsible, and trustworthy government that serves the community effectively.

1.2.5.2 Understanding Morals in Public Administration

▶ Morals, Decision-Making

Morals are the values held by individuals that guide them in distinguishing between right and wrong. In the context of public administration, morals are vital as they shape the character of public servants and influence their decision-making processes. Two key elements define morals: they are personal and they assist individuals in differentiating between acceptable and unacceptable behaviours.

Not all values are inherently moral; for instance, the value of beauty does not carry moral implications. A person's lack

| ▶ Values, Moral Implications |

of beauty is neither considered right nor wrong, demonstrating that the concept of morality does not apply in this context. Conversely, values such as honesty have significant moral weight. If someone acts dishonestly, it is widely regarded as wrong, underscoring the relevance of moral principles in assessing behaviour within public service.

| ▶ Conscience, Ego-Ideal |

The fundamental forces driving morals are conscience and ego-ideal. Conscience serves as an inner voice that guides public servants in their actions, helping to prevent misconduct and unethical behaviour. It represents an intuitive understanding of what should be avoided. On the other hand, the ego-ideal encompasses the cherished goals and aspirations that public administrators strive to pursue, shaping their commitment to ethical standards and accountability.

| ▶ Trust, Integrity |

In public administration, a strong moral foundation, informed by both conscience and ego-ideal, is essential for fostering trust and integrity within the system. By adhering to moral principles, public servants can navigate complex ethical dilemmas, uphold the public interest, and contribute positively to the community they serve.

Summarized Overview

The essence of public administration is deeply rooted in ethical principles, which guide the conduct of civil servants tasked with implementing government policies and serving the public interest. Central to ethical behaviour in this field are values, morals, and virtues, which shape decision-making and accountability. Civil servants must adhere to established rules while cultivating personal integrity and ethical standards to maintain public trust. The interplay between freedom and discipline is crucial, emphasizing the need for civil servants to balance autonomous decision-making with self-control and adherence to ethical norms. As public administration evolves, there is a growing recognition of the importance of fostering a culture of good character and virtues, inspired by philosophical foundations laid by thinkers like Plato and Aristotle. Ultimately, the success of public service depends on the commitment of civil servants to uphold ethical standards, ensuring transparency, accountability, and effective governance in their roles.

Assignments

1. What role do values and morals play in shaping the conduct of civil servants within public administration?

2. How does the balance between freedom and discipline impact the ethical behaviour of public administrators?

3. In what ways can virtue ethics contribute to fostering trust and accountability in public service?

4. What are the key differences between ethical virtues and moral virtues in the context of public administration?

Suggested Reading

1. Mills, C. Wright, 1956, Power Elite, Oxford, New York.

2. Rohr, John A, 1978. Ethics for Bureaucrats: An Essay on Law and Value, Marcel Dekker, New York.

Reference

1. Government of India, Ministry of Home Affairs, Vohra Committee Report.

2. Heidenheimier, Arnold J, 1970, Political Corruption: Readings in Comparative Analysis, Holt, New York.

3. Hobson, Archie, New York, 2002. The Oxford Dictionary of Difficult Words, Oxford University Press, New York.

Space for Learner Engagement for Objective Questions

Learners are encouraged to develop objective questions based on the content in the paragraph as a sign of their comprehension of the content. The Learners may reflect on the recap bullets and relate their understanding with the narrative in order to frame objective questions from the given text. The University expects that 1 - 2 questions are developed for each paragraph. The space given below can be used for listing the questions.

Corporate Ethics

Learning Outcomes

Upon completion of this unit, the learner will be able to:

▶ gain an understanding of corporate ethics and its significance.

▶ analyse the key features of business ethics and identify common ethical issues within organizations.

▶ discuss unethical practices in business using examples and explore how companies can prevent them by implementing codes of ethics.

▶ examine the nature, various aspects, and growing relevance of business ethics in the current economic landscape.

Background

Consider two friends, Raman and Satish, who share a close bond, living nearby and attending the same engineering college. After years of working in multinational corporations, both ventured into entrepreneurship, launching their own IPO companies. In Raman's company, the IPO was highly oversubscribed, allowing him the potential to maximize the subscription charge. However, his management team opted to set the price Rs. 50 lower than the maximum, choosing not to take excessive profits from shareholders. In contrast, Satish's company manipulated share prices to nearly double their original value, selling at the highest price, even though market prices had fallen by the time shares were allotted.

This comparison raises ethical questions about business conduct. Raman's company, though not legally required, invests generously in institutions like hospitals, social science institutes, and research centers. These efforts demonstrate Raman's commitment to corporate ethics and his dedication to positively impacting society. This example highlights the distinction between profit-driven motives and ethical business practices aimed at benefiting the broader community.

Corporate, Ethics, Corporate Social Responsibility

Discussion

1.3.1 What is corporate ethics?

▶ ethical guidelines to corporate conduct

Corporate ethics is a branch of applied ethics and is one of its significant areas. Combining the terms "ethics" and "corporate," corporate ethics refers to the application of ethical principles within the corporate world. It involves applying general ethical guidelines to corporate conduct and decision-making. These are the standards by which corporate actions are evaluated. Corporate ethics is an organized application of values in business and industry, focusing on moral standards as they pertain to corporate policies, practices, and behaviours. It examines what is morally right or wrong in the corporate sphere, emphasizing that companies can be profitable while adhering to ethical standards.

▶ corporate responsibility

Today, there is growing interest in and emphasis on integrating ethical practices and understanding the ethical implications of corporate actions. Corporate ethics, also known as corporate responsibility, assesses ethical principles and the challenges that arise in the business world. Conducting business ethically includes fostering social welfare, meaning that businesses should consistently provide high-quality goods and services at fair prices. Companies should avoid unethical practices, such as deceptive advertising, manipulation, or black-market activities. Treating employees fairly, offering fair wages, and maintaining safe working conditions are also essential aspects of corporate ethics. Companies should avoid any unjust methods of profit-making and fulfill their tax obligations to the government.

The three "C's" of Business ethics

A) The Compliance: It include the following points:

- Moral Principles
- Laws
- Policies of the company

B) The Contribution: The following are the contribution that business should make towards the society:

- Quality of products/service
- Employment
- The core values
- Usefulness or utility of product

C) The Consequences of business activity:

- Social responsibility toward shareholders, bankers, employee and customers of organization.
- Good public image

Corporate ethics refer to the moral principles that are expected to govern business activities. The primary aim of corporate ethics is to establish standards of behaviour for businesses. Examples include:

1. Charging fair prices to customers.
2. Timely payment of taxes to the government.
3. Ensuring fair treatment of employees.
4. Striving for reasonable profit margins.

The significance of corporate ethics has grown in response to numerous scandals and illegal practices that have come to light in recent years. Within the realm of corporate ethics, unethical behaviour is deemed unacceptable under any circumstances. It is crucial for businesses to prioritize consumer safety and engage in ethical practices throughout their operations.

1.3.2 Aspects of Corporate ethics

1.3.2.1 Corporate Governance

▶ guiding how businesses are conducted

Corporate ethics encompass the principles guiding how businesses are conducted, centered on ethical policies that form the backbone of successful enterprises. For instance, Mr. Ashok, a dedicated former public works officer, established a company called "Business Ascent" after taking early retirement. Through hard work and ethical practices, his company became a model of good management in the late 1990s. "Business

Ascent" adopted exemplary corporate governance practices, consistently maintaining transparency with stakeholders, and in 2005, it received the "National Award for Excellence in Corporate Governance" from the government.

Key elements of effective corporate governance include:

1. Corporate Social Responsibility (CSR): Corporate entities must prioritize CSR, acknowledging their responsibilities toward society beyond profit-making. This includes public health, safety, and environmental sustainability, contributing to long-term development and societal well-being.

2. Code of Ethics: Every organization should establish a code of ethics to guide its actions. This code should be accessible to all clients, employees, and stakeholders, promoting ethical practices within the organization.

3. Transparency: Corporate governance should maintain transparency across all business dealings, policies, plans, and actions, allowing scrutiny and promoting trust.

4. Open Communication: Effective communication channels should be maintained, ensuring information accessibility that aligns with integrity while not compromising business objectives.

5. Equity and Justice: Ensuring fairness and respect for all individuals involved in the business fosters credibility, dignity, and loyalty among corporate teams and stakeholders.

6. Pursuit of Excellence: Ethical governance encourages continuous growth and ethical competition, promoting development in a fair and transparent manner.

7. Compliance with Regulations: Respect for government regulations is essential. Companies should avoid any actions that could harm their reputations or the broader business community by engaging in unethical conduct.

These principles collectively contribute to creating a trustworthy and responsible corporate environment, supporting sustainable growth and societal benefit.

Ethical Challenges in Corporate Governance

Corporate governance plays a crucial role in shaping a company's market value and reputation. Poor governance practices can lead to reputational harm, financial losses, and regulatory penalties. To avoid such consequences, it is essential

to address some common governance issues:

a) Insider Trading: Insider trading occurs when securities are bought or sold based on confidential information. This practice gives insiders an unfair advantage over other investors by using non-public knowledge to make profitable trades. Insider trading undermines transparency, exposing companies to potential fines and regulatory action.

b) Over-boarding: Over-boarding refers to a director or executive serving on too many boards simultaneously, which may lead to excessive time commitments and hinder the fulfilment of their responsibilities. To prevent over-boarding, companies should adopt policies that limit the number of board memberships each director can hold.

These governance issues highlight the need for transparency, accountability, and policies that prioritize ethical practices, which are fundamental to preserving a company's integrity and trustworthiness.

1.3.2.2 Finance and Accounting Ethics

Ethical standards in finance and accounting are as essential as those in corporate governance. These practices are governed by established ethical rules to ensure accuracy, transparency, and trustworthiness in financial reporting. Scandals and fraud cases, particularly in IT and IT-enabled service companies, have highlighted the need for these standards.

▶ accuracy, transparency, and trustworthiness

Consider fictional cases such as Swaraj Service Limited and the Jeevan-Kalyan Insurance Loan Scandal, which illustrate unethical practices in finance. In the Swaraj case, accounting misconduct was used to conceal fund diversions and embezzlements, falsely showing profits and lacking financial transparency. In the Jeevan-Kalyan case, senior managers ignored transparency norms, engaging in favouritism and bribery in financial transactions.

Key principles in ethical finance and accounting practices include:

1. Adherence to Accounting Norms: Companies must follow standard guidelines in their accounting practices to ensure integrity.

2. Transparency: It's crucial for financial records to be trans-

parent, with no manipulation that misrepresents the company's financial status.

3. Clear Financial Reporting: Accurate financial disclosures must be made at the Annual General Meeting (AGM) to inform stakeholders.

4. Legitimacy of Expenses: All business expenses should be legitimate, with no fraudulent transactions hidden from accounts.

5. Financial Audits: Audits are vital for revealing a company's true financial health, fulfilling a critical responsibility to stakeholders and society.

These principles underscore the importance of ethical finance practices in maintaining a company's credibility and social responsibility.

1.3.3 Key Characteristics of Corporate Ethics

Business ethics embodies the principles and standards that direct behaviour within the commercial sphere. Ethical practices benefit not only individual enterprises but also the broader society. Below are ten fundamental characteristics of business ethics:

▶ Transparency Loyality, Trust

Trustworthiness: Trustworthiness forms the cornerstone of ethical conduct in business. It entails honesty, reliability, and openness in dealings with all stakeholders. Ethical organizations prioritize transparency by providing accurate information, fulfilling commitments, and maintaining consistency in communication and behaviour. By fostering trust, businesses enhance their reputation, cultivate customer loyalty, and secure long-term success. Strong trust among stakeholders also facilitates enduring relationships and credibility in competitive markets.

▶ Dignity inclusivity

Respect: Respect in business ethics involves acknowledging the dignity and contributions of all individuals, including employees, customers, suppliers, and community members. Ethical organizations value diverse perspectives, address concerns with responsiveness, and foster inclusivity. Respectful behaviour strengthens workplace morale, improves customer satisfaction, and contributes to an equitable organizational culture, ultimately enhancing engagement and productivity.

Accountability: Accountability refers to the willingness

Responsibility

to accept responsibility for decisions and actions. Ethical organizations implement clear policies and procedures to ensure that roles and responsibilities are understood and upheld. By embracing accountability, businesses build reliability and trust. They address and correct errors promptly, thereby preserving stakeholder confidence.

Equitable treatment

Fairness: Fairness entails impartial and equitable treatment of all stakeholders. This principle applies to hiring practices, employee promotions, customer interactions, and overall decision-making. Ethical organizations actively avoid favouritism, discrimination, and bias. Promoting fairness fosters diversity, strengthens employee loyalty, and enhances the organization's public image, making it an attractive workplace for talented professionals.

Open communication

Transparency: Transparency involves the open communication of operational practices, decisions, and policies. Ethical businesses ensure stakeholders receive accurate information through clear financial reporting, truthful advertising, and honest communication. Transparency enhances trust and credibility, enabling stakeholders to make informed choices while minimizing misunderstandings or disputes.

Moral principles

Integrity: Integrity is the steadfast adherence to ethical and moral principles, even in challenging circumstances. Businesses with integrity consistently uphold their values, maintaining honesty and ethical conduct across all operations. This fosters a culture of ethics within the organization, attracting customers, employees, and partners who prioritize ethical behaviour. Integrity ultimately contributes to sustainable growth and long-term success.

Customer expectations

Commitment to Quality: Ethical organizations are dedicated to delivering high-quality products and services that meet or exceed customer expectations. This includes ensuring product safety and striving for continuous improvement in processes. A commitment to quality enhances customer satisfaction, builds brand loyalty, and provides a competitive advantage in the marketplace.

Social beneficial

Corporate Social Responsibility (CSR): Corporate social responsibility represents a business's efforts to address its societal and environmental impacts. Ethical organizations actively engage in socially beneficial practices, such as promoting sustainability, supporting charitable initiatives,

and contributing to community development. CSR initiatives enhance organizational reputation, attract socially conscious stakeholders, and align the business with broader societal values.

Legal Compliance: Legal compliance entails adherence to all applicable laws and regulations governing business activities. Ethical businesses operate within the legal framework across areas such as labour practices, environmental regulations, and trade laws. Compliance minimizes the risk of legal disputes, fines, and penalties while fostering trust among regulators, investors, and the public.

▶ Legal disputes

Long-Term Perspective: Ethical businesses prioritize long-term success over short-term gains. This involves adopting sustainable practices, investing in workforce development, and cultivating lasting stakeholder relationships. A focus on the long term ensures resilience, stability, and sustainable growth, benefiting both the organization and its stakeholders.

▶ Lasting relations

By integrating these characteristics into their operations, businesses not only achieve ethical standards but also contribute positively to societal well-being and organizational sustainability.

1.3.4 Significance of Corporate Ethics

Corporate ethics are foundational to the longevity and sustainability of a business. Numerous studies underscore the idea that "Good corporate ethics drive good business." Upholding ethical standards not only fosters professionalism in management but also instils values that guide responsible decision-making and integrity within business practices. Here are some key reasons corporate ethics are essential:

1. Positive Outcomes: Ethical business practices build mutual trust and strengthen relationships, fostering a sense of security and acceptance within society.

2. Personal fulfilment: For many, corporate ethics offer mental peace, reducing anxiety and providing a sense of personal fulfilment by encouraging morally sound business practices.

▶ Responsible decision-making and integrity

3. Enhanced Reputation: Ethical practices boost the reputation of both the business and its leaders. Maintaining a positive public image is crucial, as a tarnished reputation can directly impact sales and profitability.

4. Path to Success: An ethical workplace environment fosters sincerity, integrity, and honest effort, which ultimately contribute to the development and success of the organization.

5. Adapting to Modern Management: With evolving business landscapes, new ethical guidelines are needed to uphold standards and respect within the organization.

6. Inspiration for Others: Ethical conduct in business not only yields profit but also serves as a model for others, inspiring peers and competitors to adopt similar principles.

Corporate ethics, therefore, are integral to fostering growth, earning public trust, and ensuring long-term success in business.

1.3.5 Factors Influencing Corporate Ethics

Corporate ethics represents a set of principles that guide acceptable behaviour, ensuring alignment with societal norms and values. Ethical conduct encompasses various dimensions, including addressing issues related to gender, diversity, discrimination, governance, corruption, corporate responsibilities, trading practices, and contributions to society. Organizations bear a significant ethical responsibility, given their capacity to influence individuals, communities, and the environment. By adhering to ethical guidelines, corporations weigh the advantages and disadvantages of their practices, fostering responsible operations. Below are seven key factors shaping corporate ethics:

▶ Societal norms and values

1. Culture

Culture encompasses the customs, norms, and beliefs inherent in a society or group. It profoundly affects corporate ethics by shaping individuals' perceptions and actions. Elements like religion, family values, and education influence ethical decision-making. Cultural differences necessitate that corporate leaders navigate diverse norms when making ethical choices.

▶ Cultural differences

For instance, gift-giving in corporate contexts varies by culture. In some societies, it symbolizes respect and fosters relationships. In others, it may be viewed as bribery, potentially breaching ethical standards. Thus, understanding cultural nuances is vital for ethical corporate practices.

2. Personal Code of Ethics

▶ Workplace behaviour

An individual's personal code of ethics, shaped by their morals and principles, significantly impacts workplace behaviour and decision-making. Employees bring their values into the organization, influencing how they perceive and respond to ethical dilemmas.

For example, an employee committed to honesty may emphasize transparent communication, advocate for fair pricing, and promote ethical advertising. However, differing personal ethics among employees can lead to conflicts, highlighting the need for a unified corporate ethical framework.

3. Legislation

▶ Ethical benchmarks

Government legislation establishes mandatory ethical benchmarks for corporations. Laws often address unethical behaviours like corruption, labour exploitation, and environmental harm. Regulations ensure accountability and alignment with societal standards.

For instance, financial disclosure laws mandate transparency in reporting, discouraging fraud and fostering trust. While legislation typically intervenes only when unethical practices escalate, it plays a critical role in maintaining ethical conduct across industries.

4. Ethical Code of the Company

▶ Organizational expectations

A company's ethical code provides a unified framework for employee behaviour, ensuring consistency in ethical practices. This code typically outlines organizational expectations and aligns individual actions with company values.

For example, an ethical code emphasizing transparency and employee welfare can cultivate trust and integrity within the organization. It ensures that all employees adhere to the same ethical standards, minimizing discrepancies in decision-making and fostering a cohesive ethical culture.

5. Government Rules and Regulations

▶ Expectations

Governments establish rules covering key corporate areas, including employee rights, working conditions, wages, and environmental standards. These regulations serve as ethical

guidelines for companies, ensuring they meet societal and legal expectations.

For example, minimum wage laws ensure fair employee compensation, reflecting ethical labour practices. By adhering to government regulations, corporations reinforce ethical integrity and maintain compliance with national and international standards.

6. Social Pressures

▶ Societal values

Social expectations influence corporate ethics significantly. In an era where consumer awareness and activism are prominent, companies must align their practices with societal values to maintain their reputation.

For example, increased demand for sustainability has prompted corporations to adopt eco-friendly policies. Failure to meet societal expectations can result in reputational damage or consumer boycotts, underscoring the importance of ethical operations in a socially connected world.

7. Ethical Climate of the Industry

▶ Standards

The ethical norms and practices of an industry set benchmarks for individual corporations. Companies must often align with industry standards to remain competitive and relevant.

For instance, industries emphasizing transparency and accountability encourage businesses within them to prioritize ethical practices. Conversely, industries with intense competition may tempt corporations to compromise on ethics, which can have long-term reputational consequences.

In conclusion, corporate ethics is influenced by a combination of cultural, personal, legislative, and industrial factors. Understanding and addressing these factors is essential for fostering ethical decision-making and promoting sustainable, responsible corporate practices.

1.3.7 Role of Corporate Social Responsibility

Corporate Social Responsibility (CSR), also referred to as corporate conscience, corporate citizenship, or sustainable responsible business, integrates self-regulation into business models. CSR policies serve as self-regulating mechanisms

ensuring businesses actively comply with laws, ethical standards, and international norms. Its primary goal is to foster positive societal impacts through business activities, addressing environmental concerns, stakeholder well-being, and the broader public sphere.

CSR is not limited to philanthropy or charity. It involves a deliberate integration of public interest (PI) into corporate decision-making while maintaining a balance across the Triple Bottom Line—people, planet, and profit.

The concept of CSR gained prominence in the 1960s and 1970s alongside the emergence of multinational corporations. R. Edward Freeman's book Strategic Management: A Stakeholder Approach (1984) expanded the scope of stakeholders to include groups beyond shareholders. While proponents highlight CSR's potential for long-term profitability, critics argue it may distract businesses from their core economic roles or serve as mere window-dressing.

1.3.7.1 Components of CSR

Employees

Corporate Social Responsibility (CSR) emphasizes the equitable treatment of employees, addressing concerns about workplace conditions and wages, particularly in developing nations. Through CSR, corporations provide safe and comfortable working environments, ensure fair wages, and uphold ethical labour practices. This marks a shift from the exploitative labour practices of the 19th century, acknowledging employee rights as a fundamental aspect of corporate accountability and fostering a fairer and more ethical corporate culture.

Customers

CSR underscores the obligation of corporations to deliver safe, effective, and high-quality products and services to customers. While free-market dynamics may promote consumer satisfaction to some extent, CSR advocates for proactive measures to protect consumers. By supporting initiatives like consumer protection laws, CSR empowers customers to challenge unethical corporate practices, fostering trust and accountability in the corporate-consumer relationship.

Environment

Environmental responsibility is a central focus of CSR, as corporations face increasing scrutiny over challenges such as pollution, resource depletion, and climate change. CSR initiatives encourage businesses to adopt sustainable practices, including stringent waste management, the use of alternative energy sources, and resource conservation. Particularly in regions with lax regulations, such as parts of South America and Africa, CSR drives corporations to acknowledge the finite nature of resources and act responsibly to mitigate their environmental impact.

Society

CSR also highlights the broader influence of corporations on society, beyond their immediate interactions with employees, customers, and the environment. Businesses are encouraged to assess their impact on local communities, striving to maximize positive contributions while minimizing harm. By addressing societal concerns and contributing to community growth, CSR fosters a balance between corporate profitability and the holistic development of the regions in which businesses operate. This approach reinforces the interconnectedness of societal systems and the need for responsible corporate practices.

1.3.7.2 Corporate Social Responsibility in India

Corporate Social Responsibility (CSR) has been a significant concern in India for a long time, with many major Indian corporations actively engaging in CSR activities. Similar to many other countries, the private sector in India tends to be more involved in CSR initiatives compared to the governmental or public sector. Several notable CSR initiatives have emerged in India since the mid-1990s, such as the first voluntary code of corporate governance, "Desirable Corporate Governance: A Code," introduced in 1998 by the Confederation of Indian Industry (CII).

CSR projects in India often arise in response to a crisis or negative publicity, with motivations ranging from philanthropy to corporate citizenship. Public expectations of CSR have significantly increased, focusing on issues such as poverty alleviation, tackling unemployment, addressing inequality, and encouraging affirmative action. Historically, CSR in India has been driven by philanthropic efforts and ethical concerns,

▶ Environment

▶ Impact on communities

▶ Voluntary code

▶ response to a crisis

with international regulations like those from the International Labour Organization (ILO) influencing the country's CSR framework. These international institutions have played a role in shaping CSR practices in India through various global standards, such as the SA8000 Social Accountability scheme and the UN Commission on Human Rights' stance on human rights responsibilities of multinational corporations.

Public sector companies in India are allowed to allocate up to 5% of their profits to CSR activities, and pressure from advocacy groups has successfully encouraged companies to fund CSR initiatives. The nature of CSR in India varies depending on region and company, with CSR often being linked to sustainable development, corporate citizenship, and stakeholder engagement. Transnational companies operating in India tend to adopt different CSR strategies, including decentralized approaches focused on human rights, centralized strategies for company-wide actions, or globally integrated strategies that influence both local and global practices. For example, companies like Coca-Cola and oil giants may incorporate local actions into global CSR strategies.

▶ Pressure from advocacy groups

Philanthropic efforts by figures such as Bill Gates and Warren Buffet have significantly benefited India, particularly in healthcare. Following scandals like the Enron crisis, there has been a reluctance in India to accept directorships, reflecting a growing sense of caution regarding corporate governance. CSR in India has played a critical role in employee welfare. For instance, the Tata Group has implemented social welfare programs for its employees since 1945, which have now become industry standards. However, fears about job reductions often accompany CSR-driven cost-cutting measures, raising concerns about the potential loss of worker benefits.

▶ Philanthrophy

For customers, CSR initiatives often address product quality and safety, as seen with Sony's global recall of batteries used in Dell computers. The Indian Supreme Court has also advocated for CSR measures that protect public health, such as promoting cleaner air and environmental sustainability, even if it involves job losses. CSR has become a tool for larger companies to improve their environmental footprint and enhance community well-being, with some companies taking an active interest in promoting cultural activities and providing local community services.

▶ Product quality and safety

CSR is seen as more feasible for large companies, which can

afford to invest in local development projects, while smaller companies may face challenges in implementing large-scale CSR initiatives. Some CSR efforts in India focus on providing civic amenities and promoting sustainable rural development, as seen in the Provision of Urban Amenities in Rural Areas (PURA) initiative, which aims to prevent unnecessary urbanization and tackle rural migration.

While some critics argue that CSR may lower company profits, studies, including those by the Indian Management Institute (IMI), show that the benefits of CSR outweigh the costs for many companies. However, there are concerns that CSR spending might detract from other employee welfare provisions, leading to tensions within the workforce. Furthermore, CSR practices may differ across countries and industries, and companies may engage with local communities in ways that do not explicitly define their actions as CSR.

The debate over CSR in India also highlights the importance of integrating CSR into business management curricula, as stakeholders such as shareholders may need to be convinced of its long-term value. Additionally, there are questions about whether the Indian trade union movement can effectively protect workers' rights in the face of corporate actions aimed at reducing their social responsibility. Given the lack of robust implementation of labour laws and weak inspection regimes in India, there is concern about the capacity of unions to ensure that workers' interests are protected at a policy level. Despite these challenges, CSR in India continues to evolve and is shaping the way businesses contribute to both society and the environment.

1.3.8 Moonlighting in the Workplace - a case study

You are the Chief Human Resources Officer (CHRO) at a leading multinational financial services company in India. Recently, you have discovered that several employees in the Data Analytics and Research division have been working second jobs in parallel to their full-time employment. This practice, known as 'moonlighting', has sparked a debate within the company.

Historically, this team has played a crucial role in delivering high-impact insights and innovative solutions, which have significantly contributed to the company's market leadership and profits. However, this emerging trend has begun to impact

productivity, collaboration, and overall employee engagement.

When you investigate further, you learn that employees argue that moonlighting enhances their skills and career growth. Some employees claim that financial pressures force them to seek additional work, while others state it provides them with new knowledge that benefits their main role. These activities are carried out after official working hours, which, according to them, should not be seen as a conflict of interest.

Concerns are now growing across other teams, such as Marketing and Client Solutions, who have expressed a desire to pursue side gigs if allowed. The lack of explicit company policies on moonlighting has created ambiguity, allowing this practice to go unchecked. This trend, if left unaddressed, could set an unwanted precedent, impacting the overall culture and productivity of the company.

The senior leadership is aware that a hasty decision, such as terminating employees, could result in the loss of critical talent and increase the attrition rate. However, maintaining the current situation risks diluting the company's focus and integrity. You have been assigned by the CEO to explore the issue comprehensively and present an action plan that balances employee welfare with the company's interests.

In this context, answer the following:

1. What are the ethical dilemmas associated with moonlighting in this scenario?

2. As the CHRO of the company, what are the potential courses of action available to you?

3. Critically assess each option and recommend the one you would implement, providing justifications for your choice.

Answer

(a) Ethical Issues Associated with Moonlighting

- Security Breach: Employees may potentially share sensitive data, leading to a breach of client confidentiality, especially if they work for competitors or organizations with conflicting interests.
- Conflict of Interest: Dual employment divides an employee's loyalty and compromises their ability to fully com-

mit to the company, affecting their focus and dedication.

- Compromised Performance: Balancing multiple jobs can result in exhaustion, stress, and decreased productivity, ultimately impacting the quality of work delivered.
- Reputational Risk: Senior employees engaging in moonlighting can tarnish the company's reputation for reliability, commitment, and work culture.
- Impact on Work Culture: The financial benefits gained by employees moonlighting may create envy and dissatisfaction among peers, fostering a culture of inequality and mistrust.

(b) Options Available to the CHRO

- Option 1: Immediate termination of all employees involved in moonlighting and hiring replacements.
- Option 2: Counsel and persuade employees to cease moonlighting and recruit additional staff to address productivity gaps.
- Option 3: Maintain status quo and allow moonlighting temporarily until formal guidelines are established.
- Option 4: Implement disciplinary measures against senior leaders involved, codify clear moonlighting policies, and develop an in-house work portal for additional assignments.

(c) Evaluation of the Options

Option 1: Immediate Termination

Merits:

- Sends a strong message regarding the company's stance on moonlighting.
- Deters other departments from engaging in similar practices.

Demerits:

- High risk of losing skilled employees and increasing attrition, leading to a talent gap and project delays.
- Recruiting and training new staff are time-consuming and costly, impacting productivity.

Option 2: Counsel and Persuade Employees

Merits:

- Retains experienced and high-performing staff, preserving project timelines and quality.

- Shows a human-centric approach that values employees' contributions and respects their circumstances.

Demerits:

- May be perceived as lenient, potentially undermining the company's authority.
- Increasing the workforce to cover productivity gaps adds to operational costs.

Option 3: Temporary Status Quo

Merits:

- Allows time to craft thoughtful moonlighting policies, ensuring comprehensive guidelines.
- Demonstrates empathy towards employees facing financial difficulties and career development needs.

Demerits:

- Can further degrade productivity and set an unfavourable precedent.
- Risk of more employees taking up moonlighting before formal guidelines are enforced.

Option 4: Disciplinary Measures and Codification of Policies

Merits:

- Demotion and holding promotions of senior leaders sets a precedent, showing that leadership is held to higher standards.
- Codifying moonlighting policies ensures long-term adherence and clear expectations for all employees.
- Creating an in-house work portal provides employees with legitimate ways to gain additional experience and income within the organization.

Demerits:

- Disciplinary measures could lead to demotivation among leaders and potential attrition.
- Policy codification and portal development require time and resources.

Recommended Approach: Combination of Option 2 and Option 4 Reasoning:

- Counselling and Persuasion: Initiate dialogue with employees to emphasize company values, their past contri-

butions, and the impact of moonlighting on work quality. This step demonstrates a commitment to retaining talent while reinforcing dedication to the organization.

- Targeted Disciplinary Action: Apply measured actions like demotion or withholding promotions for senior leaders involved in moonlighting. This sends a clear signal to all employees without resorting to mass firings.
- Policy Formulation: Work with legal and compliance teams to draft robust moonlighting policies. Ensure guidelines are transparent, fair, and reflect the company's ethical stance.
- In-House Opportunities: Launch an internal platform offering side projects or consulting roles within the company to channel employees' drive for growth and financial support constructively.

Summarized Overview

Corporate Social Responsibility is a business's commitment to conduct operations ethically, focusing on social and environmental impacts. It includes environmental responsibility through sustainable practices, ethical responsibility by treating employees and stakeholders fairly, philanthropic responsibility by contributing to social causes, and economic responsibility by maintaining financial integrity.

Assignments

1. What is the significance of ethics in corporate governance?

2. Define corporate social responsibility and its types.

3. How does insider trading affect corporate governance policies?

4. Explain the importance of transparency in finance and accounting practices.

5. Describe the impact of ethical leadership on business decision-making.

Suggested Reading

1. Ghosh, B.N. Business Ethics and Corporate Governance. Mcgraw Hill Education, 2017.

2. Subramanian. R. Professional Ethics Includes Human Values. Oxford University Press, 2017.

3. Velasquez, M.G. Business Ethics: Concepts and Cases. Pearson Education India, 2016.

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1. Das, S. Politics, Ethics and Social Responsibility of Business. Shiv Das and Sons, 2017.

2. Frenando, A.C. Business Ethics and Corporate Governance. Pearson Education India, 2012.

Space for Learner Engagement for Objective Questions

Learners are encouraged to develop objective questions based on the content in the paragraph as a sign of their comprehension of the content. The Learners may reflect on the recap bullets and relate their understanding with the narrative in order to frame objective questions from the given text. The University expects that 1 - 2 questions are developed for each paragraph. The space given below can be used for listing the questions.

BLOCK 2
Application of Administrative Ethics

UNIT 1

Ethics in Civil service

Learning Outcomes

After the completion of this unit the learners will be able to:

▶ understand the meaning and need of ethics in civil service

▶ analyze the concept of accountability in civil service

▶ get familiarize with the foundational values of civil service

▶ critically think about the challenges faced by the foundational values of civil service

Background

Ethics in civil service is the cornerstone of effective and just governance, ensuring that public servants act in the best interest of the citizens they serve. In India, where civil servants play a critical role in implementing policies and delivering essential services, ethics guide their conduct and decisions, ensuring fairness, accountability, and transparency. Civil service ethics are not merely about following laws; they embody the values that uphold public trust and promote the public good.

Historically, the Indian civil service has undergone significant transformations. During the British colonial era, the Indian Civil Service (ICS) was primarily tasked with serving colonial interests, often prioritizing efficiency over fairness. The emphasis was on neutrality, but it was mainly used to sustain colonial rule. However, after independence in 1947, the Indian civil service was restructured to serve the democratic ideals of justice, equality, and public welfare. The role of civil servants became more complex, as they were entrusted with the responsibility of nation-building in a newly independent and diverse country.

For example, the role of civil servants in India's post-independence era can be seen in key moments like the implementation of land reforms or the establishment of public health initiatives. In these cases, ethical principles such as impartiality, integrity, and accountability guided civil servants in ensuring that policies reached the marginalized sections of society, not just the privileged. Their ability to uphold these values determined

the success of initiatives like the Green Revolution, which aimed at increasing food security and benefiting farmers across India.

In practice, ethics in civil service requires civil servants to navigate challenges such as political pressures, corruption, and resource limitations. Yet, by adhering to ethical principles, they contribute to a fairer, more just society. In this unit we are discussing the foundational values of civil service, examining how these principles shape the conduct of public servants and the broader governance process in India.

Keywords

Administrative Responsibility, Public Trust, Legitimacy, Credibility, Transparency, Democratic values

Discussion

2.1.1 Introduction to Ethics in Civil Service

Civil Service and its Historical Background

Civil service in India has a remarkable legacy, rooted in ancient times and evolving through various historical epochs. During the Mauryan Empire, the concept of organized administration was already taking shape. Kautilya's Arthashastra, a renowned treatise on statecraft, emphasized principles like administrative efficiency, governance ethics, and justice. The Mauryan and Gupta empires employed officials who acted as royal representatives, prioritizing duty to the king and stability of the state. This traditional civil service was more centralized, with a strong hierarchical structure that emphasized loyalty to the sovereign over individual ethics or public welfare. Governance was seen as a sacred duty tied to the king's authority, and ethics often aligned with the king's moral compass rather than public accountability.

▶ Traditional civil service

However, with the advent of British colonial rule, the nature of civil service underwent a profound transformation. The East India Company, in the late 18th century, sought an organized and efficient bureaucracy to administer its expanding territories. Lord Cornwallis, recognized as the "Father of Indian Civil Service," was instrumental in shaping this new administrative

order. His reforms, known as the Cornwallis Code, introduced merit-based recruitment, stringent conduct standards, and policies aimed at reducing corruption. Unlike the ancient period's loyalty-centered system, Cornwallis's civil service placed a high premium on neutrality and integrity, expecting officers to execute their duties with discipline and impartiality. However, this structure primarily served British interests, with civil servants often enforcing policies that prioritized colonial revenue over local welfare.

Lord Cornwallis

In the late colonial period, the Indian Civil Service (ICS) emerged as a highly esteemed institution, admired for its efficiency and adherence to a strict code of ethics, though its loyalty remained with the British Crown. With independence in 1947, India inherited this administrative structure but adapted it to serve democratic ideals rather than colonial ones. The Indian Administrative Service (IAS), along with the Indian Police Service (IPS) and the Indian Forest Service (IFS), was established to uphold values of integrity, impartiality, and public accountability.

In the modern period, the nature of civil service is markedly different from its traditional and colonial predecessors. Today, Indian civil servants entrusted with upholding values like justice, equality, and fraternity. Unlike the ancient system's allegiance to the sovereign or the colonial ICS's loyalty to the British Empire, the modern civil service pledges to serve the public interest in a democratic framework. Civil servants are expected to function as neutral intermediaries, balancing the interests of diverse social groups without favoritism, personal bias, or self-interest. They embody the principle of seva bhava, or the spirit of service, ensuring that government programs reach the grassroots level, benefiting every citizen, regardless of background.

This journey from ancient royal duty to a modern democratic mandate highlights the Indian civil service's evolution as a pillar of stability and public welfare. By tracing its growth, we can see how each phase—from Kautilya's ethics of governance to Cornwallis's disciplined bureaucracy, and finally to the values enshrined in India's Constitution—has contributed to shaping a civil service that strives to be just, accountable, and committed to the welfare of the nation.

Meaning and need of Ethics in Civil Service

▶ Ethical foundation

Ethics in civil service represents the core values and moral principles that guide public servants in their actions and decisions. This ethical foundation encompasses honesty, integrity, impartiality, and accountability to the public—qualities that ensure fair and just governance. In India, ethics in civil service is deeply connected with the values enshrined in the Constitution and the Civil Services Conduct Rules, both of which stress service to the nation, dedication to the public interest, and strict adherence to moral principles in every decision.

▶ Conflicts of interest

One crucial aspect of ethics in Indian civil service is the avoidance of conflicts of interest. For instance, a district collector overseeing land acquisition must avoid any business or personal interests in the land under consideration. In 2016, the Maharashtra government issued guidelines to prevent conflicts of interest, particularly in cases where civil servants or their families might benefit from official decisions. By adhering to these ethical norms, civil servants reinforce public trust in government operations.

▶ Confidentiality

Confidentiality is another important tenet. Civil servants often handle sensitive information, from government policy drafts to citizens' personal details. Ethical guidelines ensure this information is used strictly for public welfare and not for personal or political gain. In 2017, several Indian government departments introduced rigorous data protection protocols to maintain confidentiality, especially in welfare schemes like Aadhaar and the Public Distribution System, which deal with millions of citizens' personal data.

Ethics also demands that civil servants abstain from any actions that could compromise the integrity of their office. In practical terms, this requires that they treat all citizens equitably, refrain from accepting bribes, and uphold transparency in resource allocation. For example, during the COVID-19 pandemic, ethical dilemmas arose when resources were scarce.

| | Some health officials were reportedly tempted by financial incentives to prioritize access to hospital beds or oxygen. However, those who adhered to ethical principles ensured that resources were allocated based on need and urgency rather than favoritism or influence. |

▶ Integrity

Ethical issues also arise in disaster management scenarios. When relief supplies are limited after natural calamities, civil servants often face pressure to distribute resources favoring influential individuals or specific groups. Ethical governance in these cases demands impartiality and prioritization based on vulnerability and need. Another example is ethical conflict in regulatory decisions. Civil servants involved in environmental clearances for industrial projects may encounter dilemmas where promoting economic development clashes with the responsibility to protect the environment and uphold public health. Balancing these competing interests while ensuring decisions are made transparently and in the public interest is a challenging but essential aspect of ethical public administration.

▶ Ethical Dilemmas

Similarly, the increasing use of technology has introduced complex ethical dilemmas. For example, government officials handling citizens' personal data through digital platforms must balance efficiency with privacy concerns. Cases of unethical use of data, such as its unauthorized sale or use for profiling, underline the need for stringent adherence to ethical standards. The implementation of AI in public services further highlights ethical challenges, such as potential biases in algorithms used for distributing welfare benefits or predicting criminal activity. For instance, an AI algorithm in a public welfare program could unintentionally marginalize certain groups due to historical data biases. Ensuring fairness requires public administrators to actively mitigate such risks and advocate for algorithmic transparency.

▶ Technological Perspective

Another vivid illustration of ethics in Indian civil service is the practice of transparent financial management. Civil servants are responsible for administering public funds—whether for constructing schools, delivering healthcare, or implementing welfare schemes. Ethical governance involves diligent oversight and public audits, as seen in programs like the Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS), which has introduced social audits to prevent fund misuse and ensure that resources reach the intended beneficiaries.

▶ Transparent financial management

Ethics in civil service thus plays a critical role in establishing public trust in government institutions. When citizens observe

Public trust

civil servants acting with integrity—eschewing bribes, allocating resources transparently, and prioritizing the public good—they develop confidence in government actions. This public trust is essential for an effective democracy, fostering cooperation between the people and the state and ensuring the success of initiatives from environmental conservation to social welfare.

Fair and just governance

In sum, ethics in civil service provides the backbone for fair and just governance. In the Indian context, it serves as a guiding light, enabling civil servants to carry out their duties with dedication, impartiality, and a profound respect for the public good.

Check Arbitrary Actions

Ethics in civil service play a crucial role in shaping an accountable, responsible, and people-centric administration. They guide the behavior of civil servants, ensuring that their actions contribute to a peaceful, cooperative, and fair society. Here's how ethics impact various facets of civil administration:

Administrative Responsibility

Ethical principles act as a safeguard against the misuse of administrative authority. By promoting integrity, ethics prevent civil servants from making arbitrary decisions that may harm public interest. For example: In matters like public land allocation or granting business licenses, ethical guidelines discourage favoritism or personal biases, ensuring decisions are made based on objective criteria.

Relations between Citizens and Civil Service

Ethics instil a sense of duty in civil servants, encouraging them to act with accountability and uphold public trust. This sense of responsibility helps ensure that their actions benefit society at large rather than individual interests. Ethical conduct fosters trust and positive relationships between the public and civil servants, as citizens feel confident that officials are working for their benefit. A civil servant who is transparent, respectful, and fair in resolving public grievances can build strong community relations, enhancing public confidence in the administration.

To Reduce Corruption and Misuse of Power

Ethics serve as a barrier to corrupt practices by promoting integrity and accountability among civil servants. By prioritizing public welfare over personal gain, ethics help reduce corruption and enhance the efficiency of government services.

Rule of Law and Ensure Justice

Ethics guide civil servants to act in accordance with the law and uphold justice, even in the face of external pressures. Ethical standards help civil servants resist undue influence from political or business interests. For example, an ethical

police officer, for instance, would refuse bribes from influential individuals involved in illegal activities and uphold the rule of law by ensuring impartial investigation and accountability, preserving justice.

▶ To Preserve and Promote Social Well-being, Public Interest, and Common Good

Ethics in administration ensure that civil servants prioritize the welfare of society over personal gains, contributing to a healthy and equitable community. For example, during health emergencies, ethical behavior ensures that resources like vaccines and medications are distributed equitably, protecting public well-being and addressing the needs of the most vulnerable.

▶ Efficiency and Effectiveness

Ethical practices reduce corruption, favoritism, and inefficiency, leading to streamlined administrative processes and better service delivery.

▶ Legitimacy and Credibility of Public Administration

When civil servants act ethically, it boosts public confidence in government institutions, thereby enhancing the legitimacy of public administration. Civil servants involved in policy implementation, such as environmental protection, earn credibility by enforcing regulations fairly. This strengthens public trust in governance and its commitment to sustainable development.

▶ To Foster and Maintain High Morals among Civil Servants

Ethics help cultivate a work environment where integrity, transparency, and respect are valued, encouraging all levels of civil servants to uphold high moral standards. Regular ethical training and strict anti-corruption measures reinforce a culture of honesty and dedication, motivating civil servants to perform their duties sincerely and with integrity.

▶ Enable Civil Servants to Make Sound Decisions under Pressure

Ethics empower civil servants to make fair and effective decisions, even under challenging circumstances or with limited resources. By adhering to ethical standards, they can focus on public welfare over personal interests. In the case of flood relief operations, ethical principles help civil servants prioritize aid for the most vulnerable areas rather than being swayed by political demands. This ethical approach ensures that those most in need receive help first.

The Nolan Committee, established in Britain in 1994, is tasked with examining ethical standards among public office holders and making recommendations to ensure high standards in public life. Reporting to the Prime Minister, its remit expanded under Tony Blair in 1997 to include political party funding and, in 2013, to address ethical issues in private and voluntary sectors delivering publicly funded services. The Committee's First Report in 1995 introduced the Seven Principles of Public Life—Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty, and Leadership—designed to guide public conduct and incorporated into codes of conduct and training for public officials. These principles, part of the broader "ethical infrastructure" emphasized by bodies like the OECD, aim to uphold ethics, combat corruption, and ensure accountability in public administration.

2.1.2 Foundational values in civil service

The foundational values of civil service serve as the moral compass for public servants, guiding them to act with integrity, fairness, and a deep sense of responsibility towards the public. These values are essential for ensuring that civil servants fulfil their duties not for personal gain but in the best interests of the people they serve. By adhering to these values, civil servants can foster trust and confidence in government institutions, contributing to the stability and functioning of democracy.

▶ Moral compass for public servants

In the context of India, these foundational values are not merely theoretical; they are deeply embedded in the Indian Civil Services Conduct Rules, the Indian Constitution, and the broader expectations of the Indian society. The Constitution of India, for instance, envisions an equitable society founded on principles of justice, equality, and fraternity. Civil servants, as stewards of public administration, are expected to uphold these principles in their day-to-day work. The Constitution not only outlines the rights of citizens but also lays down the duties to maintain the rule of law, ensure access to justice, and protect the welfare of all citizens, especially the marginalized.

▶ Ethical civil stewardship

▶ Implement the democratic vision

These values are also reflected in the Indian Administrative Service (IAS) and other civil services, which are designed to implement the democratic vision of the country. Civil servants are expected to work in a manner that respects both the law and the spirit of democracy. Their role extends beyond merely executing government policies; they are entrusted with ensuring that these policies are implemented fairly and without bias, keeping in mind the diverse and complex needs of India's vast population.

▶ Interactions between civil servants and citizens

Furthermore, these foundational values shape the daily interactions between civil servants and citizens. They are integral to building and maintaining public trust, which is critical for a functioning democracy. When civil servants demonstrate integrity, accountability, and commitment to public service, it enhances the legitimacy of government actions and policies. In India, where the public sector is responsible for providing essential services such as education, healthcare, welfare schemes, and infrastructure development, the ethical conduct of civil servants is not just a matter of individual responsibility but a cornerstone of good governance.

▶ Representatives of public interests

The expectations of society are also crucial in shaping the foundational values of civil service. Indian citizens look to public servants not just as bureaucrats, but as representatives of their interests, values, and rights. Society expects that civil servants will act as neutral intermediaries, serving all citizens equally, regardless of their caste, creed, or political affiliation. Whether it's a district magistrate managing law and order, or a senior official overseeing policy implementation, the public expects civil servants to deliver justice impartially, administer resources efficiently, and uphold the highest ethical standards.

▶ Values are not just static but are evolving

In conclusion, the foundational values of civil service are deeply interwoven with the principles of democracy and the constitutional framework of India. They provide the guiding principles that help civil servants navigate complex challenges while ensuring that public service is carried out with fairness, transparency, and dedication to the public good. These values are not static but are evolving in response to changing societal needs, technological advancements, and increasing demands for good governance. Thus, civil servants must continually strive to live up to these values to maintain the trust and confidence of the people they serve.

Now, let us have a detailed discussion on foundational values of civil service which includes; accountability, neutrality,

anonymity, integrity, humility, adaptability, magnanimity, perseverance, impartiality and non- partisanship.

2.1.2.1 Accountability

Accountability is a foundational value of civil service that underscores the responsibility of civil servants to act in a manner that is transparent, answerable, and responsible to the public, the government, and the law. In the context of civil service, accountability means that public servants must justify their actions, decisions, and use of public resources, and they must be held accountable for any errors, misconduct, or misuse of power.

▶ Transparent responsibility

Accountability ensures that civil servants' actions are transparent, allowing the public to trust that government decisions and actions are made in their best interest. For instance, in India, civil servants who implement schemes such as the Public Distribution System (PDS) or Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) must be able to explain how resources are allocated and whether funds are being used properly. Transparency in the use of public funds fosters trust and ensures that civil servants remain answerable to the public, thereby strengthening democratic values.

▶ Ensure transparency in the action of civil servants

Accountability is vital in preventing corruption and unethical practices. Civil servants are often in positions where they can influence the distribution of public resources, awards of contracts, or implementation of policies. Without accountability, these powers can easily be misused. For example, in the case of a senior official in the Indian Railways, the lack of accountability could result in the misallocation of funds or corruption in awarding tenders. Accountability mechanisms, such as audits, oversight committees, and regular reporting, serve as safeguards to ensure that such practices do not occur.

▶ Without accountability powers can be misused

Accountability is at the heart of good governance. It ensures that civil servants not only serve the public's needs but do so in a way that is consistent with legal, ethical, and moral standards. In India, civil servants are required to adhere to principles outlined in the Code of Conduct and Civil Services Conduct Rules, which hold them accountable for their actions. This fosters a system where public servants are consistently evaluated and held to high standards of performance, thus promoting efficient governance that benefits all citizens.

▶ Civil servants must be consistent with legal, ethical, and moral standards

Accountability also plays a role in improving the efficiency and effectiveness of government services. When civil servants

know they are answerable for their actions, they are more likely to perform their duties efficiently and in line with public expectations. For instance, civil servants working in rural development projects like Pradhan Mantri Awas Yojana (PMAY) must ensure that the implementation process is carried out effectively and on time, meeting the needs of the intended beneficiaries. Accountability mechanisms, such as feedback systems, performance reviews, and citizen engagement, ensure that civil servants remain focused on delivering outcomes rather than diverting resources or shirking responsibilities.

▶ Efficiency and effectiveness of government services

Accountability ensures that civil servants comply with the law, follow the rules, and treat citizens fairly and equitably. The rule of law is a cornerstone of any democracy, and when civil servants are held accountable, it reinforces the idea that no one is above the law. For example, if a civil servant in charge of environmental regulation allows illegal deforestation or industrial pollution, accountability mechanisms, such as independent audits and public reporting, ensure that they face legal and professional consequences for their actions. This contributes to maintaining law and order and ensuring that government policies and regulations are enforced fairly.

▶ Reinforces the idea that no one is above the law

Civil servants are custodians of public resources, and accountability ensures that these resources are used responsibly and in a manner that benefits the public. Whether it's managing government budgets, allocating welfare benefits, or overseeing public infrastructure projects, accountability ensures that public resources are not squandered or misused. For example, during the implementation of the Swachh Bharat Mission (Clean India Mission), civil servants are responsible for ensuring that funds for sanitation projects are spent appropriately. Proper accountability mechanisms such as audits and progress reports help ensure that funds are not misappropriated and are used for the intended purpose.

▶ Ensures the sensible utilisation of public resources

The Role of Accountability in the Indian Civil Service

In India, the concept of accountability is deeply embedded in the country's governance structure. The Constitution of India, along with various statutory bodies like the Comptroller and Auditor General of India (CAG), Central Vigilance Commission (CVC), and Lokpal, plays a pivotal role in promoting accountability among civil servants. The establishment of these bodies ensures that there is a formal mechanism in place to investigate complaints, audit government spending, and ensure that civil servants are accountable for their actions.

▶ Formal mechanism to ensure accountability

▶ Right to Information Act

For example, the Right to Information Act (RTI) passed in 2005 has played a significant role in promoting accountability by allowing citizens to request information from public authorities, thereby increasing transparency in government operations. The RTI has empowered citizens to hold civil servants accountable by demanding answers to questions related to government decisions, projects, and spending. This has also led to more informed public discussions and a reduction in corruption and inefficiency.

▶ Public scrutiny

Additionally, in the Indian context, civil services are subject to intense public scrutiny. High-profile scandals, such as the 2G spectrum scam or the Commonwealth Games scam, have highlighted the importance of ensuring that civil servants are answerable for their decisions and actions. These instances have demonstrated how accountability can help prevent the misuse of power and restore public faith in the system.

Challenges to Accountability

▶ Lack of enforceable mechanism

While accountability is essential for effective governance, there are challenges in ensuring it within the civil service. One challenge is the lack of clear and enforceable systems of accountability, especially at lower levels of government. In some cases, local government officials may not have adequate mechanisms for oversight, which can lead to inefficient service delivery or corruption.

▶ Political interference

Additionally, there may be political interference in the accountability processes. Civil servants often face pressure from political leaders to act in certain ways that may not align with ethical standards or legal requirements. For example, a civil servant tasked with overseeing land acquisition for infrastructure projects might face political pressure to disregard environmental regulations or fair compensation norms. Overcoming such pressures and ensuring true accountability requires strengthening institutional frameworks and reinforcing the independence of accountability mechanisms.

▶ Need of strong ethical framework

Accountability is an essential foundational value in civil service, ensuring that civil servants act responsibly and transparently in the performance of their duties. It strengthens public trust, prevents corruption, and promotes good governance by holding civil servants to high standards. In India, the robust legal and institutional mechanisms, coupled with a strong ethical framework, help maintain the accountability of civil servants, ensuring that they remain committed to public service. Despite challenges, ensuring accountability remains a cornerstone for

efficient and fair governance in India and is crucial for the progress of democracy.

2.1.2.2 Neutrality

Neutrality, as a core value of civil service, emphasizes the importance of civil servants maintaining impartiality and non-bias in their duties, free from any political, personal, or ideological influence. The essence of neutrality lies in civil servants serving the government of the day with loyalty and efficiency, without allowing their personal preferences or external pressures to affect their professional conduct or decision-making. This value is crucial in upholding the integrity and trustworthiness of the civil service, ensuring that public servants work for the common good and not for partisan interests

▶ Impartiality and non-bias in their duties

Neutrality ensures that civil servants treat all citizens, irrespective of their political affiliation, social status, or background, with fairness and respect. This is critical for upholding the democratic values of equality and justice. In India, where the population is diverse in terms of ethnicity, religion, and social class, neutrality helps ensure that government services are provided equitably, without bias or discrimination. For instance, during elections, civil servants who are responsible for ensuring free and fair voting must remain neutral to avoid influencing the outcomes based on political preferences.

▶ Upholding the democratic values

Neutrality strengthens public trust in government institutions. Citizens expect that civil servants, especially those in key positions, will act impartially, without favouring any particular group or individual. When civil servants are seen as neutral, it assures the public that decisions are based on merit, laws, and policies rather than personal or political considerations. For example, a senior bureaucrat overseeing a government welfare program like the Pradhan Mantri Jan Dhan Yojana (PMJDY) must ensure that the benefits reach all eligible citizens, irrespective of political leanings, to preserve the program's credibility and the public's confidence in its fairness.

▶ Strengthens public trust

Neutrality is essential for upholding professionalism and integrity within the civil service. Civil servants are expected to put the public interest above all else, adhering to ethical conduct even in the face of political pressures. By maintaining neutrality, civil servants ensure that their decisions and actions are based solely on the law, public policies, and administrative guidelines, rather than on personal preferences or partisan politics. For instance, a civil servant working in a government agency like the Central Bureau of Investigation (CBI) must

▶ Professionalism and integrity

demonstrate neutrality by investigating corruption charges objectively, irrespective of the political affiliations of the individuals involved.

Civil servants are the implementers of policies and the enforcers of laws. Neutrality ensures that they execute their duties in accordance with legal principles and do not allow personal biases or political ideologies to interfere. This is vital in ensuring the rule of law, where all individuals and institutions are subject to the law, and no one is above it. A classic example in India is the neutrality expected of the Indian Administrative Service (IAS) officers in handling law enforcement and public administration in a politically diverse environment. Whether in power or opposition, civil servants must act in a manner that upholds constitutional values and legal norms.

▶ Ensuring rule of law

Neutrality in the civil service is integral to the functioning of a democracy, as it ensures that public servants serve the nation and not a particular political party. This principle protects democratic institutions by preventing civil servants from becoming involved in partisan politics. In India, this is crucial in maintaining the stability of the democratic framework, as it prevents civil servants from taking sides in political conflicts or undermining the legitimacy of the political process. For example, election commissioners must be neutral in their responsibilities to ensure free and fair elections, without interference from any political group.

▶ Distancing from partisan politics

Neutrality serves as a safeguard against the misuse of administrative power for personal or political gain. Without neutrality, civil servants may succumb to external influences or pressures, which could lead to corruption, bias, or unethical decision-making. By remaining neutral, civil servants avoid the temptation to use their positions for personal or party advantages. For example, if a civil servant in a state government's urban development department favours a particular builder or political party while granting permissions or licenses, it can lead to corruption and undermine public confidence in governance.

▶ Safeguard against the misuse of administrative power

In India, the concept of neutrality is reinforced by the Constitution of India, the Indian Civil Services (Conduct) Rules, and other regulatory frameworks. These documents lay down the fundamental principles that civil servants must adhere to, including the expectation of neutrality, especially in their relationship with political leadership. The All-India Services (IAS, IPS, and IFS) and other civil service officers are specifically required to maintain a neutral stance, serving the government in power, irrespective of its political affiliation.

▶ Serving the government in power

For example, when a new government is elected, civil servants are expected to serve and implement the policies of the new government without bias, even if they have different political views. This is essential for the continuity of governance and the effective implementation of policies. A civil servant's neutrality ensures that governance remains uninterrupted by political changes, promoting stability and trust in the democratic process.

While neutrality is an essential value, it is often challenging to maintain in practice. Political pressures, personal biases, and the influence of powerful interest groups can test a civil servant's ability to remain impartial. In some cases, civil servants might be asked to act in ways that conflict with their duty of neutrality, especially during politically charged situations. The key to preserving neutrality in such circumstances is a strong ethical foundation, institutional checks and balances, and a transparent system of accountability.

For instance, during periods of political unrest or when there are calls for political allegiance, civil servants may face pressure to align with the government of the day. However, maintaining neutrality requires standing firm on the principle of serving the public impartially and upholding constitutional values, irrespective of political affiliations.

2.1.2.3 Anonymity

Another foundational value of civil service, anonymity stresses the idea that civil servants should perform their duties without seeking personal recognition or publicity. The core of anonymity in the civil service lies in the belief that public servants are servants of the state, not of personal interests, and their actions should be directed solely toward the welfare of the public. This value ensures that civil servants prioritize the collective good over individual acknowledgment and refrain from engaging in any actions that might lead to personal gain or public attention.

Anonymity ensures that civil servants do not seek personal fame or rewards for the work they do. By avoiding the spotlight, they are reminded of their duty to serve the public and uphold the law, rather than engaging in activities designed to elevate their personal profile. For example, a district magistrate implementing a welfare program or overseeing disaster relief efforts should do so without seeking media attention or using the opportunity for self-promotion. This ensures that public services are provided with a sense of humility and a focus on service rather than recognition.

Helps to maintain their objectivity

Anonymity is also closely linked to the value of neutrality. Civil servants must remain neutral and avoid being influenced by public opinion, political pressures, or personal interests. If civil servants are regularly in the public eye or seek attention for their actions, it can undermine their ability to act impartially and without bias. For instance, a civil servant involved in law enforcement or policy implementation must avoid being seen as partisan or aligned with any political party or group. Anonymity helps maintain their objectivity, as it distances them from the political and social pressures that could compromise their work.

Satisfaction as primary reward

The principle of anonymity contributes to the dignity and integrity of the civil service by emphasizing that the primary reward for civil servants should be the satisfaction of contributing to public welfare, not external recognition. For instance, in India, civil servants often work behind the scenes to ensure that schemes like Swachh Bharat Abhiyan (Clean India Mission) or Pradhan Mantri Awas Yojana (Affordable Housing for All) are implemented effectively, but the credit for these successes goes to the government and the people, not to individual officers. This fosters a sense of collective responsibility and reduces the chances of civil servants seeking personal glory or recognition for the work done.

Decisions based on merit

Anonymity encourages civil servants to focus on professionalism and ethical conduct rather than personal or political advantage. By removing the desire for personal recognition, civil servants are more likely to make decisions based on the merits of the issue at hand, guided by public interest rather than personal ambitions. A clear example can be seen in the roles of civil servants managing welfare schemes. While implementing such programs, they often work quietly behind the scenes, ensuring that resources reach the intended beneficiaries efficiently, without seeking recognition for their hard work.

Ensures accountability for actions

The value of anonymity ensures that civil servants are held accountable for their actions based on their professional conduct and decision-making rather than their personal image. The idea is that a civil servant's identity should not influence how their decisions are judged. For instance, the role of an officer overseeing government-funded projects is critical to ensuring proper resource allocation and accountability. Anonymity ensures that the project's success or failure is not attributed to the individual officer's popularity or public persona, but rather their ability to execute the project effectively.

In India, anonymity is crucial given the complexities

of governance, where civil servants interact with diverse stakeholders from different political, social, and economic backgrounds. For example, an Indian Administrative Service (IAS) officer, who works in a district, is tasked with various roles such as implementing central and state government schemes, maintaining law and order, and managing disaster relief efforts. The effectiveness of these functions' hinges on the civil servant's ability to maintain a low profile and focus on delivering public services.

▶ Provides complexity to governance

During sensitive tasks like managing elections or overseeing relief work in natural disasters, the anonymity of civil servants ensures that they do not become the center of attention or controversy. It ensures that the focus remains on the process and outcome, not the individual civil servant.

▶ Focus remains on the outcome, not the individual

Challenges to Maintaining Anonymity

Despite its importance, anonymity can sometimes be challenged by the growing media attention on the civil service, particularly with the advent of social media and news channels. In some cases, civil servants are drawn into the public eye, either for their handling of certain situations or because of political developments. However, true professionalism and ethical conduct require civil servants to continue their work despite public scrutiny, ensuring that their actions remain in line with the core values of neutrality and impartiality.

▶ Growing media attention

2.1.2.4 Integrity

Integrity, a fundamental value of civil service, signifies, honesty, transparency, and adherence to ethical principles in all aspects of a civil servant's work. It refers to the commitment of civil servants to act in the public interest, maintain high moral standards, and ensure that their actions align with legal and ethical norms. Integrity ensures that civil servants make decisions based on truth, fairness, and justice, rather than on personal gain, external influence, or corruption.

▶ Commitment to act in the public interest

Integrity is essential for establishing and maintaining public trust in government institutions. When civil servants demonstrate integrity, the public is more likely to believe that decisions are made based on the merit of the issue at hand rather than personal biases or ulterior motives. In India, where the public sector is heavily involved in the delivery of essential services like healthcare, education, and welfare, integrity in civil service is crucial to prevent corruption and ensure that citizens' rights are respected. For example, when a government official

▶ **Maintaining public trust**

overseeing rural development programs such as the Mahatma Gandhi National Rural Employment Guarantee Scheme is seen to be acting with integrity, it reassures the public that the funds and resources are being used effectively and not diverted for personal benefit.

▶ **Making decisions based on laws**

Civil servants with integrity are expected to uphold the principles of fairness and justice in their decisions and actions. Integrity means acting impartially, without favoritism or bias, and making decisions based on laws, policies, and the merits of a case. In the Indian context, this is particularly important in areas such as law enforcement, public administration, and policy implementation, where decisions affect the lives of millions. For example, when a police officer is tasked with investigating a case of corruption or human rights violations, their integrity ensures that they carry out their duties without any personal or political bias, ensuring justice is served.

▶ **Safeguard against corruption**

Corruption is one of the most significant challenges in public administration, particularly in developing countries like India, where civil servants have access to considerable power and resources. Integrity acts as a safeguard against corruption, as it ensures that civil servants refrain from taking bribes, misappropriating public funds, or engaging in any unethical practices for personal gain. Integrity demands transparency in all actions, whether it's awarding contracts, implementing policies, or managing public funds. The Central Vigilance Commission (CVC) in India plays a crucial role in promoting integrity among civil servants by investigating corruption cases and recommending corrective measures to maintain the credibility of the civil service.

▶ **Nourishes accountability**

Integrity also contributes to a culture of accountability within public institutions. Civil servants with integrity are willing to take responsibility for their actions and decisions, ensuring that they are answerable to the public, their peers, and the government. This accountability is crucial for maintaining a transparent and efficient government.

▶ **Enhances the professionalism**

A high level of integrity enhances the professionalism of the civil service by ensuring that public servants adhere to a code of conduct that prioritizes public interest over personal interests. Professionalism is a hallmark of good governance, and civil servants with integrity set a standard for others to follow. For instance, a district collector working in a region affected by natural disasters, such as floods in Kerala, must maintain integrity by ensuring that relief materials are distributed fairly and transparently, without personal or political favoritism, to

ensure that the resources reach the people in need.

Integrity in the civil service also means upholding the Constitution of India, which is the supreme law of the land. Civil servants must ensure that their actions are aligned with the constitutional values of justice, equality, and liberty. This is particularly important when civil servants are responsible for implementing policies and laws that affect the rights of citizens. A civil servant's integrity ensures that they remain loyal to the Constitution, prioritizing the welfare of the people over any political or personal interests. For example, the role of the Election Commission of India in ensuring free and fair elections relies heavily on the integrity of civil servants who ensure that elections are conducted impartially, free from corruption and political interference.

▶ Actions aligned with constitutional values

Challenges to Integrity in Civil Service

Maintaining integrity in civil service is not without its challenges. Civil servants may face pressures from political leaders, interest groups, or personal circumstances that test their ethical commitment. In some cases, corruption, nepotism, or misuse of power may occur due to weak institutional mechanisms, inadequate supervision, or lack of accountability.

▶ Pressure from multiple level

For instance, in regions where political patronage plays a significant role in administration, civil servants may be tempted to act in ways that favor political parties or influential individuals. To maintain integrity in such environments, civil servants must adhere to ethical codes, resist external pressures, and rely on institutional support to report unethical conduct.

▶ External pressure and institutional support

In India, several anti-corruption measures, such as the Right to Information (RTI)Act and the Lokpal and Lokayuktas Act, have been implemented to encourage transparency and ensure that civil servants remain accountable. These laws provide citizens with tools to monitor government actions and demand integrity from their elected representatives and civil servants.

▶ Anti-corruption measures

Promoting Integrity in Civil Service

To foster integrity within the civil service, it is essential to establish strong institutional mechanisms and promote ethical education. Training programs on ethics and values should be a part of the curriculum for civil service examinations, and civil servants should be regularly updated on ethical standards and best practices. Moreover, a robust system of accountability, with clear consequences for unethical behavior, is essential to

▶ Promote ethical education

deter corruption and misconduct.

2.1.2.5 Humility

A core value of civil service, humility highlights the significance of the importance of modesty, self-awareness, and respect for others, both within the organization and in interactions with the public. It refers to the civil servant's ability to recognize their limitations, acknowledge the contributions of others, and serve the public without arrogance or a sense of superiority. Humility encourages civil servants to remain grounded in their roles as servants of the people, ensuring that their power and position do not lead to an inflated sense of self-importance.

▶ Serve the public without arrogance

Civil servants who embody humility understand that they are accountable to the citizens they serve and are responsible for creating a just and fair society. For example, an IAS officer managing a rural development project should recognize that their role is to empower local communities, not impose their views or act as a distant authority. Humility helps them stay focused on serving people effectively and fairly, especially in marginalized communities.

▶ Responsible for creating a just and fair society

Humility is essential for building trust between civil servants and the citizens they serve. When civil servants approach their work with humility, they are more likely to be seen as approachable, empathetic, and trustworthy. This is particularly important in India, where citizens often view government officials as distant or unapproachable. A humble civil servant is willing to listen to citizens' concerns, admit mistakes, and take corrective action when needed.

▶ Approachable and trustworthy

Humility encourages civil servants to acknowledge their mistakes and take responsibility for their actions. In doing so, they foster an atmosphere of accountability within the administration. Humble civil servants are open to feedback, willing to accept their limitations, and eager to improve. In India, where the effectiveness of governance depends on the efficiency of bureaucracy, humility ensures that civil servants are willing to learn from their experiences and from others in their profession. For instance, if a government officer mismanages a project or faces public criticism, a humble response would involve acknowledging the failure, offering a solution, and taking steps to ensure it doesn't happen again.

▶ Learn from experiences

Humility is also crucial for fostering teamwork and collaboration in public administration. A humble civil servant

understands the value of others' contributions and does not seek to dominate or overshadow colleagues. Humility promotes a collaborative leadership style, where decisions are made collectively, and all stakeholders' views are respected. India is a diverse country with various cultural, religious, and social backgrounds. Humility helps civil servants to respect these differences and serve all citizens with fairness and impartiality. Humble civil servants are more likely to seek input from a variety of sources and understand the complexities of the issues they address. In a country like India, where societal inequalities persist, humility helps public servants recognize their role in reducing disparities and promoting inclusiveness. For instance, when dealing with issues like caste-based discrimination or gender inequality, a humble civil servant is more likely to approach solutions with sensitivity and empathy, ensuring equitable outcomes for all sections of society.

▶ Teamwork and collaboration

In public administration, authority and power are often concentrated in the hands of civil servants, but humility ensures that power is exercised with restraint. Civil servants who exhibit humility are less likely to become authoritarian, using their position for personal gain or to assert superiority over others. Instead, they acknowledge their role as public servants who derive their authority from the Constitution and are answerable to the public. For example, an Indian Police Service (IPS) officer maintaining law and order should approach situations with humility, ensuring that they respect human dignity and do not abuse their power. Humility is key in avoiding instances of police brutality or discrimination.

▶ Power is exercised with restraint

Humility helps civil servants stay committed to upholding the rule of law and the Constitution. Humble civil servants do not see themselves above the law, but as custodians of the law who must ensure its fair and just application. They serve as intermediaries between the state and the people, upholding the principles of democracy and equality

While humility is a crucial value for civil servants, it can sometimes be challenged by power dynamics, organizational hierarchies, and external pressures. In a hierarchical system like India's civil service, where seniority often dictates authority, it may be difficult for some civil servants to maintain humility, particularly when they are confronted with the temptation to assert their dominance over others. Additionally, civil servants may sometimes be influenced by political pressures or personal ambitions, leading them to overlook the importance of humility.

▶ Challenges

However, the cultivation of humility within civil service is critical to prevent abuse of power and ensure that civil servants

remain focused on their primary responsibility: serving the public. Training programs, ethical guidelines, and leadership development focused on humility can help mitigate these challenges.

2.1.2.6 Adaptability

A key value of civil service, adaptability stresse the ability of public servants to respond effectively to changing circumstances, challenges, and evolving demands in a dynamic environment. It involves flexibility, openness to new ideas, and the capacity to adjust strategies and methods to meet the needs of society. Adaptability is crucial for civil servants, as it allows them to perform effectively in an ever-changing political, social, and economic landscape.

▶ Respond effectively to changing circumstances

The administrative environment is constantly evolving due to shifts in public policies, technological advancements, social changes, and economic challenges. Civil servants must be able to adapt to these changes to continue serving the public effectively. In India, where there are frequent changes in government priorities and national development goals, adaptability ensures that civil servants can adjust their work processes and strategies to align with new directives. For example, the shift towards Digital India required civil servants to quickly adapt to new technologies and digital platforms for the delivery of public services, such as e-governance portals for rural employment schemes.

▶ Changes in government priorities

Public servants are often called upon to address unforeseen or complex situations, such as natural disasters, social unrest, or public health emergencies. During the COVID-19 pandemic, civil servants across India demonstrated adaptability by swiftly implementing lockdowns, managing healthcare responses, and ensuring the distribution of relief to vulnerable populations. They had to pivot quickly to manage a rapidly evolving crisis, demonstrating flexibility in policy execution and decision-making. Adaptability allows civil servants to think on their feet and implement solutions that are relevant to the situation at hand.

▶ Addressing unforeseen situations

India's diverse demographic, including varying socio-economic conditions, cultures, languages, and regional issues, means that civil servants often face a wide range of expectations from the public. Adaptability is key to managing these expectations and tailoring government interventions to suit local needs. For example, a District Magistrate in a region with a high tribal population may need to adapt policies for

▶ Managing expectation

tribal development, keeping in mind local customs and needs, while also balancing the requirements of national policy.

Technological change is a major force reshaping public administration. The adoption of new technologies, such as artificial intelligence, big data, and cloud computing, has transformed the way government functions. Civil servants must adapt by learning new technologies and integrating them into their daily work. For example, during the rollout of the Aadhaar (Unique Identification Number) project, civil servants had to adapt to new biometric data collection methods and digital record-keeping, ensuring that millions of Indians were enrolled and their data was handled securely. Similarly, civil servants working on various e-Governance initiatives have had to continuously adapt to new software, systems, and digital tools to improve service delivery.

▶ Evolving technologies

India's policy landscape is frequently updated to address new challenges and improve governance systems. Civil servants must be able to adapt to these changes, whether they involve new economic policies, shifts in the political landscape, or reforms in governance. Adaptability in civil service also means the ability to collaborate across various sectors and work with professionals from diverse fields. Today, addressing complex governance issues often requires cross-functional teams. Adaptability allows civil servants to embrace diverse perspectives, break down silos, and work together to solve multifaceted problems.

▶ Ability to collaborate

Adaptability also means being open to innovative ideas and approaches. Civil servants in India have increasingly been called upon to embrace innovation in governance, such as promoting Public-Private Partnerships (PPP) for infrastructure development or experimenting with new models of Direct Benefit Transfer (DBT) for welfare schemes. In such cases, adaptability allows civil servants to assess new models and adjust existing frameworks to implement them effectively, ensuring that the innovations lead to better service delivery and public welfare.

▶ Openness

Adaptability is a crucial foundational value for civil servants, enabling them to respond to the dynamic challenges of governance and the diverse needs of society. In India, where societal, political, and technological landscapes are constantly changing, adaptability ensures that civil servants can deliver effective and efficient services, tackle emerging challenges, and drive national progress. By embracing adaptability, civil servants can maintain their relevance in an evolving world,

▶ Tackle emerging challenges

fostering resilience, innovation, and positive change in the administration

2.1.2.7 Magnanimity

Magnanimity is a foundational value of civil service that refers to the quality of being generous, noble, and forgiving, especially in situations where there is no expectation of personal gain or recognition. In the context of public administration, it emphasizes the ability of civil servants to rise above petty interests, personal biases, or egos and to act with a sense of larger purpose and public good. Magnanimity reflects a servant-leader approach, where public servants place the welfare of the nation and its people above personal gain and work with humility and generosity in their professional dealings.

▶ Act with a sense of public good

Magnanimity in civil service nurtures a deep sense of duty towards the people and a willingness to sacrifice personal comfort for public service. This is particularly important in India, where civil servants, such as those working in remote or challenging areas, may face difficult living and working conditions. Officers working in tribal areas, remote villages, or conflict zones often demonstrate magnanimity by dedicating themselves to improving the lives of underserved populations. They endure hardships to improve access to education, healthcare, and infrastructure for marginalized communities, driven by a commitment to service rather than personal gain.

▶ Sense of duty

In a diverse country like India, where various communities have differing interests, conflicts may arise over resources, policies, or social issues. Civil servants, through magnanimity, can act as mediators and help resolve conflicts in a way that respects all parties involved. Their role in police services or district administration often requires them to bridge gaps between communities, ensuring that disputes are settled with fairness and dignity. For instance, in communal or caste-based conflicts, a magnanimous civil servant would aim to build understanding and harmony, putting aside any personal biases, and working toward a peaceful resolution that benefits the entire community.

▶ Mediators to resolve conflicts

Public servants are frequently subjected to scrutiny, criticism, or even hostility from the public, the media, or political entities. A magnanimous civil servant does not take such criticism personally but instead uses it as an opportunity to improve their work and service to the people. During times of public protests or unrest, such as in the case of farmers' protests in India, civil servants are expected to handle grievances with patience and

▶ Opportunity to serve people

dignity, taking into account the concerns of all stakeholders while striving to ensure peace and stability. They understand that their role is to serve, even when faced with public discontent.

A magnanimous civil servant is more likely to make decisions that are fair, impartial, and inclusive. Instead of favoring one group or community over another, they adopt an approach that promotes equity and justice. For example, in the implementation of reservation policies for marginalized groups such as Scheduled Castes (SCs), Scheduled Tribes (STs), and Other Backward Classes (OBCs), civil servants have to ensure that resources are distributed equitably, respecting the diversity and aspirations of different sections of society. Magnanimity ensures that these decisions are made with compassion and in the interest of justice, rather than out of self-interest or favoritism.

▶ Fair, impartial, and inclusive decisions

Magnanimity encourages cooperation and collaboration among civil servants, across different government departments and with external stakeholders such as NGOs, the private sector, and civil society organizations. Civil servants often deal with citizens who have various grievances and concerns. A magnanimous approach ensures that civil servants treat citizens with dignity, compassion, and respect, irrespective of their social status or background. For example, in the case of land acquisition for infrastructure development projects, civil servants may have to engage with farmers or displaced communities. A magnanimous approach ensures that their concerns are heard, and fair compensation or resettlement plans are offered, fostering goodwill between the government and the public.

▶ Treat citizens with dignity

Magnanimity is a powerful foundational value in civil service that goes beyond merely fulfilling duties; it is about serving with a sense of noble purpose and generosity. By prioritizing public welfare, acting with fairness and grace, and leading with integrity, civil servants can build trust, resolve conflicts, and ensure that their work truly benefits society. In India's diverse and complex administrative landscape, magnanimity ensures that civil servants remain dedicated to their mission of serving the public good, creating a more just, inclusive, and harmonious society.

▶ Sense of noble purpose

2.1.2.8 Perseverance

Perseverance refers to the ability to persist in the face of challenges, setbacks, and obstacles while remaining focused on the long-term goals of public service. Civil servants, who play a crucial role in implementing policies and delivering public

▶ Focussing on long term goal

services, must embody perseverance to carry out their duties effectively despite the complexities and challenges they often face. This value ensures that public servants remain committed to their work, even when confronted with difficult circumstances or opposition, and continue to strive toward improving the quality of governance and service delivery.

In India's large and complex bureaucratic system, civil servants often face significant administrative delays, red tape, and resistance when implementing policies or initiating projects. Perseverance helps them navigate these obstacles, ensuring that they continue working toward the completion of projects despite bureaucratic inertia. Civil service work often involves long-term projects that require sustained effort over months or years. For instance, civil servants involved in infrastructure development projects, such as the National Highways Development Project (NHDP) or the Smart Cities Mission, must maintain focus over long periods to overcome unexpected delays or unforeseen issues. Perseverance in such projects is essential to see them through to successful completion, despite financial constraints, political challenges, or unforeseen environmental or technical problems. A persistent commitment to the goal ensures that such projects ultimately benefit society.

▶ Sustained effort

▶ Managing Crisis

Implementing policy reforms often meets resistance, whether from entrenched interests, political opposition, or institutional inertia. Civil servants must exhibit perseverance to push forward necessary reforms, even in the face of challenges. Civil servants are often called upon to manage crises, whether natural disasters, public health emergencies, or economic crises. Perseverance is essential in such situations as civil servants must not only deal with immediate challenges but also ensure the long-term recovery and rehabilitation of affected areas.

Perseverance in civil service fosters resilience, allowing civil servants to keep working toward achieving the government's goals, even when faced with public dissatisfaction or setbacks. Perseverance in civil service also entails a commitment to continuous learning and improvement. Civil servants who demonstrate perseverance are dedicated to learning from their experiences, improving their skills, and finding innovative solutions to problems. For instance, the implementation of e-governance initiatives requires civil servants to adapt to new technologies, overcome initial difficulties, and continuously improve service delivery. By demonstrating perseverance, civil servants can ensure that governance becomes more efficient and accessible to the public over time.

▶ Commitment to continuous improvement

Perseverance is a vital foundational value of civil service that allows civil servants to remain committed to their roles despite challenges, setbacks, and difficult circumstances. It is essential for ensuring the long-term success of policies and programs, particularly in a diverse and complex country like India. By demonstrating perseverance, civil servants can overcome obstacles, improve governance, foster trust in government institutions, and work towards the greater good of society. In a rapidly changing world, the ability to persist and maintain focus on public welfare is key to building a better, more resilient administrative system.

▶ Essential for long term success

2.1.2.9 Impartiality and Non-Partisanship

Impartiality refers to the principle that civil servants must treat all citizens equally, without favoring one individual or group over another. They must perform their duties with fairness, objectivity, and without personal prejudice, ensuring that decisions are made based on facts, law, and established policies rather than subjective feelings, biases, or external influences. Impartiality guarantees that civil servants provide services and make decisions based on merit and fairness, not on personal relationships, political affiliations, or social status.

▶ Treat all citizens equally

Impartiality is integral to ensuring that all citizens are treated justly under the law. This is especially important in areas like law enforcement, public policy implementation, and welfare programs. When civil servants make decisions impartially, it fosters a culture of fairness and justice, which strengthens the legitimacy of governance. Impartiality serves as a safeguard against favoritism, nepotism, and corruption within the civil service. When civil servants remain neutral and avoid personal biases, they are less likely to misuse their authority for personal gain or to favor certain groups. For example, impartiality is vital in public procurement processes, such as awarding government contracts. Civil servants must make decisions based on merit and the public good, not based on relationships or external pressures.

▶ Strengthens the legitimacy of governance

Non-partisanship means that civil servants must remain politically neutral and avoid any actions or decisions that align with a specific political party, ideology, or interest group. Civil servants must serve the elected government of the day impartially, without allowing their personal political beliefs or loyalties to influence their professional duties. Non-partisanship ensures that the functioning of government remains stable and uninterrupted, regardless of political changes.

▶ Stability of governance

By adhering to non-partisanship, civil servants are protected from undue political influence that might otherwise compromise their professional integrity and public service obligations. Political parties often change when elections are held, and civil servants, particularly those in key positions like District Collectors or Police Chiefs, must maintain neutrality to avoid becoming a tool for any political agenda. This protects the integrity of the civil service and ensures that decisions are made based on merit and law. The primary role of civil servants is to serve the public, and this function must remain above politics. Non-partisanship ensures that civil servants focus on their professional duties and deliver services according to the principles of equity, fairness, and transparency

Challenges to Impartiality and Non-Partisanship

1. Political Pressure

In India, political pressure is a significant challenge that civil servants often face, especially during election seasons or when implementing controversial policies. There may be expectations to align with the political interests of the ruling party. However, impartiality and non-partisanship require civil servants to resist such pressures and continue to perform their duties in a neutral and fair manner.

2. Institutional and Bureaucratic Influence

The bureaucratic system itself can sometimes foster a culture where senior officials exert influence on junior officers, pushing them to make decisions in line with their personal or political preferences. Overcoming this influence requires strong adherence to ethical standards, as well as the support of robust institutional safeguards that promote impartiality and neutrality.

3. Media and Public Opinion

Media can sometimes try to influence civil servants by shaping public opinion on certain issues, often in ways that might be politically motivated. Civil servants must maintain objectivity and resist being swayed by media narratives to ensure that their decisions are based on facts and the public interest, not on external influences.

Summarized Overview

This unit explores the essential ethical principles guiding civil servants in India. Ethics in civil service ensures that public servants act in the best interest of the public, uphold constitutional values, and maintain trust in government institutions. The foundational values of civil service include neutrality, ensuring unbiased administration; integrity, emphasizing transparency and honesty; accountability, requiring responsibility to the public; and humility, guiding respectful interactions with citizens. Other important values like adaptability, magnanimity, and perseverance help civil servants address challenges effectively.

The unit traces the historical evolution of the Indian civil service, from the British colonial era to its reformation post-independence, reflecting democratic values. Civil servants today are expected to balance professionalism with ethical standards, ensuring the fair and efficient delivery of public services. Ethics in civil service is critical to prevent corruption, enhance governance, and promote public welfare, thereby contributing to the legitimacy and credibility of the Indian administrative system.

Assignments

1. Explain the importance of ethics in civil service. How does ethical governance contribute to the efficiency of public administration in India?

2. Analyse the value of accountability in civil service. How can a lack of accountability harm public trust in government institutions? Cite examples from India.

3. Integrity is a cornerstone of civil service ethics. Discuss the significance of integrity for a civil servant in India and how it impacts the delivery of public services.

4. How does adaptability contribute to effective governance in India? Discuss a real-life example where civil servants demonstrated adaptability in addressing public issues.

5. Analyse the challenges faced by civil servants in maintaining neutrality and impartiality in a politically charged environment like India

6. Analyse how the foundational values of civil service (such as anonymity and integrity) contribute to the overall legitimacy and credibility of the Indian administration. What happens when these values are compromised?

Suggested Reading

1. Dhameja, Alka, 2003, "*Role of Ethics in Public Administration*" in Ramesh K Arora, and Tanjul, Saxena (Eds.), Ethics and Accountability in Government and Business: Aalekh, Jaipur.

2. Gore, A, 1993, *From Red Tape to Results: Creating a Government that Works Better and Costs Less*, Government Printing Press, Washington D.C.

3. Jain, R.B., 1976. *Contemporary Isrues in Indian Administration;* Vishal Publications; New Delhi.

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1. Agarwal U. C, 2000 "Administrative Corruption: Causes and Cure" in Noorjahan Bava (Ed.), Public Policy and Administration: Normative Concerns, Uppal, New Delhi.

2. Arora, Ramesh K, (Ed.), 2004. Public Administration: Fresh Perspectives, Aalekh, Jaipur

3. Avasthi.A. & Maheshwari.S , 2022. Public Administration; Laxmi Narain Agarwal, Agra

Space for Learner Engagement for Objective Questions

Learners are encouraged to develop objective questions based on the content in the paragraph as a sign of their comprehension of the content. The Learners may reflect on the recap bullets and relate their understanding with the narrative in order to frame objective questions from the given text. The University expects that 1 - 2 questions are developed for each paragraph. The space given below can be used for listing the questions.

UNIT 2
Ethics and Public Organisations

Learning Outcomes

Upon completion of this unit the learner will be able to

▶ understand the concept of ethics in public organisations

▶ get familiarize with the concepts of corruption and anti-corruption

▶ analyze the role, structure and functions of different anti-corruption mechanism in India

▶ identify the significance of whistleblowers

Background

Ethics in public organizations is essential for maintaining integrity, transparency, and accountability, especially in a large democracy like India. Public organizations function as pillars of governance, and when ethical standards are compromised, the impact reaches all levels of society. Over time, India has developed an evolving framework to combat corruption and uphold ethical practices, with anti-corruption mechanisms and whistleblower protections at the forefront.

Historically, India's fight against corruption began with the establishment of bodies like the Central Vigilance Commission (CVC) in 1964, created to monitor governmental integrity and prevent corruption. This was followed by the formation of the Lokpal and Lokayuktas, independent ombudsman bodies empowered to investigate complaints against public officials. The Prevention of Corruption Act further criminalizes acts of bribery and misuse of office, reinforcing India's commitment to ethical governance. Institutions like the Comptroller and Auditor General (CAG) also play an essential role in ensuring financial accountability and transparency.

Whistleblowing, on the other hand, is a mechanism that enables individuals within public organizations to expose corruption or unethical practices without fear of retaliation. Whistleblowers serve as ethical watchdogs, but the risks they face can be significant. Recognizing this, the Whistleblower Protection Act was enacted in 2014 to provide legal protection and support for individuals who expose wrongdoing. This act aims to protect

employees from victimization, encouraging a culture of transparency and accountability within public organizations.

Together, India's anti-corruption mechanisms and whistleblower protections illustrate the commitment to creating an ethical framework within public organizations. By empowering institutions and individuals to uphold these values, India seeks to strengthen public trust in governance and ensure that its administrative systems remain transparent, accountable, and aligned with the public's best interests.

Keywords

Public Resource, Ethical Conduct, Supervisory Powers, Transparency, Autonomous Agency

Discussion

2.2.1 Introduction to Ethics in Public Organizations

▶ Ethical standards

In India, public organizations serve as the backbone of governance, directly impacting citizens' lives. Ethical standards within these institutions are fundamental, as they shape how public resources are used, how justice is served, and how welfare schemes are administered. Ethical frameworks in public organizations provide the guiding principles for integrity, transparency, and accountability. For instance, India's Central Vigilance Commission (CVC) promotes ethical governance by overseeing governmental activities and curbing corruption. This ethical oversight ensures that public organizations remain aligned with citizens' expectations and the country's developmental goals.

▶ Bridging the trust gap

Ethical practices in public organizations are essential for building public trust. In India, where public service accessibility and quality often vary, ethics ensure that every citizen is treated equitably. Ethical conduct also mitigates the risk of corruption, which has been a long-standing challenge. Initiatives such as e-governance, particularly through the Digital India program, aim to enhance transparency by reducing face-to-face interactions in services like tax collection, land records management, and public welfare schemes. These ethical practices help bridge the trust gap and ensure services reach the grassroots without bias or favoritism.

Good governance in India is deeply intertwined with ethics, as emphasized by policies and practices in various government sectors. Ethical governance is exemplified by transparent

decision-making processes, like the implementation of the Right to Information (RTI) Act, which empowers citizens to hold government bodies accountable. The RTI has encouraged an ethical culture in public organizations by ensuring decision-makers consider the public's right to know. Similarly, schemes such as the Direct Benefit Transfer (DBT) promote ethical governance by reducing middlemen, thus ensuring subsidies and benefits directly reach eligible citizens.

▶ Transparent decision-making processes

Civil service values such as integrity, impartiality, and accountability are the foundation of ethical public organizations in India. These values influence how public servants approach their roles and responsibilities. For instance, the code of ethics within the Indian Administrative Service (IAS) emphasizes neutrality, detachment from political influences, and prioritizing public welfare above personal interests. The linkage between these values and organizational ethics is essential for fostering a culture of service where public servants see themselves as custodians of citizens' trust and resources. This ethical culture is reinforced through continuous training, such as programs by the Lal Bahadur Shastri National Academy of Administration (LBSNAA), which emphasize ethical decision-making and responsiveness.

▶ Linkage between these values and organizational ethics

2.2.2 Corruption and Anti- Corruption

Corruption has been defined in various ways, but none capture its full complexity. For a time, the debate over its definition dominated discussions on the topic. One of the simplest and most commonly cited definitions describes corruption as the misuse of public authority for personal gain—a definition widely used by the World Bank. However, this doesn't imply that corruption is limited to the public sector; it is also present in private businesses, particularly in areas like procurement and hiring. Additionally, corruption can surface in private organizations regulated by the government.

▶ Misuse of public authority for personal gain

Not all abuses of public power are for personal gain. Sometimes, they serve the interests of a person's political party, community, tribe, social circle, or family. In several countries, funds acquired through corruption are even used to support political parties' operations. In recent years, economic reforms like privatization have become closely associated with corruption. Public or state-owned enterprises, in particular, have frequently been sources of political corruption, sometimes channeling resources to fund political activities or creating employment for the supporters of certain political groups.

▶ Political corruption

Corruption is often linked to state functions, particularly

where there is monopolistic control and discretionary power. Yet, some of the least corrupt nations, like Denmark, Finland, Newzeland and Sweden, have large public sectors by measures of tax revenue or public spending relative to GDP. This suggests that the nature of state operations and their functional practices are more significant in determining corruption levels than simply the size of the public sector.

In many developing nations, the state's role involves numerous rules and regulations, with licenses, permits, and authorizations required to engage in various activities. These regulations provide officials with a form of monopolistic power, allowing them to either delay or deny approvals, thereby pressuring applicants into paying bribes to expedite processes. In India, the term "licence raj" came to describe a system where permits were sold to those seeking to conduct certain economic activities. In some regions, facilitators or middlemen have emerged to navigate these complex bureaucratic requirements. Often, regulations lack transparency and are not readily available to the public, with permissions confined to specific offices or individuals. This lack of competition in authorizing permissions allows bureaucrats significant control, increasing opportunities for bribery.

Corruption is also influenced by networks among powerful industries, political parties, and politicians. The quality of a country's bureaucracy can affect corruption levels, and this quality varies considerably between nations. In some countries, public sector jobs are prestigious, while in others, they hold much less status, which impacts bureaucratic integrity.

In reality, few people face punishment for corruption, despite its prevalence. In most countries, there is a significant disparity between the penalties outlined in the law and those actually enforced, with real penalties often being less severe than those prescribed. Bureaucratic processes for disciplining corrupt officials are slow and complicated, and legal or political barriers frequently prevent prompt enforcement of penalties. This tolerance toward minor corruption acts can create an environment that fosters larger corrupt practices over time.

Corruption is a complex issue rooted in multiple inter-connected causes, contributing to its widespread presence. Key causes include:

1. **Economic Insecurity**: Economic instability drives both the wealthy and the poor toward corruption. Those with

less seek wealth for security, while the affluent fear losing their status and possessions. The desire for luxury items, such as high-end electronics, designer clothing, and lavish homes, often fuels illegal activities like smuggling.

2. **High Tax Rates**: Relatively high tax rates can tempt even honest citizens to underreport their assets and income. Some officials, may capitalize on this by soliciting bribes not only from tax evaders but also from ordinary individuals trying to avoid bureaucratic delays and harassment.

3. **Low Government Salaries**: Many government employees receive modest wages, especially in lower-ranking positions, leading some to demand "tips" or bribes for performing routine duties. This practice is common among clerks, police constables, and other junior staff, with studies suggesting that a significant percentage of officials engage in corruption in one form or another.

4. **New Sources of Wealth and Power**: The modern political economy often provides opportunities for politicians to acquire wealth through illicit means. As journalist Lincoln Steffens noted, "politicians took bribes because businessmen offered them," a cycle where business and politics encourage each other to exploit the system for financial gain.

5. **Democratic System and Election Funding**: The way democracy currently functions in India also contributes to corruption. Political parties, especially those in power, spend vast sums on elections. This funding frequently comes from wealthy industrialists and businesspeople, who, in return, expect favorable treatment, using "black money" for campaign financing and gaining justification to accumulate unaccounted wealth.

6. **Prevalence of Black Money**: Unaccounted wealth, or black money, is one of the main sources of corruption. It is generated through tax evasion, smuggling, under-the-table payments, and dealings in licenses and permits, creating a shadow economy that thrives on unethical practices.

7. **Social and Economic Modernization**: Modernization and technological progress, while beneficial in many ways, also create incentives for corruption, offering rewards in the form of money, influence, and status. As values and behaviors evolve, the desire to quickly gain wealth, power, and social standing motivates people across all lev-

els of society to engage in corrupt practices. According to political scientist Samuel Huntington, corruption in a modernizing society reflects a shift in social norms and the growing motivation to "get rich quick."

2.2.3 Evolution of Anti- Corruption Mechanism in India

Before India's independence in 1947, corruption was recognized as a significant issue during the British colonial era, but the measures to curb it were limited and often ineffective. Under the British administration, corruption was rampant among government officials, who exploited their positions for personal gain. The colonial government's approach to tackling corruption was focused more on controlling the bureaucracy and ensuring loyalty to the colonial rulers rather than genuinely curbing corrupt practices.

▶ British administration

A few initiatives were taken to address corruption within the colonial administration. The Indian Penal Code (IPC), enacted in 1860, criminalized acts of bribery and corruption. The Prevention of Corruption Act, 1947, was introduced just before independence to tackle corruption in the civil services. This Act made bribery and corruption punishable under the law, but enforcement remained weak, and the system was often used to target lower-level officials rather than the higher echelons of power.

▶ First initiatives to address corruption

Moreover, the Central Vigilance Commission (CVC) was established in the early 20th century, but it was a largely ineffective body with limited powers, and its scope did not extend to addressing corruption comprehensively. Overall, the colonial era was marked by superficial measures to combat corruption, with the emphasis more on protecting the interests of the British colonial government than rooting out corruption in the Indian administration.

▶ Superficial measures

Following India's independence in 1947, the new government recognized corruption as a serious obstacle to development and governance. The establishment of a democratic republic, with a focus on building institutions and promoting transparency, required an overhaul of the existing anti-corruption mechanisms.

▶ Major anti-corruption mechanism

1. **The Prevention of Corruption Act, 1947 (Amended in 1988)**: After independence, the Indian government enacted the Prevention of Corruption Act, 1947, which was later amended in 1988 to strengthen its provisions. The Act laid the groundwork for prosecuting public servants involved

in corruption, criminalizing bribery, embezzlement, and abuse of office by public officials. The 1988 amendments broadened the scope to include private individuals who conspired with public servants in corrupt activities.
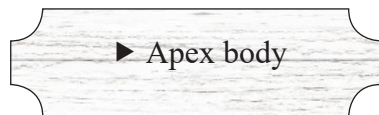
2. **Central Vigilance Commission (CVC)**: In 1964, the Central Vigilance Commission (CVC) was structured to monitor government agencies and institutions for corrupt practices. Initially created as an advisory body, the CVC was granted more autonomy and powers over time. The Vigilance Commission became central to the government's anti-corruption strategy by offering a platform to address grievances and ensure accountability within the bureaucracy.

3. **The Right to Information (RTI) Act, 2005**: A significant milestone in post-independence anti-corruption measures was the Right to Information Act, passed in 2005. The RTI Act empowered citizens to request information from public authorities, promoting transparency and accountability in government functioning. It became a powerful tool in fighting corruption by exposing bureaucratic inefficiency and malpractices.

4. **Lokpal and Lokayuktas Act, 2013**: The introduction of the Lokpal Bill marked a significant step in addressing corruption at the national level. After years of protests and debates, especially following the Anna Hazare-led anti-corruption movement in 2011, the Lokpal and Lokayuktas Act, 2013 was passed. It established an ombudsman institution (the Lokpal) at the central level to investigate complaints against government officials and public servants involved in corruption. State governments were also encouraged to establish similar bodies (Lokayuktas) to handle corruption at the state level. The Lokpal is empowered to investigate complaints related to corruption, including those involving politicians, civil servants, and members of the judiciary.

5. **Whistleblower Protection Act, 2014**: Another important development was the Whistleblower Protection Act, 2014, which aimed to safeguard individuals who report corruption, fraud, or misconduct within government agencies. The law provides protection against retaliation for whistleblowers, making it easier for citizens and government employees to report corruption without fear of reprisal.

In recent years, there have been growing calls for comprehensive reforms to enhance the effectiveness of India's anti-corruption framework. Despite these measures, corruption remains a pervasive issue in India, and the challenge of strengthening enforcement, improving transparency, and holding powerful individuals accountable continues to be a major area of concern. However, the development of institutional mechanisms such as the CVC, RTI, Lokpal, and whistleblower protections have laid a strong foundation for addressing corruption and promoting good governance in India.

2.2.4 Anti-corruption mechanism - Institutional Framework

2.2.4.1 Central Vigilance Commission (CVC):

▶ Apex body

The Central Vigilance Commission (CVC) is the apex body established by the Indian government in 1964 to combat corruption within the government. In 2003, Parliament granted the CVC statutory status, making it an autonomous body independent of any executive control. The CVC is responsible for overseeing vigilance activities in central government organizations, offering advice on planning, executing, reviewing, and reforming vigilance efforts.

▶ Santhanam Committee

The Commission was formed under a Government of India Resolution dated February 11, 1964, following the recommendations of the Committee on Prevention of Corruption, chaired by Shri Santhanam. The CVC's Annual Report outlines the work carried out by the Commission and highlights systemic failures, areas for improvement, and the preventive measures taken. It also addresses instances where the Commission's recommendations were not implemented.

The Central Vigilance Commission (CVC) is led by a Central Vigilance Commissioner, supported by two Vigilance Commissioners.

The CVC operates with its own Secretariat, Chief Technical Examiners' Wing (CTE), and a wing dedicated to Commissioners for Departmental Inquiries (CDI).

The Secretariat includes an officer of the rank of Additional Secretary to the Government of India, a Joint Secretary to the Government of India, ten officers at the level of Director/Deputy Secretary, four Under Secretaries, and other office staff.

The Chief Technical Examiners' Wing, which functions as the technical arm of the CVC, is headed by two engineers of

Chief Engineer rank (designated as Chief Technical Examiners) and supported by engineering staff. The primary roles of this wing include:

1. Conducting technical audits of construction projects within government organizations.

2. Investigating specific complaints related to construction works.

3. Assisting the Central Bureau of Investigation (CBI) in technical investigations and property evaluations in Delhi.

4. Supporting the CVC and Chief Vigilance Officers in handling vigilance cases involving technical issues.

The Commissioners for Departmental Inquiries (CDI) consist of fourteen positions, with eleven at the rank of Director and three at the rank of Deputy Secretary. The CDI serves as Inquiry Officers, overseeing inquiries in departmental proceedings against public servants.

The Central Vigilance Commissioner and the Vigilance Commissioners shall be appointed by the President on recommendation of a Committee consisting of the Prime Minister (Chairperson), the Minister of Home Affairs (Member), and the Leader of the Opposition in the House of the People.

The Central Vigilance Commissioner (CVC) or Vigilance Commissioner (VC) can only be removed from office by an order from the President, based on proven misbehavior or incapacity. This removal can occur after the Supreme Court, upon a reference from the President, conducts an inquiry and reports that the CVC/VC should be removed. The President has the authority to suspend the CVC/VC from office and, if necessary, prevent them from attending office during the inquiry. The President may also remove the CVC or any VC from office if they:

1. is adjudged an insolvent; or

2. has been convicted of an offence, which in the opinion of the Central Government, involves moral turpitude; or

3. engages, during his/her term of office, in any paid employment outside the duties of his/her office; or

4. is, in the opinion of the President, unfit to continue in office by reason of infirmity of mind or body; or

5. has acquired such financial or other interest, as is likely to affect prejudicially his/her functions, as a CVC or a VC.

Limitations of the Central Vigilance Commission (CVC):

1. **Advisory Role**: The CVC serves primarily as an advisory body, and its recommendations may or may not be followed by central government departments.

2. **Resource Constraints**: The CVC is a small organization with limited staff. This is insufficient when compared to the over 1,500 central government establishments it is expected to oversee.

3. **Inability to Direct CBI Investigations**: The CVC cannot independently instruct the Central Bureau of Investigation (CBI) to initiate inquiries against officers at the level of Joint Secretary and above. Permission from the concerned department is required for such actions.

4. **Limitations on Legal Action**: The CVC does not have the authority to register criminal cases. Its jurisdiction is limited to handling vigilance and disciplinary matters.

5. **Supervisory Powers over CBI**: While the CVC holds supervisory authority over the CBI, it cannot request files from the CBI or direct specific investigations. The CBI operates under the administrative control of the Department of Personnel and Training (DoPT), which has the authority to appoint, transfer, and suspend CBI officers.

6. **Appointment Process**: Although the Leader of the Opposition in the Lok Sabha is part of the committee that selects the CVC and VCs, appointments to the CVC are indirectly influenced by the central government.

2.2.4.2 Comptroller and Auditor General (CAG):

▶ Article 148

The Comptroller and Auditor General (CAG) of India is an independent constitutional authority responsible for auditing the accounts of the central and state governments, as well as public sector organizations. Established under Article 148 of the Indian Constitution, the CAG ensures that public funds are used efficiently, and government expenditure complies with laws and regulations.

Nature and Structure:

The CAG is an autonomous body, free from executive control, and functions under the direct authority of Parliament. It is a high constitutional office and is considered a cornerstone of the public financial accountability system in India. The CAG's office is structured into various audit wings, covering different sectors like civil accounts, commercial accounts, railways, defense, and public sector undertakings.

Duties and Powers:

The primary duties and powers of the CAG include:

1. Audit of Government Accounts: The CAG audits the accounts of the Union and State Governments, government-owned corporations, and other bodies funded by the government.

2. Report to Parliament: The CAG submits its audit reports to the President, who then places them before Parliament or the respective state legislature.

3. Appropriation Accounts: It checks whether funds authorized by Parliament for specific purposes have been used as intended.

4. Audit of Public Debt: The CAG audits the management and use of public debt.

5. Performance Audits: The CAG can also conduct performance audits of government schemes and policies to ensure efficient and effective implementation.

Role:

The CAG plays a crucial role in maintaining transparency and accountability in government financial operations. It acts as a safeguard against corruption and misuse of public funds, ensuring that taxpayers' money is spent wisely. Its reports are used by Parliament to scrutinize government spending, making the CAG a vital institution in upholding democratic governance.

Appointment and Term:

The CAG is appointed by the President of India. The appointment is made based on the recommendations of a panel, which typically includes the Prime Minister, the Leader of the Opposition, and the Speaker of the Lok Sabha. The CAG holds office for a term of six years or until the age of 65, whichever is earlier. The position is non-renewable, ensuring

independence and objectivity in its functioning. The CAG can only be removed from office by an order of the President, and this can only happen on the grounds of proved misbehavior or incapacity, after an inquiry by the Supreme Court.

Limitations:

Limited Powers of Enforcement: While the CAG audits government expenditures, its recommendations are not binding. The executive is not obligated to implement its suggestions, which weakens the enforcement of its findings.

Dependence on Government Records: The CAG relies on documents and records provided by government ministries and departments. If these records are incomplete or manipulated, the quality of the audit can be compromised.

Scope of Audit: The CAG's role is largely confined to financial audits, focusing on the legality and efficiency of government spending. It does not assess the overall performance or effectiveness of government policies or programs.

Lack of Constitutional Guarantees for Independence: While the CAG enjoys functional independence, its security of tenure and financial independence are not as robust as those of other independent constitutional bodies, leaving it vulnerable to indirect political pressures.

Overburdened with Responsibilities: The CAG is tasked with auditing a vast number of government bodies, which can lead to delays in audits and affect the timeliness and relevance of its findings.

2.2.4.3 Lokpal and Lokayuktas

Lokpal

The concept of the Lokpal was first proposed in 1963 by Shanti Bhushan. Over the years, this idea gained support, especially during the 1970s and 1980s, due to rising concerns over corruption in public offices. The Lokpal and Lokayuktas Act, 2013 was enacted to establish the Lokpal as an independent body to address corruption at the central level.

▶ Evolution

Nature and Structure:

The Lokpal is an independent statutory body at the central level, designed to investigate complaints against public

officials, including the Prime Minister, ministers, MPs, and government employees. It is a multi-member body, consisting of a Chairperson and members appointed by a selection committee.

The selection committee includes:

- Prime Minister
- Speaker of the Lok Sabha
- Leader of the Opposition in the Lok Sabha
- Chief Justice of India
- An eminent jurist

The Lokpal can have up to 8 members, with at least 50% of the members being from the judiciary or having experience in governance, law, or public administration.

Duties and Powers:

- Investigation: The Lokpal has the authority to investigate complaints of corruption against public servants, including the Prime Minister (except in specific matters).
- Prosecution: It can recommend prosecution and disciplinary actions against the accused.
- Complaint Handling: The Lokpal accepts complaints from any individual against public servants, including MPs and ministers.
- Asset Seizure: It has powers to attach properties acquired through corrupt means and recommend actions to recover such assets.

Role: The role of the Lokpal is to act as an independent body overseeing corruption-related complaints and ensuring accountability and transparency in the functioning of the central government. It helps restore public trust by ensuring that public servants are held accountable for corruption.

Appointment and Term:

- Appointment: The Lokpal is appointed by a selection committee, which includes the Prime Minister, Speaker of the Lok Sabha, Leader of the Opposition, Chief Justice of India, and an eminent jurist.
- Term: The term of the Chairperson and members of the

Lokpal is 5 years or until the age of 70, whichever is earlier. Members are eligible for reappointment for one more term.

Lokayukta

The concept of the Lokayukta emerged after the creation of the Lokpal at the central level. Lokayuktas are the state-level counterparts of the Lokpal, designed to address complaints of corruption in state government offices. The idea was first proposed in 1966 and has been adopted by most states in India, with some states creating their own Lokayukta laws.

Nature and Structure:

The Lokayukta is an independent body at the state level, formed to investigate complaints of corruption in state government departments, including public servants and elected officials such as the Chief Minister, ministers, and legislators. The structure of the Lokayukta varies across states, but it generally mirrors the Lokpal at the national level.

- Chairperson: A retired judge of a high court or a person with experience in public administration or law.
- Members: Lokayukta consists of members who may include retired judges, civil servants, or experts in governance.

Duties and Powers:

- Investigation: The Lokayukta investigates allegations of corruption in state government offices, public servants, and elected officials.
- Prosecution and Action: It can recommend disciplinary action or prosecution of the accused public servants and officials.
- Complaint Handling: Similar to the Lokpal, the Lokayukta accepts complaints of corruption from any individual and can initiate investigations based on these complaints.
- Asset Attachment: In some states, the Lokayukta has powers to attach assets accumulated through corrupt means.

Role:

The primary role of the Lokayukta is to ensure that public servants and elected officials at the state level are held

▶ State-level counterparts

accountable for their actions, promoting transparency, fairness, and integrity within the state government. By addressing corruption complaints and taking necessary action, it upholds good governance.

Appointment and Term:

- Appointment: The Lokayukta is appointed by the Governor of the respective state, usually on the advice of a selection committee. The composition of this committee may include the Chief Minister, Leader of the Opposition, and the Speaker of the State Legislature.
- Term: The term of the Lokayukta is generally 5 years, or until the age of **70**, whichever is earlier. The term may vary slightly depending on state-specific laws.

The Lokayukta plays a crucial role in the decentralization of anti-corruption efforts, acting as a watchdog over state government activities and ensuring that state resources are not misused.

The Lokpal and Lokayukta are pivotal institutions in India, established to combat corruption and ensure transparency within public services. However, their effectiveness is often stymied by several challenges. One significant hurdle is the appointment process, which can sometimes compromise their independence, as political considerations may influence the selection of members, reducing public trust. The Lokpal, created to oversee corruption at the central level, has struggled to become fully operational, with vacancies in crucial positions leaving it unable to function at full capacity. Both bodies also face limitations in their investigative powers-while they can recommend actions, they lack the authority to prosecute offenders directly, meaning they must rely on the executive to act on their findings, which often delays accountability. Adding to this is the sheer volume of cases they handle, which often leads to backlogs, resulting in slow, ineffective outcomes. Despite their noble intent, the scope of these institutions remains constrained, and without broader powers and more robust mechanisms, the Lokpal and Lokayukta struggle to fulfill their potential in eradicating corruption from the roots of public governance.

2.2.4.4 Central Bureau of Investigation (CBI)

The Central Bureau of Investigation (CBI) is India's premier

investigative agency, tasked with investigating and enforcing laws related to corruption, economic offenses, and other serious crimes. It was established in 1941 under the Delhi Special Police Establishment Act, and its role in anti-corruption emerged more prominently after it was given jurisdiction to investigate cases under the Prevention of Corruption Act, 1988.

Nature and Structure:

The CBI functions as an autonomous agency under the Ministry of Personnel, Public Grievances, and Pensions. It has a Director, who is appointed by the Central Government and enjoys the status of a senior civil servant. The Director is assisted by several officers of varying ranks, including Joint Directors, Deputy Inspectors General (DIGs), Superintendents of Police (SPs), and other investigative staff.

- The CBI is organized into specialized units to handle different categories of cases, including corruption, economic offenses, cybercrimes, and terrorism.
- Its Anti-Corruption Division specifically deals with cases related to public sector corruption, including those involving government officials, public servants, politicians, and police personnel.

Duties and Powers:

- Investigation of Corruption Cases: CBI investigates allegations of corruption against public servants under the Prevention of Corruption Act, 1988. This includes officials in the central and state governments, as well as public sector enterprises.
- Prosecution: After investigation, the CBI has the authority to file charge sheets in courts, initiating the legal process to prosecute the accused. It can also seek to seize ill-gotten assets linked to corruption.
- Supervisory Role: The CBI acts as the supervising authority for investigating corruption cases across various state agencies, often assisting state police forces and other investigative bodies.
- Coordination with Other Agencies: The CBI works in close coordination with various national and international agencies, including the Income Tax Department, ED (En-

forcement Directorate), Interpol, and others to track and investigate corruption that involves cross-border elements.

Role in Anti-Corruption:

The CBI plays a crucial role in addressing corruption by:

- Investigating High-Profile Cases: It handles high-profile corruption cases involving politicians, bureaucrats, and business tycoons, ensuring that no individual is above the law.
- Upholding the Rule of Law: By investigating allegations and pursuing prosecutions, the CBI ensures that public servants are held accountable for their actions.
- Preventive Measures: Through awareness campaigns and advisory roles, the CBI also seeks to educate government officials about the consequences of engaging in corrupt practices.

Appointment and Term:

- The Director of the CBI is appointed by a selection committee, which includes the Prime Minister, the Leader of the Opposition, and the Chief Justice of India. The Director's term is typically 2 years, but it can be extended by the government.
- Officers within the CBI are appointed based on merit and seniority from various services, including the Indian Police Service (IPS), Indian Revenue Service (IRS), and other departments.

Limitations and Criticism:

- Despite its importance, the CBI often faces criticism regarding its lack of autonomy, as it operates under the control of the Central Government, which may influence its investigations.
- There are concerns that the CBI is sometimes used for political purposes, with some investigations being dropped or delayed under political pressure.
- The limited resources and heavy workload also restrict its ability to handle the growing number of corruption cases

efficiently.

2.2.4.5 Enforcement Directorate (ED):

The Enforcement Directorate (ED) is a specialized financial investigation agency in India, primarily responsible for enforcing laws related to economic offenses, including money laundering, foreign exchange violations, and other financial crimes. It plays a significant role in the fight against corruption, especially in cases involving illicit wealth accumulation and financial mismanagement.

The Enforcement Directorate was established in 1956 under the Foreign Exchange Regulation Act (FERA), 1947. Its mandate was expanded in 2002 with the enactment of the Prevention of Money Laundering Act (PMLA), which gave it broader powers to investigate and enforce laws related to money laundering and financial crimes.

The ED is a part of the Department of Revenue under the Ministry of Finance, and its head is the Director of Enforcement, who is appointed by the Government of India. The ED operates through a network of regional offices, with its headquarters located in New Delhi.

▶ Specialized financial investigation agency

Duties and Powers:

- Investigation of Money Laundering: Under the PMLA, the ED is empowered to investigate cases involving the concealment of proceeds from crime, including corruption-related offenses. This includes tracing and attaching properties acquired through corrupt practices or other illegal means.
- Attachment of Assets: The ED has the authority to attach property and assets that are believed to be the proceeds of crime. It can seize movable and immovable assets linked to money laundering activities and corrupt practices.
- Prosecution of Financial Crimes: After investigation, the ED can file charges in court for money laundering, and it plays a key role in the prosecution of those found guilty of financial crimes.
- Coordination with Other Agencies: The ED works closely with other agencies such as the Central Bureau of Investigation (CBI), Income Tax Department, Directorate

of Revenue Intelligence (DRI), and Interpol to trace the financial trail of corruption and illicit wealth.

- International Cooperation: The ED has the authority to co-operate with foreign governments and agencies to track down cross-border money laundering activities, assisting in repatriating assets that have been moved abroad.

Role in Anti-Corruption:

The ED plays a pivotal role in combating corruption by:

- Tracing Black Money: It investigates financial transactions and structures used by corrupt public servants to hide illicit wealth, helping to expose the proceeds of corruption.
- Forfeiting Corrupt Gains: The ED's power to attach and seize assets linked to corruption acts as a deterrent against illegal accumulation of wealth.
- Strengthening Financial Accountability: By investigating financial crimes, the ED ensures that corrupt individuals cannot launder money or conceal their criminal wealth, thus maintaining integrity within the financial system.

Appointment and Term:

- The Director of Enforcement is appointed by the Central Government from a pool of senior Indian Revenue Service (IRS) officers or other senior officers with experience in enforcement and financial crimes.
- The term of the Director is typically 2 years, with the possibility of an extension.

Limitations and Criticism:

- The ED often faces criticisms regarding its autonomy, as it operates under the Ministry of Finance and is perceived to be influenced by political considerations.
- The bureaucratic setup and lack of resources can lead to delays in investigations and inefficiency in dealing with the large number of cases.
- The ED's focus on financial aspects may sometimes limit its ability to address broader issues of corruption, which may not always involve financial transactions.

2.2.5 Whistleblowing and Protecting Whistleblowers

2.2.5.1 Concept of Whistleblowing

Whistleblowing refers to the act of reporting unethical, illegal, or corrupt practices within an organization, typically by an employee or an insider. This disclosure is made either internally to authorities within the organization or externally to regulatory bodies, law enforcement agencies, or the public, when the internal reporting channels fail to address the issue effectively.

Whistleblowing is defined as the act of revealing information that exposes wrongdoing, fraud, or violations of regulations, which could harm the organization, its employees, or the public. This could include a wide range of activities such as financial fraud, mismanagement, environmental harm, corruption, safety violations, and other illegal acts.

The role of whistleblowing in promoting organizational integrity is crucial. When individuals within an organization blow the whistle on corrupt or unethical behavior, it creates a mechanism for ensuring transparency and accountability. By exposing wrongdoing, whistleblowing helps to correct unethical practices and deter future misconduct, thereby fostering a culture of integrity within the organization.

Whistleblowing is often seen as an ethical responsibility because it helps to safeguard the public interest and promote justice. Employees who witness wrongdoing within an organization have a moral obligation to report it to prevent harm to stakeholders, whether they are customers, employees, shareholders, or the community at large. By disclosing unethical practices, whistleblowers uphold ethical standards, protect human rights, and contribute to a more transparent and accountable society.

However, whistleblowers often face significant personal and professional risks, such as retaliation, harassment, or even job loss. Despite these risks, many individuals choose to blow the whistle because they believe in the ethical duty to expose wrongdoing, even at the cost of their own safety or career.

2.2.5.2 Evolution of Whistleblower Protection in India

The movement for whistleblower protection in India began

Sidebar labels:
- ▶ Act of reporting unethical practices
- ▶ Covers a broad spectrum of activities
- ▶ Fostering integrity
- ▶ Ethical responsibility
- ▶ Risks

gaining momentum in the late 20th century, as awareness about corruption, mismanagement, and unethical practices in both the public and private sectors grew. Whistleblowers in India, like their counterparts globally, faced significant risks such as retaliation, job loss, and even threats to their lives when they exposed corruption and misconduct.

One of the earliest and most high-profile cases that highlighted the need for whistleblower protection in India was the 1992 case of the Jain Hawala scandal, where a whistleblower leaked documents that implicated politicians and officials in a money laundering scheme involving the hawala system. Despite the significance of the revelation, the whistleblower faced immense personal and professional challenges, signalling a gap in the legal framework to protect such individuals.

In the 1990s and early 2000s, civil society groups and activists began demanding formal protection for whistleblowers. This push for systemic change culminated in public debates, culminating in the enactment of the Whistle Blowers Protection Act, 2014.

Whistle Blowers Protection Act (2014)

The Whistle Blowers Protection Act, 2014, was a landmark piece of legislation aimed at protecting individuals who expose corruption or wrongdoing within public authorities, organizations, or government institutions in India. The Act was designed to encourage individuals to report misconduct and unethical behavior without fear of retaliation or harm.

The introduction of the Act was an important milestone in addressing the challenges faced by whistleblowers in India, where many individuals had previously refrained from speaking out due to the lack of legal protection.

Key Provisions of the Whistle Blowers Protection Act (2014)

1. Protection of Identity: The Act ensures the confidentiality of the whistleblower's identity, protecting them from any public disclosure that may jeopardize their safety. This is crucial for preventing retaliation.

2. Inquiry and Investigation: The Act empowers the central and state governments to investigate complaints raised by whistleblowers regarding corruption, abuse of power,

or other illegal activities within public authorities or organizations.

3. Scope of Complaints: Whistleblowers can report allegations related to corruption, bribery, and misuse of office within government offices, public sector undertakings, and other public institutions.

4. Penalties for Retaliation: If any public servant or authority retaliates against a whistleblower, they can face disciplinary action or legal consequences. This provision is intended to deter organizations from taking retaliatory actions against those who expose wrongdoing.

5. Whistleblower Protection Officers: The Act mandates the establishment of officers within government bodies who are responsible for protecting the interests of whistleblowers, ensuring their safety, and overseeing the inquiry processes.

Protection Mechanisms Against Retaliation

1. The Whistle Blowers Protection Act contains several key provisions that provide safeguards against retaliation for individuals who report misconduct:

2. Protection from Dismissal or Disciplinary Action: The Act guarantees that whistleblowers will not be dismissed, demoted, or face any other form of discrimination or retaliatory action for their role in exposing corruption or unethical practices.

3. Safe Reporting Channels: Whistleblowers can report concerns through established channels, which include anonymous or confidential reporting mechanisms. This helps reduce the risk of exposure and retaliation.

4. Criminal Penalties for Retaliation: If a public servant or officer retaliates against a whistleblower, such as through dismissal, demotion, or harassment, they can face criminal penalties under the Act. This includes fines or imprisonment, serving as a deterrent against wrongful actions.

5. Psychological and Physical Protection: In cases where the whistleblower faces threats or harm to their life or property, the government can provide physical protection, including police escort, relocation, or other protective measures.

2.2.5.3 Importance of Protecting Whistleblowers

Whistleblowers play a critical role in promoting transparency, accountability, and integrity within organizations and public institutions. They are individuals who expose wrongdoing, unethical practices, or illegal activities within their organizations, often at great personal and professional risk. The protection of whistleblowers is crucial, not only for the individuals involved but also for the overall health of organizations and the society at large.

1. Ensuring Accountability and Transparency

Whistleblowers act as guardians of transparency by bringing to light corruption, fraud, mismanagement, or violations of laws within public or private institutions. Without whistleblowers, many unethical practices could continue undetected, leading to significant harm to the public, stakeholders, and the credibility of the organization. For example, Enron's corporate fraud would have likely gone unnoticed without the courage of whistleblower Sherron Watkins, an Enron employee who exposed the financial misconduct that eventually led to the company's collapse and widespread reforms in corporate governance.

By exposing wrongdoing, whistleblowers hold individuals and organizations accountable for their actions, helping to prevent the abuse of power, financial mismanagement, and other forms of corruption. They serve as a check against unethical conduct that could otherwise go unchecked.

2. Encouraging Ethical Behavior and Organizational Integrity

When organizations establish strong mechanisms to protect whistleblowers, it fosters a culture of ethics and integrity. Employees are more likely to report misconduct if they know that their identities will be protected, and they will not face retaliation for their actions. A supportive environment for whistleblowers sends a clear message that unethical behavior is unacceptable and will not be tolerated.

In countries with robust whistleblower protection laws, such as the United States with its Sarbanes-Oxley Act or India's Whistle Blowers Protection Act (2014), organizations are more likely to demonstrate ethical behavior because they understand that their employees have a safe way to report misconduct. For instance, the Indian government's protection of

▶ Need for a healthy organisation

whistleblowers in cases like the Satyendra Dubey case (where the whistleblower's death catalyzed legal reforms) highlights how crucial legal frameworks are in encouraging individuals to report corruption without fear.

3. Preventing and Reducing Corruption

Whistleblowers are often the first to expose corruption or illegal practices, thus playing a vital role in combating systemic corruption within both public and private sectors. For example, in the Commonwealth Games scam in India, the exposure of financial irregularities by whistleblowers contributed to investigations and actions that held corrupt officials accountable, leading to reforms and stronger mechanisms to deal with corruption.

By revealing corrupt practices, whistleblowers reduce the opportunity for future misconduct and often result in immediate investigations that prevent further harm to the public and organizational assets. Protecting them ensures that those who try to expose corruption are not silenced by fear of retaliation or legal consequences.

4. Promoting Public Trust and Confidence

The protection of whistleblowers helps to strengthen public trust in both government and private institutions. When whistleblowers are protected, it assures the public that these organizations are committed to ethical conduct and that corruption and malpractice will not be tolerated. For instance, Wikileaks, though controversial in some respects, relied on whistleblowers to expose information about government and corporate activities that affected global public trust.

In democratic societies, ensuring the safety and security of whistleblowers is a vital aspect of safeguarding transparency in governance and corporate sectors. Public confidence in institutions is bolstered when citizens see that those in power are held accountable, and those who report wrongdoing are protected.

5. Protecting Human Rights and Social Justice

Whistleblowers often bring attention to issues that impact human rights, public safety, and social justice. For instance, whistleblowers in the healthcare sector may expose dangerous medical practices or negligence that put patients at risk. In environmental protection, whistleblowers have

exposed corporate practices that harm ecosystems and local communities, such as illegal dumping of toxic waste or violations of environmental regulations.

By protecting whistleblowers, societies ensure that crucial issues- ranging from public health to human rights violations- are addressed and that justice is served. This is vital in ensuring that organizations act responsibly toward the broader community and environment.

2.2.5.4 Challenges Faced by Whistleblowers

Whistleblowers play a crucial role in exposing wrongdoing, corruption, and unethical practices, but their actions often come at significant personal, professional, and social costs. While the importance of protecting whistleblowers is widely acknowledged, the challenges they face can be daunting and multifaceted. These challenges not only discourage potential whistleblowers from stepping forward but can also lead to further victimization and retaliation for those who do.

1. Retaliation and Victimization

One of the most significant challenges faced by whistleblowers is the threat of retaliation. Whistleblowers often face harassment, job termination, demotions, or isolation within their organizations as a result of their actions. In some cases, they may be subjected to physical threats, legal action, or even character assassination. This kind of retaliation can make it difficult for individuals to continue their careers and can have long-lasting personal and financial consequences.

For instance, Satyendra Dubey, the whistleblower in the National Highway Project corruption case, faced severe repercussions, including his tragic murder in 2003, which highlighted the extreme risks faced by those exposing corruption in India. Despite legal protections, many whistleblowers fear similar retaliation.

2. Legal and Bureaucratic Obstacles

The legal process for protecting whistleblowers can be long, complicated, and ineffective, making it difficult for them to seek justice. Although laws such as India's Whistle Blowers Protection Act, 2014 and the United States' Sarbanes-Oxley Act offer certain protections, many whistleblowers struggle to navigate the legal framework effectively. The bureaucratic hurdles and delayed investigations often result in a lack of

timely action, leaving whistleblowers vulnerable for extended periods.

Moreover, whistleblowers often face the challenge of proving their claims in the face of a complex legal system. For instance, a whistleblower in a public sector organization may have difficulty obtaining support from authorities, who may be reluctant to initiate investigations into their own colleagues or superiors.

3. Lack of Anonymity and Privacy

Whistleblowers often face challenges in maintaining their anonymity, particularly in organizations or sectors where close-knit work environments exist. When whistleblowers are not assured of confidentiality, they risk exposure and retaliation. This lack of protection is particularly concerning in countries or organizations where a culture of secrecy and power imbalance exists.

The lack of effective mechanisms to protect anonymity and confidentiality makes it difficult for whistleblowers to feel safe when reporting corruption or misconduct. Even with legal frameworks in place, many whistleblowers fear that their identity will be revealed, leading to personal and professional consequences, as was evident in the case of Sherron Watkins, the whistleblower in the Enron scandal, who faced backlash despite being critical of the company's practices.

4. Professional and Career Risks

Whistleblowers often face severe career consequences, including blacklisting, difficulty finding new employment, or even professional isolation. In some sectors, a whistleblower's career may be permanently damaged, as they may be viewed as troublemakers or disloyal employees. Even in cases where the whistleblower is vindicated, the damage to their reputation and career can be irreversible.

For example, in corporate environments, whistleblowers who expose unethical practices may be labeled as "troublemakers," which could affect their chances of being rehired or promoted in the future. A whistleblower might also face a significant drop in job prospects or be overlooked for career advancement due to their tarnished reputation.

5. Emotional and Psychological Toll

The emotional and psychological toll on whistleblowers can be profound. The stress of facing retaliation, the fear of losing their job or career, and the strain of going through legal battles can lead to anxiety, depression, and even post-traumatic stress. The social isolation and the pressure of being seen as a "traitor" can have a devastating impact on their mental health.

In several cases, whistleblowers have reported feelings of loneliness and alienation after exposing misconduct. For instance, Kathleen O'Toole, a former police officer, faced both professional and personal challenges after blowing the whistle on corruption within the police force, which took a heavy emotional toll on her.

6. Financial Strain

The financial consequences of whistleblowing can be severe, especially for those who lose their jobs or are forced to leave their positions due to retaliation. Legal fees, lack of income, and the costs associated with prolonged legal battles can create a significant financial burden. Whistleblowers may also find it difficult to secure new employment, particularly if they are blacklisted or have become the target of negative publicity.

This financial strain can make it difficult for whistleblowers to continue their fight against corruption, and in some cases, may lead to them withdrawing their reports or settling for a less than ideal resolution.

7. Organizational Culture and Resistance

Many organizations foster cultures that discourage dissent or criticism, which can make it difficult for whistleblowers to report wrongdoing. Employees in such organizations may be pressured to remain silent, even when they are aware of unethical practices. In cases where whistleblowing is perceived as a threat to organizational stability, management may actively discourage employees from coming forward.

For example, in large corporations or public institutions, management may attempt to suppress whistleblowers' claims to avoid reputational damage, or they may attempt to dismiss or discredit the whistleblower as a means of protecting the organization's interests.

2.2.5.5 Strengthening Whistleblower Protection

Whistleblowers play an essential role in exposing corruption,

fraud, and unethical practices in both public and private sectors. However, despite their critical role in promoting transparency and accountability, whistleblowers often face significant risks, including retaliation, professional harm, and emotional distress. To ensure that more individuals feel empowered to expose wrongdoing without fear of retribution, it is crucial to strengthen the protection mechanisms for whistleblowers. This involves both legal reforms and changes in organizational culture, aimed at creating a safe environment for those who step forward.

1. Robust Legal Framework

A strong legal framework is fundamental to protecting whistleblowers. While India's Whistle Blowers Protection Act, 2014 provides a legal structure to protect whistleblowers, its implementation has faced challenges, particularly regarding the scope of protection, delays in the investigation process, and inadequate enforcement mechanisms. Strengthening legal provisions to ensure swift and effective action against retaliatory actions is crucial. This can include clearer definitions of what constitutes retaliation, the establishment of independent oversight bodies to monitor investigations, and penalties for organizations that fail to provide adequate protection.

For example, the United States' Whistleblower Protection Act (1989) serves as a strong example of effective legal protection. It offers whistleblowers protection from retaliation and allows for judicial review of retaliation cases. India can enhance its legal framework by incorporating similar provisions to ensure that whistleblowers have access to quick legal recourse and safeguards against employer retaliation.

2. Ensuring Anonymity and Confidentiality

One of the major barriers to whistleblowing is the fear of exposure and the subsequent backlash from employers, colleagues, and the public. Strengthening anonymity and confidentiality protections can significantly reduce this fear. For example, organizations and governments could provide whistleblowers with the option to report misconduct anonymously through secure channels. In some countries, hotlines or online portals are used to submit complaints without revealing the whistleblower's identity.

In India, the CVC and CBI have set up mechanisms for anonymous reporting of corruption, but ensuring robust protection through these channels is still a work in progress.

Clear, enforceable laws ensuring that whistleblower identities are never disclosed without their consent can encourage more individuals to report misconduct.

3. Creating Whistleblower Support Systems

Whistleblowers should have access to comprehensive support systems that help them navigate the challenges they face. This can include legal aid, counseling services, and career transition support in case they suffer professional setbacks. Many whistleblowers face career stagnation or loss of employment, which can have lasting financial and psychological effects. Providing them with career counseling, training for new employment opportunities, and financial assistance can help mitigate the negative impacts of whistleblowing.

For instance, the National Whistleblower Center in the United States offers both legal and practical support to whistleblowers, including funding for legal fees and resources for handling retaliation. India could implement similar support mechanisms to provide a more comprehensive safety net for those who come forward.

4. Establishing Independent Oversight Bodies

To ensure that whistleblower protection is enforced, it is important to establish independent oversight bodies that can handle complaints about retaliation and oversee investigations. These bodies should be free from political or organizational influence and have the authority to take swift action. In India, institutions like the CVC and State Vigilance Commissions play a significant role in investigating complaints of corruption, but their effectiveness could be improved by ensuring greater independence and more resources to handle whistleblower protection cases.

An independent ombudsman or specialized committee can oversee whistleblower cases, ensuring that any reports of retaliation are addressed promptly and fairly. The establishment of such independent bodies is critical in building trust in the system and encouraging whistleblowers to come forward.

5. Promoting Organizational Culture of Transparency and Accountability

Beyond legal protections, the organizational culture plays a crucial role in encouraging whistleblowing. Companies and government agencies should foster a culture of transparency, where employees are encouraged to report wrongdoing without

fear of retaliation. This includes training employees on the importance of whistleblowing, establishing clear reporting mechanisms, and assuring them that their concerns will be taken seriously and handled appropriately.

Organizations can create internal whistleblower programs that allow employees to report issues confidentially within the organization before going to external bodies. Regular audits and transparency initiatives, along with leadership commitment to ethical behavior, can significantly reduce the fear of retaliation and increase trust in the reporting system.

For example, companies in the United States like Whirlpool Corporation have set up internal whistleblower programs that offer strong support for employees who report unethical practices, demonstrating the positive impact of an ethical organizational culture. Indian companies and public organizations can follow similar models to strengthen their internal mechanisms.

6. International Cooperation and Learning

Countries with established whistleblower protection laws and systems can serve as models for others. India can collaborate with international organizations, like the OECD and the UN, to share best practices and implement global standards for whistleblower protection. International cooperation can also help in ensuring the safety of whistleblowers who report transnational corruption or misconduct, such as in the case of multinational corporations or cross-border financial crimes.

For instance, the Foreign Corrupt Practices Act (FCPA) in the U.S. encourages whistleblowers to report corruption by offering substantial rewards and protections. Adopting similar international standards could help enhance the protection of whistleblowers in India, particularly those dealing with global corruption cases.

Summarized Overview

The unit on ethics in public organizations explores the essential frameworks in place to ensure transparency, accountability, and integrity within India's administrative system. Central to this is India's anti-corruption mechanism, which has evolved over time with institutions such as the Central Vigilance Commission (CVC), Lokpal and Lokayuktas, and the Comptroller and Auditor General (CAG). These bodies work to monitor, investigate, and prevent corruption, while the Prevention of Corruption Act provides legal grounds to penalize bribery and misuse of office, reinforcing ethical practices in governance.

Additionally, the unit covers the importance of whistleblowing as a means to expose unethical practices within public organizations. Whistleblowers play a crucial role in uncovering corruption, but they often face risks, which the Whistleblower Protection Act of 2014 addresses by offering legal protection against retaliation. This legal safeguard encourages employees to report wrongdoing, fostering a culture of openness and accountability.

Together, these anti-corruption institutions and whistleblower protections form a comprehensive ethical framework. They aim to uphold public trust in India's governance by ensuring that public organizations operate transparently and responsibly, aligned with the principles of good governance.

Assignments

1. Critically analyse the evolution of India's anti-corruption framework, focusing on both pre-independence and post-independence measures. How effective have these frameworks been in curbing corruption?

2. Evaluate the significance of the Lokpal and Lokayuktas in tackling corruption at the national and state levels in India. How effective are these institutions in promoting accountability?

3. Define whistleblowing. Discuss its role in promoting organizational integrity and its ethical significance.

4. Analyse the key provisions of the Whistle Blowers Protection Act, 2014. How does it ensure protection for whistleblowers against retaliation?

Suggested Reading

1. Agarwal U. C, 2000 "Administrative Corruption: Causes and Cure" in Noorjahan Bava (Ed.), Public Policy and Administration: Normative Concerns, Uppal, New Delhi.

2. Arora, Ramesh K, (Ed.), 2004. Public Administration: Fresh Perspectives, Aalekh, Jaipur

3. Laxmikanth M, (Ed), 2024. Indian Polity, McGraw Hill Education, India

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1. Dhameja, Alka, 2003, "Role of Ethics in Public Administration" in Ramesh K Arora, and Tanjul, Saxena (Eds.), Ethics and Accountability in Government and Business: Aalekh, Jaipur.

2. Gore, A, 1993, From Red Tape to Results: Creating a Government that Works Better and Costs Less, Government Printing Press, Washington D.C.

Space for Learner Engagement for Objective Questions

Learners are encouraged to develop objective questions based on the content in the paragraph as a sign of their comprehension of the content. The Learners may reflect on the recap bullets and relate their understanding with the narrative in order to frame objective questions from the given text. The University expects that 1 - 2 questions are developed for each paragraph. The space given below can be used for listing the questions.

UNIT 3

Case Studies

Learning Outcomes

Upon completion of this unit, the learner will be able to:

▶ understanding ethical dilemmas

▶ apply ethical theories to real world situations

▶ balance competing interests

▶ strengthening ethical judgment

▶ promoting accountability and integrity

Background

Imagine a bustling town square where diverse voices echo—some clamouring for justice, others advocating for efficiency, and many simply yearning for fairness. In this vibrant mix stands the figure of a public administrator, burdened with the responsibility of balancing competing interests while ensuring the greater good. One day, a dilemma arises: a crucial decision must be made that could either benefit the majority or protect the rights of a vulnerable few. This is no ordinary choice; it's a test of values, principles, and the essence of integrity. The administrator pauses, torn between conflicting paths, realizing that the right decision isn't always the easiest or most popular. It's in moments like these that administrative ethics becomes the guiding compass, illuminating the way through the murky waters of governance. This chapter explores such crossroads, offering insights into the principles, theories, and real-life scenarios that shape ethical decision-making in public administration.

Keywords

Ethics, cases, accountability, Transparency

Case Studies

Crisis and disaster management

1. As the District Health Officer, you are responsible for managing the distribution of essential medicines in rural clinics during a sudden outbreak of a viral infection. Most of the population in the district lives in remote areas, where access to health services is already limited. The stock of medicines in your district is running low, and you have instructed your team to procure additional supplies from nearby medical warehouses.

However, a private courier company, which has a monopoly in the region for transporting medical supplies, has hiked its transportation fees by four times the usual rate, exploiting the urgency of the situation. Paying such high fees would significantly increase the cost of providing the medicines, potentially leading to budgetary constraints and delays in other critical services.

You need to ensure that medicines reach the rural clinics urgently, as the infection is spreading rapidly, and most of the population cannot afford to buy medicine from private pharmacies.

(a) Consider the following options and evaluate the merits and demerits of each:

1. Negotiate with the courier company and threaten to cancel its contract or impose penalties for exploiting the crisis.
2. Seek assistance from the government to deploy military or public health transport vehicles, though this might delay the delivery by several days.
3. Pay the courier company the inflated charges to ensure the immediate availability of medicines, while exploring long-term alternative logistics solutions. File a legal case against the company afterward.
4. Request help from NGOs or volunteer organizations to transport the medicines.

(b) Also indicate (without necessarily restricting to the above options) the course of action you would follow, with reasons for the same.

Answer

The situation involves a sudden viral outbreak, with the majority of the rural population unable to afford private healthcare services. As the District Health Officer, my primary responsibility is to ensure that essential medicines are distributed to clinics in remote areas at the earliest, so that no life is lost due to the unavailability of medication.

In this context:

Negotiating with the courier company and threatening penalties: While this option would address the unethical behaviour of the courier company exploiting the crisis, it may not immediately resolve the issue of delayed medicine delivery. Punishing the courier company might prevent such exploitation in the future, but the core problem- ensuring timely delivery of medicines to the rural clinics- would remain unaddressed in the immediate term. Therefore,

while this may work for long-term justice, it doesn't prioritize the urgent needs of the population.

Seeking government assistance for transport: Requesting help from the government to deploy public or military vehicles for transport would likely lower costs and prevent the courier company from unfairly benefiting. However, the risk is that this might take too long, leading to unnecessary delays in delivering the medicine, which could worsen the outbreak. In a situation where time is crucial, this option may not be practical.

Agreeing to the courier's high fees while searching for alternatives: This option would ensure the medicines reach the population immediately, which is critical during a public health crisis. While the inflated costs would be a short-term burden, it can be mitigated by taking legal action against the courier company at a later stage, and by finding alternative transport options for future deliveries. This option balances both the need for urgent delivery and the responsibility to prevent exploitation in the future.

Requesting help from NGOs or volunteer organizations: While this could offer a low-cost and community-driven solution, it might not be reliable in the short term, as coordinating volunteers and ensuring safe and efficient transportation could take time. This option may work well as a backup plan, but not as the primary response in an emergency situation like this.

The third option would be the most suitable course of action because it ensures the availability of medicines immediately, which is the top priority in this public health emergency. Simultaneously, by holding the courier company accountable later, I can prevent such exploitation from recurring. Additionally, I would explore seeking government assistance as a backup plan for any further transportation needs, ensuring preparedness for future situations.

2. Ravi has recently been appointed as the District Magistrate (DM) in a flood-prone district, known for its dense forests and wildlife sanctuaries, which attract many tourists. The local population relies heavily on eco-tourism and agriculture for their livelihoods. A few weeks into his tenure, the district faces a severe flood due to relentless monsoon rains. This has caused massive damage to homes, bridges, and roads, leaving both locals and tourists stranded.

Adding to the complexity, a high-profile delegation of environmental scientists and foreign dignitaries is trapped in the area, and their rescue requires a significant number of resources. Meanwhile, the local population is growing anxious as essential supplies are running low, and many feel neglected due to the attention given to the foreign delegation. Media coverage of the situation has heightened tensions, and the district is on the verge of unrest. Families of stranded tourists and locals are bombarding helplines, and the district's limited resources are stretched thin.

(a) Discuss the key issues Ravi is facing in this crisis situation.

(b) Suggest a course of action for Ravi to both maintain public order and ensure the timely rescue of everyone affected.

Answer

The case highlights a situation where a civil servant must prioritize rescue operations during a natural disaster, efficiently use limited resources, and maintain public order. In this scenario,

Ravi faces several key challenges.

(a) Issues faced by Ravi:

1. Inexperience: Ravi has recently been posted as the District Magistrate, and he may not yet be fully familiar with the geography, infrastructure, or vulnerabilities of the district. This unfamiliarity can pose a challenge in executing efficient disaster response measures.

2. Rescuing tourists and dignitaries: The district's reliance on tourism and the presence of high-profile international dignitaries who are stranded make this a highly sensitive operation, requiring prompt action. The international aspect adds urgency to the rescue of the dignitaries.

3. Limited resources: Resources such as boats, helicopters, and rescue personnel are in short supply, and Ravi must ensure their optimal allocation, while addressing both the needs of the locals and the stranded tourists.

4. Damaged infrastructure: With key roads and bridges washed away, coordinating rescue operations becomes more difficult, especially in areas that have become inaccessible.

5. Basic necessities: With people trapped and running low on food, clean water, and medicine, Ravi must organize the distribution of these essentials to prevent a further escalation of the crisis.

6. Emotional distress and law-and-order situation: The lack of immediate assistance has caused panic among locals and tourists alike, putting pressure on the administration. Families of those trapped are flooding emergency lines with calls, further overwhelming the limited administrative capacity.

7. Women's safety: In large-scale rescue operations and temporary shelters, ensuring the safety of women and children is another pressing concern.

8. Health hazards and deceased victims: The rising number of casualties and the delay in retrieving dead bodies could lead to a health hazard, and if not handled promptly, may incite civil unrest.

9. Communication and coordination: Ravi is also facing pressure from neighboring states and the media, as people from other states are desperately seeking information about their loved ones.

In such a scenario, Ravi must act decisively, demonstrate leadership, and work in collaboration with experienced personnel to navigate this complex emergency.

(b) Course of action for Ravi:

1. As the District Magistrate and head of the District Disaster Management Authority (DDMA), Ravi should immediately convene an emergency meeting with key officials, including members of the National Disaster Response Force (NDRF), State Disaster Response Force (SDRF), and senior local officers who are familiar with the district's geogra-

phy and vulnerabilities.

2. Ravi should prioritize the allocation of resources to the areas most affected by the floods, ensuring that rescue operations are well-coordinated and that high-risk zones, such as wildlife sanctuaries, are handled efficiently.

3. He must create multiple task forces to handle different aspects of the disaster response: one to rescue the stranded dignitaries and tourists, another to focus on retrieving locals from hard-hit areas, and a third to handle communication with the public.

4. Ravi should immediately inform the Central Government and request additional resources such as helicopters, rescue boats, and military assistance to expedite rescue efforts.

5. Given the damage to roads and bridges, Ravi can request the army's assistance in constructing temporary infrastructure to accelerate the movement of rescue teams.

6. He should set up relief camps in safe areas such as schools or government buildings, ensuring that these places are adequately supplied with food, water, medical aid, and safety measures, particularly for women and children.

7. Technology such as GPS, drones, and GIS mapping can be utilized to pinpoint the locations of people trapped, while mass messaging systems can be employed to keep the public informed about safe routes, rescue updates, and guidelines.

8. A separate helpline system should be established for families of those trapped, with periodic updates on the rescue operations to reduce panic and misinformation.

9. Ravi should ensure that essential supplies are not hoarded by local vendors or exploited by monopolistic practices. Strict measures should be taken against those found exploiting the situation.

10. To prevent a law-and-order breakdown, he must deploy adequate police forces to areas where unrest is growing and ensure transparent communication with the public about the progress of rescue efforts.

11. Lastly, Ravi should implement a system to track missing individuals, update the public on those rescued, and provide identification services for those who have unfortunately lost their lives in the disaster.

Natural disasters like floods can strain the resources and capabilities of even the most prepared districts. In such situations, Ravi must act prudently, display emotional intelligence, and maintain consistent communication to reassure the public and avoid panic. Periodic dissemination of information and transparent decision-making will be key in maintaining law and order while expediting rescue operations.

3. You are the District Magistrate of a coastal district recently hit by a cyclone, causing severe damage to infrastructure, power outages, and disrupting supply routes. Reports have emerged that local businesses are hiking prices for essential goods such as bottled water, food items, and fuel. A local café is charging Rs. 300 for a simple meal, claiming that their supplies have been severely impacted. Similarly, transportation costs have skyrocketed as fuel has become scarce. Locals are becoming increasingly frustrated, with some incidents of protests and blockades of

businesses being reported. Shopkeepers, on the other hand, argue that the price increases are a necessary response to the supply shortage and that higher prices help prevent hoarding and waste, ensuring that essential goods are available to those who truly need them.

(a) Identify the various issues from the perspective of different stakeholders involved.

(b) What will be the course of action you will undertake? Justify your stand with relevant arguments.

Answer

The case highlights significant challenges arising from price gouging amid a natural disaster, which complicates the administration's response and threatens public safety and well-being.

(a) Various stakeholders and issues involved in this case:

1. Local Public: The community requires access to essential goods and services at reasonable prices. They are concerned about their immediate safety and well-being following the cyclone, and rising prices only exacerbate their distress.

2. Local Shopkeepers/Market: Business owners argue that supply disruptions have led to increased procurement costs, necessitating higher prices. They are concerned about sustaining their businesses but face backlash from the community due to perceived exploitation.

3. Local Administration: It is the responsibility of the administration to protect the public's rights while ensuring that businesses operate fairly. The administration must also maintain law and order and prevent black marketing and hoarding.

4. Governments (State and Union): Higher-level governments have a duty to facilitate relief efforts, support local administration, and ensure that basic needs are met during the crisis.

(b) Course of Action:

As the District Magistrate, my first steps will involve assessing the situation to understand the extent of supply chain disruptions and the public's immediate needs.

Immediate Situation Assessment:

• Conduct a rapid assessment of the impact of the cyclone on infrastructure and supply chains.
• Gather data on the availability and pricing of essential goods in the market.

Maintaining Law and Order:

• Deploy police personnel and community volunteers to monitor public gatherings and prevent violent protests or riots.
• Communicate with community leaders to promote calm and cooperation among residents.

Actions Regarding Shopkeepers:

- Investigation Teams: Form dedicated teams to investigate cases of price gouging, hoarding, and black marketing. Ensure that these teams have the authority to enforce penalties for non-compliance.
- Legal Measures: Utilize the Essential Commodities Act and other relevant laws to impose price ceilings on essential items and prevent unreasonable price hikes.
- Engagement: Meet with local business leaders to explain the detrimental effects of price gouging, including panic buying and community unrest. Encourage them to adopt fair pricing practices during emergencies.

Local Level Actions:

- Rationing System: Implement a rationing system to limit the quantity of essential goods sold to each individual, ensuring equitable access for all.
- Public Communication: Launch a public information campaign to reassure residents that the government is taking steps to stabilize prices and supply. This can include regular updates on efforts to restore supply chains.
- Grievance Portal: Establish a digital portal or hotline for the public to report price gouging and other grievances. Ensure that complaints are addressed promptly to restore public trust.

Coordination with Higher Governments:

- Report to Higher Authorities: Send detailed reports to state and central government agencies outlining the current situation, challenges faced, and immediate assistance required.
- Request Additional Resources: Advocate for the use of air support or other means to transport essential goods to the affected areas if road access remains disrupted.

Long-term Planning:

- Collaborate with local businesses and government agencies to develop a contingency plan for future disasters, focusing on maintaining fair pricing and supply chain resilience during emergencies.
- Engage with community organizations to build a support network that can quickly mobilize resources and aid during future crises.

Through these actions, I aim to balance the rights of the public with the operational needs of local businesses while maintaining law and order in a time of crisis. The priority remains the welfare of the community and ensuring that essential goods and services remain accessible and fairly priced.

Ethics in administration and governance

1. You have recently taken on the role of Director in the state education department. During your first few weeks, you notice an increasing number of anonymous complaints being filed regarding the alleged misappropriation of funds allocated for school infrastructure projects. After some investigation, it becomes clear that these complaints are largely originating from a disgruntled former employee who has been trying to discredit the current administration. The former employee has been using the whistleblower protection framework to file these complaints, even though the claims appear to be exaggerated or entirely false.

The education department is under pressure to maintain its reputation, especially as it prepares for upcoming budget reviews and public audits. While it is essential to encourage genuine whistleblowing to promote transparency, this misuse threatens to divert resources from real issues and could lead to unwarranted negative publicity.

In this context, answer the following questions:

(a) Identify the stakeholders and the issues involved in the case.

(b) What measures will you take to handle the situation?

Response:

Stakeholders in the case:

1. As the Director of the education department: I am responsible for ensuring the integrity of the department's operations and protecting the interests of genuine whistleblowers.

2. The former employee: Their actions are undermining the trust in the whistleblower protection system for personal vendetta, potentially harming innocent parties.

3. Current staff and administration: They may face undue stress and scrutiny due to the false allegations, which can affect morale and productivity.

4. Students and the community: They have a vested interest in the effective use of funds for their educational infrastructure. Distraction from real issues can hinder progress.

5. Regulatory bodies and auditors: They need to ensure that the department is accountable, but excessive time spent investigating false claims can strain resources.

Issues involved in the case:

1. Abuse of whistleblower protections: The system designed to protect genuine concerns is being misused for personal grievances.

2. Resource diversion: Time and effort spent on investigating baseless complaints can detract from addressing legitimate issues in the education system.

3. Public trust and reputation: Ongoing negative publicity could lead to a loss of public confidence in the education department, impacting community support and funding.

4. Potential for retaliation: If the former employee's actions are not addressed, it could em-

bolden others to misuse the system, creating a culture of fear and distrust among staff.

Measures to handle the situation:

1. Investigation and verification: Conduct a thorough investigation into the complaints filed, focusing on fact-checking and validating the claims. If false information is found, it should be documented and addressed accordingly.

2. Encourage genuine reporting: Reinforce the message that the department values legitimate concerns by creating a clear, transparent process for reporting. This includes distinguishing between genuine whistleblowing and malicious complaints.

3. Develop training programs: Implement training for staff on ethical reporting and the importance of the whistleblower system. This can help them understand the difference between legitimate issues and personal grievances.

4. Create a feedback mechanism: Establish a formal feedback process for those who report concerns, ensuring they feel heard and protected while also deterring false claims.

5. Implement monitoring mechanisms: Introduce measures to track the nature and frequency of complaints. This will help identify patterns that may indicate abuse of the system and allow for timely intervention.

6. Review and update policies: Work with legal advisors to review the existing whistleblower protection policies. Consider tightening the criteria for anonymity or requiring additional documentation for complaints to reduce the risk of misuse.

7. Public communication: Prepare a communication strategy to address the situation openly with the community, emphasizing the department's commitment to transparency and accountability while discouraging the misuse of protections meant for genuine whistleblowers.

8. By taking these steps, the education department can maintain the integrity of the whistleblower protection system, ensuring that it serves its intended purpose without being exploited for personal agendas. This will help foster a culture of trust and accountability within the department, benefiting both staff and the community.

2. Riya is a dedicated and principled officer serving as the District Collector in a region known for its corrupt practices and mismanagement of public resources. Her appointment was based on her outstanding performance in previous assignments, and she has worked diligently to improve transparency and accountability in the district. Riya's family is supportive of her efforts, and they enjoy a comfortable life in the district.

Recently, a local politician was accused of embezzling funds meant for a community development project. The funds were intended for building schools and hospitals in underprivileged areas. Riya conducted a thorough investigation and discovered substantial evidence linking the politician to fraudulent activities, including inflated contracts and kickbacks.

In light of the investigation, several advocacy groups have expressed their concerns

about the misuse of public funds and have called for a transparent inquiry. The government, under pressure from these groups, establishes an independent commission to investigate the allegations.

As Riya prepares to present her findings to the commission, her supervisor informs her that the politician is a significant benefactor to the ruling party and that her report could jeopardize their political standing. Her supervisor urges her to omit the incriminating evidence against the politician, suggesting that doing so will ensure her continued position in the district and provide stability for her family.

Questions:

(a) What options are available to Riya to handle this ethical dilemma?

(b) Critically evaluate each of the options and identify the most appropriate course of action for Riya.

(c) What recommendations would you propose to enhance transparency and prevent corruption in public administration?

Answer

(a) Riya has several options to handle the ethical dilemma regarding the investigation into the local politician's embezzlement of funds:

1. Follow her supervisor's advice and omit the incriminating evidence against the politician from her report.

2. Stick to the facts and present the complete findings to the independent commission.

3. Report the supervisor's unethical advice to higher authorities or an external oversight body.

(b) Critical evaluation of each option:

Following her supervisor's advice:

- Pros: This option may provide immediate job security for Riya and protect her from potential backlash from influential political figures. It could also ensure stability for her family in the short term.

- Cons: This choice compromises Riya's integrity and undermines the fight against corruption. Omitting crucial evidence perpetuates a culture of impunity, allowing corrupt practices to continue unchecked and ultimately harming the community that relies on transparent governance.

Presenting the complete findings to the independent commission:

- Pros: This option aligns with Riya's commitment to honesty, accountability, and public service. By exposing the wrongdoing, she helps ensure that the politician is held account-

able, reinforcing the principles of integrity and transparency in governance. This action could lead to significant positive changes in the district.

- Cons: This choice carries considerable risks, including potential backlash from powerful individuals, jeopardizing Riya's career and personal safety, and affecting her family's well-being. There may also be political consequences for the ruling party, creating a challenging environment for her.

Reporting the supervisor's unethical advice:

- Pros: This option emphasizes accountability and ethical conduct within the organization. By escalating the issue, Riya can bring attention to the unethical behaviour of her supervisor and promote necessary reforms. It demonstrates her commitment to integrity and could lead to a more transparent investigation process.
- Cons: Reporting may provoke retaliation from influential political figures and create a hostile work environment for Riya. It could also distract from the ongoing investigation and lead to further complications.

Most Appropriate Option:

Riya should choose the second option: to present the complete findings to the independent commission. By doing so, she remains true to her values of integrity, accountability, and justice. This choice ensures that corrupt officials are held accountable and reinforces public trust in the administration. It sends a clear message that corruption will not be tolerated and that the welfare of the community is paramount.

(c) Recommendations to enhance transparency and prevent corruption in public administration:

1. Implement Strong Whistleblower Protection Laws: Establish robust legal frameworks to protect whistleblowers from retaliation, encouraging officials to report unethical practices without fear.

2. Create Independent Oversight Bodies: Establish independent commissions or agencies tasked with investigating corruption allegations impartially and transparently.

3. Conduct Regular Ethics Training: Mandate ethics training programs for public officials, focusing on integrity, accountability, and the importance of transparency in governance.

4. Increase Public Engagement: Involve civil society organizations and community members in monitoring public projects and expenditures to promote accountability.

5. Adopt Open Government Initiatives: Implement policies that ensure transparency in government processes, such as open bidding for contracts and public disclosures of government spending.

6. Utilize Technology for Transparency: Leverage digital platforms to track public expenditures and report corruption allegations, enhancing accessibility and accountability.

7. Establish Regular Audits and Evaluations: Conduct routine audits of government programs and financial transactions to identify and address corrupt practices proactively.

8. Promote a Culture of Integrity: Foster ethical leadership within public administration that models and promotes integrity as a core value of public service.

By implementing these recommendations, public administration can work towards preventing corruption, fostering a culture of integrity, and restoring public trust in governance.

3. A new highway is being built by a prominent construction company in a state. The Road Development Authority (RDA) is responsible for floating the tender, supervising the construction, ensuring compliance with safety standards, and granting final approval. During the construction phase, the RDA's quality inspection team conducted tests and found that the materials used for the road foundation were substandard and failed to meet the minimum safety requirements.

The construction company, known for its political connections, secured the contract through underhanded deals, offering bribes to several high-ranking officials within the RDA. These officials are now exerting pressure on the quality inspection team to issue a favourable report and approve the project, despite the evident shortcomings. Additionally, the state transport minister, whose re-election campaign revolves around the timely completion of this project, is urging the inspection team to sign off on the road.

The head of the quality inspection team is aware that approving the substandard road could lead to safety hazards, potentially causing accidents and loss of lives. He also knows that if he opposes the decision, he might face career setbacks and personal threats. With the deadline approaching and mounting political pressure, he faces a moral and ethical dilemma.

Questions:

(a) What are the ethical and administrative issues involved in this scenario?

(b) Analyse the potential options available to the head of the quality inspection team in this situation.

(c) Recommend a course of action for the quality inspection team leader, supported by ethical reasoning.

Answer

(a) Issues involved in the case study:

1. Transparency: The road construction project, as well as its quality inspection results, should be made available to the public. The lack of transparency surrounding the testing process is a key issue in this case.

2. Public Safety: The materials used in the road foundation are substandard, posing a serious threat to public safety. Approving the road without meeting safety standards may lead to

accidents, endangering lives.

3. Political and Administrative Pressure: The state transport minister and senior officials from the RDA are pressuring the quality inspection team to approve the project due to their political interests, overshadowing public safety.

4. Accountability: If the road collapses or causes accidents, the head of the quality inspection team will face scrutiny and may lose his job, making accountability a major issue.

5. Corruption and Bribery: The construction company has bribed RDA officials to secure the contract, and these officials are now using their influence to push for the approval of a substandard project.

6. Objectivity and Integrity: The head of the quality inspection team must decide whether to uphold objectivity and integrity in his decision, focusing on facts and public welfare, or give in to pressure and corruption.

(b) Options available to the head of the quality inspection team:

Approve the project despite substandard quality:

• Merits: The inspection head avoids trouble with the construction company, political figures, and his superiors. He might receive financial rewards or career favours.

• Demerits: By approving substandard work, public lives are put at risk, and if an accident occurs, he will be held responsible, leading to possible legal consequences and job loss. His integrity and professional ethics will be compromised.

Reject the approval and release the actual test results:

• Merits: This option ensures public safety and maintains the transparency and accountability of the inspection process. It aligns with ethical principles, ensuring the inspector fulfils his professional duty.

• Demerits: The inspector may face retaliation from the construction company, the minister, and senior officials. He could be transferred or sidelined professionally. The project may experience cost overruns or delays, which could attract political backlash.

Consult with senior officials and propose alternative solutions:

• Merits: Engaging more stakeholders in the decision can lead to a more responsible approach and emphasize the potential risks of approving the substandard project. It might also reduce the political pressure on the inspector, while prioritizing public safety.

• Demerits: Senior officials may not support stalling the project, especially with elections approaching. The construction company and political figures may still attempt to bypass the inspector's authority to get the project approved.

(c) Recommended course of action:

As the head of the quality inspection team, I would reject the approval of the substandard road construction and release the actual test results. Ensuring public safety must take precedence over political or financial gains. My professional duty requires me to act in the public interest and prevent any potential future disasters. Upholding transparency and accountability will protect my integrity and promote ethical practices within the RDA.

Additionally, I would engage senior officials and highlight the risks associated with approving the project. If pressure continues, I would consider whistleblowing as a last resort to ensure that corruption does not prevail, and public trust in government institutions is upheld. Such actions will not only protect the public but also send a strong message that unethical practices will not be tolerated.

Assignments

1. The Right to Information (RTI) Act is one of the most important reforms brought by the government. You have recently been transferred as the Public Information Officer (PIO) in the irrigation department of a district. While inspecting the RTI applications, you find that many of these applications relate to information on the recruitment of staff in your department. Your juniors point out that all of these have been filed by an aspiring local politician who may be trying to create an issue related to irregularities in recruitment in the department. The department fears that he is filing RTI applications for political gains in the upcoming state elections.

    In this context, answer the following questions:

    (a) Identify the stakeholders and the issues involved in the case.

    (b) What measures will you take to handle the situation?

2. You are the District Magistrate of a hilly district, which has recently been struck by flash floods and landslides causing supply routes to be cut off. It is brought to your notice that shopkeepers in the area are taking advantage of the situation by exorbitantly increasing the prices of various goods. One example is the case of a dhaba charging Rs. 250 for a paratha citing supply constraints. Others have also been reported to be charging exorbitant prices for transportation and other services. Given the difficult situation, there have also been issues of law and order where people have resorted to picketing of shops in retaliation to the increased prices. On enquiring, representatives of shopkeepers argue that since supply is constrained, prices are bound to increase. They further argue that higher prices are, in fact, helpful in ensuring judicious use of goods and services that are most urgently needed during emergencies.

    (a) Identify the various issues from the perspective of different stakeholders involved.

    (b) What will be the course of action you will undertake? Justify your stand with relevant arguments.

3. You have recently been posted as a Nodal Education Officer in one of the districts, where mass cheating in examinations is a regular phenomenon. Media reports have shown parents and relatives scaling school walls and buildings to pass answer chits to students taking secondary school examinations in the district. Moreover, with the advent of new technological devices, cheating in examinations has become more sophisticated and exam rules are flouted openly. On investigation, it has come to your notice that these rackets are run by many school authorities, including exam invigilators who are mostly teachers, and they are hand in glove for profits. With a shortage of staff, invigilators threaten go on mass strikes if any action is taken. Conducting the exams, cancelling them on account of cheating and having re-exams are a loss of time and money for the government and this vicious cycle goes on.

As the Nodal Education Officer of the district, address the following questions:

(a) What are the ethical issues involved in the above case?

(b) How will you resolve the issues in the given case?

(c) What long-term strategy needs to be adopted to deal with the menace of cheating in various examinations?

4. Civil servants are usually considered as the behind-the-scenes operators of plans and policies of the government. Being the permanent executive, they are expected to work without getting into the limelight while it is up to the politicians to hog the limelight for their political ends. But in recent times, a trend is developing where civil servants, especially younger ones, have taken to social media to post their day-today activities on a regular basis. Some studies suggest that some of the officers have attained a level of popularity that does not trail too far behind celebrities and influencers in India. Most of these officers with social media presence argue that this helps them connect with the people and also inspire the younger generation. However, many senior civil servants strongly oppose such a trend. They believe that some of the content shared by such officers is excessively publicity-seeking, violates the 'principles' of the civil services, and may even be disadvantageous to their own career as well as the service as a whole. There have been calls from various quarters advising the young officers to desist from creating a film star like image of themselves.

In this context, answer the following questions.

(a) What are the ethical issues associated with the excessive use of social media by civil servants?

(b) How can social media be effectively utilized by public officials? (Answer in 250 words)

Suggested Reading

1. Guy, M. E. (1990). Ethical Decision Making in Everyday Work Situations. Quorum Books.

2. Frederickson, H. G., & Ghere, R. K. (2005). Ethics in Public Management. M.E. Sharpe.

References

1. Cooper, T. L. (2012). The Responsible Administrator: An Approach to Ethics for the Administrative Role. Jossey-Bass.

2. Denhardt, K. G. (1988). The Ethics of Public Service: Resolving Moral Dilemmas in Public Organizations. Greenwood Press.

3. Bowman, J. S., & West, J. P. (2020). Public Service Ethics: Individual and Institutional Responsibilities. Routledge.

Space for Learner Engagement for Objective Questions

Learners are encouraged to develop objective questions based on the content in the paragraph as a sign of their comprehension of the content. The Learners may reflect on the recap bullets and relate their understanding with the narrative in order to frame objective questions from the given text. The University expects that 1 - 2 questions are developed for each paragraph. The space given below can be used for listing the questions.

SREENARAYANAGURU OPEN UNIVERSITY

Regional Centres

Kozhikode
Govt. Arts and Science College
Meenchantha, Kozhikode,
Kerala, Pin: 673002
Ph: 04952920228
email: rckdirector@sgou.ac.in

Thalassery
Govt. Brennen College
Dharmadam, Thalassery,
Kannur, Pin: 670106
Ph: 04902990494
email: rctdirector@sgou.ac.in

Tripunithura
Govt. College
Tripunithura, Ernakulam,
Kerala, Pin: 682301
Ph: 04842927436
email: rcedirector@sgou.ac.in

Pattambi
Sree Neelakanta Govt. Sanskrit College
Pattambi, Palakkad,
Kerala, Pin: 679303
Ph: 04662912009
email: rcpdirector@sgou.ac.in

Administrative Ethics

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